About and Contact

Latest Revision Date:
07/15/2024

Policy Research, Development, and Review

The Seattle Police Department's Professional Standards Bureau maintains the Seattle Police Policy Manual.

The Policy & Research Section coordinates the research, development, and review of the policy sections published in this manual.

Policy is researched and developed based on legal and Constitutional standards, best practices of the police profession, department and community values, best evidence/best science, and collaboration with subject matter experts.

A detective is assigned to lead a policy project. The detective assembles a work group of subject matter experts. The work group reviews policy development through web-based shared review. An internal peer review within the Policy & Research Section is completed before a department-wide review.

Once the review process is complete, the policy is presented to department command staff where final policy decisions are made. Approved policies are generally published at the beginning of the next month.

Manual Structure

Manual sections generally include policy, procedural steps, and individual tasks.

- Policy (**POL**): Describes a management decision or rules which employees must follow.

- Procedures (**PRO**): Are a list of ordered steps that several individuals must complete to achieve the department's desired goal.

- Tasks (**TSK**): Are a list of ordered steps that instructs one person what they must do within the procedural steps to achieve the department's goal.

Contact

Mailing Address:
Seattle Police Department
610 5th Ave
P.O. Box 34986
Seattle, WA 98124-4986

Click here for Seattle Police Department contact information.

The Seattle Police Department Code of Ethics

As a Seattle Police Department employee, my actions are guided by the following principles: Justice, Excellence, Humility, Harm Reduction, and Service. Our department goals focus on preventing and fighting crime, community policing, and harm reduction. We pursue these goals via time tested tactics, available research, innovation, training, and partnering with the community.

As a police employee entrusted by my community to protect all our community (police department employees and community members alike), I will strive to display the values of:

> **Justice** – I will treat people fairly and act in good faith. I will work toward racial and social justice for all.
>
> **Excellence** – I will not be satisfied with the status quo. I will review all systems and processes with an eye towards improvement, efficiency, and professionalism. When I attend training or review new policies, I will strive to master the material because I recognize that training leads to competency.
>
> **Humility** – I will learn from both positive and negative experiences and share what I learn with others. I will listen to what other people are saying, ask questions, and consider their concerns.
>
> **Harm Reduction** – I will commit to exploring new ways to improve public safety while reducing harm to communities and individuals. I will think outside the box and look for long-term and sustainable solutions while partnering with others.
>
> **Service** – The common thread tying these four principles together is service. Service is the first word on my shoulder patch, and I will keep service to our community as my priority. I will provide that service with pride and dedication.

Crime prevention and crime fighting are integral parts of our mission. Effective crime fighting requires community policing. Community policing requires both the police department and community members to take responsibility for involving each other in our efforts. Community trust is built one transaction at a

time. Police employees and community members who work together strengthen that bond and can build safer, stronger, and more compassionate communities. Harm reduction represents an acknowledgement that there are competing interests, demands, and strains on our social structures that create particularly challenging opportunities for law enforcement. These opportunities include finding long-term sustainable ways to reduce the harm caused by various challenges within our community. Making the most of these opportunities takes strong bonds of trust between police and the communities we serve.

As a Seattle Police employee, I am responsible for supporting the mission and principles of the Seattle Police Department.

Mission Statement and Priorities

Mission Statement

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

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

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

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

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

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

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

Department Priorities

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

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

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

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

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

Manual Preface

03/01/2023

This manual sets forth the standards, values, and expectations of the Seattle Police Department. Its policies, procedures, core values, and mission and priority statements exist to maintain high levels of professional conduct and are the embodiment of the department's concerns for ensuring effective, safe, and constitutional law enforcement.

The manual is intended to provide specific guidance and to serve as a reference to employees of the Seattle Police Department. It is the responsibility of each member of the department to comply with the manual's rules and provisions.

It is understood that law enforcement is dynamic, and that it is impossible to anticipate every circumstance that may confront an employee. Deviation from these written standards may be acceptable on a case-by-case basis under the totality of the circumstances, and must be reasonable. Any actions taken must ultimately reflect the department's mission statement and priorities.

To the extent that department policy may contain provisions more restrictive than state or federal law, such provisions are not intended, nor may they be construed or applied, to create a basis for liability against the City or any of its employees.

Finally, the written publications of the department are only a part of the direction provided to employees. Communication that is directive in nature from supervisory or management personnel has the same authority as any written policy.

The Seattle Police Department Policy Manual is maintained by the Professional Standards Bureau.

Mailing Address:

Seattle Police Department
Policy & Research Section
610 5th Ave
P.O. Box 34986
Seattle WA 98124-4986

Seattle Police Department

Directive

April 1st, 2015

Directive Number 15-00012

Interim Policy: Case Number Naming Convention

When entering case numbers in SECTOR and the MRE, officers shall use the full four-digit year and shall not include zeroes between the hyphen and the first positive number.

Correct:

2015-1234

Incorrect:

15-1234

2015-0012

There is a two-fold reason for this naming convention:

- Use of the entire year is a requirement of Washington State Patrol.
- RMS deletes zeroes that are placed before the first positive number.

This interim policy will remain in effect until it is rescinded or incorporated into the manual.

Questions may be directed to the Policy Unit
email: SPD_aprs@seattle.gov
Phone (206-684-4116)

Seattle Police Manual

Directive

Effective Date: 09/15/19

Directive Number 19-00041

Interim Policy
Juvenile Assistance Contact Card Pilot Project

The Department will be conducting a pilot project utilizing a new juvenile assistance contact card (SPD Form 28.8). The pilot project is available to all sworn personnel.

The purpose of the card is to reach out to youth at risk. When an officer observes a youth at risk and determines that assistance from a youth engagement partner may assist, please fill out a card. The determination to use the card is based on the officer's experience and if they feel that they have time to fill out the card.

The information given to the officer by the juvenile is completely voluntary. Fill out as much information as possible about the juvenile on the card. The juvenile does not have to be involved in the incident or reason why an officer is at an event. The card is not to be used if the juvenile has been arrested due to the event.

Information about the card is not to be transcribed, photocopied, mentioned, or referred to in any report, entity, or CAD. Information collected for an incident during normal information gathering procedures does not change due to the use of this card (exception: do not document the use of or mention this card in any report).

The precinct and watch of the officer completing the card must be filled out. This information is tracked by the Youth Violence Prevention Unit in order to determine where the card is being utilized. This will be an indicator of the usefulness of the project. No other information contained on the card is to be tracked, maintained, or kept by the Department. The Data Center is not to copy, scan, e-mail, or maintain a record of a completed card. The Communications Section is not to update CAD with any information about the card.

Officers will forward their completed card, in the Department mail or in person, to the Youth Violence Prevention Unit (YVPU) which is part of the Collaborative Policing Bureau. Officers may use an Alert tag for time sensitive issues or at the officer's discretion. Officers will refrain from e-mailing information from or about the card. The Data Center will ensure that all cards that they receive are forwarded to the YVPU. All completed cards should be placed in the Department mail or delivered to the YVPU before the end of the officer's shift.

At a minimum, the YVPU will track, on a spreadsheet, the date received, precinct, watch, and whether or not services were offered. The YVPU will not track information about the juvenile. The YVPU will forward all applicable cards to the appropriate civilian City contracted youth engagement partner for follow-up. The YVPU will accompany all civilian outreach employees that need a police escort, in regard to this project. The Communications Section will refer all requests for a police escort from a civilian City contracted youth engagement partner, in regard to this project, to the YVPU (unless there is an immediate emergency situation).

Feel free to reach out to the YVPU Sergeant for any questions or concerns at 206-233-7065.

This interim pilot project will remain in effect from 9/15/19 to 3/15/20 or until rescinded, updated, or incorporated into the SPD Manual as a long-term project.

Seattle Police Department

Directive

Effective Date: 11/01/21

Directive Number 21-00028

Revised Interim Policy

Military Equipment ~~and Use of Force~~ per House Bill~~s~~ 1054 ~~and 1310~~

House Bill~~s~~ 1054 ~~and 1310~~ went into effect on July 25, 2021. Directive 21-00023 announced an interim policy to address the effects of the two bills on department policy.

The purpose of this interim policy is to replace the original and include more information for clarification.

The Department acknowledges that both bills contain language that different agencies have interpreted in different ways. The Department further acknowledges that, absent the policy guidance that the legislature has directed the Attorney General to promulgate by July 2022, agencies can and do differ in their implementation of these bills in the interim.

Based on conversations and/or information provided by bill sponsors, civil rights attorneys, OPA, and crisis response advocates, SPD is confident its construction of these bills complies with both the meaning and intent of the legislative package.

Philosophy

Sworn employees should consider their role in overall community safety when deciding to use force within the policy restrictions created by House Bill~~s~~ 1054 ~~and 1310~~.

When deciding whether to take action that may result in the use of force, the department expects officers to weigh the government interest in taking these actions against factors such as severity of the event, and overall public safety.

With that in mind, the department encourages officers to apply their training and knowledge of state and municipal codes in deciding how best to hold offenders accountable, provide public assistance, and maintain public safety, including diversion under RCW 10.31.110.

1. HB1054 and Military Equipment

HB1054 prohibits law enforcement agencies from using any "military equipment". The bill includes "firearms and ammunition of .50 caliber or greater" in its definition of military equipment. As a result:

Effective 07/25/21 at 0000 hours and until further notice, officers will not deploy with 12ga shotguns during their shifts.

Officers will store these firearms in whatever secure location the officers normally use when not on duty. Further direction will follow with respect to returning these items to the armory.

Upon discussion with the representatives of this bill, conversation with WSCJTC and OPA, the 40mm less lethal launcher was never the intended target of this legislation. Therefore, SPD views the 40mm launcher as exempt and encourages its continued use in compliance with Policy 8.300-POL-10.

~~2. HB1310 and Use of Force~~ (**Moved to Title 8 Interim Policies effective 04-24-2023**)

~~8.050 – Use of Force Definitions~~

~~**Imminent Threat of Bodily Injury** - For purposes of using *less than lethal force*, an imminent threat does not mean an immediate threat, it means a threat that is "ready to take place, near at hand … hanging threateningly over one's head, or menacingly near. [See Seattle Police Department v. Demetrius Jones No. 81901-1-I (Division 1 Court of Appeals) citing State v. Janes, Washington State Supreme Court 850 P.2d 495 1993)~~

~~See also RCW 71.05.020 (imminent "means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.")~~

~~**Imminent Threat of Serious Physical Injury or Death** – means that, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person.~~

~~**Reasonable Care** – the statutorily mandated requirement that peace officers act with reasonable care when carrying out their duties and, specifically, in assessing the decision to use force and in their use of force, including de-escalation tactics and alternatives to deadly force.~~

~~**Physical Force** – With regard to HB1310, physical force is any force that is reasonably likely to cause injury or pain.~~

- ~~Does not include de minimis force~~
- ~~Does not include force that is reportable as Type I simply because of a complaint of pain or injury but as a tactic is not reasonably likely to cause injury or pain.~~
- ~~Does not include pointing a firearm~~
- ~~Does not include deployment of an NFDD away from a person~~

~~8.100 – De-Escalation~~

~~**Reasonable Care**~~

~~When possible, exhaust available and appropriate de-escalation tactics prior to using physical force.~~

~~**Possible** – Possible, as interpreted by the Seattle Police Department, means "when safe, feasible and without compromising law enforcement priorities."~~

~~**Appropriate** – Appropriate means a decision made from the point of view of a reasonable officer at the scene, based on the officer's training and experience, and with the information known at the time.~~

~~Some de-escalation factors to consider:~~

- ~~Time, distance, and shielding;~~

- ~~Designate one officer to communicate in order to avoid competing commands;~~

- ~~Call for additional resources;~~

- ~~Take as much time as necessary without using physical force or weapons; (amount of time should be reasonable)~~

- ~~Leave the area if there is no threat of imminent harm and no crime has been committed, is being committed, or is about to be committed.~~

~~Use the least amount of physical force necessary to overcome resistance under the circumstances.~~

~~**Least Amount of Force** – An amount of force that is reasonable, necessary and proportional to effect the lawful purpose intended. This is an objective standard of a reasonable officer at the scene.~~

~~**Necessary** – means that no reasonable effective alternative to the use of force appeared to exist, and that the amount of force was reasonable to effect the lawful purpose intended.~~

~~Some considerations when using force:~~

- ~~A consideration of the characteristics and conditions of a person for the purpose of determining whether to use force against that person, and~~

- ~~If force is necessary, determining the appropriate and least amount of force possible to effect a lawful purpose.~~

  ~~Such characteristics and conditions may include that the person is:~~

  - ~~Visibly pregnant or states they are pregnant;~~

  - ~~Known to be a minor, objectively appears to be a minor, or states they are a minor;~~

  - ~~Known to be a vulnerable adult, or objectively appears to be a vulnerable adult as defined in RCW 74.34.020;~~

  - ~~Displaying signs of mental, behavioral, or physical impairments or disabilities;~~

- ~~Experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;~~

- ~~Suicidal, has limited English proficiency, or is in the presence of children.~~

~~Terminate the use of physical force as soon as the necessity for such force ends.~~

~~When feasible, use available and appropriate less lethal weapons before using deadly force.~~

~~8.200 – Using Force~~

~~Physical Force~~

~~Except as otherwise provided under this policy, a peace officer may use physical force against a person when necessary to:~~

- ~~Protect against criminal conduct where there is probable cause to make an arrest,~~

- ~~Effect an arrest,~~

- ~~Prevent an escape as defined under RCW chapter 9A.76, or~~

- ~~Protect against an imminent threat of bodily injury to the peace officer, another person, or the person against whom force is being used.~~

~~Absent an imminent threat of bodily injury, HB1310 does not allow for any use of physical force to detain uncooperative subjects without probable cause to arrest.~~

~~In determining whether officers have probable cause to arrest, officers are not restricted to the facts forming the basis for the initial decision to stop. Where a subject's actions in response to an officer's efforts to detain separately establish probable cause that a crime, including Obstructing a Public Officer, is being committed, or where the subject's actions in response to an officer's efforts to detain create an imminent threat of harm, HB 1310 does not prohibit the use of reasonable, necessary, and proportional force to achieve the law enforcement purpose.~~

~~Any force used to enforce an arrest or to detain under these circumstances must be proportional to the threat the officer is facing and/or the underlying crime they are investigating.~~

~~Officers may use reasonable, necessary, and proportional force to effect an emergent detention of a person suffering from a behavioral health disorder who presents an imminent threat of bodily injury to themselves or others.~~

~~Absent criminal conduct, an officer may not use physical force to take someone into custody for an emergent detention where the only risk is to property.~~

~~Officers may not use physical force to take someone into custody for a non-emergent civil detention order or other civil order of apprehension where the person does not present an imminent threat of bodily injury to themselves or others or where the subject has not committed a crime for which the subject may be diverted under RCW 10.31.110.~~

~~Deadly Force~~

~~A peace officer may use deadly force against another person only when necessary to protect against an imminent threat of serious physical injury or death to the officer or another person.~~

~~For purposes of Deadly Force under RCW 10.120.020 the following definitions apply:~~

~~Imminent Threat of Serious Physical Injury or Death~~ ~~– based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person.~~

~~Necessary~~ ~~– under the totality of the circumstances, a reasonably effective alternative to the use of deadly force does not exist, and that the amount of force used was a reasonable and proportional response to the threat posed to the officer and others.~~

~~**Totality of the Circumstances** – all facts known to the peace officer leading up to and at the time of the use of force, and includes the actions of the person against whom the peace officer uses such force, and the actions of the peace officer.~~

Questions may be directed to the Policy Unit
Email: spd_aprs@seattle.gov
Phone: (206) 684-4116

Seattle Police Manual

Directive

Effective Date: 06/01/22

Directive Number 22-013

Interim Policy

1.115 – Media Release: Officer-Involved Shooting

Effective immediately, 1.115-POL-5 has been revised to state the following:

Within 72 Hours of an OIS, the Department Will Release the Names of any Officers Who Discharged a Firearm, Absent Exigent Circumstances

---

Please read the attached policy.
Any questions may be directed to the Policy and Research Section.
Email: spd_policy@seattle.gov
Phone: (206) 684-4116

Interim Policy
8.000 – Use of Force Core Principles

Effective Date: 04/24/2023

8.000-POL

This policy section outlines the Seattle Police Department's core principles relating to the use of force. These general core principles provide the foundation for the more specific policies governing the application, reporting, investigation, and review of force. The department recognizes that officers will face unique and challenging circumstances not specifically addressed in this policy. Officers are expected to apply these core principles reasonably in unanticipated situations.

The Seattle Police Department's policy is that officers hold the highest regard for the dignity and liberty of all persons. The department respects the sanctity of every human life, and the application of deadly force is a measure to be employed in the most extreme circumstances where lesser means of force have failed or could not be reasonably considered.

The Seattle Police Department is committed to protecting people, their property, and rights while providing the best in public safety and service. The proper use of force is essential for ensuring impartial policing and for building trust in the community. While there are circumstances where individuals will not comply with the law unless compelled or controlled by police officers using force, officers must remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority.

The department seeks to manage use of force by officers beyond the *Graham v. Connor* (1989) standard and its minimum requirements by establishing further parameters for the application of force and to offer explicit direction to officers. Sound judgment, the appropriate exercise of discretion, and the adherence to department policy will always be the foundation of officer decision-making in the broad range of possible use of force situations.

1. Every Member of the Seattle Police Department is Committed to Upholding the Constitution, Laws of the United States, Laws of the State of Washington, and Defending the Civil Rights and

Dignity of All Individuals, While Protecting All Human Life and Property and Maintaining Civil Order

The Seattle Police Department's policy is to accomplish the police mission with the cooperation of the public and as effectively as possible and with minimal reliance upon the use of physical force.

The community expects, and the Seattle Police Department requires, that officers use only the force necessary to perform their duties and that such force be proportional to the threat or resistance of the subject under the circumstances.

An officer's commitment to public safety includes the welfare of members of the public, the officer, and fellow officers, with an emphasis on respect, professionalism, and protection of human life, even when force is necessary.

Officers who violate those values by using objectively unreasonable force degrade the confidence of the community, violate the rights of individuals upon whom unreasonable force is used, and may expose the department and fellow officers to legal and physical hazards.

Conversely, officers who fail to use timely and adequate force when it is necessary, may endanger themselves, the community, and fellow officers.

2. When Safe, Under the Totality of the Circumstances, and Time and Circumstances Permit, Officers Will Use De-Escalation Tactics to Reduce the Need for Force

Additional guidance on how to reduce the need to use force may be found in manual section 8.100 – De-Escalation Interim Policy.

3. Sometimes the Use of Force Is Unavoidable, and an Officer Must Exercise Physical Control of a Violent, Assaultive, or Resistive Individual to Make an Arrest, or to Protect Members of the Public and Officers from Risk of Harm

In doing so:

- Officers will recognize that their conduct prior to the use of force, including the display of a weapon, may be a factor which can influence the level of force necessary in each situation.

  (Additional guidance on how to reduce the need to use force may be found in 8.100 – De-Escalation Interim Policy)

- Officers will take reasonable care that their actions do not precipitate an unnecessary, unreasonable, or disproportionate use of force, by placing themselves or others in jeopardy.

- Officers will continually assess the situation and changing circumstances and modulate the use-of-force appropriately.

4. An Officer Will Use Only Force That Is Objectively Reasonable, Necessary, and Proportional to the Threat or Resistance of a Subject

Definitions of "objectively reasonable," "necessary," and "proportional" may be found in manual section 8.050 – Use of Force Definition Interim Policy.

Guidance on when force is authorized may be found in manual section 8.200 – Using Force Interim Policy.

5. Each Officer Is Responsible for Explaining and Articulating the Specific Facts, and Reasonable Inferences from Those Facts, Which Justify the Officer's Use of Force

The officer's justification will be reviewed to determine whether the force used was in or out of policy.

Failure to adequately document and explain the facts, circumstances, and inferences when reporting force may lead to the conclusion that the force used was out of policy.

Additional guidance on reporting force may be found in manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

6. The Department Is Committed to Upholding Lawful, Professional, and Ethical Standards Through Assertive Leadership and Supervision Before, During, and After Every Force Incident

The Seattle Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous standards and transparent oversight systems to ensure accountability to the community to maintain their trust. Responsibilities include:

- Force prevention efforts,

- Effective tactics, and

- Objective review and analysis of all incidents of reportable force.

Additional guidance on the department's review of force may be found in manual section 8.500 – Reviewing Use of Force Interim Policy.

7. A Strong Partnership Between the Department and the Community Is Essential for Effective Law Enforcement and Public Safety

Uses of force, even if lawful and proper, can have a damaging effect on the public's perception of the department and the department's relationship with the community.

Both the department and individual officers need to be aware of the negative effects of use-of-force incidents and be empowered to take appropriate action to mitigate these effects, such as:

- Explaining actions to subjects or members of the public, when feasible.
- Offering reasonable aid to those affected by a use-of-force.
- Treating subjects, witnesses, and bystanders with professionalism and courtesy.
- Department follow-up with neighbors or family to explain police actions and hear concerns and feedback.
- Department follow-up with the involved officer(s) and support, as needed, throughout the process.

Interim Policy
8.050 – Use of Force Definitions

Effective Date: 04/24/2023

The following definitions apply throughout Title 8 – Use of Force Interim Policies:

40mm Less Lethal Launcher: launchers that fire less lethal ammunition designed to stun, temporarily incapacitate, or cause temporary discomfort to a subject without penetrating a subject's skin.

Appropriate: appropriate means a decision made from the point of view of a reasonable officer at the scene, based on the officer's training and experience, and with the information known at the time.

Approved Weapon: a tool used to apply force that is both specified and authorized by the department.

Approved Use of a Weapon: use of an approved weapon by an officer who has been properly trained in the use of that weapon.

Blast Balls: ball-shaped, rubber coated, less-lethal devices designed for crowd management purposes. Blast balls may contain OC.

Blocking: when an officer uses a police vehicle to block the path of travel of a stationary vehicle, where there is no contact between the police vehicle, and the stationary vehicle.

Canine Apprehension: where a suspect surrenders or is otherwise brought into custody as the result of canine deployment. This may be because the canine was used as trained or because the suspect surrendered after becoming aware that the canine might be used.

Canine Bite: physical contact, initiated by the canine; between the canine's teeth, and a person or animal. This contact does not need to result in broken or punctured skin to be a bite.

Canine Bite Ratio: the number of canine apprehensions accomplished by means of a canine bite divided by the total number of canine apprehensions (both with and without a bite).

Canine Deployment: taking a canine out of the car in anticipation of commanding it to perform a law enforcement function for which it has been trained.

Canine Handler or Canine Officer: a sworn member of the department who is responsible for the routine care, control, and utilization of a police canine within a law enforcement assignment.

Canine Search: use of a canine to search for a subject or evidence. There are three types of canine searches:

- **Contained Search:** a search for a subject in a contained area, i.e., building, or fenced lot, where a subject is reasonably expected to be hiding. Done on and off lead.

- **Evidence Search:** a search for items of evidentiary value when permissible by law and policy. Done on and off lead.

- **Tracking Search:** a canine handler deploys a canine to locate a subject who has fled a crime scene. Done on and off lead.

Canine Team: a specific canine handler and a specific canine controlled by that officer in the capacity as a handler. The canine handler and canine are formally assigned by the employing agency to work together in the performance of law enforcement duties. The canine handler and the canine will be considered a team and it will be the team that is certified; if one member of the team changes, a new team exists, and the new team will need to be certified.

Canine Use of Force: canine bite or injury caused by physical contact between a canine and a subject that occurs during a canine search or during a direct apprehension. Does not include an unintentional canine bite.

2-Chlorobenzylidene malononitrile (CS Gas): a chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or permanent injury. CS gas does not include oleoresin capsicum (OC) (RCW 10.116.030).

Chokehold: the intentional application of direct pressure to a person's trachea or windpipe for the purpose of restricting another person's airway (see also "Neck Restraint").

Confirmation Track: a track to establish an evidentiary link between a crime scene or place where a subject was last seen and where a possible subject is being detained by officers. A canine use of force is not anticipated as the subject in question is under control of officers and will not be physically contacted by the police dog.

Containment: the establishment of a visual perimeter intended to curtail a subject's escape from a defined search area or structure. Containment requires at least two officers positioned at diagonally opposite corners of the search area but is far more effective with at least four officers.

Confirmation tracks may be used only for one of the crimes listed in 8.300-POL-2(6).

De Minimis Force: physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury. De minimis force includes the use of control holds or joint manipulation techniques in a manner that does not cause any pain, using hands or equipment to stop, push back, separate, or escort a person without causing any pain, or in a manner that would reasonably cause any pain, and deployment of stationary tire deflation device resulting in no vehicle contact.

(For more guidance on what constitutes de minimis force see 8.400 – Use of Force Reporting and Investigation Interim Policy)

Deadly Force: the application of force using firearms or any other means reasonably likely to cause death, or great bodily harm (for further guidance, see 8.400 – Use of Force Reporting and Investigation Interim Policy).

When reasonably likely to cause death or great bodily harm, deadly force includes shooting a firearm at a person; a hard strike to a person's head, neck, or throat with an impact weapon; or striking a person's head into a hard, fixed object (examples include but are not limited to concrete objects or surfaces, or solid metal structures such as bars or guardrails).

(Additional guidance on reporting force may be found in 8.400 – Use of Force Reporting and Investigation Interim Policy)

De-Escalation: taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force (see 8.100 – De-Escalation Interim Policy for further guidance).

Force even when reasonable, necessary, and proportional, is not a de-escalation tactic.

De-Escalation Tactics/Techniques: actions used by officers that are intended to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from

a subject (see 8.100 – De-Escalation Interim Policy for examples of de-escalation tactics and techniques).

Depending on the circumstances, de-escalation tactics may include, but are not limited to: Using clear instructions and verbal persuasion; attempting to slow down or stabilize the situation so that more time, options, and resources are available to resolve the incident; creating physical distance by employing tactical repositioning to maintain the benefit of time, distance, and cover; when there are multiple officers, designating one officer to communicate in order to avoid competing commands; requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder or other behavioral health professional, or back-up officers. Using physical force is not a de-escalation tactic.

Direct Apprehension: when a handler commands their dog to bite and hold an individual. Directed apprehensions may be performed on or off-lead as circumstances warrant, pursuant to 8.300-POL-2 of this policy.

Feasible: reasonably capable of being done or carried out to achieve an arrest or lawful objective without increasing risk of harm to the officer or another person.

FIT (Force Investigation Team): the department personnel tasked with conducting Type III use-of-force investigations, to include investigations of officer-involved shootings.

Force: see "Physical Force."

Great Bodily Harm (RCW 9A.04.110)**:** *synonymous with Serious Physical Injury*. Bodily injury which creates a probability of death, causes significant serious permanent disfigurement, or causes a significant permanent loss or impairment of the function of any bodily part or organ.

Handcuff Discomfort: discomfort or minor transient pain caused solely by wearing handcuffs after they have been properly applied.

Head Control: a trained technique utilized to control the movement of a subject's head or neck that does not involve a neck or carotid restraint or obstruction of the airway.

Hobble Restraint: a strap designed to restrain an assaultive subject's feet.

Imminent Threat of Bodily Injury: for purposes of using *less than lethal force*, an imminent threat does not mean an immediate threat; it means a threat that is ready to take place, near at hand, hanging threateningly over one's head or menacingly nearby.

See also RCW 71.05.020 (imminent "means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote").

Immediate Threat of Serious Bodily Injury or Death: based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person (RCW 10.120.020).

Impact Weapon: any object, whether a tool or fixed object (such as a hard surface), that is used to interrupt or incapacitate a subject and may cause serious physical injury.

Improvised Weapon: any object, other than those approved and trained by the department, used in a force application.

Involved Officer: a sworn employee of any rank or assignment who uses reportable force as defined by department policy.

Least Amount of Force: an amount of force that is reasonable, necessary, and proportional to affect the lawful purpose intended. This is an objective standard of a reasonable officer at the scene.

Less Lethal Alternatives: including but not limited to, verbal warnings, de-escalation tactics, conducted energy weapons, devices that deploy oleoresin capsicum, batons, and beanbag rounds.

Less-Lethal Weapons: devices designed and intended to apply force not intended nor likely to cause the death of the subject or great bodily harm. Examples include Taser, impact weapons, OC spray, and blast balls (for the intended purpose of Less Lethal Weapons see 8.300 – Use of Force Tools Interim Policy).

Medical Aid: medical interventions and life-saving techniques such as (but not limited to) a sternum rum, a brachial pinch, or removing Taser probes. Such efforts are not considered force.

Necessary: under the totality of the circumstances, a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to affect the legal purpose intended or to protect against the threat posed to the officer or others.

Neck Restraint: refers to any vascular neck restraint or similar restraint, hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow (see also "Chokehold).

Non-Tactical Use of Canine: the use of a canine to find evidence and/or articles or to conduct a confirmation track (see manual section 16.300 - Canines for further guidance).

Objectively Reasonable: the reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, considering the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.

Off Lead: deployment of a canine with no leash attached or when a leash is attached, and the handler does not have positive control of the leash.

Oleoresin Capsicum (OC) Spray: an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes where exposure may result in the closing, tearing, and swelling of the eyes, as well as choking, gagging, or gasping for breath. OC spray does not include CS Gas.

On Lead: deployment of a canine with a leash attached to the collar or harness and the handler has positive control of the leash.

Pattern Interrupt: a de-escalation technique utilized to intentionally disrupt or alter an individual's behavioral state or habit sequences. The intent is to create a momentary break in an unresourceful pattern of behavior, resulting in a more focused and productive engagement by the subject. Pattern Interrupt is based in Neuro-linguistic Programming and can be a successful tool in altering an individual's mental, emotional, or behavioral state.

Pepperball Launcher: launchers that fire pepper irritant powder projectiles that break on impact, providing distance between an officer and a subject.

Physical or Bodily Injury (also "Injury"): physical pain or injury, illness, or an impairment of physical condition greater than transitory pain but less than great or substantial bodily harm (SMC 12A.02.150, RCW 9A.04.110).

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

PIT (Pursuit Intervention Technique): a controlled and trained forced rotational stop of a non-compliant suspect vehicle used to reduce the risks in bringing a pursuit to a conclusion. A PIT is always a use of force.

Possible: when safe, feasible, and without compromising law enforcement priorities.

Public Safety Statement (PSS): a compelled statement in which a supervisor (typically a sergeant or acting sergeant) orders an involved officer to answer standardized questions directly related to an involved officer's use of force. The cards with the standardized questions that officers use to take the statement are also called a PSS.

The Seattle Police Department utilizes two different public safety statements, which are the Public Safety Statement Officer Involved Shooting Card and the Use of Force Public Safety Statement Card.

Proportional: the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed.

Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional, objectively reasonable, and necessary to counter it.

Ramming: the intentional use of a vehicle to strike another vehicle for the purpose of interrupting or incapacitating that vehicle. Ramming is always a use of force.

Reasonable Care: the exercise of ordinary care. It is the doing of, or refraining from, some act that a reasonable officer would do/would refrain from doing under the same or similar circumstances. It is a statutorily mandated requirement that peace officers act with reasonable care when carrying out their duties and, specifically, in assessing the decision to use force and in their use of force, including de-escalation tactics and alternatives to deadly force. When possible, officers will exhaust available and appropriate de-escalation tactics prior to using physical force.

Reportable Force: all uses of force other than de minimis are reportable. Reportable force includes the pointing of a firearm at a subject where the muzzle of a firearm is pointed at any part of a subject's body, Type I, Type II, Type III, and force used in Crowd Management as described in 14.090 – Crowd Management, Intervention, and Control Interim Policy.

Roadblock: the intentional positioning of a police vehicle to obstruct the flow of traffic. A roadblock used on a fleeing or eluding vehicle is

considered a use of force – the classification of force depends on the totality of the circumstances.

Spark Display: a non-contact demonstration of a Taser's arcing ability to discharge electricity.

Spit Sock: a woven mesh device that may be placed over a subject's head and face with the intent to prevent or reduce the transmission of infectious diseases through saliva, mucous, or blood.

Stationary Tire Deflation Device: a small, tire deflation device designed to be placed under the tire of a stationary vehicle to avoid flight.

Substantial Bodily Harm: (RCW 9A.04.110) bodily injury which involves temporary but substantial disfigurement, temporary but substantial loss or impairment of the function of any bodily part or organ, or fractures of any bodily part.

Surrender: statements or actions made by the subject before, during, or after the arrest evidencing compliance.

Taser: a less lethal tool designed to stimulate a portion of the nervous system with sufficient pulsed electrical energy to bring about uncontrolled muscle contractions which override an individual's voluntary motor function.

Totality of the Circumstances: all facts known to the officer leading up to and at the time of the use of force and includes the actions of the person against whom the officer uses such force, and the actions of the officer.

Type I: force that causes transitory pain or the complaint of transitory pain. Examples include the use of a hobble restraint, deployment of stationary tire deflation device with confirmed contact and deflation of tires, deployment of a blast ball away from people (bang-out) or pointing a firearm at a person.

Simply displaying a weapon is not reportable force, nor is holding a firearm without aiming at a person, as with the sul and low ready positions, where the muzzle of the firearm is not pointed at any part of a person's body.

(For further guidance, see 8.300 – Use of Force Tools Interim Policy and 8.400 – Use of Force Reporting and Investigation Interim Policy)

Type II: force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm.

(For further guidance, see 8.400 – Use of Force Reporting and Investigation Interim Policy)

Type III: force that causes or is reasonably expected to cause, great bodily harm, substantial bodily harm, loss of consciousness, or death. The use of impact weapon strikes to the head, neck, face, spine, groin, or kidneys are Type III.

(For further guidance, see 8.400 – Use of Force Reporting and Investigation Interim Policy)

Unintentional Canine Bite or Injury: canine bite or injury caused by physical contact with a canine that occurs when the handler has given no command to search or apprehend, or when the handler gives the command to search or apprehend a subject, but the canine engages the wrong person (see 16.300 – Canines).

Use of Force: see "Physical Force."

Vehicle Deflection: the intentional slow-moving (approximately 10 mph or less) contact between a police vehicle and a slow-moving or stationary suspect vehicle, designed to guide, or prevent movement, where there is not significant impact (not ramming), and the tactic is reasonably unlikely to cause injury.

Vehicle Pinning (also known as Vehicle Pinching): a trained tactic when an officer uses a police vehicle, or vehicles, to keep a stationary vehicle in a specified position and from leaving the scene, where there is constant forward pressure (not ramming) applied by the police vehicle(s) to the stationary vehicle, and there are no gaps between the vehicles.

Witness Officer: a sworn officer of any rank or assignment who witnesses an officer's use of force, but who does not use reportable force themself.

Interim Policy
8.100 – De-Escalation

Effective Date: 04/24/2023

8.100-POL

This policy applies to officers using de-escalation tactics and techniques, when safe and feasible, without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident, and to increase the likelihood of voluntary compliance.

De-escalation may take the form of scene management, team tactics, and/or individual engagement. Even when individual engagement is not feasible, de-escalation techniques, including scene management and team tactics that utilize time, distance, and shielding, will still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of a situation.

Force, even when reasonable, necessary, proportional, is not a de-escalation tactic.

The goal of this policy is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all persons involved.

De-escalation is reviewed and evaluated under the totality of the circumstances present at the time of the incident.

1. When Safe, Feasible, and Without Compromising Law Enforcement Priorities, Officers Will Use De-Escalation Tactics to Reduce the Need for Force

Team approaches to de-escalation are encouraged and will consider officer training and skill level, number of officers, and whether any officer has successfully established rapport with the subject. Where officers use a team approach to de-escalation, each individual officer's obligation to de-escalate will be satisfied if the officer's actions complement the overall approach.

De-escalation options will be guided by the totality of the circumstances with the goal of attaining voluntary compliance; considerations include:

Communication

Officers will use communication intended to gain voluntary compliance, such as:

- Verbal persuasion with clear instructions:
    - When there are multiple officers, one officer will be designated to take the lead on communications to avoid competing or confusing commands.
    - Officers should consider switching communication lead if proving ineffective or unable to engage.
- Advisements and warnings (including Taser spark display to explain or warn prior to Taser application), given in a calm and explanatory manner.

  Exception: Warnings given as a threat of force are not considered part of de-escalation.
- Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) to calm an agitated subject and promote rational decision-making.
- Avoiding language that could escalate the incident.
    - Taunts and insults are prohibited.
- Other considerations for communication may include:
    - Attempting to communicate in non-verbal ways when verbal instructions would be inadequate, or
    - Communicating in a way that demonstrates respect for people's dignity (see 5.001 – Standards and Duties).
- Use of pattern interrupts, when appropriate.
- Consideration of whether any lack of compliance is a deliberate attempt to resist rather than a perceived physical or psychological inability to comply based on factors including, but not limited to:
    - Medical conditions,
    - Mental impairment,
    - Developmental disability,
    - Physical limitation,

- Language barrier,
- Drug interaction,
- Behavioral crisis, or
- Fear or anxiety.

Time

Officers will attempt to slow down or stabilize the situation so that more time, options, and resources are available for incident resolution. These tactics may include:

- Scene stabilization assists in transitioning incidents from dynamic to static by limiting access to unsecured areas, limiting mobility, and preventing the introduction of non-involved community members.
- Avoiding or minimizing physical confrontation, unless necessary (for example, to protect someone, or stop dangerous behavior).
- Calling extra resources or officers to assist, such as CIT or Less-Lethal trained officers.

Distance

Officers will maximize their tactical advantage by increasing distance to allow for greater reaction time.

- Employing tactical positioning and repositioning to maintain the benefit of distance and cover.

Shielding

Officers will utilize cover and concealment for tactical advantage, such as:

- Placing barriers between an uncooperative subject and officers by using existing structures to provide a shield or other protection, or
- Using natural barriers in the immediate environment.

Interim Policy
8.200 – Using Force

Effective Date: 04/24/2023

8.200-POL

This policy applies to using force and explains when using force is authorized, when it is prohibited, and when medical aid will be requested.

This policy presumes that the subject on which force was used remains in the officer's control. It does not apply to when the subject has left the scene.

1. Use of Force: When Authorized

Officers will only use objectively reasonable, necessary, and proportional force to the threat or urgency of the situation, to achieve a law-enforcement objective while protecting the life and safety of all persons.

The force used must comply with federal and state law and Seattle Police Department policies (for rules for specific weapons and tools, see manual section 8.300 – Use of Force Tools Interim Policy).

The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic, and rapidly evolving—about the amount of force that is necessary in a particular situation.

The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable considering the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Factors to be considered in determining the objective reasonableness of force include, but are not limited to:

- The seriousness of the crime or suspected offense;

- The level of threat or resistance presented by the subject;

- Whether the subject was posing an immediate threat to officers or a danger to the community;

- The potential for injury to members of the public, officers or subjects;

- The risk or apparent attempt by the subject to escape and the government interest in preventing the escape;

- The conduct of the subject being confronted (as reasonably perceived by the officer at the time);

- The time available to an officer to make a decision;

- The availability of other resources;

- The training and experience of the officer;

- The proximity or access of weapons to the subject;

- Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus subjects;

- The environmental factors and/or other exigent circumstances; and

- Whether the subject has any perceived physical disability.

Once it is safe to do so, and the threat has ended, the force must stop.

(See manual section 8.000 – Use of Force Core Principles Interim Policy)

(See manual section 8.050 – Use of Force Definition Interim Policy for definitions of "objectively reasonable," "necessary," and "proportional")

2. Use of Force: When Prohibited

Officers are prohibited from using neck and carotid restraints in all circumstances, including any action that involves kneeling on a subject's neck.

Officers will not use force to punish or retaliate.

Officers will not use force on restrained persons except, where reasonable, necessary, and proportional, to:

- Protect an officer, the subject, or member of the public from physical injury.

- Prevent the escape of a detainee.

- Get subjects into or out of a law enforcement vehicle only after reasonable attempts to gain voluntary compliance have failed. When feasible, officers will obtain supervisor approval prior to using force to remove a subject from a department vehicle.

The investigating supervisor will consult with FIT regarding the classification of force used on restrained subjects when such force is not easily identifiable as de minimis or Type I.

Officers will not use force against individuals who only verbally confront them unless the vocalization impedes a legitimate law enforcement function (see manual section 5.160 – Observation of Officers).

Officers will not use force to stop a subject from swallowing a substance that is already in their mouth; however:

- Officers may use reasonable force, not including hands to the neck or insertion of any objects or hands into a subject's mouth, to prevent a suspect from putting a substance in their mouth.

- If an officer reasonably believes that a suspect has ingested a harmful substance, officers will request medical assistance as soon as feasible.

- Officers may not use force to extract a substance or item from inside the body of a suspect.

  Exception: This prohibition does not apply when force is necessary to facilitate a forensic blood draw. In that situation, officers will document any reportable use of force.

Officers may not use any stationary tire deflation device on any moving vehicle (see manual section 8.300-POL-6).

3. Officers Have a Duty to Use Reasonable Care

When using reasonable care, officers are not limited or restricted in their ability to respond to a call for community caretaking or protection of health and safety. Officers may also use the appropriate and least amount of physical force to execute those functions.

(See manual section 8.050 – Use of Force Definition Interim Policy)

Reasonable care means that the officer will, when feasible:

- Use all available and appropriate de-escalation tactics before using physical force.

- Consider the characteristics and conditions of a subject for the purposes of determining whether to use physical force or deadly force against that subject.
    - If physical force is necessary, determine the appropriate and least amount necessary to effect a lawful purpose.
    - Characteristics and conditions may include whether the person:
        - Is visibly pregnant;
        - Is known to be a minor or objectively appears to be a minor;
        - Is known to be a vulnerable adult or objectively appears to be a vulnerable adult (RCW 74.34.020(21));
        - Displays signs of mental, behavioral, intellectual, developmental, or physical impairments or disabilities;
        - Is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;
        - Is suicidal;
        - Has limited English proficiency; or
        - Is in the presence of children.

          (See RCW 10.120.010)
    - Terminate the use of physical force as soon as the necessity for such force ends.

4. Officers Will Assess and Modulate the Use of Force as Resistance Changes

As resistance decreases, the use of force may need to decrease if reasonable, necessary, and proportional.

As resistance increases, the use of force may need to increase, if reasonable, necessary, and proportional.

5. Use of Deadly Force

Deadly force may only be used in circumstances where a threat of death or serious physical injury to the officer or others is immediate. A danger is immediate when an objectively reasonable officer would believe that:

- A suspect is acting or threatening to cause death or serious physical injury to the officer or others; and

- The suspect has the means or instrumentalities to do so; and

- The suspect has the opportunity and ability to use the means or instrumentalities to cause death or serious physical injury.

(See also manual section 8.050 – Use of Force Definition Interim Policy)

6. When Safe and Feasible, Officers will Issue a Verbal Warning to the Subject and Fellow Officers Prior to Discharging a Firearm

Officers will issue a verbal warning to the subject, other officers, and other individuals present, that a firearm will be discharged and defer discharging the firearm a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings may come from any officer involved in the incident when employing a team tactics approach.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document their reason for believing their safety would have been compromised in their use of force statement.

7. Deadly Force May Be Used to Prevent the Escape of a Fleeing Suspect in Exceptional Circumstances

Under this circumstance, deadly force may be used only when an objectively reasonable officer would believe that it is necessary and that there is probable cause that:

- The suspect has committed or is in the process of committing a felony involving the infliction or threatened infliction of serious physical injury or death; and

- The escape of the suspect would pose an imminent danger of death or serious physical injury to the officer or to another person unless the suspect is apprehended without delay; and

- The officer has given a verbal warning to the suspect, if time, safety, and circumstances permit.

8. Officers Will Render Appropriate Medical Aid Within Their Training, as Soon as Reasonably Possible

Recognizing the urgency of providing medical aid and the importance of preserving human life, following a use of force, officers will evaluate the subject for injuries. Officers will also request medical aid if needed or requested by anyone.

Providing medical aid or performing a medical procedure, such as a sternum rub or brachial pinch, is not considered a use of force.

When safe and feasible, officers will request a medical aid response for any apparent injury, complaint of injury, or sign of medical distress for subjects and others even if the aid is declined. Officers will closely monitor subjects taken into custody.

After requesting a medical aid response, officers will render aid within the scope of their training unless aid is declined. EMT officers will be given priority to render care, when feasible. Consent will be assumed for unconscious subjects or subjects incapable of providing consent.

> **Exception:** A call for medical aid is not required for apparent injuries that can be treated by basic first aid (e.g., minor cuts and abrasions).

Absent exigent circumstances, prone subjects will be placed on their side in the recovery position or assisted to an upright position as soon as safe and feasible. Officers will not restrain subjects who are in custody and under control in a manner that restricts the subject's ability to breathe.

In any use of force encounter, upon hearing a subject state that they cannot breathe, officers will summon medical aid and report to SFD that the subject advised an inability to breathe (in addition to any injury).

9. Officers Will Request Medical Aid in Certain Situations

Officers will request medical aid for a subject who is still under the officer's control in the following situations:

- Every Type III use of force
- Every canine bite, as a use of force
- Every use of force encounter in which a subject mentions difficulty breathing
- The following less-lethal incidents:
    - TASER applications
    - 40mm LL Launcher applications

    - OC applications

- After any use of force greater than Type I force on subjects who are reasonably believed or known to be:

    - Pregnant

    - Pre-adolescent children

    - Elderly

    - Physically frail or disabled

Seattle Police Department Policy Manual

Interim Policy 8.300 – Use of Force Tools

Effective Date: 04/24/2023
Revised Effective Date: 12/01/2023

This policy addresses the use and deployment of all force weapons and tools that are available to sworn department employees. The following less lethal tools are governed by this policy:

8.300-POL-1 Less Lethal Considerations 1
8.300-POL-2 Use of Patrol Canines..... 3
8.300-POL-3A Taser X2 7
8.300-POL-3B Taser 10 10
8.300-POL-4 Impact Weapon 13
8.300-POL-5 Oleoresin Capsicum (OC) Spray 14
8.300-POL-6 Vehicle-Related Tactics 16
8.300-POL-7 Specialty Unit Weaponry 21
8.300-POL-8 Hobble Restraint 22
8.300-POL-9 Spit Socks.....23
8.300-POL-10 Blast Balls 24
8.300-POL-11 40mm Less Lethal (LL) Launcher.....26
8.300-POL-12 Pepperball Launcher 30
8.300-POL-13 CS Gas.....31
8.300-POL-14 Firearms.....33

8.300-POL-1 Less Lethal Considerations

Less-lethal weapons are used to interrupt a subject's threatening behavior so that officers may take physical control of the subject with less risk of injury to the subject or officer than posed by greater force applications. Less-lethal weapons alone cannot be expected to render a subject harmless.

Support officers should be prepared to take immediate action to exploit the brief opportunity created by the less-lethal weapon and take control of the subject if safe to do so.

1. Officers Will Only Carry and Use Weapons That Have Been Approved by the Department and That the Officer has Been Properly Trained to Use

Use of improvised weapons may be permissible under exigent circumstances.

2. Uniformed Officers Are Required to Carry at Least One Less Lethal Weapon

Uniformed officers who have been issued a Taser will carry it.

The department will issue, and make reasonably available, less lethal weapons for officers' use.

3. Sergeants and Lieutenants Will Ensure That Each Officer in Their Command is Trained on the Weapons They Carry

4. Officers Are Prohibited from Using Less-Lethal Weapons as a Form of Punishment or for Retaliation

5. Officers Will Not Use Less-Lethal Weapons to Prod or Jab Individuals, to Awaken Unconscious or Intoxicated Individuals, or to Prevent the Destruction of Evidence

Reasonable efforts to awaken or assess unconscious/unresponsive individuals without less-lethal weapons, including trained pain stimuli, are considered a medical procedure, defined in manual section 8.050 – Use of Force Definition Interim Policy and not force.

6. Officers Will Consider Risks to the Subject and Third Parties When Determining Whether to Deploy any Less-Lethal Weapons

Officers may only use less-lethal force on subjects who are visibly pregnant, elderly, apparently pre-adolescent, or visibly frail when there is an exigency or an immediate threat to any person.

7. Use of Less-Lethal Weapons in the Following Circumstances is Only Permitted in Situations Where There is an Imminent Risk of Death or Great Bodily Harm to Any Person:

- When the subject is in an elevated position where a fall is likely to cause substantial bodily harm or death.

- When the subject is in a location where the subject could drown.

- When the subject is operating a motor vehicle or motorcycle, and the engine is running or is on a bicycle or scooter in-motion.

8. The Application of Less Lethal Weapons on a Restrained Person Is Prohibited

Application is only allowed where reasonable, necessary, and proportional to protect an officer or member of the public from imminent physical injury.

For subjects contained within a police vehicle, officers handle the situation per manual section 8.200 – Using Force Interim Policy.

9. When Feasible, Officers Will Issue a Verbal Warning to the Subject and Fellow Officers Prior to the Use of Any Less-Lethal Weapon

Prior to using any less lethal weapon, officers will issue a verbal warning to the subject, other officers, and other individuals present, that the weapon will be used and will defer using the less-lethal weapon a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings will include specifying the weapon to be used.

When employing a team tactics approach, verbal warnings may come from any officer involved in the incident.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document their reason for believing safety would have been compromised in their use of force statement.

8.300-POL-2 Use of Patrol Canines

For deployment and search guidance, see manual section 16.300-Canines Interim Policy.

1. Definitions

The following terms apply to this policy and are defined in manual section 8.050 – Use of Force Definition Interim Policy:

Canine Apprehension
Canine Bite
Canine Bite Ratio
Canine Deployment
Canine Handler or Canine Officer
Canine Search
Canine Team

Canine Use of Force
Confirmation Track
Contained Search
Containment
Direct Apprehension
Evidence Search
Off-Lead
On-Lead
Surrender
Tracking Search
Unintentional Canine Bite or Injury

2. The Prompt and Proper Utilization of a Trained Canine Team Can Be a Valuable Resource in Law Enforcement

When properly used with strict handler control, a canine team increases the degree of safety to persons within a contained search area, enhances individual officer safety, increases the likelihood of subject apprehension, and may reduce the amount of time necessary to conduct a search.

Canines are also an effective less lethal tool to overcome potential violent resistance and to reduce injuries to all parties involved.

At the same time, handlers will make all reasonable efforts to avoid unnecessary, and unnecessarily injurious, bites.

All canine uses of force will be objectively reasonable, necessary, and proportional.

3. A Canine Team is Viewed as a Single Officer Unit and Will Perform Under that Premise When Making Decisions Regarding Contact of Subjects. A Canine Handler May Use a Canine for Officer Safety

Use of a canine may be reasonable to provide additional safety for officers when needed.

The canine will not be used solely for intimidation or coercion.

4. Canine Officers May Use Direct Apprehension to Physically Apprehend a Subject

Direct apprehension will be used only when the canine officer has probable cause that the subject has committed one of the crimes listed in 16.300-POL-1(3), or there is a valid arrest warrant for the subject for one of the crimes listed in 16.300-POL-1(3) and:

- The canine officer reasonably believes that the subject poses an imminent threat of harm to the officers or others; or

- The subject is trying to escape, such as by immediate flight from a crime against person(s) with aggravating factors (e.g., crime involved a firearm or the subject is reasonably believed to be in possession of a firearm or other potentially deadly weapon, etc.).

Exception: Canine handlers may deploy their canine to protect officers or the public when a subject causes an imminent threat of harm to any person.

5. Canines Will Not Be Used to Apprehend Subjects Perceived to Be Juveniles Except for the Crimes Listed in 16.300-POL-1(3)

In the case of known or possible juvenile subjects, special consideration will be given to the subject's age and propensity for violence, and officers will explore alternatives to the deployment of a canine.

6. Canine Deployment Announcements for Direct Apprehension

Prior to deploying a canine for a direct apprehension, a verbal announcement will be made to generate compliance, when feasible.

When a verbal announcement is not made, the infeasibility factors must be clearly articulated in the canine handler's statement or report.

The announcement will include the officer's authority (police canine), a request for the subject to surrender, and the consequence for not surrendering (i.e., the police canine may bite the subject).

Exception: A verbal announcement is not required if giving the warning would compromise the safety of the canine officer or others. In such circumstances, the canine officer will document their reason(s) for believing their safety would have been compromised in their use of force statement and or canine deployment record.

7. When Feasible, Canine Officers Will Attempt Alternative Tactics Prior to a Direct Apprehension

When the location of a subject in hiding has been determined, handlers will not command the canine to do a direct apprehension if alternative tactics are available, safe, and feasible.

Such alternatives may include:

- Identifying as a police officer,

- Ordering the subject to come out of hiding and warning that a police dog will be released, and they may be bitten if they do not voluntarily comply, and

- Then waiting a reasonable amount of time for them to comply, or

- Using a lower level of force.

8. When Safe and Feasible, Canine Handlers Will Make All Reasonable Efforts to Keep the Police Canine in Sight

Canine handlers will remain within a working distance of their police dog to ensure they can read their canine's body language and that the police canine obeys verbal commands.

9. Releasing the Bite

Should a bite occur, the handler will, as rapidly as possible, determine if the subject is armed and call off the canine at the "first possible moment" the canine can be safely released.

The handler should consider the perceived threat or actual resistance presented by the subject and consider the response of an average person to a canine bite when making the decision to release the canine.

10. After a Canine Use of Force or Unintentional Canine Bite or Injury, Officers Will Render Appropriate Medical Aid Within Their Training as Soon as Reasonably Possible

(See manual section 8.200-POL-7)

11. The Canine Will Be Secured as Soon as it Becomes Safe and Feasible

At a minimum, the canine will be secured once the subject has been apprehended and no longer reasonably presents a threat, or risk of escape.

Exception: Canines may remain unsecured if there are additional outstanding subjects, the canine is needed to conduct an evidentiary confirmation track or find evidence, or the canine presence assists in the protection of officers or others.

12. Whenever a Canine is Deployed, Whether Force is Used or Not, the Canine Handler Will Document the Deployment

Canine deployment records are maintained by the Canine Unit.

13. A Canine Use of Force Will Be Reported, Investigated, and Reviewed Consistent with Interim Policies 8.400 and 8.500

Each canine bite or injury will be separately documented in the use of force report.

The handler will document, in their use of force report, the duration and reason for the duration of the canine's bite on the subject.

(See manual sections 8.400 – Use of Force Reporting and Investigation Interim Policy and 8.500 – Reviewing Use of Force Interim Policy for guidance)

14. An Unintentional Canine Bite or Injury is Not a Use of Force, But It Will Be Reported Separately per Manual Section 16.300-PRO-1 Unintentional Canine Bite or Injury

In the event of an unintentional canine bite or injury, canine handlers will follow unintentional injury procedures, not use of force reporting procedures. A supervisor will screen the incident with FIT.

8.300-POL-3A Taser X2

This section applies to officers carrying a Taser X2.

A Taser (also known as a Conducted Electrical Weapon (CEW)) in probe deployment is designed to stimulate a portion of the nervous system with sufficient pulsed electrical energy to bring about uncontrolled muscle contractions which override an individual's voluntary motor function.

Drive stun mode can result in physical pain and occurs when the Taser makes direct contact with the subject's body and does not override an individual's motor responses. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in proximity or when no other less lethal options are available and appropriate.

1. The Education & Training Section (ETS) Manages the Taser Program

2. ETS Will Certify Operators Annually

Only officers who are trained and currently certified are allowed to use Tasers.

3. Uniformed Officers Who Have Been Certified to Carry a Taser and Have Been Issued One Must Carry It During Their Shift

Officers must carry their Taser in an approved holster on their support side.

4. Officers May Deploy a Taser in the Following Circumstances:

- When a subject causes an immediate threat of harm to any person; or

- When public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is:

  (1) Likely to cause injury to the officer or subject; and

  (2) If hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of the Taser.

In the above circumstances, the force must be objectively reasonable, necessary, and proportional.

When a Taser is used against a subject, either in probe or drive stun mode, it will be for one standard discharge cycle of five seconds or less, and the officer using the Taser must reassess the situation. Only the minimum number of five second cycles necessary to place the subject in custody will be used.

Officers will consider that if they have used a Taser for five cycles against a subject, but the subject continues to actively resist or aggress, the Taser may not be effective; the officer will reassess and consider other options and proceed with a reasonable and feasible option.

Officers will not deploy multiple Tasers at the same subject, unless the first deployed device does not appear effective.

When using a Taser in the drive stun mode to complete the circuit, officers will wait a reasonable amount of time between applications to discern if compliance has been gained.

5. Caution Will Be Used in Any Environment Where an Officer Knows That a Potentially Flammable, Volatile, or Explosive Material is Present, and the Use of the Taser Is Likely to Ignite Those Substances

Officers aware of environmental hazards will alert fellow officers as soon as possible.

6. Tasers Should Not Be Used on A Person Who Is Fleeing the Scene, Absent Other Factors

7. Creating an Audible Sound and Visual ARC Display When Conducting a Verbal Warning, is not Reportable Force

8. The Chest, Head, Neck, and Genitals Are Not Preferred Targets and Should Not Be Intentionally Targeted

The chest may be an option if no other reasonable target is available due to a subject's position. Extra care must be taken when making this decision.

9. As with the Initial Taser Application, Each Subsequent Application of a Taser Must Be Individually Justified

10. Officers Will Summon Medical Aid at the Earliest Safe Opportunity Whenever a Subject Has Sustained a Taser Application

Officers will not remove Taser probes and barbs that are embedded in flesh.

Taser probes and barbs that are embedded in flesh will only be removed by fire department personnel, healthcare professionals, or police department EMTs absent exigent circumstances. Probes embedded in clothing may be removed by an officer.

Officers will collect and submit into evidence all primary components of the Taser cartridge: probes, wires, and cartridge.

11. Officers Will Monitor All Subjects Who Have Sustained a Taser Application While They Are in Police Custody

12. Tasers May Be Used to Stop a Dangerous Animal

13. ETS Will Conduct Taser Inspections on an Annual Basis to Ensure That All Tasers Have Current Firmware, and Perform Any Necessary Maintenance or Repairs

Officers will perform a spark test at the start of their shift, to determine the functionality and battery capacity of the Taser. If the battery is low, officers will obtain a new battery from the precinct stationmaster or quartermaster.

Officers will notify their chain of command up to the level of watch commander/lieutenant about any operational concerns about their Taser.

14. Officers Deciding to No Longer Carry Their Taser Will Notify Their Chain of Command and Return Their Taser to the Quartermaster or Stationmaster

Officers will notify their direct supervisor that they have decided to no longer carry a Taser and will specify which less lethal weapon they will deploy with.

Additionally, officers will notify their chain of command and the department Taser coordinator, via email, prior to deployment without their Taser.

8.300-POL-3B Taser 10

This section applies to officers carrying a Taser 10.

A Taser (also known as a Conducted Electrical Weapon (CEW)) in probe deployment is designed to stimulate a portion of the nervous system with sufficient pulsed electrical energy to bring about uncontrolled muscle contractions which override an individual's voluntary motor function.

1. The Education & Training Section (ETS) Manages the Taser Program

2. ETS Will Certify Operators Annually

Only officers who are trained and currently certified are allowed to use Tasers.

3. Uniformed Officers Who Have Been Certified to Carry a Taser and Have Been Issued One Must Carry It During Their Shift

Officers must carry their Taser in an approved holster on their support side.

4. Officers May Deploy a Taser in the Following Circumstances:

- When a subject causes an immediate threat of harm to any person; or
- When public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is:

  (1) Likely to cause injury to the officer or subject; and

  (2) If hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of the Taser.

In the above circumstances, the force must be objectively reasonable, necessary, and proportional.

When a Taser is used against a subject, it will be for one standard discharge cycle of five seconds or less. One standard cycle is considered two probes making contact to achieve NMI.

After the one standard cycle, the officer using the Taser must reassess the situation using only the minimum number of standard discharge cycles necessary to place the subject in custody.

Officers will consider that if they have used a Taser for three consecutive standard cycles against a subject, but the subject continues to actively resist or aggress, the Taser may not be effective; the officer will reassess and consider other options and proceed with a reasonable and feasible option.

Officers will not deploy multiple Tasers at the same subject, unless the first deployed device does not appear effective.

5. Caution Will Be Used in Any Environment Where an Officer Knows That a Potentially Flammable, Volatile, or Explosive Material is Present, and the Use of the Taser Is Likely to Ignite Those Substances

Officers aware of environmental hazards will alert fellow officers as soon as possible.

6. Tasers Should Not Be Used on A Person Who Is Fleeing the Scene, Absent Other Factors

7. Using the Warning Alert, Creating an Audible Sound and Visual Strobe Display When Conducting a Verbal Warning, is not Reportable Force

8. The Chest, Head, Neck, and Genitals Are Not Preferred Targets and Should Not Be Intentionally Targeted

The chest may be an option if no other reasonable target is available due to a subject's position. Extra care must be taken when making this decision.

9. A Minimum of Two Individually Fired Probes are Required to Make a Connection

The initial single probe deployment and a second probe deployment count as one single Type II use of force. If the subject complies before the second probe is deployed, the single probe deployment is still considered a Type II use of force.

The second probe should be deployed as quickly and as accurately as possible to achieve NMI.

Additional probes may be deployed if one of the initial probes fails, until a circuit is completed.

Each additional probe deployment is a separate Type II use of force and must be articulated.

Officers are required to report the use of a Taser, regardless of whether the use of the Taser was an effective application.

10. Officers Will Summon Medical Aid at the Earliest Safe Opportunity Whenever a Subject Has Sustained a Taser Application

Officers will not remove Taser probes and barbs that are embedded in flesh.

Taser probes and barbs that are embedded in flesh will only be removed by fire department personnel, healthcare professionals, or police department EMTs absent exigent circumstances. Probes embedded in clothing may be removed by an officer.

Officers will collect and submit into evidence all primary components of the Taser cartridge: probes, wires, and cartridge.

11. Officers Will Monitor All Subjects Who Have Sustained a Taser Application While They Are in Police Custody

12. Tasers May Be Used to Stop a Dangerous Animal

13. ETS Will Conduct Taser Inspections on an Annual Basis to Ensure That All Tasers Have Current Firmware and Perform Any Necessary Maintenance or Repairs

Officers will perform a function test at the start of their shift, to determine the Taser's functionality and battery capacity. If the battery is low, officers will exchange the battery for a fully charged battery from the battery docks. This will be done at a minimum of once a month unless the Taser has been deployed, which will require a battery exchange to obtain Taser deployment data.

Officers will notify their chain of command up to the level of watch commander/lieutenant about any operational concerns about their Taser.

14. Officers Deciding to No Longer Carry Their Taser Will Notify Their Chain of Command and Return Their Taser to the Quartermaster or Stationmaster

Officers will notify their direct supervisor that they have decided to no longer carry a Taser and will specify which less lethal weapon they will deploy with.

Additionally, officers will notify their chain of command and the department Taser coordinator, via email, prior to deployment without their Taser.

8.300-POL-4 Impact Weapon

(See manual section 8.050 – Use of Force Definitions Interim Policy for definition of Impact Weapon.)

This policy applies to the use of department-approved impact weapons and improvised impact weapons, by all department sworn employees.

Using a bicycle to forcefully strike a subject is a reportable use of force governed by this policy and manual section 8.500-POL-6.

Using a long baton as part of a coordinated crowd control movement during a crowd management event is governed by manual section 8.500-POL-6.

1. Education & Training Section (ETS) Will Train Officers on Department-Approved Impact Weapons Every Two (2) Years

Officers will be trained to use department-approved impact weapons before being authorized to carry these weapons.

2. Officers Will Not Use Impact Weapons on Subjects Who Are Restrained and Under Control, or Complying with Police Direction

3. An Intentional Hard Strike to the Head, Neck, Face, Throat, Spine, Groin, or Kidneys with Any Impact Weapon is Prohibited Unless Deadly Force is Justified

All strikes to the head, neck, face, throat, spine, groin, or kidneys must be screened with FIT, even if they were mistaken or unintentional.

4. Officers Will Not Use Improvised Weapons, Such as Flashlights, as Impact Weapons, Except in Exigent Circumstances

The use of improvised weapons, such as flashlights, may present a greater risk of injury than batons. Use of another object in place of the baton, including flashlights, is prohibited unless there is an immediate need to strike, and an officer is precluded from using or cannot feasibly use the Taser, baton, or OC spray.

The failure to carry a baton, in and of itself, does not justify the regular use of a flashlight as an impact weapon. Routine reliance on improvised weapons as an impact weapon is prohibited.

5. Officers Must Justify Each Separate Impact Weapon Application in Their Use-of-Force Report

Officers are required to report each use of an impact weapon, regardless of whether a subject is struck.

8.300-POL-5 Oleoresin Capsicum (OC) Spray

This policy applies to the use of OC spray by all sworn department employees.

OC spray is an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes. Exposure may result in closing, tearing, and swelling of the eyes, as well as choking, gagging, and gasping for breath.

OC spray may reduce or eliminate the need for substantial physical force to make an arrest or gain custody. It may reduce the potential for injuries to officers and subjects.

1. Education & Training Section (ETS) Will Train Officers in the Use of OC Spray Every Two (2) Years

The OC spray policy and training will incorporate the evolving guidance contained within the SPD Post-Basic Law Enforcement Academy course on less-lethal force as well as guidance from the medical community.

2. Officers Will Only Use Department-Issued or Approved OC Spray

Officers will periodically check the manufacturer's date on their issued OC Spray container, and if beyond five (5) years, exchange for a new container from the stationmaster or quartermaster.

3. Officers Will Use OC Spray, Including in Crowd Management Events, Only When Such Force is Objectively Reasonable, Necessary, and Proportional

(See manual section 8.050 – Use of Force Definitions Interim Policy for definition and explanation of "objectively reasonable," "necessary," and "proportional" force)

4. OC Spray May Be Used Against a Dangerous Animal to Deter an Attack or to Prevent Injury to Persons Present

5. Officers Must Justify Each Separate Application of OC Spray

After the initial application of OC spray, each subsequent spray must also be reasonable, and the employee will reevaluate the situation accordingly.

6. Where Multiple Persons are Present, Officers Will Direct OC Only Towards the Person(s) Posing a Specific Threat of Harm to the Officer or Others or Engaging in Acts of Violence or Significant Property Destruction

Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons.

7. OC Spray Use Is Discouraged in Enclosed and Highly Populated Spaces

OC spray is generally not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option.

Officers deploying OC in these situations will attempt to avoid or minimize incidental exposure to non-involved persons.

8. Officers are Required to Report the Use of OC Spray, Regardless of the Effect, as Well as the Decontamination Procedures That Followed

9. Officers Will Assist Exposed Subjects with Decontamination and Medical Aid, As Soon as Reasonably Possible

If the subject was exposed in a confined space, officers will remove the subject as soon as feasible from the contaminated area and expose the individual to fresh air.

Officers will request medical response or assistance for subjects exposed to OC spray when requested by the subject, when the subject complains of continued effects after having been decontaminated, or the subject indicates that they have a pre-existing condition (such as asthma, emphysema, bronchitis, or heart ailment) that may be aggravated by OC spray.

Officers will monitor exposed subjects for changes in their condition while in police custody and request medical evaluation as needed or as requested.

10. The Department Will Maintain Written Documentation of the Number of OC Spray Canisters Annually Distributed to Each Employee

8.300-POL-6 Vehicle-Related Tactics

Vehicle-related tactics encompass a variety of ways in which sworn employees use police vehicles and include vehicle-related force tactics. Intentional contact between vehicles and the deployment of stationary tire deflation devices may not result in the use force, depending on the circumstances.

Vehicle-related force tactics are the intentional contact between vehicles and result in a reportable use of force. Vehicle-related force tactics are used to stop, disable, or prevent a suspect vehicle from moving.

Intentional use of a police vehicle to contact another vehicle is not a collision. The contact between vehicles will be documented in the Mark43 narrative and in the use of force statement, where appropriate.

Movement of a car for traffic purposes, such as assisting or pushing a stalled vehicle, is not a vehicle related tactic or use of force and is not covered by this policy.

1. The Definitions for Vehicle-Related Tactics Related to this Policy Can Be Found in Manual Section 8.050 – Use of Force Definitions Interim Policy

Blocking
Stationary Tire Deflation Device
Stop Sticks
Vehicle Deflection (formerly known as "Vehicle-to-Vehicle Contact")
Vehicle Pinning
Roadblock
PIT (Pursuit Intervention Technique)
Ramming

2. Officers Will Consider Secondary Risks to the Subject and Other Persons When Determining Whether to Deploy Vehicle-Related Force Tactics

Secondary risks to pedestrians and other vehicles include, but are not limited to, the dangers presented by a spun-out vehicle and loose tires on the road, as well as air bag deployment.

3. Considerations for Using Vehicle-Related Tactics

Before using any vehicle-related tactic, officers will consider the following:

- Reasonable suspicion for detaining the vehicle and its occupant(s) must be clearly articulable before using any vehicle tactic.

- When using any vehicle related tactic, consider the safety risk to officers, the public, and the occupants of the vehicle.

- When feasible officers should take time to formulate a plan before using a vehicle tactic.

- When feasible officers should attempt to gain supervisory approval before utilizing Vehicle Pinning, a PIT Maneuver, or Ramming.

4. Using a Police Vehicle for Blocking

Blocking is when an officer uses a police vehicle to block the path of travel of a stationary vehicle, where there is no contact between the police vehicle and the stationary vehicle.

Blocking may be used when officers believe it is a reasonable tactic. In addition to the considerations above, officers should give special attention to the effect on time, distance, and shielding that blocking a vehicle can have on a situation.

Blocking is not a use of force.

5. Vehicle-Related Tactics

a. Stationary Tire Deflation Devices

Stationary tire deflation devices are used to safely immobilize a stationary vehicle to avoid flight.

A stationary tire deflation device is a small tire deflation device designed to be placed under the tire of a stationary vehicle to avoid flight.

- Officers trained to use stationary tire deflation devices may only use the device when:

    - The vehicle is stationary, and

    - The officer has reason to believe that the subject driving, or potentially driving, the vehicle has committed, is about to commit, or is in the process of committing a crime; or for community safety purposes.

- The use of a stationary tire deflation device resulting in no physical contact or deflation of tires is not a reportable use of force.

Using a stationary tire deflation device in compliance with department training, that results with confirmed contact and deflation of tires is a reportable use of

force per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

b. Stop Sticks

Stop sticks are used to immobilize a fleeing vehicle by deflating tire(s).

Stop sticks are a device containing hollow spikes, which penetrate tires, thereby slowing a fleeing vehicle by deflating the tire(s).

- Sworn employees certified to use stop sticks may only use the device:
    - As a planned pursuit ending option where supervisor approval has been given, and
    - The sworn employee has given the deployment location over the radio to other units, and
    - The primary pursuing sworn employees have acknowledged the stop stick plan to deploy.

    (See manual section 13.031 – Vehicle Eluding and Pursuits Interim Policy)

Stop stick deployment without tire deflation is a Type I use of force. Stop Stick deployment with tire deflation is a Type II use of force unless the level of force meets the threshold for a Type III use of force per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

c. Vehicle Deflection

Vehicle deflection between vehicles is the intentional slow-moving (approximately 10 mph or less) contact between a police vehicle and a slow-moving or stationary suspect vehicle, designed to guide, or prevent movement, where there is not significant impact (not ramming), and the tactic is reasonably unlikely to cause injury.

Vehicle deflection is prohibited, except for exigent circumstances, and when:

- The subject poses a public safety threat because of observed extreme and unsafe driving behavior, or
- When there is a reasonable suspicion that the suspect vehicle poses an imminent threat of death or serious physical injury to another.

Vehicle deflection is a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

c. Vehicle Pinning (also known as "Vehicle Pinching")

Vehicle pinning is a trained tactic when an officer uses a police vehicle, or vehicles, to keep a stationary vehicle in a specified position and from leaving the scene, where there is constant forward pressure (not ramming) applied by the police vehicle(s) to the stationary vehicle, and there are no gaps between the vehicles.

Vehicle pinning is prohibited for officers assigned to patrol. CRG and other specialized units are only authorized to use a vehicle pinning tactic if officers in those units have been trained in the practical use of the tactic. The practical application of vehicle pinning training goes beyond a classroom setting and includes performing the learned maneuvers in a real-world setting in a controlled environment with an instructor present, and where the training has been added to the officer's training record.

- Officers trained to use a vehicle pinning tactic may only use the tactic to:
    - Prevent the suspect vehicle from fleeing so it's not a risk to the public, or
    - Prevent the subject from using the vehicle as a weapon against officers or other community members, or
    - Control the suspect vehicle when it is temporarily immobilized.

Vehicle pinning, when done in compliance with department training, is a is a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

e. Roadblocks

Roadblocks are the intentional positioning of a police vehicle to block a roadway with the intent of stopping a fleeing or eluding vehicle. Roadblocks are considered a use of force. The classification of force depends on the totality of the circumstances.

Officers blocking roadways for normal traffic control purposes, such as a street closure at an event, are not considered roadblocks.

- Officers trained to use a roadblock tactic may only use the tactic when:

- Necessary to protect against an immediate threat of serious physical injury or death to the officer or another person, and

- The safety to use the maneuver can be reasonably predicted, and

- Approval by a lieutenant or above has been granted prior to deployment.

  - Approval will be based on the severity of the crime and potential harm to occupants of the vehicle and the public.

Roadblocks, when done in compliance with department training, are a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

f. Pursuit Intervention Technique (PIT)

PIT maneuvers are a forced rotational stop of another vehicle used to reduce the risks in bringing a pursuit to a conclusion. PIT is only authorized for officers trained to use a PIT maneuver.

- Officers trained to use a PIT maneuver may only use a PIT vehicle-related force tactic when:

  - The suspect vehicle poses a public safety threat because of observed extreme and unsafe driving behavior, or

  - There is reasonable belief that the suspect vehicle poses an immediate threat of death or serious physical injury to another.

- Officers will not use the PIT maneuver on motorcycles.

The PIT maneuver, when done in compliance with department training, is a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

g. Ramming

Ramming a vehicle is the intentional use of a vehicle to strike another vehicle for the purpose of interrupting or incapacitating that vehicle.

- Officers are only permitted to ram another vehicle in exigent circumstances, and when:

  - All other reasonable means to stop the vehicle have failed, and

- Officers believe the subject poses an imminent threat of serious physical injury or death to another.

Vehicle ramming is a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

- Using a ramming vehicle force technique will be screened with FIT.

6. Vehicle-Related Force Tactics May Be Considered Deadly Force, Depending on the Situation

Vehicle-related force tactics that cause or are reasonably likely to cause great bodily harm, substantial bodily harm, loss of consciousness, or death are considered a Type III use of force.

(See manual section 8.200-POL-5)

(See manual section 8.400 – Use of Force Reporting and Investigation Interim Policy)

7. All Vehicle-Related Force Tactics are Reportable Uses of Force

(See manual section 8.400 – Use of Force Reporting and Investigation Interim Policy)

Using a police vehicle for blocking or containment is not reported as a use of force.

8. See 8.300-POL-14 for Guidance on Discharging a Firearm at or From a Moving Vehicle

8.300-POL-7 Specialty Unit Weaponry

1. The Special Operations Bureau Assistant Chief Oversees all Specialty Unit Weaponry

2. Specialty Units That Utilize Unique Weaponry Will Maintain Unit Manuals and Training Records Which Contain an Inventory and Specific Guidance for Each Weapon

Per manual section 12.070 – Department Publications, unit manuals have the force of department policy.

3. Officers in Specialty Units Will Use Their Weaponry in a Manner That is Objectively Reasonable, Necessary, and Proportional

See manual section 8.050 – Use of Force Definition Interim Policy for definitions and explanations of "objectively reasonable," "necessary," and "proportional" force.

The fact that a weapon is part of the specialty unit weaponry does not exempt it from the policy requirements of this manual. The same principles stated in manual sections 8.000 – Use of Force Core Principles Interim Policy and 8.200 – Using Force Interim Policy apply fully.

4. The Education and Training Section (ETS) Will Maintain Specialty Unit Training Records

Specialty units will submit their training records to ETS when completed.

5. Specialty Unit Weaponry Deployments are Reportable Uses of Force

See manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

8.300-POL-8 Hobble Restraint

A hobble restraint is a strap designed to restrain an assaultive subject's feet.

1. Officers May Use the Hobble Restraint to Control Assaultive Subjects

Once the hobble restraint is applied, officers will place the subject in either in an upright seated position, or on their side and not face down, including during transport.

The hobble restraint will not be connected to handcuffs or other restraints (i.e., "hog tie").

2. Officers Must Closely Monitor Subjects Who Have Been Placed in the Hobble Restraint

Officers will take immediate action, if necessary, to protect the subject's health and safety.

3. Officers Will Report any Use of the Hobble Restraint as a Type I Use of Force

8.300-POL-9 Spit Socks

Spit socks are woven mesh devices that may be placed over a subject's head and face with the intent to prevent or reduce the transmission of infectious disease through saliva, mucous, and blood.

(See manual section 11.010-POL-22 The Use of the Spit Sock Hood Requires Special Application, Reporting, and Screening)

(See manual section 11.010-PRO-2 Application of a Spit Sock Hood)

1. Only Officers Who Have Completed Department-Approved Training on the Application of a Spit Sock are Authorized to Use One

An officer may apply a spit sock when lawfully restraining or attempting to restrain an individual that the officer has reasonable articulable belief may spit or bite.

Officers applying spit socks must ensure that the spit sock is fastened properly according to the manufacturer's instructions to allow for adequate ventilation so that the restrained person can breathe normally.

2. Officers Will Only Use Department-Issued Spit Socks

3. Prior to Application of a Spit Sock, Officers Warn the Subject of the Spit Sock Application

Prior to the application of a spit sock, an officer will warn the subject and provide a reasonable time for the subject to comply with the officer's commands.

(See manual section 11.010-PRO-2 Application of the Spit Sock Hood)

4. Spit Socks Are Restricted Under Certain Circumstances

Spit socks are restricted under the following circumstances:

- Persons who have been sprayed with OC spray will be decontaminated so their breathing is not distressed prior to application of the spit sock (see 8.300-POL-5 OC Spray).

- Application of a spit sock may provoke an elevated level of distress. Officers will provide verbal reassurance and dynamically assess the situation to remove the spit sock as soon as feasible.

5. Spit Socks Are Prohibited Under Certain Circumstances

Spit socks are prohibited under the following circumstances:

- When a restrained subject is bleeding profusely from the area around the mouth or nose.

- On a subject who is actively vomiting.

  Note: If a subject vomits while wearing a spit sock, the officer will immediately remove and discard the spit sock.

- On a subject who states they have a medical condition that affects their breathing, or a subject who demonstrates symptoms of labored or distressed breathing.

6. Officers Will Monitor a Subject Who Has a Spit Sock Applied

If applied, the officer will remove the spit sock as soon as the threat of spitting or biting has ended, or the officer observes that the spit sock is no longer necessary.

Officers will monitor the subject until the spit sock is removed.

In the event of an emergency, a spit sock will be removed immediately.

After application of a spit sock, and when safe and feasible, officers will move the subject into a seated or side recovery position.

Officers will assist a subject wearing a spit sock who is being escorted due to the potential for impaired or distorted vision.

7. Spit Socks Will be Discarded After Each Use

8. A Spit Sock Application Will be Reported and Documented

A spit sock application will be reported to a supervisor and documented in the narrative of the report as a de minimis use of force.

8.300-POL-10 Blast Balls

This policy applies to the use of blast balls for crowd control.

1. Only Officers Who Have Completed Department Blast Ball Training are Permitted to Deploy Blast Balls

2. Officers Will Only Use Department-Issued Blast Balls

3. Officers May Use Blast Balls When Force is Authorized

Officers may use blast balls only when such force is objectively reasonable, necessary, and proportional to protect against a specific imminent threat of harm to officers, identifiable others, or to respond to specific acts of violence or destruction of property.

4. Officers Will Issue a Warning Before Deploying a Blast Ball

Officers will not deploy blast balls until:

- They have issued a warning to the crowd, and
- The crowd has been given a reasonable amount of time to comply, and
- A supervisor has authorized the blast ball deployment.

Exception: Officers may make individual decisions to deploy blast balls if reasonable and necessary to address an imminent risk of harm to a person or significant property damage.

In the case of a dispersal order, the requirement to give a verbal warning is considered satisfied by the issuance of the dispersal order (see manual section 14.090-TSK-3 Issuing the Order to Disperse).

5. When Feasible, Officers Will Direct Blast Balls Toward an Open Space Near the Person(s) Engaged in the Threats of Harm or Acts of Violence or Property Destruction

Officers will avoid directing blast balls towards persons who are not posing a risk to public safety or property.

Absent a threat of serious imminent physical harm, officers will avoid deploying a blast ball in a manner that would have significant likelihood of striking a person directly.

The preferred method of blast ball deployment is low deployment ("bowling style").

- Officers may use a high deployment ("overhand throw") when the need for a farther deployment or the need to get around an obstruction outweighs the risk created by the separating munition.

6. Officers Are Required to Report the Use of Blast Balls, Regardless of Whether a Subject is Struck

After the initial blast ball deployment, each subsequent deployment must be reasonable, and the employee will re-evaluate the situation accordingly.

Officers must justify each separate blast ball deployment.

The deployment of blast balls in a crowd control situation causing less than Type III injury is reported and investigated as Type II force (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

> **Exception:** The deployment of blast balls away from people (i.e., a "bang out") that does not result in any injury or complaint of pain is reported and investigated as Type I force (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

Officers must document their deployment method and the reasoning for using such in their use-of-force report. Such deployments will be highly scrutinized.

7. As Soon as Reasonably Possible, Officers Will Request and/or Render Medical Aid for Subjects Who Appear to Have Been Injured by a Blast Ball Deployment or Who Complain of Pain or Injury Resulting From a Blast Ball Deployment

8. The Department Will Maintain Written Documentation of the Number of Blast Balls Annually Distributed to, and Utilized by, Each Employee

8.300-POL-11 40mm Less Lethal (LL) Launcher

40mm LL Launchers fire less-lethal ammunition designed to stun, temporarily incapacitate, or cause temporary discomfort to a subject without penetrating a subject's body.

40mm LL Launchers are designed to temporarily interrupt the behavior of a dangerous subject, so that officers can take enforcement action with less danger of injury or death to themselves and others. The extended standoff distance that the 40mm LL Launcher provides may decrease officers' exposure and may provide additional time to bring the situation to a safe resolution.

1. The Education and Training Section (ETS) Manages the 40mm LL Launcher Program

ETS maintains the 40mm LL Launcher operator's manual.

2. The Firearms Training Squad (FTS) Will Maintain Inventory Records for 40mm LL Launchers

3. ETS Trains 40mm LL Launcher Operators Annually

Exception: SWAT officers receive annual specialized unit training. The SWAT commander will forward training rosters to ETS within seven days of completion.

Only officers who have been trained with the Seattle Police Department are allowed to use the 40mm LL Launcher.

Officers may only use 40mm LL Impact Munitions (LLIM) in a manner consistent with the Seattle Police Use of Force Policy and training provided by the department.

4. The Firearms Training Section (FTS) Will Inspect 40mm LL Launchers on an Annual Basis to Ensure That All Are Operable and Perform any Necessary Maintenance or Repairs

Exception: SWAT officers will inspect the 40mm LL Launchers assigned to their unit on an annual basis.

5. Only Munitions Purchased, Authorized, and Issued by the Seattle Police Department May Be Used by Officers

Officers deploying 40mm LL Launchers are responsible for ensuring the proper munitions are loaded. Officers will inspect each 40mm LLIM round prior to loading it into the launcher to ensure munitions adhere with this policy.

6. Officers Who Have Been Trained and Issued a 40mm LL Launcher Will Deploy with It During Their Shift

Officers deploying with a 40mm LL Launcher will deploy with a primary less lethal device in accordance with 8.300-POL-1(2).

7. Only SWAT Officers Will Use 40mm LL Launchers for Crowd Dispersal

Upon approval by the Chief of Police, officers who are trained in the use of the 40mm launcher may deploy with this weapon in crowd management events; however, those officers are prohibited from using the 40mm LL for crowd dispersal.

(See manual section 14.090 – Crowd Management, Intervention, and Control Interim Policy)

8. Officers Deciding to Withdraw from the 40mm LL Launcher Program Will Notify their Chain of Command and Return the 40mm LL Launcher to the Range Armorer as Soon as Practicable

Officers will notify a supervisor, in person, that they have decided to no longer carry their 40mm LL Launcher.

Additionally, officers will document the decision to not carry a 40mm LL Launcher any longer by emailing their chain of command and the department 40mm LL Launcher coordinator prior to deployment without their assigned launcher.

9. If the 40mm LL Launcher Requires Inspection and/or Repairs, the Officer Will Notify their Supervisor and take the 40mm LL Launcher Out of Service

Officers will email their supervisor, the 40mm LL Launcher coordinator, and the 40mm LL Launcher armorer prior to deployment without their 40mm LL Launcher.

10. Officers Will Only Use a 40mm LL Launcher When Objectively Reasonable, Necessary, and Proportional (See Manual Section 8.050 – Use of Force Definition Interim Policy)

Officers may use a 40mm LL Launcher in the following circumstances:

- When a subject poses an immediate threat of harm to any person; or
- When public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is:
    - Likely to cause injury to the officer; or
    - If hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of the 40mm LLIM.

Officers will consider department training regarding deployment distances and target areas. Each situation must be evaluated on the totality of the circumstances at the time of the deployment.

11. Officers Will Consider the Risk of the 40mm LLIM Round Causing Serious Harm When Determining Whether to Deploy

12. Officers About to Discharge a 40mm LL Launcher Will Advise Other Officers on Scene of the Discharge, if Safe and Feasible

13. Preferred Target Areas for 40mm LL Launchers Are:

- Buttocks

- Thigh area

- Calf

- Large muscle groups

Officers will also be prepared to employ other means to control the individual including, if necessary, other force options consistent with department policy if the individual does not respond sufficiently to the LLIM and cannot otherwise be subdued.

Officers will collect and submit into evidence all primary components of the expended 40mm round to include the sponge nose cone with the rifling ring and the casing. If collection is not feasible, officers will document their search efforts in their report.

14. A 40mm LL Will Not Be Used in the Following Circumstances Unless Deadly Force is Authorized:

- To target a subject's head, neck, chest, or groin.

- At substantially deviant ranges that are inconsistent with training.

- At a person who is on an elevated surface (e.g., a ledge, a scaffold, or near a cliff, etc.) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).

15. Whenever a Subject Has Been Struck by a 40mm LL Launcher Round, Officers Will Summon Medical Aid as Soon as Feasible

16. Officers Are Required to Report the Use of 40mm LL Launcher as Force, Regardless of Whether a Subject is Struck

(See manual section 8.400-POL-1(3))

Use of a 40mm LL Launcher is a Type II use of force (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

Officers must justify each separate 40mm LL Launcher use in their use-of-force statement.

17. Officers will Securely Store 40mm LL Launchers

While on duty, 40mm LL Launchers will be secured in patrol vehicles when not in use.

When not on duty, officers will store 40mm LL Launchers in a secure department locker.

8.300-POL-12 Pepperball Launcher

This policy applies to the use of pepperball launchers as a less-lethal weapon by officers for crowd control (see manual section 14.090 – Crowd Management, Intervention, and Control Interim Policy).

Pepperball launchers launch pepper irritant powder projectiles that break on impact, providing distance between an officer and a subject.

1. The Firearms Training Squad (FTS) Will Maintain Inventory Records for Pepperball Launchers

2. Pepperball Launcher Operators Trained Annually

Only officers who have completed department pepperball training are permitted to use pepperball launchers.

SWAT and CRG commanders will forward training rosters to ETS within seven days of training completion.

3. Officers Will Only Use Department-Issued Pepperballs and Pepperball Launchers

4. Officers May Use Pepperballs Only When Such Force is Objectively Reasonable, Necessary, and Proportional to Protect Against a Specific Imminent Threat of Harm to Officers or Identifiable Others or to Respond to Specific Acts of Violence or Destruction of Property

Where multiple persons are present, officers will direct pepperballs towards the person(s) posing a specific threat of harm to officers or others or who are engaging in acts of violence or significant property destruction.

- Officers deploying pepperballs will attempt to avoid or minimize incidental exposure to non-involved persons.

When directed towards a subject, the preferred target area for the pepperball is the area below the waist, including the buttocks, front of the legs, thighs, or sides of the legs.

Officers will not target the head, neck, or genitals.

When used for area denial purposes, preferred targets are hard surfaces such as streets or walls.

Officers will follow department training regarding deployment distances and target areas. Each situation will be evaluated on the totality of the circumstances at the time of the deployment.

(For pepperball launcher use during crowd management events, see manual section 14.090-POL-10 Use of Force)

5. Officers About to Discharge a Pepperball Launcher Will Advise Other Officers on Scene of the Discharge, if Safe and Feasible

6. As Soon as Reasonably Possible, Officers Will Request and/or Render Medical Aid for Subjects Who Appear to Have Been Injured by a Pepperball Deployment or Who Complain of Pain or Injury Resulting from Pepperball Deployment

7. Officers are Required to Report the Use of Pepperballs Regardless of the Effect, as Well as Decontamination Procedures that Followed

8. Officers must Justify Each Separate Volley of a Pepperball Deployment

After the initial volley of pepperball deployment, each subsequent deployment must be reasonable, and the employee will re-evaluate the situation accordingly.

9. Officers are Required to Report the Use of Pepperballs, Regardless of Whether a Subject is Struck

The deployment of pepperballs causing less than Type III injuries is reported and investigated as Type II force, even if no injury or complaint of pain or injury is reported (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

8.300-POL-13 CS Gas

2-Chlorobenzylidene malononitrile gas (CS gas) is a chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or injury. CS gas does not include oleoresin capsicum (OC) (see manual section 8.050 – Use of Force Definitions Interim Policy).

The effects of exposure to CS gas are usually between 15-30 mins after the subject has been removed from the area and decontaminated.

This policy applies to SWAT officers using CS gas as a less-lethal tool outside of crowd management situations.

For when CS gas is used for crowd management purposes, see manual section 14.090 – Crowd Management, Intervention, and Control Interim Policy.

(Also see RCW 10.116.030 - Use of tear gas)

1. SWAT Will Maintain Inventory Records for CS Gas

2. SWAT Officers Will Only Use Department-Issued CS Gas

3. SWAT Trains CS Gas Operators Annually

Only SWAT officers who have completed CS gas training are permitted to use CS gas.

4. SWAT Officers are Limited in the Use of CS Gas

SWAT officers are only allowed to use CS gas when necessary to alleviate a present risk of serious harm posed by a:

- Riot, or
- Barricaded subject, or
- Hostage situation.

Prior to using CS gas outside of a demonstration, SWAT officers who have received training for CS gas use within the past 12 months will:

- Determine whether the present circumstances warrant the use of CS gas and whether available and appropriate alternatives have been exhausted, and
- Announce to subjects the intended use of CS gas, and
- Allow sufficient time and space for the subject(s) to comply with the SWAT officer's directives.

During a demonstration,

- The supervising officer or Incident Commander (IC) must receive authorization from the Mayor of Seattle before CS gas is deployed.

5. Officers are Required to Report the Use of CS Gas

The deployment of CS gas is reported and investigated as a Type II use of force (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

8.300-POL-14 Firearms

The department acknowledges that this policy does not cover every situation that may arise. Any deviations from the provisions of this policy will be examined rigorously and critically reviewed on a case-by-case basis. The involved officers must be able to clearly articulate the reasons for the use of deadly force, including whether the officer's life or the lives of others were in immediate peril, and if there was no reasonable alternative.

1. Officers Will Only Discharge Firearms in Situations Where Deadly Force is Permitted

(See manual sections 8.000 – Use of Force Core Principles Interim Policy and 8.050 – Use of Force Definitions Interim Policy for further guidance)

2. Firearms May be Used on Animals in the Following Circumstances:

- Against a dangerous animal to deter an attack or to prevent injury to persons present; or

- To euthanize a critically injured animal.

3. Officers Will Only Carry and Use Department-Approved Firearms, Except in Exigent Circumstances

4. Officers Will Pass an Annual Firearms Qualification

All officers are required to qualify with their on-duty, back-up/off-duty firearms as directed by the Education & Training Section Captain (see manual section 9.065 - Firearms Training and Qualification).

5. Officers Will Not Use Firearms as Impact Weapons, Except When a Subject is Attempting to Take the Firearm, or Lethal Force Is Permitted

6. An Officer May Draw their Firearm in the Line of Duty When the Officer Reasonably Believes It May Be Necessary for Their Own Safety or for the Safety of Others

Officers will not draw their firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in accordance with policy on the use of firearms (see manual section 8.200 – Using Force Interim Policy).

Unnecessarily or prematurely drawing their firearm may limit an officer's alternatives in controlling a situation, may create unnecessary anxiety on the part of the public, and may result in an unwarranted or unintentional discharge of the firearm.

When an officer determines that the threat is over, the officer will holster their firearm, when feasible.

7. Officers Will Not Fire Warning Shots

8. When Feasible, Officers Will Issue a Verbal Warning to the Subject and Fellow Officers Prior to Discharging a Firearm

(See manual section 8.200-POL-5)

Officers will issue a verbal warning to the subject, other officers, and other individuals present, that a firearm will be discharged and defer discharging the firearm a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings may come from any officer involved in the incident when employing a team tactics approach.

> **Exception:** A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document their reason for believing their safety would have been compromised in their use of force statement.

9. Officers Will Not Fire at or From a Moving Vehicle

Firearms will not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the life of the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself will not presumptively constitute a threat that justifies an officer's use of deadly force (see RCW 10.116.060(3)).

An officer threatened by an oncoming vehicle will, if feasible, move out of its path instead of discharging a firearm at it or any of its occupants.

Officers will not discharge a firearm from a moving vehicle unless a person is immediately threatening the officer or another person with deadly force.

10. Pointing a Firearm at a Person is a Type I Reportable Use of Force

Officers will document all incidents where they point a firearm at a person (see manual section 8.400 – Use of Force Reporting and Investigation Interim Policy).

(See RCW 10.118.030)

Unholstering or displaying a firearm – including in a sul or low-ready position – without pointing it at a person is not reportable force.

11. All Firearms Discharges are Investigated and Reviewed

Intentional discharges (including discharges against people and against animals) and unintentional discharges are investigated by FIT.

> **Exception:** This does not apply to discharges during legal recreational shooting, hunting, military activity, or on the range when the discharge is down range, and the range master or lead firearms instructor determines no investigation is required.

(See manual section 8.500 – Reviewing Use of Force Interim Policy)

Interim Policy
8.310 – OC Spray Chain of Custody

Effective Date: 0/24/2023

8.310-POL

This policy applies to the storage, tracking, and accountability of Oleoresin Capsicum (OC) spray through the various channels of custody throughout the Seattle Police Department.

This policy does not cover OC used as a less lethal tool or the tracking of OC spray following its use in a force incident (see manual sections 8.300 – Use of Force Tools Interim Policy and 8.400 – Use of Force Reporting and Investigation Interim Policy).

1. The Quartermaster (QM) Will Maintain the Department OC Supply

QM will maintain an adequate supply of MK-3, MK-4, MK-9, MK-21, and MK- 46 spray units.

QM will also maintain a register of serial numbers for each unit of OC spray.

2. Stationmasters Will Control OC Spray Units at the Precinct or Section Level

The stationmaster will control the stock of all types of OC spray at the precinct level.

Only the stationmaster/designee can issue MK-3, MK-4, and MK-9 OC spray from precinct supplies.

Each precinct will have a procedure to obtain OC spray during non-business hours.

(See 8.310-TSK-1 Issuing MK-3, MK-4, and MK-9 OC Spray to Officers)

3. Non-Precinct Personnel Will Obtain OC Spray Directly from the Quartermaster

4. Precinct Operation Lieutenants Are Responsible For MK-21 and MK-46 OC Spray Issued to Them

MK-21 and larger OC spray units will be stored in a secured, centralized location.

When officers are issued these units for various reasons, they will fill out the logout and login time for the item on the Less Lethal Deployment Log Sheet (form 1.80).

Operations lieutenants are responsible for monthly checks of the log sheet to verify accuracy and completeness.

(See 8.310-PRO-1 Checking Out MK-21 and Larger OC Spray Units)

5. Officers Are Responsible For MK-3, MK-4, and MK-9 OC Spray Issued to Them

Stationmasters will record the serial number from each MK-3, MK-4, or MK- 9 spray when issued to an individual officer.

Officers are responsible for reporting lost or stolen OC spray to their supervisors.

6. The Audit Unit Will Conduct Audits of OC Spray Registers

8.310-PRO-1 Checking Out MK-21 and Larger OC Spray Units

Officer

1. **Requests** to check out OC spray unit from a lieutenant or above.

Lieutenant

2. **Issues** the approved OC spray unit to the officer.

Officer

3. **Records** the logout of the unit on the Less Lethal Deployment Log Sheet (form 1.80).

4. **Utilizes** the OC spray in accordance with department policy, as needed.

5. **Returns** the OC spray after use.

6. **Records** return of the OC spray on the same line previously logged out on the Less Lethal Deployment Log Sheet (form 1.80).

   - If the OC spray canister was depleted, **notes** on the log sheet and notifies lieutenant.

Lieutenant

7. **Verifies** the OC spray was returned or depleted in the respective use of force report.

8.310-TSK-1 Issuing MK-3, MK-4, and MK-9 OC Spray to Officers

When issuing MK-3, MK-4, and MK-9 OC spray to officers, the **stationmaster**:

1. **Obtains** a lot of MK-3, MK-4, or MK-9 OC spray units and stores in secured area of the precinct.

2. **Receives** request for OC spray from an officer.

3. **Records** the serial number from the OC spray canister on the OC Spray Issuance Record (form 1.85), as well as the officer's name and serial number.

4. **Issues** OC canister to the officer.

Interim Policy
8.400 – Use of Force Reporting and Investigation

Effective Date: 04/24/2023

8.400-POL-1 Use of Force Reporting and Investigation

The Seattle Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous and transparent oversight systems to ensure accountability to the community and maintain their trust. To ensure transparency and accountability, officers must clearly and reliably report and thoroughly document each time they use force defined as Type I, II, or III.

All uses of force are reportable except de minimis force.

Handcuff discomfort is reported and tracked, not as a use of force, but as "handcuff discomfort."

Supervisors must clearly and reliably document the steps they have taken to investigate and review the actions of the officer and any additional steps taken or recommendations for further review and action.

The requirements for reporting, investigating, and reviewing use-of-force incidents are separated into three types, based on the nature of the incident (for deaths, see 15.055). The goal is to focus police resources on the most serious cases, while also requiring that all reportable uses of force are reported and not under-classified. The categorization of use-of-force investigations is based on the following factors: degree of injury caused, potential of the technique or weapon to cause injury, degree of pain experienced, degree of disability experienced by the subject, complaint by the subject, degree of restraint of the subject, impairment of the functioning of any organ, duration of the force, and physical vulnerability of the subject. An investigation may result in an incident being re-classified as a different level of force, when appropriate.

Officers will thoroughly document all reportable uses of force to the best of their ability, including a description of each force application.

The department recognizes the inherent limitations on perception and recall following tense and rapidly evolving circumstances.

Force	Threshold	Examples
De Minimis Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury.	Physical interaction meant to separate, guide, and/or control that is not reasonably likely to cause pain or injury.	Using hands or equipment to stop, push back, separate or escort, and the use of compliance holds without the use of sufficient force to cause pain. Application of a spit sock.
Type I Force that causes transitory pain or the complaint of transitory pain.	Transitory pain. Pointing of a firearm at a subject. Deployment of a blast ball away from people (i.e., a "bang out"). Noise Flash Diversion Device (NFDD) away from people. Complaint of pain during the application of handcuffs. Use of a hobble restraint. Use of 40 mm Less Lethal (LL) launcher away from people. Use of stationary tire deflation device with confirmed contact and deflation of tires.	Controlled placement/ takedown that results in a complaint of pain or causes/is likely to cause transitory pain or disorientation. Strike with sufficient force to cause pain or complaint of pain. Open hand technique with sufficient force to cause complaint or indication of pain. Improper application of handcuffs, causing pain.
Type II Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm.	Physical injury (greater than transitory pain). Reasonably expected to cause physical injury. Complaint of injury. Use of a Taser. Use of OC spray.	Abrasion. Bruising. Laceration.

Force	Threshold	Examples
	Use of an impact weapon causing less than a Type III injury. Canine physical contact with less than Type III injury or complaint of less than a Type III injury. Vehicle-related force tactics causing less than Type III injury Performance of a vehicle pinning technique. Use of stationary tire deflation device with confirmed contact and deflation of tires resulting in injury less than Type III injury. Deployment of a blast ball toward people causing less than Type III injury. Deployment of a 40 mm LL launcher at a person causing less than Type III injury. Deployment of a Pepperball LL launcher at a person causing less than Type III injury. NFDD toward people causing less than Type III injury.	Takedown that causes injury or is reasonably expected to cause injury. Punch or kick with less than Type III injury. Punch or kick to the groin with less than Type III injury. Unintentional injury caused by “bang out” of a blast ball. Abrasion, laceration, or bruising caused by handcuffs or handcuffing. Minor joint dislocation (screen with FIT). Chipped, broken, or lost tooth (screen with FIT).

Force	Threshold	Examples
Type III Force that causes or is reasonably expected to cause great bodily harm, substantial bodily harm, loss of consciousness, or death.	Great bodily harm. Substantial bodily harm. Deadly force. Criminal conduct by officer(s) related to the use of force. Serious policy violation related to the use-of-force See 5.002 Discharging a firearm at a person. See 8.300-POL-14 Use of stationary tire deflation device on a vehicle causing injury greater than Type II or use of stationary tire deflation device against a motorcycle. See 8.300-POL-6 Impact weapon strike to the head, neck, face, throat, spine, groin, or kidneys. See 8.300-POL-4 Striking a person's head into a hard, fixed object (examples include, but are not limited to concrete objects or surfaces, or solid metal structures such as bars or guardrails). Canine physical contact resulting in greater than Type II injury. Vehicle-related force tactics resulting in or reasonably likely to cause Type III injury. See 8.300-POL-6.	Broken bone. Potentially serious head injury. Serious joint dislocation. Loss of consciousness. Permanent disfigurement or loss of the function of any bodily part of organ. Incidents where the subject is admitted to the hospital because of the force.

1. Officers Will Document in a Use-of-Force Report All Uses of Force Except De Minimis Force

2. Officers Will Report a Complaint of Handcuff Discomfort Resulting Solely from the Wearing of Properly Applied Handcuffs to a Supervisor

3. Officers, Including Witness Officers, Will Verbally Notify a Supervisor Following Any Use of Reportable Force, As Soon As Feasible, and May Do So By Phone.

Officers who use reportable force while on duty will call for an on-duty SPD sergeant.

- Known inadvertent contact with a subject's neck during the application of a head control tactic, or other control technique which results in momentary contact with the neck of a subject without the risk or intention of restricting the flow of blood or oxygen is not a neck or carotid restraint but must be screened with a supervisor.

Officers who use reportable force while working for a secondary employer will call for an on-duty sergeant unless an SPD sergeant is assigned or working the same off-duty detail.

Officers who discharge a firearm at a person while off duty, except during military activity, will call Community Safety and Communications Center (CSCC) and request to be contacted by an on-duty lieutenant.

Officers who use reportable force while exercising police authority in all other circumstances will call and request to be contacted by an on-duty lieutenant.

When an officer is involved in an incident in another precinct while working off-duty, a sergeant in that precinct (or a sergeant assigned to the same off-duty detail, when there is one) will conduct the investigation and then submit it to the involved officer's chain of command for approval.

Animal shootings and unintentional discharges not resulting in injury are not considered force but require the same notifications and are investigated in the same way as any other firearm discharge.

When there are no SPD supervisors on-scene, and one cannot respond to the scene in a timely manner, a sworn employee, including those assigned to Federal/Multi-Agency Task Forces, will contact a supervisor by phone, when safe and feasible.

An SPD supervisor can compel the Public Safety Statement (PSS) over the phone, and will document the statement, either on a recording or by

requesting Radio to update the call log. Any information obtained from the PSS statement will be relayed to the on-scene outside law enforcement agency supervisor to assist with their response and investigation until an SPD supervisor arrives on scene.

- Supervisors will document their actions of obtaining a PSS in their supervisor's report or supplemental.

4. The Sergeant Will Review the Incident and Do One of the Following:

- Classify the investigation as handcuff discomfort, Type I, or Type II as appropriate.
- Call the on-call FIT supervisor via the CSCC and to screen the following with FIT:
  - Any contact with the neck, causing or reasonably likely to cause injury or loss of consciousness.
  - Joint dislocation.
  - Chipped, broken, or lost tooth.
  - Ramming and PIT (Vehicle-Force Related Tactic)
  - Unintentional canine bite.
  - Type III use of force.

5. The FIT Unit Supervisor or Commander, When Contacted by a Sergeant, Will Either Initiate a Type III Investigation or Suggest Another Type of Investigation

6. When Multiple Officers are Involved in a Use-of-Force Incident, the Entire Incident Will be Reviewed at the Highest Level Reached by any Single Officer During the Incident

If one officer uses Type I force while another officer uses Type II force in the same incident, the first officer will complete a Type I report and the second officer will complete a Type II report. The entire incident will be reviewed as a Type II.

7. Sergeants May Request a Higher Level of Investigation for a Given Force Incident

Factors to consider when determining whether a higher level of investigation is appropriate include, but are not limited to, the following:

- The nature of the resistance encountered.
- Force used against a handcuffed, or otherwise restrained, under-control, or in-custody subject.
- Force used against a pregnant or vulnerable subject (e.g., age or infirmity).
- Incidents resulting from faulty information or unintentional error.
- When it is unclear whether the officer's actions were consistent with law or policy.

8. Except as Provided in 8.500-POL-6, No Supervisor Who Ordered, Used, or Participated in Reportable Force, or Participated in the Tactical Planning That Led to the Use of Reportable Force, Will Conduct the Investigation of the Incident, Unless it is Impractical Under the Circumstances

When a sergeant orders, uses, or participates in reportable force or the tactical planning leading up to the reportable force, a lieutenant will determine who will conduct the investigation.

When a lieutenant or captain orders, uses, or participates in reportable force or the tactical planning leading up to the reportable force (to include authorizing entry into a constitutionally protected space), a higher-ranking officer in the chain of command will determine who will review the investigation.

All officers, sergeants, lieutenants, and captains who participate in the tactical planning leading up to a reportable use of force must complete a witness statement, unless they are otherwise required to complete an involved officer statement. Such individuals may also be required to submit to an investigative interview.

9. A Supervisor Reviews Force Used During a Planned Operation or Event Will Include the Patrol Operations Order, IAP, OPS Plan, or any other Appropriate Planning Documentation in Their Review

10. Officers are Required to Report the Use OC Spray, 40 mm LL Launchers, Pepperball LL Launchers, Tasers, and Impact Weapons, Regardless of the Effect

Reporting is required whether a subject is struck, affected, or taken into custody.

11. Once a Subject is Free to Leave, Officers Will Not Detain for Screening Purposes

12. Whenever the Department Investigates the Discharge of a Firearm by an Officer, the Firearm Must be Inspected by Range Staff Prior to Being Returned to the Involved Officer

The range staff will verify:

- The firearm is approved by the department for use by the officer.
- The ammunition is approved by the department for use by the officer. Neither the firearm nor the ammunition has been modified to be out of compliance with department policy.
- Provide to FIT a memorandum identifying:
    - The firearm evaluated.
    - The name and serial number of the officer to whom it is assigned.
    - The type of tests performed on the firearm.
    - The results of those tests.
    - The individual who conducted the test.
    - Conclusion whether the firearm is functioning properly.
    - Any malfunctions discovered with the firearm.
    - Any other information relevant to the functioning of the firearm inspected.

8.400-POL-2 Handcuff Discomfort Screening

1. Officers Will Report Complaints of Handcuff Discomfort to a Supervisor

Officers will report complaints of handcuff discomfort to a supervisor, including what steps the officer took to ensure proper fit and address the complaint of discomfort.

Additional guidance on how to report handcuff discomfort may be found in 8.400-TSK-1 Involved Officer's Responsibilities During a Handcuff Discomfort Screening.

2. Sergeants Will Screen Complaints of Handcuff Discomfort

Sergeants screen complaints of handcuff discomfort in-person with the involved officer and the subject, unless impractical, prior to the subject being released.

Officers may not extend a detention solely to await the arrival of a supervisor.

A supervisor will inspect the subject to confirm there is no visible injury.

Sergeants complete a "Handcuff Discomfort Report" in Blue Team, using the Handcuff Discomfort Template. Sergeants will give a summary of their screening in the comments section including:

- That the subject complained of discomfort from the handcuffs,
- What steps the officer took to ensure proper fit and address the complaint of discomfort, and
- Whether any injury was apparent.
- If a complaint of pain is from application of handcuffs (improperly applied or forcefully applied), the sergeant will investigate the force as a Type I.
- If there is visible injury, the sergeant will investigate the force as a Type II or Type III, as appropriate.

No in-car video (ICV) or other video review is required of the sergeant or chain of command unless reasonably necessary to determine the cause of the handcuff discomfort.

8.400-POL-3 Type I Investigations

1. Sergeants Must Screen Uses of Reportable Force In-Person with the Involved Officer and the Subject, Unless Impractical, Prior to the Subject Being Booked or Released

If the subject is free to leave, the detention will not be extended to facilitate the screening process; however, the subject may choose to remain at the scene to speak with the sergeant (see 8.400–TSK–2, Involved Officers' Responsibilities During a Type I Investigation).

If there is any uncertainty or concern about the reason, immediately respond to the scene, unless impractical in the circumstances.

2. Officers Will Document All Uses of Reportable Force

In Type I use-of-force cases, it will be sufficient to complete the form in Blue Team and write a brief narrative entry describing what occurred using the Type I statement template in Word.

Additional guidance on how to report Type I force may be found in 8.400-TSK-2.

Witness officer statements are not required for a Type I use-of-force.

The investigating supervisor will review the documentation as soon as practicable and will direct the officer to provide more information, if needed.

When the sergeant requests revisions from the involved officer, the sergeant must detail the requested revisions in Blue Team.

Sergeants will give a summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type I investigation template in Word.

No ICV or other video review is required of the sergeant.

Additional guidance on how to investigate Type I force may be found in 8.400-TSK-9.

8.400-POL-4 Type II Investigations

1. In Conducting a Type II Investigation, a Sergeant Will Respond to the Scene and Thoroughly Investigate the Event, Unless Officer or Public Safety Will be Compromised as a Result

(See 8.400–TSK–10 Responsibilities of the Sergeant During a Type II Investigation)

The sergeant retains the discretion to refer any use of force to FIT for their determination of whether to take investigatory responsibility over the matter.

2. The Sergeant Will Conduct the Investigation as an Impartial Factfinder and Will Not Reach Findings About Whether the Force was Within Policy or Law

3. The Sergeant Will Make Appropriate Notifications When They Believe that Criminal Conduct or a Policy Violation May Have Occurred

When a sergeant believes that there may have been criminal conduct or a serious policy violation, the sergeant will consult with an on-duty captain or lieutenant, as feasible, and ensure that FIT, OPA, and the officer's chain of command are notified, as prescribed by manual sections 5.001 – Standards and Duties and 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations.

If not already identified and the OPA referral has not been made by the investigating sergeant, upon identifying a policy violation, the captain or lieutenant will make the proper notifications/referrals as prescribed by manual section 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations.

The captain or lieutenant will notify the command staff and OPA if information is obtained at any step in the investigation that suggests criminal conduct.

If the situation warrants, a lieutenant or captain may relieve the officer from duty for up to 24 hours pursuant to manual section 5.001 – Standards and Duties.

4. Sergeants Will Complete Their Investigation Within the Timeline Established by the Captain, Consistent With the 30-Day Investigation Period

(See manual section 8.500-POL-2(4))

When the sergeant requests revisions from the involved officer, the officer must detail the requested revisions in Blue Team.

Sergeants will summarize their investigation of the incident using the supervisor Type II investigation template in Word.

a. Each reviewer in the chain will review the report within a reasonable period to ensure it is thorough and complete.

Every reviewer in the chain of command is responsible to ensure the accuracy and completeness of the use-of-force investigation completed by the sergeant. Lieutenants and captains will assess the quality of the sergeant's investigation and document their own review in the comments section in Blue Team using the appropriate Type II templates in Word. The lieutenant's and captain's review will include a clear explanation of

their reasoning documenting why the approval or disapproval of the force is warranted.

If any investigative deficiencies exist, the reviewer will initiate corrective action where appropriate.

- When it appears to a reviewer that there is additional relevant and material evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, that supervisor will ensure that additional investigation is completed.

- When it appears to a reviewer that the findings are not supported by a preponderance of the evidence, that reviewer will consult with the investigating supervisor and previous reviewers to clarify the discrepancy, and document any modifications, including the specific evidence or analysis supporting the modification.

When a reviewer requests revisions from a previous reviewer or the investigating sergeant, the reviewer must detail the requested revisions in Blue Team.

5. An Investigation May Be Re-Assigned

At the discretion of the officer's chain of command, or OPA in the case of a policy violation that has been referred to it, a use-of-force investigation may be assigned or re-assigned to FIT or to another supervisor, either within or outside of the precinct in which the incident occurred or may be returned to the unit for further investigation or analysis.

6. When the Use-of-Force Indicates Policy, Training, Tactical or Equipment Concerns, the Chief or Their Designee Will Ensure That Necessary Training is Delivered and That Policy, Tactical or Equipment Concerns are Resolved

7. After the Captain has Reviewed the Use-of-Force Packet and Finds the Investigation Complete and Supported by the Evidence, the Captain Will Forward the Investigation File to the Force Review Unit

8.400-POL-5 Type III Investigations

1. The Force Investigations Team (FIT) Will Conduct All Type III Investigations, With Assistance from the On-Scene Sergeant

FIT will conduct all investigations in accordance with the FIT Manual.

2. FIT Responses Will Be Tailored to the Circumstances, But Will Normally Include One to Six FIT Detectives, the FIT Sergeant, the FIT Commander, and an OPA Representative

3. At Least One Member of FIT Will Always be Available to Evaluate Potential Referrals from SPD Sergeants

4. The FIT Captain Will Staff FIT with Employees Who Have the Appropriate Expertise and Investigative Skills

FIT will be staffed with individuals with appropriate expertise and investigative skills to ensure that uses of force that are contrary to law or policy are identified and appropriately resolved; and that its investigations allow the Force Review Board to identify trends or patterns of policy, training, equipment, or tactical deficiencies, or positive lessons related to the use-of-force.

5. An Office of Police Accountability (OPA) Representative Will Have Certain Responsibilities During a Type III Investigation

The OPA representative will not have investigative roles at the scene of a use-of-force but will attempt to identify any policy violations.

(See 8.400–TSK–21 Role of the Office of Police Accountability (OPA) Representative During a Type III Investigation and OPA Manual)

6. FIT Personnel Will Take Control of the Use-of-Force Investigation Upon Their Arrival

8.400-TSK-17 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge), and

8.400-TSK-18 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge).

8.400-TSK-19 FIT Captain's Responsibilities During a Type III Investigation (Not a Firearms Discharge),

8.400-TSK-20 FIT Captain's Responsibilities During a Type III Investigation (Firearms Discharge),

Once FIT has assumed control of the scene, the patrol sergeant will work at the direction of the FIT Commander.

8.400-TSK-11 Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge), and

8.400-TSK-12 Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge).

7. For Type III Investigations, All Involved Officers Will Provide a Recorded Statement as Directed by the FIT Commander

8. Within 60 Days (90 Days for Firearm Discharge Case), the FIT Commander Will Present the Completed Investigation to the Force Review Unit for Review and Referral to the FRB Calendar

9. Witness Officers Who had Significant Involvement in any Lethal Force Incident Will Not Return to Work for at Least 24 Hours and May Be Required to See a Department-Approved Mental Health Professional for a Post-Incident Debrief

The on-scene FIT Commander, in consultation with involved officers' Bureau Commander, and Peer Support, will determine which witness officers had significant involvement in a lethal force incident.

Examples of significant involvement include, but are not limited to:

- Serving as a cover officer.
- Administering any medical aid to the suspect or a victim.
- Being the victim of violence from the suspect.
- Using any reportable force during the incident immediately prior to the firearms discharge.

All witness officers identified as having had significant involvement in a lethal force incident will not return to work for at least 24 hours. This leave will take the form of release time unless the officer has regular furlough the following day.

The witness officer's bureau chief may authorize up to four days of release time for officers having had significant involvement in a lethal force incident and may require such officer to see a department-approved mental health professional for post-incident debrief. The bureau chief will consider any requests for release time by such officers.

If desired, witness officers who witnessed any portion of a lethal force incident may contact a department-approved mental health professional for a psychological post-incident debrief. Department-approved mental health professionals are specially trained in debriefing law enforcement incidents.

- The department will provide for as many visits as the mental health professional recommends with an additional visit provided six months after the incident.

- The witness officer may bring a family member along at no extra charge to any or all covered visits.

10. The FIT Captain Will Notify the Assistant Chief of Professional Standards if Information is Obtained at any Stage of the Investigation That Suggests Either a Serious Policy Violation or Criminal Conduct

The assigned FIT Sergeant will continue to complete the use-of-force investigation.

a. The FIT Captain will take the following actions when possible criminal conduct is revealed:

- Refer the investigation to OPA

- If OPA agrees that a criminal investigation is appropriate, they will refer the investigation to the Homicide Unit or another investigative body for assignment to an uninvolved sergeant for bifurcated criminal and administrative investigations using a "clean team" and "exposed team" approach.

- Screen all information through a case master, who will see to it that no information that would compromise the criminal investigation is passed on to the sergeant who is supervising the criminal investigation.

- Consult with a representative of the King County Prosecutor's Office or the City Attorney's Office when necessary.

- The criminal investigation will have priority access to witnesses and evidence.

b. The FIT Captain will take the following actions when a policy violation is discovered:

- Advise the OPA director and refer the policy violation investigation to the OPA, when required by 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations.

- Advise the officer's captain and refer the policy violation investigation to the officer's chain of command, when required by 5.003 – Front Line Investigations.

11. The FIT Captain May Re-Classify a Use-of-Force Incident

The FIT Sergeant and FIT Lieutenant may recommend re-classification.

This policy recognizes that a Type III investigation may be initiated for an incident where an officer did not use Type III force. Once an investigation is completed, the FIT Captain may re-classify each involved officer's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

> **Example of re-classification:** a Type III investigation will be completed when it appears that an officer's actions caused a subject to break a bone. However, the investigation may yield that the subject's bone was broken prior to the incident, and that the involved officer used force that would otherwise be investigated as a Type I.

8.400-POL-6 Crowd Management, Intervention, and Control

This policy applies to the reporting and investigation of uses of force that occur during crowd management, crowd intervention, or crowd dispersal events.

This policy recognizes that there may be extraordinarily long events where the reporting and investigation processes set forth in this policy are not feasible in a reasonably timely manner. In such instances, the Chief of Police will consult with the Director of the Office of Police Accountability, the Inspector General for Public Safety, and the Director of the Community Police Commission, to determine whether department goals of critical review, transparency, and accountability are better and/or more timely achieved through alternative process(es), within SPD or in coordination with the OIG.

OIG Sentinel Event Review

(See manual section 8.500-POL-6 The Force Review Unit (FRU) and Force Review Board (FRB) Review Crowd Management and Major Incident Uses of Force for more information)

(For more information about crowd management, see manual section 14.090 – Crowd Management Intervention and Control Interim Policy).

1. Any Commander Directing the Use of Type I Force is Responsible for Reporting Such Force

For reporting purposes, use of a police line to move crowds where contact occurs will be assumed to involve at least Type I force.

Involved officers do not submit statements for Type I force ordered during crowd management.

Exception: If a sworn employee uses force that deviates from training, or what was directed by the commander, the sworn employee who used the force must report the force using established use of force reporting and investigation protocols. The level of force reporting will be based on the nature of the force used and any injury sustained.

Regular Type I reporting, and investigation protocol applies for individualized Type I force that occurs separate from crowd management tactics.

2. Any Commander Who Directs or Authorizes the Use of Type II Force Will Complete a Blue Team Entry

The Blue Team entry will correspond with the highest level of force used by any individual officer during the directed use of force.

The commander directing the use of Type II force will articulate their considerations of the CMIC Matrix in a Blue Team statement.

Individual officers will justify and document all reportable uses of force.

3. Investigation of Force During Crowd Management Events

The Crowd Management Force Investigation Team (CM FIT) will be selected by the incident commander. The CM FIT will be responsible for investigating all Type II uses of force that occur during crowd management.

Exception: Type III use of force will be investigated by the regular Force Investigation Team.

Review of Type II Use-of-Force Reports will be completed by a captain or above who was not involved with the event as designated by the Deputy Chief or their designee.

The reviewing captain will submit approved Type II Use-of-Force Reports to the Force Review Unit.

Involved Officer Use of Force Reporting Responsibilities

8.400-TSK-1 Involved Officer’s Responsibilities During a Handcuff Discomfort Screening

Upon being involved in a complaint of handcuff discomfort the involved officer (see 8.050 – Use of Force Definitions Interim Policy for definition of involved officer):

1. **Receives** a complaint of discomfort from handcuffs.

2. **Inspects** the handcuffs as soon as practicable.

   - **Ensures** proper handcuff placement.

   - **Ensures** handcuffs are properly gauged and double locked.

3. **Inspects** the wrists of the subject for any visible injury.

   - Slight indentation and temporary discoloration of skin from the handcuffs does not constitute injury.

4. **Notifies** the screening sergeant of the report of discomfort and the outcome of their inspection of the handcuffs.

8.400-TSK-2 Involved Officers' Responsibilities During a Type I Investigation

Upon being involved in a use-of-force that will be investigated at Type I, the involved officer (see 8.050 – Use of Force Definitions Interim Policy for definition of involved officer):

1. **Notifies** an on-duty sergeant.

2. **Uploads** and **flags** ICV and body-worn video (BWV) with the incident number before going off shift.

3. **Documents** the incident, as appropriate.

4. **Completes** a Type I Use-of-Force Report in Blue Team by the conclusion of the current shift, unless the sergeant approves an extension.

   The report will include the following elements (see the officer Type I statement template in Word):

   - Summary of the incident.

   - Description of the Type I force.

   - Why the force was necessary.

   - Who screened the incident.

- Where the screening occurred.

- Anything else noteworthy.

8.400-TSK-3 Involved Officers' Responsibilities During a Type II Investigation

Upon being involved in a use-of-force that will be investigated as a Type II the involved officer (see 8.050 – Use of Force Definitions Interim Policy for definition of involved officer):

1. **Requests** medical attention for any injured persons.

2. **Notifies** an on-duty sergeant.

3. **Reviews** the incident with the sergeant, unless unreasonable under the circumstances.

4. **Uploads** and **flags** ICV and BWV with the incident number before going off shift.

5. **Completes** report and supplements, as appropriate.

6. **Completes** a Type II Use-of-Force Report in Blue Team by the conclusion of the current shift, unless exigent circumstances require an extension.

   The statement will include the following elements (see the officer Type II statement template in Word):

   - The name and serial number of the officer who used force.

   - The names of other officers, whether they used force and identified witnesses present.

   - A detailed description of the circumstances, and the valid law enforcement objective, that led up to the contact with the subject, to include legal authority and lawful purpose, tactics and decision-making, and de-escalation techniques.

   - A detailed description of the words, actions or behaviors of the subject that precipitated the need for force.

   - A detailed description of any force and non-force actions used, how those actions furthered the intended law enforcement objective, and the observed results.

   - A detailed description of any force clearly observed being used by other officers during this incident.

- A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided.

- The name and serial number of the sergeant who screened the incident.

8.400-TSK-4 Involved Officer's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

Upon being involved in a use-of-force that will be investigated at Type III and does not involve the discharge of a firearm (including, but not limited to, great bodily harm, substantial bodily harm, deadly force, loss of consciousness, criminal conduct by officers, and a serious policy violation by officers), the involved officer (see 8.050 – Use of Force Definitions Interim Policy for definition of involved officer):

1. **Requests** medical attention for any injured persons.

2. **Notifies** an on-duty sergeant for a response.

3. **Answers** questions posed by the first arriving sergeant from the Use of Force Public Safety Statement Card (Form 24.3), when directed.

4. **Stands by** at the scene until the arrival of the FIT Sergeant or the FIT Commander.

   Exception: When the officer has sustained an injury that requires treatment, biohazard exposure or when there are hazardous conditions at the scene.

5. **Participates** in an audio-recorded Type III Use-of-Force interview with the FIT Case Sergeant and FIT Detectives, if requested to do so, by the conclusion of the current shift, unless exigent circumstances require an extension.

   The interview will include the following elements:

   - The name and serial number of the officer who used force.

   - The names of other officers or identified witnesses present.

   - A detailed description of the circumstances that led up to the contact with the subject.

- A detailed description of the words, actions or behaviors of the subject that precipitated the need for force.

- A detailed description of any force and non-force actions used to achieve the law enforcement objective, and the observed results.

- A detailed description of any force clearly observed being used by other officers during this incident.

- A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided.

- The name and serial number of the sergeant who screened the incident.

8.400-TSK-5 Involved Officer's Responsibilities During a Type III Investigation (Firearms Discharge)

Upon being involved in a firearms discharge, and after the scene is secure, the involved officer (see 8.050 – Use of Force Definitions Interim Policy for definition of involved officer):

1. **Notifies** their sergeant.

   If off-duty, **calls** Communications to request that an on-duty SPD lieutenant be notified.

2. **Preserves** the condition of their discharged weapon.

3. **Answers** questions posed by the first arriving sergeant from the Public Safety Officer Involved Shooting Card (Form 18.5), when directed.

4. **Remains** at the scene until the FIT Sergeant or FIT Commander arrives.

   Exception: When the officer has sustained an injury that requires treatment, biohazard exposure or when there are hazardous conditions at the scene.

5. **Responds** to the FIT office, when directed.

6. **Relinquishes** their discharged weapon to CSI, when directed by FIT personnel.

7. **Conducts** a scene walk-through, if directed.

This can occur at any time during the investigation and will be preceded by reasonable notice to the officer. The officer has the option of bargaining unit and legal representation at this walk-through.

8. **Provides** an audio-recorded statement.

   An audio-recorded statement will be provided by the involved officer as soon as practicable, taking into account the totality of the circumstances, including, but not limited to, the psychological, physiological, and medical condition of the officer, and the complexity of the scene processing.

9. **Completes** a Firearms Discharge Blue Team entry and a Use-of-Force Blue Team entry, at the direction of a FIT supervisor.

10. **Contacts** an SPD Firearms Training Unit Sergeant to arrange for a function test of the replacement firearm.

    - This will occur when practical.

    - When the involved officer is notified that the involved firearm has been cleared to be released from the Quartermaster Unit for duty purposes, the officer will function test the weapon at the SPD Range prior to deploying it again for field duty.

11. **Selects** a mental health professional from the list of department-approved providers and schedules a post-incident appointment within 72 hours of the incident

    - This visit must occur before the officer returns to work.

    - The department will provide for as many visits as the mental health professional recommends with an additional visit provided six months after the incident.

    - The involved officer may bring a family member along at no extra charge to any or all covered visits.

Witness Officer Use of Force Reporting Responsibilities

8.400-TSK-6 Witness Officer's Responsibilities During a Type II or Type III Investigation (Not a Firearms Discharge)

A witness officer (see 8.050 – Use of Force Definitions Interim Policy for definition of witness officer):

1. **Protects** the scene and related evidence.

2. **Stands by** at the scene until released by the sergeant (for a Type II investigation) or the FIT supervisor (for a Type III investigation).

3. **Uploads** and **flags** ICV and BWV with the incident number before going off shift.

4. **Provides** a Use-of-Force Witness Officer Statement (form 24.5), as directed by the sergeant (for a Type II investigation) or a written or audio recorded statement as directed by the FIT supervisor (for a Type III investigation). If a witness officer is aware that reportable force was used but not reported, the witness officer will provide the witness statement to their supervisor.

8.400-TSK-7 Witness Officer's Responsibilities During a Type III Investigation (Firearms Discharge)

A witness officer (see 8.050 – Use of Force Definitions Interim Policy for definition of witness officer):

1. **Protects** the scene and related evidence.

2. **Answers** questions posed by a supervisor without being compelled.

3. **Conducts** a scene walkthrough and briefings with the FIT detective if directed.

4. **Remains** at the scene until directed to respond to the FIT office by FIT personnel.

5. **Completes** a written or audio recorded statement prior to the end of shift, as directed by FIT personnel.

6. If desired, witness officers who witnessed any portion of the firearms discharge may contact a department-approved mental health professional for a psychological post-incident debrief (department-approved mental health professionals are specially trained in debriefing law enforcement incidents).

    - The department will provide for as many visits as the mental health provider recommends, with an additional visit provided six months after the incident.

- The witness officer may bring a family member along at no extra charge to any or all covered visits.

Sergeant Use of Force Reporting Responsibilities

8.400-TSK-8 Sergeant's Responsibilities During a Handcuff Discomfort Screening

1. **Inspects** the wrists of the subject.

    - Slight indentation and temporary discoloration of skin from the handcuffs does not constitute injury.

2. **Determines** whether the handcuffs were applied properly at the time of arrest and if the discomfort appears to have been a result of improper application vs discomfort from wearing the handcuffs.

3. If a complaint of discomfort was caused by properly applied handcuffs, **documents** the inspection of the handcuffs, and continues the Handcuff Discomfort Review.

4. **Follows** screening guidelines set forth in 8.400-POL-2. If inspection of the handcuffs reveals Type I, Type II, or Type III investigation is required, proceeds accordingly.

5. **Forwards** the completed report to FRU for tracking.

8.400-TSK-9 Sergeant's Responsibilities During a Type I Investigation

When conducting a Type I investigation, the sergeant:

1. **Screens** the incident in-person with the involved officer when feasible. The sergeant will document the reason an in-person screening did not occur.

    - If there is any uncertainty or concern about the reason or nature of the force used, or the existence of any injury, the sergeant will immediately respond to the scene, unless impractical in the circumstances.

    - If the sergeant responds to a scene in which there is an allegation of injury or pain, the sergeant will **photograph** the bodily area at issue and take an overall photo of the subject.

- When a subject is not in custody, the sergeant will request permission before taking photographs.

- When a subject is in custody, the sergeant will take photographs unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail.

2. **Determines** if the use-of-force is appropriately classified as a Type I incident.

   - If unable to make that determination, the sergeant will consult with a lieutenant or FIT to assist in the determination.

3. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

   - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will ensure that OPA is contacted, and consult FIT regarding reclassification of the incident as Type II or Type III.

4. **Addresses** any concerns with the involved officer and initiates corrective action, as necessary.

5. **Directs** the involved officer to complete a Type I Use-of-Force Report in Blue Team using the involved officer Type I statement template in Word.

6. **Reviews** the Blue Team entry, related documentation, including reports and supplements and directs the officer to supply more information, if needed.

7. **Orders** the officer to provide additional information or clarification if the Blue Team entry is unclear.

8. **Completes** a summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type I investigation template in Word.

9. **Forwards** the Blue Team entry to the lieutenant.

8.400-TSK-10 Sergeant's Responsibilities During a Type II Investigation

When conducting a Type II investigation, the sergeant:

1. **Responds** to the scene.

2. **Examines** the subject of the force for injury.

- When feasible, the sergeant will **assess** the subject's injuries and **determine** whether the subject's injuries are consistent with the force reported by the officer(s).

3. **Interviews** the subject for complaints of injury.

   - The sergeant will record the interview, either with a digital recorder (preferred) or BWV if a digital recorder is not available (see 7.110-Recorded Statements and 16.090 In-Car Video and Body-Worn Video).

4. **Confirms** that appropriate medical aid is offered to any injured party.

5. **Obtains** basic information and determines if the incident requires screening with a FIT supervisor.

6. **Identifies** and **secures** evidence to enable him or her to summarize the use of force and the facts and circumstances surrounding it, including:

   - Physical evidence

   - Audio and video recordings

   - Photographs - Documentation of the presence or absence of injuries

7. **Attempts** to locate relevant civilian witnesses and **arranges** for witnesses to be interviewed.

   - If the investigating sergeant delegates witness interviews, they will have other sergeants conduct witness interviews, whenever possible. If none are available, the sergeant will select officers that have been trained in conducting use-of-force witness interviews.

     - An officer who was involved in, or witnessed, the use of force will not conduct witness interviews.

     - If witnesses do not want to be interviewed, the sergeant will record their contact information.

     - Where practicable and warranted in the circumstances, the sergeant will arrange for all interviews with civilian witnesses to be audio recorded. Civilian witnesses will be interviewed separately, unless unreasonable under the circumstances.

- Interviews of the subject, or the subject's refusal to be interviewed, will be audio recorded via digital audio recording (preferred) or via BWV, if feasible.

- **Documents** all efforts to locate and interview civilian witnesses.

  - If no civilian witnesses were located, **documents** that none were found.

8. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force.

9. **Reviews** the incident with each involved officer separately, unless unreasonable under the circumstances.

   - When unreasonable, **documents** the circumstances in the investigative summary.

10. **Directs** the involved officer(s) to complete a Type II Use-of-Force Report in Blue Team and the witness officer(s) to complete a Use-of-Force Witness Officer Statement (form 24.5).

    Exception: Whenever there is an indication of possible criminal conduct by an officer, the officer will not be compelled to provide a statement. In such instance, the sergeant will screen with FIT/refer to OPA.

11. **Canvasses** the area for privately-owned video that may have captured the incident and attempts to obtain copies voluntarily.

    - If the owner of the video refuses or the video is unavailable, **documents** the location and/or owner.

    - If no privately-owned video is discovered, **documents** that none was found.

    - **Documents** all efforts to obtain private video.

12. **Photographs** the following:

    - The location where the incident occurred, to document damage and to make sure that relevant evidence is collected.

    - Any officer injuries or areas of complained injury, and any damaged government or private property.

- When a subject is not in custody, **asks** for permission to photograph injuries.

- When a subject is in custody, **photographs** the subject unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail.

- **Takes** a minimum of three photos, per subject:

    - Overall photo of the subject.

    - Photo of the general area of the injury (arm, neck, etc.).

    - Close-up photo of the injury.

- **Uploads** photos to DEMS or Evidence.com as appropriate for the camera used.

- **Documents** refusal, as appropriate.

13. **Reviews** the officer's Blue Team entry to make sure the account is full and accurate.

    - **Verifies** that the officer has thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will ensure that OPA is contacted, and consult FIT regarding reclassification of the incident as Type III.

15. **Advises** their lieutenant of the incident by the end of the shift during which the incident occurred.

16. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift.

    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

    - When an administrative lieutenant is not utilized, the sergeant **reviews and bookmarks** all relevant and material ICV, BWV, private video, and/or holding cell video (HCV) related to the incident.

- When an administrative lieutenant is utilized, the sergeant may, but is not required to review any video during their investigation.

17. If a Taser was deployed, **arranges** for the Taser data to be downloaded and confirms that data analysis is included in the Use-of-Force Report.

18. **Attaches** primary supporting documents (witness statements, etc.) to the Blue Team entry.

19. **Provides** an appropriate summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type II investigation template in Word.

    - The Use-of-Force Report will include a narrative description of the incident. The narrative will summarize the force used by the officers and the subject, injuries sustained by the subject and the officer, and will describe the sequence of events. Additionally, it will document the supervisor's actions in reviewing or screening the incident.

    - The Use-of-Force Report will include documentation of all evidence that was gathered, including physical evidence; photographs; and names, phone numbers, addresses and summaries of statements by all civilian witnesses to the incident.

    - In situations where there are no known witnesses, the Use-of-Force Report will specifically state this fact.

    - In situations in which witnesses were present but the author of the report did not determine the identification, phone number or address of those witnesses, the Use-of-Force Report will state the reasons why.

    - The Use-of-Force Report will include the names of all other SPD employees witnessing the use-of-force and summaries of their statements.

    - The Use-of-Force Report will include the sergeant's evaluation of the evidence, including any material inconsistencies that the sergeant perceives in the evidence or statements.

20. **Forwards** a completed Blue Team entry along the chain of command, consistent with the timeline established by the section captain.

21. **Reviews** and **approves** all associated reports and supplements.

Exception: Another sergeant may review the documentation if it is impractical for the initial sergeant to do so. The screening sergeant will locate an alternate to perform the review and will inform the reporting officer of the change.

22. **Forwards** the investigation to the next reviewer.

- The sergeant forwards the investigation to the administrative lieutenant when one is being utilized.

- The sergeant forwards the investigation to the unit lieutenant when an administrative lieutenant is not being utilized.

8.400-TSK-11 Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

The sergeant:

1. **Responds** to the scene.

2. **Confirms** that appropriate medical aid is rendered to any injured party.

   - If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges** for hospital guard, if necessary.

3. **Notifies** an on-duty watch lieutenant of the incident.

   - **Maintains** control of the scene until the lieutenant arrives.

   - **Briefs** the lieutenant.

4. **Obtains** basic information and determines if the incident requires screening with FIT personnel.

5. This may include completing a Use-of-Force Public Safety Statement Card (form 24.3). If necessary, the sergeant may administratively order any officer to immediately provide public safety information to secure the scene and pursue subjects.

6. **Ensures** the scene is contained.

7. **Supports** the involved officer.

   a. **Does not isolate** the involved officer.

   b. **Does not allow** the involved officer to talk to other personnel about the incident.

c. **Confirms** that the involved officer has access to the following:

- Food and drink
- Restroom facilities
- Telephone
- Representative from the officer's collective bargaining unit

d. **Does not allow** the involved officer to sit in the back seat of a police vehicle.

e. **Avoids** making the involved officer feel like a suspect.

f. **Assigns an officer** to standby with the involved officer, if appropriate.

8. **Attempts** to locate and identify civilian witnesses and request that they stand by to be interviewed by FIT personnel.

   - If witnesses do not want to be interviewed, the sergeant will record their contact information.

9. **Turns** the scene over to the arriving FIT personnel.

10. **Gives** any Use-of-Force Public Safety Cards to the FIT Sergeant or FIT Commander upon their arrival.

11. **Complies** with directions from the FIT Commander.

12. **Assigns** an officer to complete the report and supplements.

13. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift.

    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will **ensure** that OPA is contacted.

15. **Advises** the FIT Sergeant of any other concerns noted.

8.400-TSK-12 Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the sergeant:

1. **Responds** to the scene.

2. **Advises** communications of their assumption of command.

3. **Confirms** that the necessary medical aid requests have been made.

4. **Completes** a Public Safety Statement Officer Involved Shooting Card (form 18.5) for the involved officer, if feasible.

5. Immediately **broadcasts** the information obtained from the Public Safety Statement Card to enhance public safety and assist with the capture of outstanding suspects.

6. **Initiates** Incident Command System (ICS).

7. **Attempts** to locate and identify civilian witnesses and **requests** they stand by to be interviewed by FIT personnel.

    - If witnesses do not want to be interviewed, the sergeant records their contact information.

8. If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges** for hospital guard.

9. **Notifies** an on-duty lieutenant.

10. **Maintains** control of the scene until the lieutenant arrives.

11. Upon the arrival of the lieutenant, **relinquishes** command of the scene, after an in-person briefing.

    - **Coordinates** with the lieutenant to make sure that, at a minimum, notification is made to the captain in whose precinct the incident occurred and the section captain for the involved officer(s).

12. **Requests** the response of FIT.

13. **Relieves** the involved officer of any scene-related duties.

    - If it becomes unsafe for the involved officer(s) to remain at the scene (an injury requiring medical attention or an unruly crowd, etc.) the sergeant arranges for the involved

officer to be transported to a hospital or to the FIT office, as appropriate.

14. **Assigns** an officer to standby and accompany the involved officer.

    - If there are multiple involved officers, **assigns** an officer to each.

    - The officer(s) assigned to the involved officer(s) will not be witness officer(s) nor union representative(s).

15. **Confirms** that the involved officers understand they are not to change the condition of their weapon or appearance of their uniform, except at the direction of FIT.

    - **Exceptions** to the uniform requirement include but are not limited to an officer's uniform being contaminated with bio-hazard material.

16. **Supports** the involved officer.

    - **Confirms** that the involved officer has access to a representative from the officer's collective bargaining unit.

    - **Confirms** that the involved officer has access to food and drink, restroom facilities, and a telephone.

    - **Does not allow** the involved officer to talk to other personnel about the incident.

    - **Does not seat** the involved officer in the back seat of a police vehicle.

    - **Avoids** any action that may make the involved officer feel like a suspect.

17. **Remains** at the scene to coordinate scene security.

18. **Gives** the Public Safety Statement Card(s) to the FIT Sergeant or FIT Commander upon arrival.

19. **Confirms** that the necessary reports and supplements have been completed and approved/delivered before involved personnel go off shift.

20. **Confirms** that all officers who responded to the incident upload their ICV and BWV before going off shift.

    - If any video appears to be missing, calls Seattle ITD immediately to request a review of the fail-safe.

21. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation or criminal conduct may have been involved with the firearms discharge, the sergeant **contacts** the OPA representative on-scene.

    - **Advises** the FIT Sergeant of any other concerns noted.

Lieutenant/Captain Use of Force Reporting Responsibilities

8.400-TSK-13 Watch Lieutenant's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

Upon notification of a Type III investigation the watch lieutenant:

1. **Responds** to the scene.

2. **Advises** dispatch that they have assumed command.

3. **Confirms** that the involved officer's bargaining unit is made aware of the incident.

4. **Notifies** a Critical Incident Stress Management (CISM) representative of the incident, if appropriate.

5. **Ensures** that the Use of Force Public Safety Statement Card (Form 24.3) has been read and questions have been answered.

6. **Relinquishes** control of the inner perimeter of the scene to the FIT Sergeant or FIT Commander upon their arrival.

7. **Maintains** control of the outer perimeter until the scene is cleared by FIT.

8. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the lieutenant **ensures** that OPA is contacted.

    - **Advises** the FIT Lieutenant or FIT Captain of any other concerns noted.

8.400-TSK-14 Lieutenant's or Captain's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the on-scene lieutenant or captain:

1. **Responds** to the scene.

   - If the discharge occurred in another jurisdiction, responds to the location if it is within a reasonable distance.

2. **Advises** communications of their arrival and assumption of command.

3. **Confirms** that incident command has been established and the proper duties have been delegated.

4. **Ensures** that the correct Public Safety Statement Officer Involved Shooting Card (Form 18.5) has been read and questions have been answered.

5. **Provides** the appropriate level of command and command structure to achieve scene preservation and crime scene integrity.

6. **Maintains** command of the scene until the FIT Sergeant or FIT Commander arrives.

7. Upon arrival of the FIT Sergeant or FIT Commander, **relinquishes** the inner perimeter of the scene.

8. **Confirms** that all officers directly involved in the firearms discharge respond to the FIT office, when directed to do so by the FIT Sergeant or FIT Commander.

9. **Confirms** the involved officers are accompanied by other officers, if appropriate.

10. **Notifies** the duty captain.

11. **Confirms** that a representative of the appropriate collective bargaining unit is notified of the incident.

12. If appropriate, **assists** with coordinating a Crisis Management Briefing for officers who are not involved officers in the firearms discharge, as recommended by the CISM team leader.

13. **Coordinates** with the FIT Commander to make sure that all existing reports, documents, and officer statements are immediately routed to FIT.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

    - If it appears that a serious policy violation or potential criminal conduct may have been involved with the firearms discharge, **contacts** the OPA representative on-scene.

    - **Advises** the FIT Lieutenant or FIT Captain of any other concerns noted.

8.400-TSK-15 Duty Captain's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the duty captain:

1. **Verifies** the following notifications are made:

    - Section captain of the involved officer(s).

    - Assistant chief of the involved officer(s)' bureau.

    - Office of the Chief.

    - Public Affairs Unit.

FIT Use of Force Reporting Responsibilities

8.400-TSK-16 FIT Case Detective's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the FIT Case Detective:

1. **Responds** to the scene.

2. **Arranges** for a canvass for any witnesses and privately-owned video.

3. **Determines** if there is an immediate need for any ICV, BWV or HCV download.

4. **Participates** in the compelled in-person interview of the involved officer(s).

5. **Participates** in any interview or statement review of the witness officers.

6. **Takes custody** of the weapon used by the involved officer in the condition it was in after being fired and performs a round count.

7. **Confirms** the involved officer's firearm is placed into evidence.

8.400-TSK-17 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

During a Type III investigation, the FIT Sergeant:

1. **Confirms** that the scene is photographed and processed either by FIT detectives or CSI detectives.

2. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift.

   - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

3. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force.

4. **Arranges** for all involved officers to provide an audio-recorded use-of-force statement as directed by the FIT Captain.

   - The FIT Captain **directs** officers who used Type I or Type II force to complete Blue Team entry or provide an audio recorded statement.

   - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application.

   Exception: If information suggests possible criminal conduct by an officer, that officer will not be compelled to provide a use-of-force statement or a recorded interview prior to the conclusion of any criminal investigation.

5. **Arranges** for all witness officers to provide a statement.

6. **Oversees** the FIT investigation, per the FIT manual.

   - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, FIT supervisor will **contact** OPA.

8.400-TSK-18 FIT Unit Sergeant's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the FIT Sergeant:

1. **Responds** to the scene.

2. **Arranges** for documentation of the scene and evidence collection by crime scene investigation personnel.

3. **Coordinates** with the on-scene sergeant to make sure that offense reports and supplements are immediately approved.

   - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

4. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift.

5. **Reviews** CAD to make sure that all officers at the scene provide statements.

   - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force.

6. **Verifies** the involved officer is placed in a conference/soft interview room at the FIT office.

7. **Participates** in the compelled in-person interview of the involved officer(s).

8. **Completes** and provides all involved officers with an Officer Involved Shooting Post-Incident Checklist. Supervises the investigation of the incident, per the FIT manual.

   - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation, on the part of the officer, the FIT supervisor will **contact** OPA.

8.400-TSK-19 FIT Commander's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

1. **Responds** to the scene.

2. **Assumes** control of the inner perimeter of the scene.

3. **Compels** officers who used force to provide an in-person interview if necessary and consistent with the requirements of the FIT manual.

4. **Arranges** for an OPA representative to respond to the investigation and **notifies** the Office of Inspector General of the incident.

5. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, as well as the FIT Unit chain of command.

6. **Monitors** the investigation.

7. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

   - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will **ensure** that OPA is contacted.

8. **Presents** the complete investigation to the Force Review Board.

9. **Conducts** any briefings or presentations to Command Staff regarding the incident.

8.400-TSK-20 FIT Captain's Responsibilities During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the FIT Captain:

1. **Responds** to the scene.

2. **Assumes** control of the inner perimeter of the scene.

3. **Contacts** the CISM team leader to coordinate a response from a CISM team member.

4. **Arranges** for an OPA representative to respond to the investigation and **notifies** the Office of Inspector General of the incident.

5. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, and the FIT Unit chain of command.

6. **Monitors** the investigation.

7. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.).

- If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will **ensure** that OPA is contacted.

8. **Presents** the complete investigation to the Force Review Board.

   - **Ensures** the involved officers are provided a CISM Lethal Force Incident booklet.

9. **Ensures** the officer has access to:

   - Food and drink

   - Restroom facilities

   - Telephone

   - Bargaining unit representative

   - Legal representative

10. **Provides** the involved officer(s) with a copy of the Police Officers Bill of Rights during their in-person interview and **compels** their participation, consistent with the requirements of the FIT manual.

11. **Coordinates** with CSI who will provide the involved officer(s) with a replacement weapon.

    - This will normally occur at the scene if the involved officer is still on scene when FIT arrives, and otherwise will occur at the FIT office.

    - No immediate replacement will be provided for a department-issued long gun.

12. **Maintains** overall responsibility for the investigation.

13. **Facilitates** return to work plan for involved officer.

    - **Notifies** the involved officer's captain when the involved officer has been approved through their post-incident debriefing to return to work.

    - Together with the involved officer's captain, **briefs** the Chief of Police and command staff at next scheduled command staff meeting for a decision regarding return to work.

OPA/OIG Role During Type III Investigation

8.400-TSK-21 Role of the Office of Police Accountability (OPA) Representative During a Type III Investigation

The OPA representative will have no investigative role at the scene but:

- **Consults** with the FIT Captain overseeing the investigation to identify any serious policy violations.

- **Functions** as a liaison to the FIT Unit.

8.400-TSK-22 Role of the Office of Inspector General (OIG) Representative During a Type III Investigation

The Inspector General (IG) representative:

- **Consults** with the FIT Captain overseeing the investigation.

- **Functions** as a liaison to the FIT Unit.

Interim Policy
8.500 – Reviewing Use of Force

Effective Date: 04/24/2023

Timely and thorough reviews of all uses of force are a critical priority of the department. By dynamically analyzing tactics, training, policies, processes and procedures, the department learns important lessons from every significant use-of-force incident.

8.500-POL-1 addresses general principles of force review.

8.500-POL-2 addresses command review of use-of-force.

8.500-POL-3 addresses the Force Review Unit.

8.500-POL-4 addresses the Force Review Board.

8.500-POL-5 addresses expedited summary review for specific firearms discharges.

8.500-POL-6 addresses investigation and review of force used during crowd management events.

8.500-POL-1 General Principles

1. All Reviews Must Be Completed in a Timely Manner

Furloughs, vacations, extended sick leave or any other absence from work are not considered valid reasons for delaying the review process. Each level of review is expected to have enough personnel trained in the review process to sustain the review process in a timely manner. In the case of absences from work, the reviewer or their designee will assign another supervisor to complete the review of the use-of-force report.

2. All Reviewers Will Evaluate Uses-of-Force Consistent with Department Policy

3. Reviewers Evaluating Use of Force on Restrained Persons Will Articulate Exceptional Circumstances

(See manual section 8.200-POL-2)

4. Each Reviewer Will Ensure That the Use-of-Force Report is Thorough and Complete and Contains All Necessary Documentation and Evidence

The reviewer will return the use-of-force report to the investigator if it is determined that an investigation is not thorough or complete.

5. Each Reviewer Will Address Any Discrepancy, Confusion, or Lack of Relevant Information Prior to Completing the Applicable Blue Team Entry

Any noted discrepancies will be returned to the investigating sergeant or the Force Investigation Team (FIT) detective.

Means of addressing these issues include:

- Supplementary statements from officers.
- Supplementary statements from subjects or witnesses.
- Requiring additional investigation.

If such issues cannot be resolved, the issue will be noted in Blue Team, as applicable.

6. Reviewers Will Immediately Address Concerns That Arise During Use-of-Force Investigations or Review and/or Recommend Additional Action

Reviewers will consider criteria relating to:

- De-escalation
- Supervision
- Equipment
- Tactics
- Training
- Policy
- Department best practices

If a reviewer identifies concerns that have not been sufficiently addressed, the reviewer will address those concerns.

The reviewer will take appropriate action and/or recommend a course of action, such as:

- Referral to the Office of Police Accountability (OPA).
- Referral to Education and Training Section.
- Supervisory counseling or mentoring.

Identified concerns and supervisory actions will be documented in PAS and mentioned in Blue Team, as applicable.

***Note:** A referral to OPA does not bar other referrals/actions. Reviewers will make additional recommendations for addressing a particular concern other than any discipline that may be recommended by OPA. Any questions regarding what constitutes discipline for this purpose will be referred to SPD Human Resources.

7. Reviewers Will Refer Serious Policy Violations, as well as Potential Criminal Conduct to the OPA

If it appears that a serious policy violation may have been involved in the use of force, the supervisor will ensure that the Office of Police Accountability (OPA) is contacted and consult the FIT Commander regarding reclassification of the incident as a Type II or Type III investigation, if appropriate.

The supervisor will note the OPA referral in Blue Team, as applicable, but will not take disciplinary action.

Exception: When a serious policy violation comes to the attention of the Force Review Board (FRB) members only through their participation on the Board and reviewing cases in connection with the Board, the member is not required to notify OPA. If the FRB determines that there is a serious policy violation the referral to OPA will be made by the FRB Chair. This provision does not prohibit any individual member of the board making a personal referral to OPA.

Certain policy violations (see manual sections 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations and 5.003 – Front Line Investigations) may be handled directly by the chain of command.

8. Only the Chief of the Seattle Police Department Has the Authority to Make Policy for the Department

No other department employee has the authority to ratify the actions of any department employee.

9. The Office of the Chief Will Conduct a Documented Annual Analysis of All Reported Uses of Force by the Seattle Police Department

8.500-POL-2 Command Review of Force

1. The Reporting Supervisor Will Complete all Handcuff Discomfort Reports and then Forward to the Force Review Unit for Tracking

2. The Reporting Officer's Chain of Command, to the Rank of Captain, Will Review all Type I and Type II Use-of-Force Reports

Type I use-of-force reports will be routed through Blue Team in the following order:

1. Sergeant
2. Lieutenant
3. Captain or designated operations lieutenant
4. Force Review Unit

Type II use-of-force reports will be routed through Blue Team in the following order:

1. Sergeant
2. Administrative lieutenant (when utilized)
3. Lieutenant
4. Captain
5. Force Review Unit, and as necessary, the FRB

3. The Reviewing Chain of Command Will Review Video

For a Type I investigation:

- The reviewing watch/section lieutenant will review relevant video to ensure that the force was appropriate and accurately reported.

For a Type II investigation:

- The administrative lieutenant, when utilized, will review, and bookmark all relevant video necessary for a decision-maker to make

an informed decision about the force and the surrounding circumstances.

- When an administrative lieutenant is not utilized, the foregoing responsibilities fall on the investigating sergeant. The reviewing lieutenant will review video pertinent to the use of force as bookmarked by the administrative lieutenant or investigating sergeant.

- The captain is ultimately responsible for ensuring that all relevant video have been sufficiently reviewed.

4. The Precinct or Section Captain Will Designate the Timeframes for Sergeant Investigation and Lieutenant Review

The precinct captain will determine a reasonable time limit based upon the totality of the circumstances for the lieutenant review and sergeant investigation. The precinct captain is responsible for ensuring that all use-of-force reports are forwarded to the FRU within 30 calendar days of the date the force was used.

In exceptional cases, when workload issues will preclude timely review, the captain's designee, or administrative lieutenant, may request assistance from other trained personnel, and/or an extension of time from the appropriate bureau chief.

If a report is delayed beyond this time limit, the reason for the delay will be documented in Blue Team.

5. The Sergeant Will Begin the Investigation and Forward It to the Administrative Lieutenant When Appropriate

(See 8.500-TSK-1 Role of the Administrative Lieutenant)

6. For Type I and Type II Investigations, the Reviewing Lieutenant (Not the Admin Lieutenant) Will Make Determinations Regarding the Use-of- Force

The lieutenant will thoroughly analyze and address the following elements, and document them in Blue Team using the template in Word:

- Whether the Use-of-Force Report is thorough and complete.

- Whether the force was reasonable, necessary, and proportional.

- Whether the force used was consistent with department policy.

- Whether any concerns have been sufficiently addressed and documented.

- Identification of any additional concerns and the action taken to address them.

Exception: For review of force used by a lieutenant or above, the designated primary reviewer will be a supervisor of higher rank in the employee's chain of command.

7. For Type I and Type II Investigations, the Lieutenant (Not the Admin Lieutenant) Will Complete Review and Forward Reports to the Precinct or Section Captain

8. The Precinct or Section Captain Will Review the Lieutenant's Determinations on Use-of-Force. For Type I Investigations the Operations Lieutenant May Review the Lieutenant's Determinations on Use-of-Force

The review will include the following aspects, documented in Blue Team using the template in Word:

- Whether the investigation and documentation are thorough and complete.

- Whether the findings of the reviewing lieutenant are supported by a preponderance of evidence.

- Whether concerns identified by the sergeant, administrative lieutenant, and/or lieutenant have been sufficiently addressed.

- Identification of any additional concerns and the action taken to address them.

9. When a Reviewer Requests Revisions from a Previous Reviewer or the Investigating Sergeant, They Must Detail the Requested Revisions in Blue Team, When Appropriate

10. Force is Reviewed at the Highest Level of Any Single Involved Employee Based on the Information the Investigating Supervisor has at the Time of the Incident

The use of force may be reclassified during or after the course of the investigation to capture the actual level of force that an employee used.

11. During or After the Course of a Use-of-Force Investigation, any Reviewing Lieutenant, or Captain May Re-Classify the Investigation to the Appropriate Type

This policy recognizes that the type of investigation that is required for an incident does not always reflect the level of force that an officer used. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

The investigating sergeant may recommend re-classification.

In reviewing a sergeant's investigative summary, a lieutenant or captain may determine that the initial classification was inappropriate (e.g., The lieutenant or captain may discover that an incident that was initially investigated as Type I met the criteria to be investigated as Type II).

In such cases, the lieutenant or captain will re-classify the investigation to the appropriate type and return it to the investigator for necessary action or request the changes be made by FRU (e.g., When a lieutenant or captain re-classifies a Type I investigation to a Type II, they will return it to the sergeant to obtain witness statements, etc.). This can apply to an entire incident, as well as to individual involved officers within an incident.

A bureau chief may order a FIT response and investigation.

The FIT Captain will determine whether a FIT investigation will be conducted for any use-of-force incident referred to FIT.

12. The Force Review Unit Will Review Any Force Reclassifications and May Overrule the Chain of Command Decision

13. For Type I and Type II Investigations, the Precinct or Section Captain Will Forward Completed Use-of-Force Reports to the Force Review Captain Within 30 Calendar Days of the Use-of-Force Incident

In exceptional cases, when workload issues preclude timely review, the captain may request assistance from other trained personnel, and/or an extension of time from the appropriate bureau chief.

- Third or subsequent extensions by a bureau chief will be documented by the approving bureau chief and will include the specific reason for approving the extension.

If a report is delayed beyond this time limit, the captain will document the reason for the delay in Blue Team.

After completing the review of a Type I Use-of-Force Report, the captain will forward the report to the Force Review Unit if there are no issues.

If there are issues, the captain will send the report back to the officer, via the chain of command, or appropriate supervisor in the chain of command to correct the issues.

14. Precinct Captains and Lieutenants Will Closely and Effectively Supervise Those Sergeants and Officers Under Their Command to Ensure They Identify and Effectively Respond to Uses of Force

15. The Force Review Unit Will Ensure That All Type I Use-of-Force Reports Are Complete

The function of the FRU is to conduct a quality assurance check to determine if Type I Use-of-Force reports meet basic requirements (as prescribed by this policy).

(See 8.500-POL-3 Force Review Unit)

16. The Force Review Unit Will Review All Type II Use-of-Force Reports

The function of the FRU is to conduct an administrative review of use-of-force incidents.

(See 8.500-POL-3 Force Review Unit)

17. The FRB Will Review All Type III Uses-of-Force, and all Type II Uses-of-Force Referred to it by the Force Review Unit

For Type II uses of force, the FRU Captain reviews the Findings document before it is distributed.

For Type III uses of force, the Professional Standards Bureau Assistant Chief reviews the Findings document before it is distributed.

The FRB Chair will forward FRB findings to the appropriate chain of command.

(See 8.500-POL-4 Force Review Board)

18. The Appropriate Bureau Chief Will Review FRU and FRB Determinations on Use-of-Force Incidents

19. Once a Force Investigation has been Submitted to FRU and FRB, any Further Identified Force that was not Investigated by the Submitting Chain of Command, will be Referred to OPA.

8.500-POL-3 Force Review Unit

1. The Force Review Unit Will Ensure That All Type I Use-of-Force Reports Are Complete

2. The Force Review Unit Will Review all Type II Use-of-Force Reports Not Reviewed By the FRB

3. The Force Review Unit Detectives Will Review all Type II Uses of Force Not Reviewed By the FRB

The detectives will identify any areas of concern and immediately inform the Force Review Sergeant.

4. The Force Review Unit Sergeant Will Review the FRU Detective's Review and for Consideration of Referrals to the FRB, and Forward the Report to the Force Review Lieutenant

5. The Force Review Unit Sergeant Will Immediately Inform the Force Review Lieutenant of Any Actions That Appear to Involve a Policy Violation by Any Involved Officers or Supervisors

- The Force Review Unit Lieutenant will review the case then forward the case with comment to the Force Review Unit Captain for immediate review.

- The Force Review Unit Captain will forward cases involving a serious policy violation to OPA for investigation.

- In cases where a violation of Title 8 is referred to OPA, the FRU will not issue a finding in terms of compliance to policy but will defer to the findings of the OPA investigation. This will not preclude the FRU's review from identifying performance issues, training issues or other non-policy related recommendations related to the use of force or the case in general.

6. The Force Review Unit Lieutenant will Make Finding Recommendations, and Forward Their Findings Review to the Force Review Captain

7. The Force Review Unit Captain Will Review the Force Review Lieutenant's Findings and Either Document Their Concurrence or Make Additional Recommendations

8. The Force Review Captain May Re-Classify a Use-of-Force Incident

The FRU Sergeant and FRU Lieutenant may recommend re-classification.

This policy recognizes that the type of investigation that is required for an incident does not always reflect the level of force that an officer used. Once an investigation is completed, the captain may re-classify each involved officer's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

9. The Education and Training Section is a Resource for the Force Review Unit and Provides Subject Matter Expertise on Questions of Training

The Education and Training Section will have access to all Type II uses of force for review.

10. The Force Review Unit Lieutenant and Captain Will Refer Cases for Full Board Review

Cases involving the following will be referred to the FRB:

- Serious policy violations.
- When FIT was contacted for Type III screening and declined to respond or investigate.
    - This does not include instances when FIT was contacted for consultation regarding the appropriate classification of an investigation.
    - The FIT Captain, in consultation with the Assistant Chief of the Professional Standards Bureau, may determine that a screened case does not warrant FRB review and will instead have FRU do the review.
- When less-lethal weapons or vehicle-related force tactics were used on the subject.
    - The FRU Captain, in consultation with the Assistant Chief of the Professional Standards Bureau, may determine that a less lethal deployment or vehicle-related force tactic – where

contact is not made – may be more appropriate for FRU review rather than a full board review.

- When a canine makes physical contact with the subject.

- Crowd management events and major incidents.

The lieutenant and captain will consider the following when determining whether to refer a case for full board review:

- Severity of injury to the subject (including whether the subject was transported to the emergency room).

- Severity of the crime at issue (e.g., felony, misdemeanor, infraction).

- Whether the subject posed an immediate threat to the safety of officers or others.

- Whether the subject actively resisted or attempted to evade arrest by flight.

- Any policy, training, or equipment issues.

- Whether there is a special departmental interest in a particular case (e.g., media inquiries or matter of significant community concern).

11. Upon Completion of the FRU or FRB Findings, the Use-of-Force Classification Will Not be Altered

8.500-POL-4 Force Review Board

1. The FRB Will Review All Type III Use-of-Force Investigations and Type II Use-of-Force Reports as Referred by the Force Review Unit

The FRB will conduct timely, comprehensive, and reliable reviews of Type II cases referred by the FRU, and all Type III cases, and will determine:

- Whether the investigation is thorough and complete.

- Whether the force was consistent or inconsistent with SPD policy, training, and core principles.

- Whether, with the goal of continual improvement, there are considerations that need to be addressed regarding, among other concerns:

    - De-escalation

    - Supervision

- Equipment
- Tactics
- Training
- Policy
- Department best practices

- Review each use-of-force packet to determine whether the chain of command has appropriately identified and taken appropriate actions to correct any deficiencies in the way the incident was handled.
- Confirm that uniform standards are applied in use-of-force practices.
- Identify instances, trends, or patterns of deficiencies regarding policy, training, supervision, equipment, or tactics.
- Monitor all aspects of the department's use-of-force practices with the goal of continual improvement.
- Assessment from a wellness point of view how the involved and witness officers were treated during the use of force investigation and reporting.
- Assessment of the impact of the incident on community trust and efforts taken to mitigate the impact, if any.

2. The FRB May Also Review Fatal and Significant Injury Events That Involve Vehicle Pursuits, as Well as Other Critical Incidents as Assigned by the Chief of Police

3. The Assistant Chief of the Professional Standards Bureau Will Select the Standing Members of the FRB

The FRB will be comprised of the following:

- One representative from the Education and Training Section.
- Three representatives from the Patrol Operations Bureau.
- One representative from the Policy and Research Section.
- One representative from the Investigations Bureau, and
- One additional representative as needed from any bureau.

4. Each Standing Member Will Serve a Minimum Term of 18 Months

Attendance at board meetings is mandatory. Any board member who is unable to attend a meeting will notify the FRB Chair and find a suitable replacement. Replacements must meet all the requirements of permanent FRB members and be approved by the Assistant Chief of the Professional Standards Bureau.

5. Each Standing FRB Member is Required to Attend a Minimum of 8 Hours of Annual FRB Training

Basic annual training for FRB standing members will focus on use-of-force practices, including but not limited to:

- Legal updates regarding use-of-force.
- Use-of-force investigation.
- Curriculum utilized by the Education and Training Section regarding use-of-force and de-escalation.

Standing members must also, at a minimum:

- Attend all required department training.
- Receive training in department crisis intervention techniques.
- Attend an eight-hour initial course.
- Attend additional refresher training as required by the Crisis Intervention Team program, in consultation with the Education and Training Section Captain.

6. The Force Review Captain is the Standing Chair of the FRB

The Deputy Chief or any assistant chief (or designee) may chair the FRB as required by departmental needs.

The FRB Chair has operational control of the FRB.

7. All Board Determinations will be Made by Majority Vote

A quorum of four (4) is required for a vote unless prior approval for a quorum of three has been granted by the Professional Standards Assistant Chief or the Chief of Police.

- A quorum of three can be approved for Type II uses of force and non-FIT reviewed uses of force.

The FRB Chair will vote in cases where the vote is evenly split.

8. Observers and Consultants are Not Permitted to Vote

Only members of the FRB may participate in the deliberations during the FRB.

Only standing members of the FRB are permitted to vote.

Consultants include any subject matter experts, that are not standing members, whom the FRB Chair feels would be helpful in reviewing incidents.

The FRB may consult with other advisors as necessary.

Attendance at the board is limited as follows:

- A civilian observer, appointed by the mayor, will attend all FRB meetings that involve the review of an officer-involved shooting.
- A representative from the involved officer's union may attend all FRB meetings that involve the review of an officer-involved shooting.
- Captains and higher, as well as representatives from the Legal Unit and OPA, may attend FRB meetings and ask questions, but they are not permitted to vote.
- All other observers need permission from the Assistant Chief of the Professional Standards Bureau to attend FRB meetings.

9. The FRB Chair Will Record All Findings of the Board

The FRB Chair will be responsible for the following determinations, and will document them in IAPro:

- Whether the investigation is thorough and complete.
- Whether the force was consistent or inconsistent with SPD policy, training, and core principles.
- Whether, with the goal of continual improvement, there are considerations that need to be addressed regarding:
    - De-escalation
    - Supervision
    - Equipment
    - Tactics
    - Training

- Policy

- Department best practices

10. FRB Chair Will Refer Serious Policy Violations to OPA

The FRB will refer all serious policy violations to OPA. The determination of whether the act at issue warrants such referral will be determined by majority vote of the FRB or at the discretion of the FRB Chair.

When a serious policy violation comes to the attention of an FRB member only through their participation on the FRB, the member is not required to make an OPA referral that might otherwise be required under manual section 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations. This provision does not prohibit any individual member of the board making a personal referral to OPA.

The FRB will not make recommendations concerning discipline.

- During an FRB, if OPA independently decides to open an intake investigation on the case, the complaint must be clear that OPA is the originator, and not the FRB.

11. The FRB May Review, Discuss, and Make Recommendations to Matters Under OPA Investigation, But Will Not Make a Final Determination on These Matters, Unless Requested by the OPA Director

12. Type III Use-of-Force Investigations Will Be Presented to the FRB by the Captain of the Force Investigation Team, or Their Designee

13. The FRB Chair Will Refer Policy, Equipment, and Training Issues to the Assistant Chief of the Professional Standards Bureau as an FRB Action in Blue Team

As appropriate, the Assistant Chief of the Professional Standards Bureau will forward for follow-up any policy, equipment, or training recommendations from the board to the appropriate bureau chief or section for review or follow-up.

- Individual training recommendations will be referred to the chain of command of the involved officer for follow-up.

The assigned unit will be given a response date that will be tracked by the Professional Standards Bureau.

The captain of the assigned unit will report via the FRB Action in Blue Team the status of any recommendations assigned by their bureau chief, to include any actions taken. If either the bureau chief or the captain determines that the recommendation will not be implemented, they will document the reasons why it will not be implemented.

The Professional Standards Bureau will maintain a record of all recommendations and their status.

8.500-POL-5 Expedited Summary Review

1. At the Discretion of the Assistant Chief of the Professional Standards Bureau, a Summary Review of a Firearm Discharge is Allowed Under Certain Circumstances

A summary review is limited to a review of the completed investigation by FIT and the FRB Chair without presenting the case to the FRB.

Incidents qualifying for summary review are forwarded to the FRB Chair by the FIT Captain.

A summary review is only allowed under the following circumstances:

- Unintentional discharge that does not strike a person or cause concern for public safety; or

- Discharge at an animal, regardless of whether the animal was killed or injured.

    - The assistant chief should give consideration as to whether tactics and decision-making complexities were involved in the incident.

The assistant chief, or designee, writes a memo documenting the summary review, to be added to the case file in IAPro.

If new information arises at any time during the summary review process that the FRB Chair concludes justifies review by the FRB, the incident will be presented to the FRB.

2. A Summary Review Will Be Completed Within 30 Days of the Conclusion of FIT's Investigation

8.500-POL-6 The Force Review Unit and Force Review Board Review Crowd Management and Major Incident Uses of Force

1. The Force Review Unit Reviews all Type II Uses of Force That Occur During Crowd Management, as Set Forth in 8.500-POL-3

2. The FRB Will Also Review all Crowd Management Events and Major Incidents

For the review of crowd management, the board may include two additional voting members. Both members will be commanders and will be chosen by the Assistant Chief of the Professional Standards Bureau based on their experience with crowd management.

Force Review Board review of crowd management will focus on command of the incident rather than the individual officer's application of force. The FRB will conduct timely, comprehensive, and reliable reviews of all facets of crowd management and will determine:

- Whether tactics and decisions made concerning crowd management were consistent with policy and department core principles, including whether efforts directed towards communication, engagement, and facilitation consistent with Phases 1-3 of the CMIC were employed.

- Whether the incident commander or scene commanders adequately documented their reasons for directing the use of force.

- Whether there were any tactical, training, equipment, or staffing deficiencies.

- Whether any use of less lethal force during a crowd management event was properly authorized and executed.

- Assessment from a wellness point of view how the deployed officers were treated during the event.

- Assessment of the impact of the event on community trust and efforts taken to mitigate the impact, if any.

Individual applications of force by officers during a crowd management event will be reviewed by FRU or FRB, depending upon the normal criteria.

The FRB will follow its normal procedures for voting, recording, and referral of findings as set forth in 8.500-POL-4.

3. Extraordinary Events

This policy recognizes that there may be extraordinarily long events where the review processes set forth in this policy are not feasible in a reasonably timely manner. In such instances, the Chief of Police will consult with the Director of the Office of Police Accountability, the Inspector General for

Public Safety, and the Director of the Community Police Commission, to determine whether department goals of critical review, transparency, and accountability are better and/or more timely achieved through alternative process(es), within SPD or in coordination with the OIG.

OIG Sentinel Event Review

(See manual section 8.400-POL-6 Crowd Management, Intervention, and Control for more information)

8.500-TSK-1 Role of the Administrative Lieutenant

When assisting with the review of a Type II use-of-force investigation, the **administrative lieutenant**:

1. **Conducts** daytime follow-up for third watch cases.
2. **Checks** force packet for completeness.
   - **Verifies** that all involved officer statements have been entered into the summary section of the officer's Blue Team.
   - If the statement cannot fit into Blue Team, **includes** as much as possible then **attaches** the entire statement to the case file.
   - **Verifies** that all witness statements are attached.
   - **Verifies** that all supporting documentation is attached:
     - Fire run sheet
     - Medical information
     - Evidence pertaining to the use-of-force
     - Hazard Reports (when required)
3. **Reviews** the sergeant's investigation to verify:
   - Canvass for private video was completed.
   - All private video is attached (if possible, otherwise send to FRU and place original into Evidence).
   - All information presented in the order defined by the Investigative Template.

- Minor policy violations were addressed properly by the investigating sergeant and refers minor policy violations to the involved officers watch lieutenant.

    - Ensure PAS entries were made if not referred to OPA.

- Serious policy violations as defined by 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations were referred to OPA.

- Timeline

4. **Conducts** specific investigative tasks to complete the force investigation.

    - **Reviews** all relevant video and creates a video log.

    - **Bookmarks** pertinent sections.

    - **Creates** a list of all officers on scene.

    - **Seeks** and documents an explanation for all officers who do not have video.

    - **Creates** a list of relevant officers' video and brief explanation.

    - **Documents** ICV violations and forwards to OPA, as appropriate.

    - **Ensures** that case numbers have been entered on all videos.

    - **Identifies** and objectively presents the following elements:

        - Tactics

        - De-escalation

        - Force used

        - Mitigating steps taken, if appropriate.

        - Transport: direct booking, hospital, AMR, seatbelts.

        - Any discrepancies in the statements addressed.

    - **Verifies** that photos have been submitted to DEMS or Evidence.com under the correct case number (labelled with UOF-20XX-XXXXXX).

    - **Conducts** basic quality assurance.

- **Verifies** that addresses of incident are consistent across all entries when multiple officers are involved.

- **Ensures** that the correct report number is used and in the proper format (20XX-XXXXXX).

- **Ensures** that only one involved employee is listed per Blue Team entry.

- **Ensures** that each involved officer has completed their own Blue Team entry.

- **Ensures** that each involved officer lists the force they used and that the body diagram is complete.

    - If not, return it to the involved officer to correct.

- **Checks** on delays and works to resolve obstacles to the timely submission of the report.

- **Ensures** that the type of investigation is properly classified for each involved officer and requests any necessary re-classifications, consistent with 8.500-POL-2(11).

- For Type II incidents where the chain-of-command review will exceed 30 days, **requests** an extension from the bureau chief and documents it in Blue Team.

- As appropriate, **recommends** re-classification of the incident, consistent with 8.500-POL-2(11).

- **Coordinates** with the IAPro QA Unit to adjust Blue Team entries, when needed.

Interim Policy
13.031 – Vehicle Eluding and Pursuits

Original Effective Date: 02/19/2021
Revised Effective Date: 05/19/2023

13.031-POL-1 Definitions

Eluding: when an officer operating an authorized police vehicle issues by hand, voice, emergency lights or siren a visual and/or audible signal to the driver of a vehicle to stop, and, after a reasonable time to yield in response to the officer's signal, the driver increases speed, takes evasive actions, and/or refuses to stop.

Pursuit: an attempt by a uniformed peace officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle, and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer (RCW 10.116.060).

13.031-POL-2 When Sworn Employees May Pursue and Supervisor Responsibilities

1. Sworn Employees May Not Pursue Unless the Following Requirements Have Been Met:

- The pursuing sworn employee has completed an emergency vehicle operator's course (EVOC), has completed an updated EVOC within the previous two years, and has been certified in at least one pursuit ending option (see 13.031-POL-3 Ending or Terminating Pursuits); and

- There is probable cause to believe that a person in the vehicle has committed or is committing a violent offense or sex offense (RCW 9.94A.030); and

- The person poses a significant imminent threat of death or serious physical injury to others such that, under the circumstances, the public safety risks of failing to apprehend or identify the person are greater than inherent risk of pursuit driving; and

- The pursuing sworn employee has received authorization to continue the pursuit from a supervisor; and

- A supervisor is actively monitoring and supervising the pursuit.

A vehicle pursuit may not be initiated if all the requirements above are not met, and the pursuit must be terminated, unless circumstances change.

Sworn employees are prohibited from pursuing for the sole crimes of eluding, escape, or DUI.

Sworn employees will terminate a pursuit when the risk to any person(s) outweighs the need to stop the eluding vehicle.

2. Sworn Employees and Supervisors Must Consider Alternatives to Pursuits

Factors to be considered in weighing the risk of the pursuit include:

- Underlying reason for pursuit

- Location

- Direction of travel and roadway geometry or configuration

- Weather and roadway conditions

- Speed

- Traffic conditions (pedestrians and vehicles)

- The known presence of minors in the vehicle

- Speed and operation of the eluding vehicle

3. Unmarked Units Without Emergency Equipment Will Not Engage in Pursuits

4. Sworn Employees in Pursuits Will Activate Emergency Lights and Will Use Their Sirens Continuously to Warn Others of the Emergency Nature of the Situation

5. Sworn Employees Must Notify Communications of Pursuits

The primary pursuing unit will immediately advise Communications when initiating a pursuit and will update relevant details including:

- Reason for pursuit
- Location
- Direction
- Description of suspect vehicle and suspect(s)
- Speed
- Traffic conditions (pedestrians and vehicles)

The secondary unit, after joining the pursuit, unit will, if feasible, assume the responsibility for all radio transmissions from the primary unit.

6. Communications Will Notify Supervisors of Pursuits

The Community Safety Communications Center (CSCC) will immediately notify the primary unit's supervisor and watch commander of the pursuit.

If the pursuing unit's supervisor is not available, Communications will notify another supervisor in the precinct.

7. Controlling Supervisors Will Approve and Monitor All Pursuits

The supervisor who has approved the pursuit is the controlling supervisor of all aspects of the pursuit unless control is taken over by a higher-ranking supervisor. The controlling supervisor will immediately establish radio contact with the primary pursuing unit and will gather relevant information, as soon as practicable.

The controlling supervisor will actively monitor the pursuit to provide ongoing assessment and supervisory control.

Supervisors will terminate a pursuit when the risk to any person(s) outweighs the need to stop the eluding vehicle.

8. Marked Police Vehicles Take Priority in Pursuits

Police motorcycles and unmarked police vehicles with emergency equipment may initiate pursuits. However, marked police vehicles will assume the primary positions as soon as possible.

9. Police Vehicles with Civilian Riders or Passengers Will Not Participate in a Pursuit, in Any Capacity

13.031-POL-3 Ending or Terminating Pursuits

1. Intentional Vehicle-Related Force Tactics Are Prohibited as Pursuit-Ending Tactics Except as Justified Under the Use of Force Policy

Sworn employees will not use any intentional vehicle-related force tactics for the sole crime of eluding. These tactics are uses of force per manual section 8.300-POL-6 Use of Force Tools Interim Policy – Vehicle-Related Tactics.

Exception: Only sworn employees who have been trained in the Pursuit Intervention Technique (PIT) or stop sticks may engage in these techniques. Sworn employees will obtain supervisor approval before performing a PIT, if feasible.

2. The Pursuing Sworn Employee or Controlling Supervisor Overseeing the Pursuit Will Develop a Plan to End the Pursuit, as Soon as Practical

(See 13.031-POL-4 Pursuit Ending Options)

3. The Primary Sworn Employee or a Supervisor May Terminate a Pursuit

4. Sworn Employees will Disengage When Pursuit is Terminated

When a pursuit is terminated by the primary sworn employee or a supervisor, pursuing officers will do the following:

- With ICV/BWV still recording, return to a normal driving pattern, obeying all traffic laws, and
- Deactivate all emergency equipment.

5. Sworn Employees Will Not Reinitiate Pursuits That Have Been Terminated

Once a pursuit is terminated, no sworn employee will pursue the same vehicle anywhere in the city.

Exception: A sworn employee may reinitiate the pursuit if either of the following apply:

- A sworn employee has an articulable basis to believe that a new violent crime has been committed, or

- A supervisor gives authorization to reinitiate the pursuit.

6. The Department Will Not Discipline Officers, Supervisors, or Commanders for Declining to Initiate or Deciding to Terminate a Pursuit

13.031-POL-4 Pursuit Ending Options

Sworn employees pursuing a vehicle have two pursuit ending options: a Pursuit Intervention Technique (PIT) and/or the use of stop sticks.

Supervisors controlling a pursuit and pursuing officers must formulate a plan as soon as practicable for utilizing a pursuit ending option. If formulating a plan provides no pursuit ending options, the pursuit will be terminated.

1. Sworn Employees Using a Pursuit Intervention Technique (PIT)

A PIT maneuver is only authorized for sworn employees who have been certified in the technique. Use of a PIT maneuver on a motorcycle is considered deadly force.

For when a PIT maneuver is authorized, see manual section 8.300-POL-6 Use of Force Tools – Vehicle-Related Tactics.

(See also manual section 8.400-Use of Force Reporting and Investigation Interim Policy)

2. Sworn Employees Using Stop Sticks

Use of stop sticks on a motorcycle is considered deadly force.

Sworn employees may deploy stop sticks only after giving the deployment location over the radio to other units. If the primary pursuing officers do not acknowledge, then the stop stick devices will not be used.

The controlling supervisor or primary pursuing officer may override or rescind the decision to deploy stop sticks.

Sworn employees deploying stop sticks must be certified in their use and are responsible for reporting the use of the stop sticks. Stop stick deployment without tire deflation is a Type I use of force. Stop stick deployment with tire deflation is a Type II use of force unless the level of force meets the threshold for a Type III per manual section 8.400-Use of Force Reporting and Investigation Interim Policy.

13.031-POL-5 Pursuit Reporting and Documentation

1. All Driver Sworn Employees Involved in a Pursuit will Complete a Blue Team Vehicle Pursuit Entry

Driver sworn employees will detail their involvement in the pursuit using a Blue Team entry titled "Vehicle Pursuit." In the incident summary, sworn employees will detail:

- The reason(s) for the pursuit
- Lighting conditions
- Roadway lighting
- Traffic conditions
- Road conditions
- Weather conditions
- Whether their vehicle was a one- or two-officer car
- Whether their vehicle was marked
- Whether lights and sirens were activated
- Route of travel
- What pursuit ending option was considered and why it was used or why it was not used

When the sworn employee has completed the Blue Team entry, they will forward the entry to the reviewing supervisor.

Passenger sworn employees involved in the pursuit will complete a witness officer statement and forward it to the reviewing supervisor for attachment to the driver sworn employee's Blue Team entry.

2. Controlling Supervisors May or May Not be the Reviewing Supervisor, Depending on Circumstances of the Pursuit

The controlling supervisor may or may not review Blue Team entries. The reviewing supervisor may be different from the controlling supervisor if a pursuit occurs and is approved by the controlling supervisor, depending on the circumstances, such as the following:

- Another sworn employee, not the controlling supervisor, deploys stop sticks, the controlling supervisor will complete the Pursuit Blue Team entry and review Blue Teams and the use of force, which will be sent to the precinct admin lieutenant for the use of force review per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

- If the controlling supervisor deploys stop sticks, the controlling supervisor will complete a Pursuit Blue Team entry and a use of force Blue Team entry. Another supervisor, uninvolved in the pursuit, will review all appropriate paperwork including reports, witness officer(s) statements, and Blue Team entries. A precinct lieutenant admin will review the pursuit and use of force per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy.

- If there is a collision, the controlling supervisor and pursuing primary officer will each complete a Pursuit Blue Team entry. Another supervisor, uninvolved in the pursuit, will review all appropriate paperwork including reports, witness officer(s) statements, and Blue Team entries.

- If there is a Type III use of force, or a fatality collision, FIT or other appropriate units will respond per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy, and those units primary responsibilities will be reviewing all appropriate paperwork.

(See also manual section 8.400-POL-1(8) Except as Provided in 8.500-POL-6, No Supervisor Who Ordered, Used, or Participated in Reportable Force, or Participated in the Tactical Planning That Led to the Use of Reportable Force, Will Conduct the Investigation of the Incident, Unless it is Impractical Under the Circumstances)

3. Reviewing Supervisors Will Review Video and Each Sworn Employee's Blue Team Entry

The reviewing supervisor will review video from the pursuit to assess circumstances of the initiation of the vehicle stop, continuation, and termination of the pursuit.

The reviewing supervisor will bookmark the relevant video for subsequent review.

The reviewing supervisor will ensure all driver sworn employees involved in the pursuit complete a Blue Team entry titled "Vehicle Pursuit" and that the primary sworn employee completes an incident report.

The reviewing supervisor will review each officer's Blue Team entry.

In the Comments Section of each officer's Blue Team entry, the reviewing supervisor will include:

- A short summary of the pursuit
- What control they extended over the pursuit
- Whether the decision to initiate and/or maintain pursuit of an eluding vehicle was within policy
- What pursuit ending option was used or not used, and why
- Recommendations: training, OPA referral, commendation, etc.

The reviewing supervisor will attach any associated administrative reports to the Blue Team entry and then forward them to the Chief of Police through the primary pursuing sworn employee's chain of command, whether a suspect is apprehended or not.

Watch lieutenants and precinct captains will review the bookmarked portions of the video from all vehicles involved in the pursuit before inputting their comments into each sworn employee's Blue Team report.

4. The Sworn Employee Deploying Stop Sticks Will Report the Use

After the deployment, the sworn employee will collect damaged sections of the device and complete a Stop Stick Deployment Report (form 2.26).

The sworn employee sends a copy of the form to Quartermaster along with the damaged stop sticks.

The sworn employee sends a copy of the form to the Training Unit along with a copy of the incident report.

Exception: Damaged stop sticks submitted as evidence will not go to the Quartermaster.

The Training Unit will inspect the damaged stop sticks, if necessary and work with the Quartermaster to arrange for disposition of the equipment.

(See 13.031-PRO-1 Sending Damaged Stop Sticks to Quartermaster)

Sworn employees will report the use of stop sticks per manual section 8.400 – Use of Force Reporting and Investigation Interim Policy. The sworn employee will attach a copy of the Stop Stick Deployment Report to their Blue Team entry.

5. Eluding Incidents Ending in a Vehicle Collision Trigger Notifications

A sergeant will respond to the scene of any known collision that involves an eluding vehicle, regardless of whether a sworn employee has initiated pursuit or not, following a driver's refusal to stop.

A Blue Team Pursuit entry is still required if a pursuit results in a collision that results in serious injury to any party. The responding sergeant will notify the sergeant of the Traffic Collision Investigation Squad (TCIS) and the chain of command up to the Patrol Operations Bureau Chief.

13.031-PRO-1 Sending Damaged Stop Sticks to Quartermaster

Officer

1. **Gathers** damaged stop sticks after deployment.
2. **Completes** Stop Stick Deployment Form (Form 2.26).
3. **Sends** damaged stop sticks and a copy of the deployment form to Quartermaster.
4. **Sends** the original deployment form and copy of the incident report to the Training Unit.

Quartermaster

5. **Receives** damaged stop sticks and form.
6. **Notifies** the Training Unit that damaged stop sticks have been received.

Training Unit

7. **Receives** stop stick deployment form and copy of the incident report.
8. **Inspects** damaged stop sticks received by Quartermaster, if necessary.
9. **Arranges** disposition of the stop sticks with Quartermaster (destroy, return to manufacturer, etc.).

Interim Policy
14.090 – Crowd Management, Intervention, and Control

Effective Date: 04/24/2023

Crowd Management, Intervention, and Control (CMIC) Strategies

The CMIC is intended to be read as a continuum. Any police responses available at a lower phase remain available as a response at higher phases.

	Crowd Actions	Police Response
Phase 1 **(Lawful Assembly Standoff)**	Events that are typically static or smaller in scale and do not require police assistance. • Speeches • Marches • Demonstrations • Rallies • Picketing • Public assemblies • Protests • Celebratory events	• Determine the history and risk of the group. •Engender facilitation, not confrontation. • Monitor and assess crowd behavior. • Assess and modulate response as behavior changes. • Develop Incident Action Plan (IAP) and objectives. • Minimize police presence observable by crowd.
Phase 2 **(Lawful Assembly Police Interaction)**	Likely larger and/or preplanned events with designated groups or organizers. • Speeches • Marches • Demonstrations • Rallies • Picketing • Public assemblies • Protests • Celebratory events	• Utilize POET Officers for communication with event organizers and stakeholders. • Engender facilitation, not confrontation. • Monitor and assess crowd behavior. • Minimize police presence observable by crowd. • Assess and modulate response as behavior changes. • Develop IAP and objectives. • Determine appropriate level of police presence required by the totality of the circumstances.

Phase 3 **(Escalating Behavior)**	Crowd or individuals within the crowd showing low level signs of disorder. • Minor acts of disorder such as knocking down sandwich boards or throwing garbage in the road. • Individual sit-down demonstrators. • March deviating from pre-planned route. • Elements of crowd splintering or deviating from original organizer intentions. • Crowd becoming verbally aggressive with officers or other bystanders on scene. • Crowd directing negative attention towards officers or other elements of the community.	• Attempt to use organizers and monitors to gain voluntary compliance. • Utilize POET Officers for communication with event organizers and stakeholders. • Use amplified sound to communicate intent or to gain compliance. • Use low profile tactics when possible. • Continue to assess and modulate response as behavior changes.
Phase 4 **(Isolated Unlawful Behavior)**	Individual violent acts within the crowd, property damage, unpermitted traffic disruption, and defacement are not protected activities. However, isolated unlawful activity by individuals or small groups within a crowd should not automatically form the basis for declaring an assembly unlawful. • Isolated destruction of property • Isolated acts of violence • Isolated rock or bottle throwers • Individual sit-down demonstrators blocking traffic	• Attempt to use organizers and monitors to gain voluntary compliance. • Isolate, arrest, and remove law violators as quickly as possible. • Video action of officers and law violators. • Use amplified sound to communicate intent or to gain compliance. • Use low profile tactics when possible. • Effect necessary arrests. • Any force used should be reasonable, necessary, and proportional to effect necessary arrests. • When it is not possible to make an immediate arrest, identify and track subjects for later arrest. • Continue to assess and modulate response as behavior changes.
Phase 5 **(Unlawful Assembly (Riot))**	Where unlawful behavior within or of a crowd cannot be controlled through intervention strategies, assemblies may be dispersed. • Violent acts by four or more persons or acts that pose an imminent threat of violence against persons or property (RCW 9A.84.010[1]). • Significant unpermitted traffic disruption that poses an imminent threat of harm to members of the assembly or the traveling public.	• When safe and feasible and considering the risk to officer safety and members of the crowd, force may be used to disperse the crowd or address the acts of violence. • Issue an order to disperse. • Identify dispersal routes. • Identify appropriate area for media and legal observers. • Any force used should be reasonable, necessary, and proportional to disperse or move a crowd.

	• Other criminal acts in the crowd that cannot be addressed through crowd intervention strategies, due to size, intent, or nature of the acts by members of the crowd.	• Continue to assess and modulate response as behavior changes.
Phase 6 **(Immediate Life Safety)**	In certain circumstances crowd management events may escalate to immediate threats to life safety that require immediate police action. • Crowd members throwing Molotov Cocktails. • Vehicle ramming attack.	• Issue an order to disperse. • Identify dispersal routes. • CS gas, if authorized by the Mayor. • Any force used should be reasonable, necessary, and proportional to disperse or move a crowd. • Continue to assess and modulate response as behavior changes.

14.090-POL-1 Purpose

The rights to free speech and peaceable assembly are guaranteed by the First Amendment to the United States Constitution and Article 1, § 4 and 5 of the Washington State Constitution. The Seattle Police Department (SPD) takes seriously its responsibility and commitment to support and facilitate the exercise of these rights in a fair and equitable manner, without consideration as to content or political affiliation, with as minimal a footprint as is reasonably necessary to preserve public safety and order.

This policy recognizes that assemblies in Seattle may range from small gatherings that require no police support, to permitted celebratory and/or protest marches, to large-scale, unpermitted demonstrations where activities outside of First Amendment protections, including significant traffic disruption, property destruction, and/or threats of violence may require a greater police presence.

This policy is intended to provide clear guidance to officers, supervisors, and commanders in employing appropriate crowd management, intervention, and control strategies in a manner to facilitate, to the extent safe and feasible, the right to free expression and peaceable assembly. This policy is also intended to provide guidance by which officers and supervisors may objectively determine at what juncture a demonstration or assembly leaves the realm of legal protest and becomes an abridgement on the life-safety and property rights of others. At all times, SPD's response will be based upon the conduct of those assembled, not the content of their speech or affiliation. See RCW 9A.84.010.

The department recognizes that the visible appearance and/or actions of law enforcement may affect the demeanor and behavior of a crowd. It is the

department's mission to de-escalate whenever safe and feasible to do so, without compromising public order and safety.

The department also recognizes that the unlawful acts of some members of a crowd do not automatically turn an assembly from peaceable to unpeaceable. It is the department's commitment to provide officers and supervisors with crowd management and intervention strategies that allow for the peaceable expression of federal and state rights while at the same time removing individuals whose illegal behavior jeopardize the safety of lawful activity.

This policy is intended solely to guide the decisions, actions, and operations of department personnel in planning for and responding to crowd management situations within the City of Seattle. It is not intended to expand or abridge constitutional analyses with respect to the parameters of First Amendment protections and restrictions more appropriate for a court of law.

This policy is to be read in conjunction with manual sections 14.100 – Special Events and Title 8 – Use of Force.

14.090-POL-2 Definitions

For terms not defined in this policy see manual section 8.050 - Use of Force Definitions Interim Policy. The following definitions apply throughout this policy:

Crowd Management: strategies and tactics that employ communication and dialogue with event leaders to obtain voluntary compliance with lawful orders and allow for minimal enforcement action.

Crowd Intervention: strategies and tactics that are designed to facilitate continued exercise of constitutional rights by isolating and arresting law violators within an otherwise lawful assembly.

Crowd Control: strategies and tactics, including dispersal, that are employed in the event a crowd or portion of a crowd becomes involved in violent or otherwise destructive behavior and which are intended to protect life, restore, and maintain order, allow for the arrest of law violators, and the protection of vital facilities and property.

CMIC Matrix: crowd management, intervention, and control concepts and strategies.

De-Escalation: strategies and tactics used by officers and commanders, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from a subject.

Incident Commander (IC): the sworn employee in charge of the department's on-scene response to an event.

Legal Observers: individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests, and other activities where there is a potential for conflict between those assembled and law enforcement or security.

- The following may be indicia of a legal observer: wearing a green National Lawyers' Guild (NLG) issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

Media: consistent with RCW 5.68.010, "media" means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution.

- For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

Police Outreach and Engagement Team (POET): officers integrated in the day-to-day operations of the Community Outreach and Community Response units. During critical incidents, POET officers are tasked with advising ICs and liaising with community elements involved in the event.

Tactical Advisor: an officer experienced and trained in special event and demonstration management who is assigned to provide tactical options to ICs during crowd management situations.

14.090-POL-3 The Department Uses the Incident Command System (ICS) for Crowd Management Events

1. When Assigned, an Incident Commander Will Plan and Oversee the Department's Response Before, During, and After an Event

The IC may delegate authority and assignments. The IC will utilize POET officers to attempt to interact with organizers and gain cooperation, when feasible.

2. The Incident Commander Retains Ultimate Responsibility for the Actions of Subordinates

To fulfill this obligation, the IC will be available for consultation.

A tactical advisor is assigned to the IC, when feasible. Tactical advisors are strictly advisory, and the IC maintains ultimate responsibility for actions of subordinates.

3.The Incident Commander Will be the Rank of Sergeant or Above

Exception: An officer can serve as IC until a sergeant responds.

If feasible, a lieutenant will assume command when there are two sergeants and/or two squads involved in the event.

If feasible, a captain will assume command when there are two lieutenants involved in the event.

(See manual section 1.020 - Chain of Command)

14.090-POL-4 Incident Commander Documentation

The IC will follow manual sections 14.100 – Special Event Planning and 8.400 – Use of Force Reporting and Investigation Interim Policy for planning, staffing, and documenting a crowd management response.

14.090-POL-5 The Incident Commander Will Use the Crowd Management, Intervention, and Control Concepts Strategies (CMIC) Matrix

Any public assembly of individuals or groups, lawful or unlawful, may require support and/or intervention by law enforcement. Depending upon the situation, the law enforcement response can range from observation and/or crowd management strategies, to crowd intervention and control strategies, as outlined in the CMIC Matrix.

The CMIC Matrix is a guide for the IC and allows for agility in police action in response to dynamic crowd events. Such considerations may include the overall positioning of a crowd, and whether it is static or mobile. The IC will document their considerations in their statement.

14.090-POL-6 The Incident Commander Will Employ Crowd Management Strategies Prior to and During an Event, Whenever Feasible

The IC will consider strategies in the CMIC Matrix when planning and managing an event.

14.090-POL-7 Officers May Use Crowd Intervention Strategies When Safe and Feasible

Whenever isolated unlawful activity by individuals or small groups in an otherwise peaceable assembly can be addressed through targeted enforcement, commanders and sergeants directing a law enforcement response may use crowd intervention strategies, as provided in the CMIC Matrix, to intervene and remove law violators such that a peaceable assembly may proceed.

The effect of the crowd intervention strategies upon the demeanor of the crowd should be considered.

14.090-POL-8 Crowd Control and Dispersal

1. The Incident Commander May Order that a Public Safety Order be Issued

The IC may order that a public safety order be issued to move, disperse, or refrain from specified activities in the immediate vicinity upon determining that there are acts or conduct within a crowd that create a substantial risk of causing injury to persons or substantial harm to property.

The IC will not order a public safety order to be issued unless the IC has determined that the risk observed cannot be contained through crowd management or crowd intervention strategies.

2. Upon Determining That a Public Safety Order to Disperse is Necessary, the Incident Commander Will Ensure That There is an Avenue of Egress Sufficient to Allow the Crowd to Depart

3. Where Available, Sound Amplification Equipment Will Be Used to Issue the Public Safety Order

The IC will make reasonable effort to ensure that the order is heard or received. The IC may direct the Public Affairs unit to broadcast the public safety order on social media.

4. After Making a Public Safety Order, the Incident Commander Will Modulate Tactics and Strategies as Circumstances Permit

The goal of a public safety order to disperse is to restore and maintain public order. If the IC determines that a crowd no longer poses a substantial risk of

injury to persons or harm to property, the IC will re-evaluate tactics and strategies and will adjust the response as time and circumstances permit, consistent with the CMIC Matrix.

(See 14.090-TSK-3 Issuing the Order to Disperse)

5. The Incident Commander Will Document the Circumstances Upon Which a Public Safety Order was Issued, Including any Considerations as to Less Restrictive Means to Restore Public Order

14.090-POL-9 Use of CS Gas

1. CS Gas May Only Be Used When Necessary to Alleviate a Present Risk of Serious Harm During an Unlawful Assembly

2. Only the Mayor of Seattle May Authorize an Incident Commander to Deploy CS Gas

Before the use of CS gas, the IC must exhaust alternatives to the use of CS gas that are available and appropriate under the circumstances (for CS Gas Deployment see 8.300-POL-13 CS Gas).

Upon the authorization by the mayor (or next highest elected official in the mayor's absence), the IC may approve the use of CS gas to alleviate a present risk of serious harm.

Per RCW 10.116.030, in the case of a riot or incident outside of the City of Seattle city limits where CS gas may be used, a sworn employee may only use CS gas after receiving authorization from the highest elected official of the jurisdiction where the CS gas is to be used.

3. Upon Determining That the Use of CS Gas is Necessary, the Incident Commander Will Ensure That There is an Avenue of Egress Sufficient to Allow the Crowd to Depart

4. The IC will Issue an Announcement of Their Intent to Deploy CS Gas

The IC will make reasonable efforts to ensure that the warning is heard or received.

The IC will allow sufficient time and space for the crowd to comply with the warning.

Where available, sound amplification equipment will be used to issue a CS gas warning.

The IC may direct the Public Affairs Unit to broadcast a CS gas warning on social media to the public.

5. After Ordering the Use of CS Gas, the Incident Commander Will Modulate Tactics and Strategies as Circumstances Permit

The goal of the use of CS gas is to prevent serious harm and to restore and maintain public order. If the IC determines that a crowd no longer poses a risk of serious harm, the IC will re-evaluate tactics and strategies and will adjust the response as time and circumstances permit, consistent with the CMIC Matrix.

6. The Incident Commander Will Document the Circumstances Upon Which CS Gas Was Deployed, Including any Considerations as to Less Restrictive Means to Restore Public Order

14.090–POL-10 Media and Legal Observers

1. It is the Department's Goal to Provide the Media and Legal Observers as Much Access as is Safely Possible to Assist them in their Duties and Responsibilities

2. The Incident Commander Will Consider Identifying an Area for Members of the Media and Legal Observers Outside of the Anticipated Impacted Area

Except for spontaneously occurring events, and when practicable, the IC will consider identifying an area outside of the anticipated impacted area, but within viewing distance and audible range of the event, for members of the media or legal observers to assemble.

Nothing about this policy restricts any member of the media or legal observer to such identified areas and officers shall not take enforcement action solely because members of the media or legal observers do not remain within the identified area.

3. Officers Will Not Arrest Members of the Media or Legal Observers for Failure to Disperse, Unless they are Physically Obstructing Lawful Efforts to Disperse the Crowd

Nothing about this policy authorizes members of the media or legal observers from otherwise complying with lawful commands, nor prohibits arrests based on probable cause on other offenses.

14.090-POL-11 Use of Force

It is the department's mission to facilitate crowd management events with as minimal force as is reasonably necessary to protect life and property. In both crowd intervention and crowd control situations, officers may be required to physically engage individuals who exhibit conduct ranging from obstructive to violent behavior. In these situations, officers may have to utilize force to move crowd members who do not respond to verbal orders, control violent individuals, or to effect an arrest. In considering strategies and tactics, officers should weigh the risk of harm resulting from officer action against the risk of harm that may otherwise continue.

This policy is to be read and applied in conjunction with Title 8 of this manual. While the department recognizes that officers will face unique and challenging circumstances that cannot be exhaustively addressed in policy, officers and commanders are expected to apply core principles of de-escalation and modulation of force when safe and feasible to do so. Nothing about this policy creates an exception to the requirement that officers may use only force, which is objectively reasonable, necessary, and proportional to bring an incident or person under control, while protecting the life and safety of all persons.

1. Officers May Make Individual Decisions to Use Force Consistent with Title 8

Officers will take reasonable, necessary, and proportional actions to protect against specific imminent threats of physical harm to themselves or identifiable others or to respond to specific acts of violence or substantial destruction of property.

Officers will employ de-escalation strategies and tactics within all crowd management contexts, whenever safe and feasible under the circumstances, to reduce or eliminate the necessity to use physical force. See manual section 8.100 – De-Escalation Interim Policy.

Where feasible, officers will consult with a supervisor prior taking action to protect against destruction of property.

2. The Incident Commander Has Authority to Direct the Use of Less Lethal Weapons Other Than CS Gas to Disperse the Crowd

An immediate life safety emergency is an unplanned, dynamic situation where immediate police action is necessary to protect the officers' and/or the public's safety.

Exception: A supervisor may authorize the use of less lethal weapons to move or disperse a crowd if an immediate life safety emergency exists that requires this action be taken and there is insufficient time to obtain incident command approval.

(See manual section 8.300 – Use of Force Tools Interim Policy)

3. Only Personnel Trained to Deploy Less Lethal Weapons (Blast Balls, OC Spray, 40 mm Less Lethal Launchers, CS Gas, and Pepperballs) are Authorized to Carry and Use These Weapons Under the Supervision of the Incident Commander or Their Designee

Training will include information about the less lethal weapons, how to effectively deploy them, safety considerations, the specific effects on people and the environment, and how to decontaminate persons.

Only SWAT is authorized to carry and deploy 40 mm less-lethal impact rounds for crowd control purposes such as crowd dispersal.

4. Officers Will Not Deploy Less-Lethal Weapons (Blast Balls, OC Spray, 40 mm, CS Gas, and Pepperballs) to Move a Crowd Until an Incident Commander Instructs Officers to Deploy Them

The IC will give the crowd a dispersal order and a reasonable amount of time to comply, under the circumstances.

5. As the Level of Violence Within a Crowd that Justified the Dispersal Order Diminishes, the Incident Commander Will Affirmatively Direct Sworn Employees to Modulate their Force

6. Uses of Force that Occur During the Course of Crowd Management Are Reported, Investigated, and Reviewed in Accordance with Manual Section 8.500-POL-6

14.090-POL-12 Providing Medical Aid

1. Officers Will Provide Aid to Subjects Exposed to OC, Blast Balls, 40 mm, Pepperballs, if Feasible, and Within Their Training

Medical aid may include summoning medical assistance, if more appropriate.

2. Officers Will Request Medical Response or Assistance, When Safe and Feasible

Officers will request medical response or assistance for subjects exposed to CS gas, OC, or pepperballs when any of the following occur:

- Subjects complain of continued effects after having been decontaminated, or

- Subjects indicate that they have a pre-existing medical condition (e.g., lung or heart ailments) that may be aggravated by OC or pepperballs, or

- Subjects who appear to have been injured by a less-lethal weapon or who complain of pain or injury from a less-lethal weapon.

14.090-POL-13 Debrief of Crowd Management Events of Short Duration

1. Following the Event, Sergeants and Incident Commanders Will Conduct a Day-of-Event Debrief

Sergeants will conduct a debriefing of their assigned officers and document any observations or suggestions on an Event Debrief Form (form 23.5).

Sergeants and the Incident Command staff will then have a separate debrief to discuss the following subjects:

- Event staffing

- Deployment

- Command issues

- Communication issues

- Logistical issues

- Use of less-lethal weapons

- Areas of success

- Areas for improvement

2. The Incident Commander Will Complete an After-Action Report

(See manual section 14.010 – After-Action Reports)

14.090-POL-14 Debrief of Large Scale and/or Prolonged Events

1. For Incidents Which are Large in Scale, or Whose Duration Is Multiple Days or Weeks, the Day-of-Event Debrief Will Consist of the Post-Event Briefing Form

The IC, or their designee will complete the Post-Event Briefing Form.

2. The After-Action Report Will be Written by the Chief of Police's Designee

The completion date will be determined by the Chief depending upon the length of the on-going incident.

14.090-TSK-1 Incident Commander Responsibilities

Incident Commander

1. If feasible, **contacts** the event organizer to discuss department facilitation.

2. **Develops** contingency plan regarding staffing and tactics.

   - SPD task force callout criteria.

3. **Considers** utilizing specialty units.

4. **Reviews** mutual aid callout criteria and which tools mutual aid may bring into the City of Seattle and how they will document their use of force.

5. **Provides** a staffing plan to the SPD Budget Section based on the Staffing Matrix, if feasible.

6. **Communicates** each unit's mission to the relevant supervisor or commander.

   - **Instructs** the supervisor or commander to develop and provide plans.

   - **Approves** unit plans.

   - **Ensures** the event plans are detailed in the Incident Action Plan, to include the goals, objectives, rules of engagement, and the CMIC Matrix.

7. **Briefs** officers and supervisors using the SPD ICS briefing format.

8. **Remains** available for on-scene consultation.

9. For short duration events:

   - **Debriefs** supervisors and commanders.

   - **Collects** Event Debrief Forms from the supervisors.

   - **Considers** including the Wellness Unit.

10. For prolonged events:

    – **Coordinates** with the Chief of Police regarding the After-Action Report and **ensures** the IC or designee completes the Post Event Briefing form.

11. **Completes** an After-Action Report consistent with the requirements of manual section 14.010 – After-Action Reports.

    - **Routes** the After-Action Report and Event Debrief Forms to the Patrol Operations Bureau Commander, via the chain of command.

14.090-TSK-2 Operations Section Chief Responsibilities

Operations Section Chief

1. **Develops** methods or tactics that will be used to accomplish the mission, as directed by the IC.

    - **Submits** plans to the IC.

2. **Debriefs** assigned officers after the incident.

3. **Documents** observations and suggestions on an Event Debrief Form (form 23.5).

    - **Submits** Event Debrief Forms to IC.

4. **Attends** separate debrief with IC.

14.090-TSK-3 Issuing the Order to Disperse

Incident Commander (or designee)

Upon determining that the crowd presents an imminent risk to public safety, or that large-scale property destruction appears likely, the IC or designee, when feasible:

1. Where available, **utilizes** sound amplification equipment so the crowd can hear the dispersal order.

2. **Considers** using the Public Affairs Unit to broadcast dispersal orders on social media.

3. **Places** officers at the rear of the crowd to verify that the order to disperse will be heard by all.

4. The IC (or their designee) will **issue** the following order:

"I am (rank and name) of the Seattle Police Department. For safety reasons and to prevent further crimes in the crowd, I am now issuing a public safety order to disperse, and I command all those assembled at (specific location) to immediately disperse, which means leave this area. If you do not leave the area, you may be arrested or subject to other police action. Other police action could include the use of chemical agents or less-lethal weapons, which may inflict significant pain or result in serious injury. If you remain in the area just described, regardless of your purpose, you will be in violation of city and state law. The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse.

(Repeat) The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse.

(Repeat) The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse."

5. **Provides** direction to media.

6. **Allows** a reasonable amount of time for the crowd to disperse.

7. **Repeats** the order to disperse, if feasible.

8. **Considers** issuing the order in multiple languages, where feasible, and depending upon the situation.

9. Continually **assesses** the balance of dispersal time and the goal of retaining control of the situation.

Where the IC has determined it is not safe or feasible to accomplish any of the above, the IC will document that reasoning in their statement.

Interim Policy
15.155 – Narcotics Possession and Public Use

Effective Date: 10/20/2023

15.155-POL

1. Seattle Municipal Code (SMC) Adopted the RCWs Concerning Narcotics Possession and Public Use

SMC Section 12A.09.020 – Adoption of RCW Sections have been amended as follows:

- RCW 43.43.754's crime of refusal to provide DNA
- RCW 69.50.101: Definitions. (wa.gov) (except that cannabis is not included in the definition of 5 "controlled substance")
- RCW 69.50.204 – Schedule I (except that cannabis is not included)
- RCW 69.50.206 – Schedule II
- RCW 69.50.208 – Schedule III
- RCW 69.50.210 – Schedule IV
- RCW 69.50.212 – Schedule V
- RCW 69.50.4013(1), (2), (7), and (8) as amended by 2E2SSB 5536 (68th Legislature, 2023 1st 21 Special Session), Section 2

2. Sworn Employee Considerations for Narcotics Possession and Public Use

Sworn employees will seek to minimize the use of force and incorporate de-escalation and crisis intervention in accordance with current SPD policies (see manual sections Interim Policies Title-8 Use of Force and 16.110 - Crisis Intervention.)

Sworn employees will also operate recording equipment in accordance with manual section 16.090 - In-Car and Body-Worn Video.

Recognizing the urgency of providing medical aid and the importance of preserving human life, sworn employees will request medical aid, if needed, and render appropriate medical aid within their training as soon as reasonably possible in accordance with manual section 16.130 – Providing Medical Aid.

Sworn employees must have probable cause to believe that a subject knowingly possesses a controlled substance or is knowingly using a controlled substance in a public place to take enforcement action for possession of narcotics and public use of narcotics.

3. Establishing Probable Cause for Knowingly Possessing and Public Use

Sworn employees may consider factors when establishing probable cause for knowingly possessing or public use crimes including, but not limited to, the following:

- An observed sale or purchase of suspected narcotics;
- An admission by the individual;
- Open possession of suspected narcotics or paraphernalia with suspected narcotics residue;
- Suspected narcotics in plain view; or
- Open use of suspected narcotics.

When considering making an arrest for knowingly possessing narcotics or public use of narcotics, sworn employees will determine whether the subject, through their actions and conduct, presents a threat of harm to others or public harm. This determination is based on the totality of the circumstances and the sworn employee's training and experience.

4. Sworn Employee's Assessment for Threat of Harm to Others ("Public Harm")

When considering making an arrest for knowingly possessing narcotics or public use of narcotics, sworn employees will determine whether the subject, through their actions and conduct, presents a threat of harm to others/public harm.

- This determination will occur after probable cause has been established. The threat of harm/public harm assessment will govern officer decision making when determining to make an arrest for possession or public use and is not an element of these crimes.

- This determination is based on the totality of the circumstances and the sworn employee's training and experience.

Sworn employees will identify factors when assessing the threat of harm/ public harm presented by the subject. These factors may include but are not limited to the following:

- Threats of violence;
- The subject's demeanor appears to be escalating and the sworn employee can articulate pre-attack indicators;
- Other co-occurring crimes;
- The location of public use;
- The type of narcotic(s) used;
- Whether there are community members, commercial entities and businesses, or other organizational activities occurring in the near vicinity; or
- The apparent physical condition of the individual.

Given the high likelihood of the presence of other community members and the inherent impact on public safety and security, a threat of harm/public harm will be presumed if the public use or possession of controlled substances occurs in the following locations:

- Upon or within close proximity to the grounds of any school or park;
- In or within proximity to a bus stop, rail station, or other transportation structure.

5. Sworn Employee's Assessment for Threat of Harm to Self

When a sworn employee determines there is probable cause that public possession or public use of a controlled substance has occurred, as described under this policy, but the subject does not pose a threat of harm to others/public harm, the sworn employee will make a reasonable attempt to contact and coordinate efforts for community care resources.

If information is available to or can be obtained by the sworn employee about a subject's existing service relationship, the sworn employee will make reasonable efforts to report on the individual's current circumstances to the service provider/case manager.

Sworn employees may call the LEAD on-call phone line at (206) 455-0386 for guidance and consultation on community care resources or other alternatives.

If a sworn employee determines there is probable cause to arrest, and the sworn employee's assessment indicates that the individual does not pose a threat of harm to others, the individual only poses a threat of harm to self.

- A sworn employee will not arrest in this situation, absent articulable facts and circumstances warranting such action.

- Facts and circumstances that could still warrant an arrest may include, but are not limited to, the following:

  - Possession of seven (7) or more grams of suspected narcotics, and/or

  - To securely transport directly to community-based care, and/or

  - To prevent the subject causing additional harm to self.

6. Diversion and Treatment Programs are the Standard Approach for Most Instances of Knowingly Possessing and Public Use of Controlled Substances

Diversion, treatment, and other alternatives to booking are the preferred approach when enforcing the crimes of simple possession of narcotics and the public use of narcotics.

When an arrest is warranted, sworn employees should prioritize diversion in lieu of booking.

- A lack of diversion opportunities will not be a reason for booking.

7. Let Everyone Advance with Dignity (LEAD) Program

The LEAD program will be available to provide pre-booking diversion for subjects arrested for misdemeanor narcotics crimes. Diversion through LEAD is available 24/7 through the LEAD on-call phone line at (206) 455-0386.

When a subject is arrested, and prior to booking, the arresting sworn employee, or their supervisor, will call the LEAD service provider at the on-call phone line.

The subject will then be released to the case management team (pursuant to agreed LEAD protocols to which SPD is a partner) for initial screening at a department precinct.

8. Crisis Diversion

Recognizing that sworn employees may often encounter individuals with a diminished mental capacity or other health challenges, sworn employees may refer eligible subjects with mental illness and/or substance use disorders to the Crisis Solutions Center (CSC) or Crisis Diversion Facility (CDF) (see manual sections 16.110-POL-5 Responding to Subjects in Behavioral Crisis and 16.110-PRO-4 Referring a Subject to CSC/CDF.)

9. Sworn Employees Must Document Narcotics Incidents

If a sworn employee determines, based on the totality of circumstances, that an arrest is appropriate, the sworn employee will complete an arrest report.

The report will indicate if the subject was booked into jail, diverted to community-based services prior to jail booking, or referred for prosecution.

At a minimum, the report will include the following:

- The facts underlying the probable cause, and
- An assessment of the threat presented by the subject engaged in possession and/or public use, and
- Whether, and in what manner, arrest or diversion was considered and/or utilized, and
- The response of the diversion resources to the sworn employee's request.

Sworn employees will document each contact with an individual in pursuit of enforcement of misdemeanor narcotics crimes and the number of attempts to contact and coordinate efforts for diversion, outreach, and other alternatives to arrest in the department's record management system (see manual section 6.220 – Voluntary Contacts, Terry Stops, and Detentions).

10. Sworn Employees Acting in a Manner Otherwise Consistent With SPD Policy, Will Not be Subject to Discipline for Decisions Regarding Arrests, Booking, or Diversion in Carrying Out This Policy

15.155-TSK-1 Misdemeanor Narcotics Arrest

When investigating misdemeanor narcotics crimes, the **sworn employee**:

1. **Determines** probable cause for a misdemeanor narcotics crime.
   - If no probable cause exists, the sworn employee **offers** the subject diversion resources, if they feel it is appropriate.
2. **Determines** if public harm exists.

- If no public harm exists, **offers** diversion resources.

    - Absent public harm, a sworn employee **may still arrest** a suspect but must articulate the factors leading to arrest in their report.

- If public harm exists, the sworn employee **may arrest** the subject.

3. **Prioritizes** diversion if appropriate, safe, and feasible.

    - **Contacts** LEAD at the LEAD on-call phone (206) 455-0386.

    - If LEAD is contacted, **completes** the LEAD Referral Cover sheet, and **attaches** the form in Mark 43.

4. If the sworn employee deems appropriate, **screens** the diversion through a CDF per manual section 16.110-PRO-4 Referring a Subject to CSC/CDF.)

5. If appropriate, **turns** the subject over to a LEAD Project manager at a department precinct.

6. **Completes** a report.

    - **Establishes** and **articulates** the probable cause for the arrest. Sworn employees must provide enough information so full the nature of the case is understood.

    - **Notes** in the narrative if the incident occurred in a restricted area (SODA/Drug Free Zone).

    - **Ensures** the correct arrest type is selected in Mark 43 and whether a Crisis Report is appropriate.

    - **Indicates** the results of the suspected narcotics field test in the report. **Documents** negative results as inconclusive.

    - If applicable, **articulates** the additional factors leading to arrest, absent the public harm.

7. **Completes** a property report.

    - **Lists** all items of evidence, who found it, where it was found and what was done with it.

    - **Completes** a separate laboratory request for each subject that possessed the narcotics.

- **Places** the item most important to be tested on the first line of the request. The laboratory will generally only test the first item.

8. **Field tests** suspected narcotics.

- Conducting field tests on unknown substances demands caution. Avoid handling unknown substances, especially those in powdered form. Many noxious materials are water-soluble and may be absorbed through the skin. Always perform narcotics field tests in well-ventilated areas. Avoid doing field tests in vehicles.

9. **Weighs** suspected narcotics.

- If the suspected narcotics amount weighed is over an ounce, and no other criteria indicating a felony narcotics crime exists, **emails** the Narcotics Unit, and **includes** the case number.

10. **Routes** the report for approval.

Interim Policy
16.115 – SPD Interaction with the CARE Team

Effective Date: 07/15/2024

This policy applies to all members of the Seattle Police Department when responding to calls for service with the CARE Team, requesting the CARE Team to respond to incident, high utilizer calls for service, and documentation.

Officers retain discretion whether to utilize the CARE Team or not, and the decision to utilize or not does not equal a policy violation.

16.115-POL-1 CARE Team Dual Response

The City of Seattle's Community Assisted Response and Engagement (CARE) Team consists of civilians responding with or at the request of Seattle Police Officers to assist on low-risk person down and welfare checks.

The CARE Team is an additional resource for officers when there is no law enforcement purpose. CARE can offer resources, make referrals, and/or transport subjects.

The CARE team responds to calls for service between 1100-2300 hrs.

1. Officers and CARE Team Co-Dispatched to Calls for Service

Officers and the CARE Team may be co-dispatched to non-violent priority three person down calls and welfare check calls.

Note: These co-dispatched calls are for adult subjects only where minors are not present and where the adult is not in the driver's seat of a vehicle.

Officers will make initial contact with subjects when they arrive at an incident, unless, after arriving, officers determine it is safe and appropriate for the CARE Team to make the initial contact. Any threats should be mitigated to render the scene safe. Officers will advise the CARE Team that the scene is secure, and it is safe for them to approach.

Officers will address any issues requiring law enforcement action or ITA and when appropriate will notify the CARE Team of those issues.

Officers will determine if any SPD documentation needs to be completed (see 16.115-POL-2 Documentation and Resources).

Once officers have addressed any law enforcement-related issues and determined if documentation is needed, officers may hand over the rest of the call to the CARE Team.

After the call is turned over, officers may remain at the scene or leave, at the officers' discretion. Officers also have the discretion to reinsert into the call.

2. Officers Arrive on a Call for Service and Request a CARE Team Response

Officers may request the CARE Team to respond to the scene, if appropriate.

Officers requesting a CARE Team response will make initial contact with subjects when they arrive at an incident. Any threats should be mitigated to render the scene safe. Officers will advise the CARE Team that the scene is secure, and it is safe for them to approach.

Officers will determine if any SPD documentation needs to be completed (see 16.115-POL-2 Documentation and Resources).

Once officers have addressed any law enforcement-related issues and determined if documentation is needed, officers may hand over the rest of the call to the CARE Team.

Officers will address any issues requiring law enforcement action or ITA and when appropriate will notify the CARE Team of those issues. After the call is turned over, officers may remain at the scene or leave, at the officers' discretion. Officers also have the discretion to reinsert into the call.

3. Officers Responding to High Utilizer Calls or Requesting a CARE Team Response

Officers have the discretion to either respond to the high utilizer call for service or after assessing the scene and verifying with dispatch that no hazard flags exist for the subject, request a CARE Team response to coordinate services for the subject.

In making determinations regarding identifying a community member as a high utilizer, an officer should consider whether the person is known to the officer, the subject's call history, whether a crisis response plan exists, and whether the subject resides in supportive housing with on-site providers, among other considerations.

Before deciding that an officer response is not necessary, and requesting the CARE Team to respond, officers should consider the following:

- Any suspected criminal behavior,

- Any known threats,

- Whether there is a well-documented history of calls for service where no threat factors appear to be present based on information listed in the call,
- Whether a crisis response plan exists,
- Whether the subject resides in supportive housing with on-site providers, and
- Any other relevant factors.

Officers must explain, via radio, why they do not need to respond to a high utilizer call for service, and why they are requesting the CARE Team to respond instead.

- If prior to their arrival, the CARE Team requests officers to respond to the call, officers will respond.
- If the CARE Team is on scene, and at any time the facts change, there is an escalation in behavior, or CARE believes the scene is not safe, they can leave, and request officers respond.

16.115-POL-2 Documentation and Resources

1. Officers Will Determine if SPD Documentation Needs to be Completed

Officers will complete documentation if the following apply:

- There is a co-response with the CARE Team to an incident, AND
- Crisis elements are present, or
- Other departmental documentation is required.

Any decision-making related to the decision to arrest, write a citation, or perform community caretaking functions related to an ITA remains with the officer on scene.

If an officer determined on scene that SPD documentation needs to be completed, the officer will note in the report and crisis template that the CARE Team responded, and a handoff of the call was completed. Officers documenting the incident will MIR the call.

If an officer determined on scene that no documentation was needed, and CARE completed the call, the CARE Team will MIR the call and document the incident.

2. Resources for Officers

Officers may email the CIT Coordinator at spd_cit_coordinator@seattle.gov or the CARE Team at careteam@seattle.gov.

Interim Policy 16.300 – Canines

Effective Date: 04/24/2023

The purpose of this policy is to regulate the use of Seattle Police canines. It sets out the duties and responsibilities of supervisors and canine handlers for use, approval, and deployment of department canines. The use of canines requires adherence to procedures that control their use of force potential and that direct their specialized capabilities into legally acceptable crime detection, prevention, and control activities.

1. Definitions

The following terms apply to this policy and are defined in manual section 8.050 – Use of Force Definitions:

Canine Apprehension
Canine Bite
Canine Deployment
Canine Handler or Canine Officer
Canine Search
Canine Team
Canine Use of Force
Confirmation Track
Contained Search
Containment
Direct Apprehension
Non-Tactical Use of Canine
Off-Lead
On-Lead
Surrender
Unintentional Canine Bite or Injury

2. The Following Units Have Operational Control of Canine Teams:

- The Canine Unit has sole responsibility for Patrol Canine Teams.

- The Arson/Bomb Squad (ABS) has sole responsibility for Explosive Detection Canine Teams.

- The Narcotics Unit has sole responsibility for Narcotic Detection Canine Teams.

- The Internet Crimes Against Children (ICAC) Unit has sole responsibility for the Electronic Detection Canine Teams.

- The Sexual Assault Unit (SAU) has sole responsibility for victim's assistance canines.

- The Wellness Unit has sole responsibility for Facility Canine Teams.

While the above units have sole responsibility for their Canine Teams, the Patrol Canine Training Sergeant is responsible for auditing deployments and training for all Canine Teams from every unit on an annual basis to ensure compliance with law, policy, and best practices.

Units supervising Canine Teams will provide the Patrol Canine Training Sergeant access to the Canine Teams and their records.

3. The Canine Unit Will Maintain a Unit Manual

The Canine Unit Manual is designed to ensure that the canine teams are trained to the point at which the handler can demonstrate total control over the canine's activities.

4. A Police Canine is Primarily a Locating Tool

Using its extraordinary olfactory skills, a canine may aid officers in locating subjects or evidence. Officers must adhere to all applicable laws and department policy.

When a canine is used to physically apprehend a suspect, it is an instrumentality of force and will only be used consistent with all applicable laws and department policy.

Exception: Facility Canine Teams will be used for Officer Wellness Activities.

(See manual section 8.300-POL-2 Use of Patrol Canines for guidance)

5. Sergeants Supervising Canine Teams Will Have Significant Knowledge About Police Canine Operations

6. All Department Canines Will be Deployed in a Manner That Complies with All Applicable Laws and Department Policy

Canine teams will be trained and will demonstrate proficiency such that the handler has control over the canine's activities.

Canine teams must complete annual testing requirements.

Canine Teams must adhere to training, testing, and certification requirements as outlined by The Washington State Criminal Justice Training Commission (WSCJTC).

Canine Teams will complete a minimum of sixteen (16) hours of training per discipline each month.

Canine Team Supervisors will review all canine training, deployments, applications, and documentation monthly.

16.300-POL-1 Guidelines for the Use of Canines

Police Canines are a multi-functional asset that may be used in appropriate circumstances to assist officers in the search for criminal suspects, narcotics, explosives, or evidence.

The use of canines by the Seattle Police Department requires adherence to procedures that properly control their use of force potential and that channel their specialized capabilities into legally acceptable activities.

1. Non-Tactical Use of Canine

Canines may be deployed in non-aggressive work such as:

- Searching for evidence, narcotics, explosives, contraband; or
- Officers may use a trained detection canine in accordance with department search and seizure policy and current search and seizure laws.
- Victim's assistance through the SAU or Wellness Units.

2. A Canine Officer Will Be Available for Call-Out Under Conditions Specified by the Canine Unit

Department personnel may request the use of a canine.

3. Canine Deployments Will Be Limited to the Following Situations Where Probable Cause, or a Valid Arrest Warrant Exists for Any of the Below Listed Crimes:

Felony Crimes:

- Burglary 1st degree, Residential Burglary, and Burglary 2nd degree (except when the burglary offense is the result of a trespass admonishment)
- Robbery 1st degree and Robbery 2nd degree

- Murder 1st degree, Murder 2nd degree, Homicide by abuse, Manslaughter 1st degree, and Manslaughter 2nd degree

- Assault 1st degree, Assault 2nd degree, and Assault 3rd degree

- Kidnapping 1st degree and Kidnapping 2nd Degree

- Arson 1st degree and Arson 2nd degree

- Felony Harassment against police

- Domestic violence felony crimes as defined in RCW 10.99.020

  Examples include:

  - Assault 1st degree (RCW 9A.36.011);

  - Assault 2nd degree (RCW 9A.36.021);

  - Assault 3rd degree (RCW 9A.36.031);

  - Drive-by shooting (RCW 9A.36.045);

  - Burglary 1st degree (RCW 9A.52.020);

  - Residential Burglary (RCW 9A.52.025);

  - Burglary 2nd degree (RCW 9A.52.030);

  - Malicious Mischief 1st degree (RCW 9A.48.070);

  - Malicious Mischief 2nd degree (RCW 9A.48.080);

  - Kidnapping 1st degree (RCW 9A.40.020);

  - Kidnapping 2nd degree (RCW 9A.40.030);

  - Unlawful Imprisonment (RCW 9A.40.040);

  - Rape 1st degree (RCW 9A.44.040); and

  - Rape 2nd degree (RCW 9A.44.050).

- Sexual assault

- Felony Hit and Run (RCW 46.52.020),

- Vehicular Assault (RCW 46.51.522),

- Vehicular Homicide (RCW 46.61.520),

- Rape, Rape of a Child, Child Molestation, and Indecent Liberties; and

- Drive by shootings.

Misdemeanor Crimes:

- Domestic Violence Assault

- Domestic Violence Order Violations that are subject to mandatory arrest—violations will involve the subject's physical presence at the victim's location or a threat of harm

Approval by a supervisor is needed for all other crimes where there is a reasonable belief that the subject is armed with a firearm or weapon capable of causing substantial bodily harm, great bodily harm, or death; or the subject poses an imminent threat of harm to the public.

Exception: Canine handlers may deploy their canine to protect officers or the public from when a subject causes an imminent threat of harm to any person.

4. Canine Deployments are Prohibited for the Following:

- Administrative warrants, e.g. Department of Corrections warrants, absent a new offense as outlined in 16.300-POL-1(3).

- To apprehend anyone suspected to be under the influence of drugs or alcohol or who appears to be in behavioral crisis absent an offense as outlined in 16.300-POL-1(3).

– Demonstrations, crowd management, or civil disturbances.

5. Canines Will Not Be Used to Apprehend Subjects Perceived to Be Juveniles Except for the Crimes Listed in 16.300-POL-1(3)

In the case of known or possible juvenile subjects, special consideration will be given to the subject's age and propensity for violence, and officers will explore alternatives to the deployment of a canine.

6. Canine Handlers Will Obtain a Briefing of the Incident Prior to Deploying Their Canine

Canine officers may gather information from on-scene officers in-person, by phone or via police radio or MDT while enroute to the call.

A briefing will include, if applicable:

- A description of the facts and circumstances that establish probable cause to apprehend the subject or reasonable suspicion to detain the subject;

- A detailed description of the wanted subject, if available;

- The subject's actual or perceived age (i.e., whether the subject is or may be a juvenile). The subject's perceived age will be determined by gathering as much information as possible from officers and/or witnesses who observed the subject's physical characteristics height, weight, etc.);

- Behavior or information indicating whether the subject poses imminent threat or violence to others;

- The severity of the crime;

- Whether the subject is known or believed to be armed;

- Whether there is reason to believe the subject may not speak or understand English or may have a hearing impairment;

- Known potential danger to the public and/or other officers at the scene if the canine is released;

- The degree of resistance or threatened resistance communicated or shown by the subject;

- The potential for escape or flight if the canine is not utilized;

- The level of pedestrian foot traffic; and

- Whether the area perimeter is contained.

Canine officers will coordinate with on-scene officers and develop a plan as to how they will safely track (i.e., cover officer, shutting down vehicle traffic, etc.) as well as an arrest plan if a subject is located unless exigent circumstances exist.

7. Canine Deployment Announcements for Canine Searches

Prior to deploying a canine, a verbal announcement will be made and repeated attempts to notify persons within the area with the intent to utilize a canine team and to afford subjects the opportunity to surrender to the police.

The announcement will say that there are police officers in the area and that a trained police canine will be released and may bite individuals who do not surrender.

Exception: A verbal announcement is not required if giving the warning would compromise the safety of the canine officer or others. In such circumstances, the canine officer will document their reason(s) for believing their safety would have been compromised in their use of force statement and or canine deployment record.

- When feasible, the announcement will be given by patrol car PA system or amplified by other means.

- The announcement will be clear, loud, and audible to all individuals who may be affected by the operation. Where there is a reasonable belief that the subject speaks a language other than English, an officer or other individual fluent in that language will be summoned to the scene if available and the exigency of the situation permits.

- A reasonable amount of time will be allowed between announcement and deployment for the subject to respond and others to seek safety.

- Officers assigned to containment will confirm hearing the canine announcements prior to initiating a search.

- A verbal warning will be repeated as the search proceeds and the canine team reaches a different floor, or parts of the building or other area where the initial announcement may not have been heard.

- If feasible, other officers will be in a location opposite from where the announcements are made to verify that it can be heard.

8. Off-Lead Canine Searches May be Suitable Under Certain Circumstances

To optimize officers' ability to effectively leverage time, distance, angles, and shielding, off-lead Canine Search may be appropriate when:

- Searching large structures where staffing commitments and search time will be extensive.

- Searching for suspects believed to be armed with a firearm or other potentially deadly weapon;

- Searching for suspects hiding inside a building or structure, in a confined or hazardous-to-access space (e.g., attics, basements, or interior crawl spaces);

- Traversing large, open, spaces; or contending with high-ground, presents significant added risk to officers;

- The environment presents a tangling hazard which would require the handler or other officers to shorten distance between themselves and the dog, constrain the angles from which they approach unknown territory, or enter open and uncontrolled space to free the dog from a tangle. Examples of such environments would be dense brush, buildings with open stud framing (remodeling or new construction), or cluttered spaces.

Canine searches of residences are discouraged whenever there is risk of a bite to innocent persons. Before conducting a search of a residence, the handler will make every effort to ensure the safety of any residents that might be present.

Residential searches will be conducted on a lead unless the handler can determine that there are no residents at home. This can be done through contacts with victims, witnesses, neighbors, responsible parties, and officers on the scene.

The presence of uncontained animals in a residence to be searched will normally preclude the use of canines unless the animals can be removed or contained. In cases where it can be done safely, an on-lead search can be done in the presence of uncontained animals.

9. A Canine Team is Viewed as a Single Officer Unit and Will Perform Under that Premise When Making Decisions Regarding Contact of Subjects. A Canine Handler May Use a Canine for Officer Safety

Use of a canine may be reasonable to provide additional safety for officers when needed.

The canine will not be used solely for intimidation or coercion.

10. Canine Officers May Use Direct Apprehension to Physically Apprehend a Subject

For additional guidance on direct apprehensions, see manual section 8.300-POL-2 Use of Patrol Canines.

11. When Safe and Feasible, Canine Handlers Will Make All Reasonable Efforts to Keep the Police Canine in Sight

Canine handlers will remain within a working distance of their police dog to ensure they can read their canine's body language and that the police canine obeys verbal commands.

12. Whenever a Canine is Deployed, Whether Force is Used or Not, the Canine Handler Will Document the Deployment

Canine deployment records are maintained by the Canine Unit.

13. An Unintentional Canine Bite or Injury is Not a Use of Force, But it Will be Reported Separately per 16.300-PRO-1 Unintentional Canine Bite or Injury

In the event of an unintentional canine bite or injury, canine handlers will follow unintentional injury procedures, not use-of-force reporting procedures. A supervisor will screen the incident with FIT.

16.300-POL-2 Canine Training

1. Canine Teams Will Train Regularly and Certify as Required by Washington Administrative Code (WAC) 139-05-915

No handler is permitted to train the police canine in methods, techniques, or activities contrary to the accepted methods used by the canine units.

Strict handler control is the overriding goal of Patrol Canine Teams. A Patrol Canine handler must be able to cause the canine to follow the handler's orders.

- When the police canine is on-lead and off-lead;
- When the police canine is ordered to release a bite;
- When the police canine is ordered to bite; and
- For the police canine to stay and guard without a bite.

Handlers who are not capable of demonstrating such control will not be active in the field until the situation is rectified.

2. Disbanding and Decertification of a Canine Team

Disbanding of a canine team can occur at the requested separation of a canine team by the WSCJTC.

Decertification of the canine team refers to the processes outlined in RCW 43.101.105 for the denial, suspension, or revocation of peace and corrections officer certification.

16.300-POL-3 Assignment of Canines

1. Canine Teams Will be Assigned to Their Corresponding Bureau and Used to Aid and Assist All Personnel of the Seattle Police Department

2. Canine Teams Will Function Primarily as Support Units

Canine officers should not be assigned to handle matters that will take them out of service for extended periods of time unless approved by their canine supervisor.

3. Canine Teams are Viewed as a Single Officer Units and Should Perform Under That Premise When Making Decisions Regarding Contact of Suspects

16.300-POL-4 Requests for Public Demonstrations

1. All Canine Demonstrations Will be Approved by the Canine Team's Unit Supervisor.

Canine demonstrations, when authorized, will follow this policy and the unit manual.

16.300-POL-5 Canines in Public Areas

1. Canine Handlers Will Maintain Control Over their Canines in Public Areas at All Times

When not specifically deployed, all canines will be kept on leashes when in areas that allow access to the public.

Exception: This does not apply to training, approved demonstrations, or SPD secure facilities.

2. When the Canine Unit is Left Unattended in a Vehicle, The Vehicle Will Be Secured in Such a Manner as to Prevent Unauthorized Access to the Canine

16.300-POL-6 Use of Non-SPD Canines

1. Use of Non-SPD Canine Resources

No dog belonging to an individual, agency, or group other than the Seattle Police Department will be used for the purpose of assisting the department, except when:

- There are no available on-duty SPD Canine Teams for that area of specialization, and

    - Absent immediate life safety, the Communications Center (CSCC) has initiated and received no response for a standby canine unit, and

- The City of Seattle Communications Center (CSCC) has:

    - Notified a Canine Unit Supervisor, or

    - Notified the Commander of the Seattle Police Operations Center (SPOC) during an activation of the SPOC, or

- The handler and dog are members of a law enforcement agency which has a reciprocal agreement with the department, or

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

- Agreements are entered into by the Chief of the Seattle Police Department for specific units on a case-by-case basis. Those units will follow the agreements reached.

2. Approval and Authority

Under no circumstances will use of a dog and handler be approved when the SPD Canine Officer at the scene decides the use of the dog is inappropriate, falls outside of law, and/or SPD policy.

Authority for continued use, different application, or termination of the activity may be made by a supervisor of the Wellness Unit, Canine Unit, ABS Unit, Commander of the Special Services Section, Patrol Incident Commander or, during a SPOC activation the Commander of the Seattle Police Operations Center.

16.300-PRO-1 Unintentional Canine Bite or Injury

In the event of an unintentional canine bite or injury, the:

Canine Handler

1. **Requests** medical aid for the injured subject.

2. **Renders** first aid within the handler's training.

3. **Calls** a supervisor to the scene.

4. **Notifies** the canine sergeant if not on scene.

The Responding Supervisor

5. **Takes** photos of the injury.

6. **Gathers** witness information, if available.

Canine Handler

7. **Prepares** a Blue Team and routes through the Chain of Command.

Canine Sergeant

8. **Conducts** an investigation of the incident to determine if a change in procedure or additional training is needed.

9. **Screens** the incident with FIT.

Canine Lieutenant

10. **Reviews** the incident and ensures the investigation is complete and there are no policy violations.

Canine Captain

11. **Reviews** the incident with the Canine Unit sergeant and lieutenant.

12. **Forwards** the report and Accidental Injury Memorandum and any findings to Special Operations' Bureau Chief.

Canine Handler

13. **Closely observes** the canine for ten days immediately following the incident.

14. If the canine officer observes the canine exhibiting any abnormal behavior during the ten-day period, the canine officer will **take** the canine to the veterinarian for an examination.

Administration

15. All accidental bites will result in the canine being removed from active service until the chain of command and the canine

trainer have **reviewed** the incident, remedial training has been conducted (if warranted), and the canine responded to training.

1.010 – Authority and Jurisdiction

Original Effective Date: 02/19/2014
Revised Effective Date: 01/03/2023

1.010-POL

This policy applies to all employees.

1. The Department is Governed by Law

The City of Seattle is a first class city as described in RCW 35.22.010 and is governed and organized in accordance with the Washington State Constitution in Article 11, Section 10, Amendment 40.

2. The Mayor's Powers and Duties

The Mayor's powers and duties are listed in City Charter, Article V, Section 2.

3. The Police Chief's Powers, Duties, and Responsibilities

The Police Chief's powers, duties, and responsibilities are listed in City Charter, Article VI.

The Chief of Police manages the department and will prescribe rules and regulations consistent with the law.

The Chief of Police is Appointed by the Mayor, subject to confirmation of all members of the City Council as listed in City Charter, Article VI, Section 2.

All subordinate police officers are appointed by the Chief of Police under civil service rules and regulations as listed in City Charter, Article VI, Section 2.

1.020 – Chain of Command

Effective Date: 07/01/2016

1.020-POL

This policy applies to all employees.

1. Department Employees Follow a Structured Chain of Command

All Department employees are subordinate to the Chief of Police. Employees are subordinate to all ranks above their position.

The Department chain of command applies while on duty or during secondary employment.

Sworn Employees are ranked:

- Chief of Police
- Deputy Chief
- Assistant Chief
- Captain
- Lieutenant
- Sergeant
- Officer/Detective

The Chief of Police is the overall commander of the Department.

Deputy and Assistant chiefs command bureaus.

- Deputy and Assistant chiefs are appointed by the Chief of Police.
- An assistant chief may also establish a task force. A task force responds to a specific law enforcement problem. The assistant chief will determine the command, duration, reporting requirements and scope of the task force.

Captains command sections and precincts.

- A section is a division of a bureau.

- A precinct is a geographical area of the city defined by boundaries.

- Precincts are geographically subdivided into sectors and beats. Sectors are a division of a precinct, and a beat is the division of a sector.

Lieutenants command units and watches.

- A unit is a division of a section. Several units may exist in one section.

- A watch is a set time of day when assigned personnel are on duty. A watch refers to a subcommand of a precinct.

Sergeants command squads and sectors.

- Squads are a division of a unit. Sectors are a division of a precinct. Several squads may exist in one unit. Sergeants may also command a detail, which is a subdivision of a squad or sector assigned a specific task.

Detectives are assigned to a squad or unit.

Patrol officers are assigned to a beat or a post.

- A beat is a geographical area defined within a precinct. A post is a fixed assignment within a precinct.

Non-sworn employees are ranked under their collective bargaining agreements.

2. The Department Follows a Succession of Command

If the Chief of Police is incapacitated, the Department command succession is:

- Deputy Chief

- Chief Operating Officer

- Patrol Operations Bureau Chief

- Special Operations Chief

- Professional Standards Bureau Chief

- Criminal Investigations Bureau Chief

3. Sworn Employees Take Command During Operational Situations

Sworn employees responding to an operational situation will follow the command of a higher-ranking employee.

The physical presence of a higher ranking sworn employee at an operational scene indicates no immediate assumption of command and decision-making responsibilities.

4. Employees May Delegate Duties to Their Subordinates

An employee may assign a subordinate employee the same authority and responsibility they possess to accomplish a specific task. The delegating employee remains responsible to complete the delegated task.

5. Employees Train Their Subordinates

Employees in a supervisory role will provide training for their subordinate employees.

Subordinate employees will report the need for training to their supervisors.

Employees in a supervisory role will train their subordinate employees in the duties of that role if the supervisor cannot perform their duties.

(Also see manual section 1.075-Failure to Complete Required Training)

6. Officers Assigned as Acting Sergeants Receive Training

Captains will send officers to Department sergeant training for acting sergeant assignments over 60 consecutive days.

Captains will send officers to Department sergeant training prior to, or within 90 days of the start of the acting sergeant assignment lasting over 60 days.

7. Command Employees Take Responsibility for Every Aspect of Their Command

Employees in a supervisory role will coordinate and direct subordinates and allocate resources to achieve the operations objective.

Employees in a supervisory role will perform the full range of administrative functions relying upon policy, direction, training, and personal initiative as a guide for themselves and their command in achieving the highest level of performance possible.

8. Employees Shall Communicate Through the Chain of Command

Exception: Where otherwise provided in this Manual, or where the information is sensitive and requires communication outside the chain of command, an employee may communicate directly with any higher-ranking employee. The higher-ranking employee is then responsible for taking action where appropriate and passing along the information.

1.040 - Budget

Effective Date: 7/28/2017

1.040-POL

This policy applies to employees with budget-related responsibilities.

1. The Seattle City Council Approves the Department's Yearly Budget

Captains and above, or their designees, will adhere to the approved budget.

Captains and above, or their designees, may develop a new expenditure plan within available budgeted resources. Any new plan is submitted to the Finance and Budget Policy Section who will coordinate with the Chief of Police, City Budget Office, and/or the City Council, for approval.

2. The Chief of Police Determines the Organization of the Department

Only the Chief of Police has the authority to approve any organizational change that affects the structure of a bureau, section, or unit.

Employees may submit a proposed change during the biennial or mid-biennial budget process for an organizational change through their chain of command to the Finance and Budget Policy Section.

Employees requesting an organizational change for the current year will complete a *Request for Organizational Change* (form 18.1) and submit it through their chain of command to the Deputy Chief of Operations, who will then forward it to the Finance and Budget Policy Section. Specific requirements for organizational changes at mid-year are outlined on the form.

3. Bureau Chiefs and Directors Distribute Budget and Expenditure Goals to Affected Personnel

4. Captains and Above Assess the Budgetary Needs of Their Command

5. Captains and Above Adhere to Their Command's Budgetary Plan

The Finance and Budget Policy Section will coordinate the review and approval of requests for transfer of budget authority with the Fiscal, Property and Fleet Management Section, the Chief of Police/Chief Operating Officer, and the City Department of Finance.

Employees will comply with RCW 35.32 which prohibits the obligation of public funds by any personnel other than those authorized to disperse funds for the City.

6. The Department Complies with RCW Chapter 35.32A in Determining Budgetary Needs

7. The Human Resources Section Coordinates Money for Salaries and Personnel Benefits

Increases in personnel allocations, or creation of new positions, is requested by section captains through their bureau chiefs or civilian equivalents and the Finance and Budget Policy Section.

The Chief of Police or the Chief Operating Officer is the final approving authority.

8. Captains Request Additional Personnel Positions from a Bureau Chief

Captains will request additional personnel positions or allocations through their bureau chief and the Finance, Strategic Policy and Planning Section.

The Chief of Police has final approval on budgetary decisions.

9. Employees Will Make Requests for Supplies, Equipment, or Services Using the Purchase Order System

Employee requests through the Purchase Order (1.5) system are sent for approval through their chain of command to the Chief Operating Officer.

Employees will not place an order with an outside vendor without prior approval of the chain of command through the Chief Operating Officer.

When approved, the Fiscal Unit will issue a Purchase Order Number to authorize the purchase.

The Information Technology Section Manager's approval is required for purchases of technological equipment.

10. Employees Are Financially Responsible for Unauthorized Purchases Made on Behalf of the Department

11. An Expenditure Not Previously Authorized in the Budget Requires a Budget Addendum

See 1.040-PRO-1 Requesting a Budget Addendum for an Expenditure not Previously Authorized in the Budget

1.040-PRO-1 Requesting a Budget Addendum for an Expenditure not Previously Authorized in the Budget

Requestor

1. **Completes** a written addendum to the budget listing:

   - The new object of expenditure

   - What authorized spending is abandoned

   - The justification for the change

   - The impact on planned objectives and productivity

   - The level of effort to achieve the objective

   - The deferred costs or needs

2. **Sends** the written addendum through their chain of command to the Bureau Chief.

Bureau Chief

3. **Approves** or denies the addendum.

4. **Notifies** the requestor.

5. If approved, **forwards** the addendum to the Finance and Budget Policy Section.

Finance and Budget Policy Section

6. **Coordinates** review and approval with the Chief of Police, Chief Operating Officer and City Budget Office.

7. **Notifies** the requestor of the change in budget.

1.050 - Grants

Effective Date: 02/19/2014

1.050-POL

This policy applies to employees involved with the grant process.

1. The Grants & Contracts Unit (GCU) Assists the Department with the Application, Implementation, and Management of Grants

Employees seeking a grant will read the Grant Management Manual and contact the Grants & Contracts Unit.

2. Employees Will Not Seek a Grant Without Contacting the Grants & Contract Unit

3. Employees May Notify the GCU of Grant Opportunities

Employees identifying a grant opportunity or source will contact the GCU Manager.

(See manual section 1.050-PRO-1 Grant Project Management)

4. The GCU Manager Identifies Possible Grant Opportunities and Notifies the Chief of Police

The Chief of Police will determine if the grant is appropriate for the Department.

5. The GCU Manager Advises the Command Staff to Appoint a Subject Matter Expert (SME)

If a grant opportunity is approved for application, a qualified SME is identified by an appropriate member of the Command Staff.

The appointed SME will work with the GCU to develop:

- Statement of the Problem

- Scope of Work

- Program Narrative

- Project Timeline

- Budget Detail & Narrative

The SME will refer to Grant Management Manual for definitions and direction to complete the required documents responsive to the grant solicitation.

6. The GCU Manager Advises the Command Staff to Appoint a Project Manager

If the grant funding is approved, then a Project Manager is appointed. The appointed SME may also serve as the Project Manager.

7. The Project Manager Will Manage the Day-to-Day Work of the Approved Grant-Funded Project

8. The Fiscal Unit Will Assign a Project Number for Approved Grant Projects

The Project Manager will reference the assigned project number for all expenditures associated with the approved grant.

9. The Assigned GCU Staff Will Manage the Approved Grant and Oversee the Grant-Funded Project

1.050-PRO-1 Grant/Project Management

Subject Matter Expert

1. **Completes** the requirements in 1.050-POL-5 following the directions in the Grant Owner's Process Manual.

2. **Maintains** a project work file detailing the steps taken to complete the required documentation.

3. **Submits** the completed documentation to the GCU Manager.

GCU Manager

4. **Reviews** the submitted documentation.

5. **Submits** the complete grant applications package to the funding agency.

If the grant funding is awarded, **then** a Project Manager is assigned (see 1.050-POL-7).

Project Manager

6. **Maintains** a project file referencing the assigned project number from Fiscal that contains:

    - The grant application material

    - Financial documents

    - Invoices

    - Other documentation of project work and progress

7. **Completes** required Purchase Orders.

8. **Drafts** reports on progress towards the stated goal of the grant.

9. **Manages** the day-to-day work activity of the project.

GCU Manager

10. **Reviews** the submitted draft progress reports.

11. **Submits** the finalized progress reports to the funding agency.

12. **Manages** the project funding source Grant to ensure all grant requirements are met.

1.060 - Management of Contracts

Effective Date: 06/01/2016

1.060-POL-1 Signature Authority for Contracts and Memorandums of Understanding (MOUs)

This policy establishes who may sign and approve contracts, MOUs, Memorandums of Agreement (MOAs), or any other form of agreement that attempts to bind SPD resources or personnel. This policy will use the term contract to mean all such agreements.

A consultant contract is a nonrecurring, formal agreement with a person or firm for services associated with expertise, skills, and education not available within the Department's workforce.

This policy does not apply to contracts executed by the Office of Professional Accountability.

1. A Captain or Civilian Equivalent Approves and Signs Non-Recurring Contracts of $9,999 or Less

Approval of a contact includes ensuring that the assignment of resources will be done in an equitable manner (e.g., work opportunities should be divided fairly among qualified staff).

After approval, the contract goes to the Fiscal Unit for recording and payment.

2. The Grants and Contracts Unit Processes Contracts of $10,000 or More, Recurring Contracts, and all Consultant Contracts

The Grants and Contracts Unit will assist in the development and route the documents to the Senior Police Counsel for review before submission to the Chief Operating Officer for final approval.

(See also 1.060-POL-2 Consultant Contract Administration)

3. The Chief Operating Officer Signs all Contracts of $10,000 or More and all Consultant Contracts

1.060-POL-2 Consultant Contract Administration

This policy applies to the Department's execution of consultant contracts.

SMC 20.50 – Procurement of Consultant Services provides the guidelines for developing consultant contracts.

This policy does not apply to contracts executed by the Office of Professional Accountability.

1. The Grants and Contracts Unit Processes and Oversees the Execution of Consultant Contracts

Though the Grants and Contracts Unit processes the contracts, the Chief Operating Officer signs consultant contracts as stated in 1.060-POL-1.

2. The Contract Developer Will Write and Manage the Contract to Completion

After identifying a need for a contract, a unit commander assigns an employee to serve in a lead role as the contract developer.

The contract developer must be familiar with the Department Contracting Manual and the contract templates. The contract developer may contact the Grants and Contracts Unit for these materials and assistance.

3. Budget Authorization for the Contract Must Exist

When the contract developer has enough information about the project, the developer may enter the request into the Department's "1.5" System. This may occur at any point during 1.060-TSK-1 (below).

When the contract developer enters the proposed contract, the 1.5 number becomes the contract number.

The 1.5 submission will include source of funding, including:

- Paying ORG
- Account number
- Project number, if applicable
- Activity number, if applicable
- Funding amount

- State or federal grant award numbers, if applicable

- Grant names and project numbers, if applicable

The 1.5 approval signifies that the project has been approved from a budget standpoint and is separate from the execution of the contract. The contract may still be under development while the 1.5 is being approved. However, the contract cannot be executed until the 1.5 is approved.

4. Contract Developers Must Follow a Vendor Selection Process

When selecting a vendor, the contract developer must follow the City's contracting rules regarding direct selection of vendors and follow the competitive selection process.

As part of this process, the contract developer will produce written documentation of the process and make a good faith effort to locate a Women and Minority Business Enterprise (WMBE) Company.

The City consultant bid limits and thresholds are located on the City InWeb, or the contract developer may contact the SPD Grants and Contracts Unit for assistance.

1.060-TSK-1 Developing a Consultant Contract

When assigned to develop a consultant contract, the **contract developer**:

1. **Performs** a preliminary analysis of the work that the contract will address.

2. **Reads** and **refers** to the Department Contracting Manual.

3. **Uses** the standardized contract templates.

4a. **Refers** to the Consultant Roster Directory for a list of qualified consultants, or.

4b. **Conducts** outreach activities to locate a suitable consultant, if necessary or if required by the contract cost amount.

5. If drawing from the City's roster of Consultants, **compares** the services and costs of at least three consultants, including a women and minority business enterprise (WMBE) vendor, prior to making a decision.

6. **Selects** a consultant.

7. **Verifies** that the consultant is not debarred from working with the city by searching System for Award Management (SAM).

8. **Prints** the search page from SAM and **keeps** it in the project file.

9. **Negotiates** the terms of the contract with the consultant.

10. **Submits** a draft to the Grants and Contracts Unit for finalization, legal review, and presentation to the COO for approval.

11. Once the contract has been executed (signed), **provides** written authorization to the vendor to commence contract work.

12. **Manages** the scope, timeliness, and deliverables of the work.

13. **Approves** invoices for payment.

14. **Amends** the contract as necessary.

1.070 – Training

Original Effective Date: 11/20/2013
Revised Effective Date: 01/01/2024

This policy applies to department training and curriculum, in-service training, department publications, failing to complete required training, and vetting of training.

Training is developed and hosted by all sections of the department and is intended to support and reinforce department policies, procedures, and tactics.

Specialized training for other purposes is approved by the employee's chain of command per manual section 3.290 – Pre-Service/In-Service, and Specialized Training.

Training courses that are hosted off-site by outside vendors (to include both free of charge trainings and trainings that require payment) are governed by manual section 3.080 – Travel Training System.

1.070-POL-1 Department Training and Curriculum

1. Training Curriculum Must Be Consistent With the Seattle Police Policy Manual and SPD Tactics

Training curriculum is a specific body of knowledge presented to train and educate employees. Lesson plans are part of the training curriculum. The training curriculum must be consistent with the department's policy manual and other SPD trained tactics.

- Attendance at non-department training does not relieve an employee of the duty to follow department policy and training.

2. Lesson Plans Must Contain Certain Elements

Lesson plans must contain the following:

- Course outline
- Course overview
- Performance objectives

- Introductions
- Material presented, to include:
    - Lecture notes
    - PowerPoint presentations
    - Videos
    - Handouts
    - Group activity instructions
- Exams, if applicable
- Debriefing
- Safety plan, if applicable

3. Training Curriculum Must Be Approved

All lesson plans and/or training curriculum must be approved by the Training Captain, the Assistant Chief of the Professional Standards Bureau, and the Chief of Police.

4. Each Section That Conducts Training Provides Curriculum That Is Presented to the Education & Training Section (ETS) for Retention

Each lesson plan that is presented to a class must be archived.

The ETS maintains a file system for all training lesson plans.

5. The Education & Training Section (ETS) Retains All Attendance Documentation

Attendance documentation for courses that are intended to support and reinforce department policies, procedures, and tactics must include the instructor(s) name(s) and a class roster.

Section captains will ensure that the ETS is advised of all outside training attended by their employees. Training courses that are hosted off-site by outside vendors are governed by manual section 3.080 – Travel Training System.

6. Each Section That Conducts Training Evaluates All of Its Training on an Annual Basis

Sections evaluate their training to confirm that it remains current and relevant. Captains will document the annual review in a memorandum archived within their section.

1.070-POL-2 Employees Will Attend In-Service Training

1. Employees will Attend In-Service Training

All employees will attend in-service training that is provided by the department on an annual basis. In-service training may be virtual or in-person. Affected employees will be notified of the training they must attend.

2. Sworn Employees Must Attend a Minimum of 24 Hours of In-Service Training Per Calendar Year (WAC 139-05-300)

The department encourages employees to attend training related to the course of their duties.

1.070-POL-3 Employees are Responsible for Department Publications

1. All Employees are Responsible for Acknowledging that They Have Read Department Publications

(See manual section 12.070 – Department Publications)

1.070-POL-4 Failure to Complete Required Training

1. Immediate Supervisors are Responsible to Ensure that Each Employee in Their Section Completes All Required Training in a Timely Manner

Employees are responsible for requesting the required training they are assigned. Failure to do this will be investigated by the employee's chain of command.

Immediate supervisors will register each employee under their supervision for the required training courses. After employees are initially registered, their supervisor will manage any necessary rescheduling.

> **Exception:** When a supervisor's failure to register employees for training is repeated and/or results in the employees missing the opportunity to attend training, the section commander or civilian manager will refer the incident to OPA.

2. Employees Will Promptly Notify Their Immediate Supervisor and the Education & Training Section (ETS) When and Why They Are Unable to Attend a Required Training for Which They are Registered

When an employee determines that they will not be able to attend required training for which they are registered, the employee must, as soon as practicable, make a reasonable attempt to notify their immediate supervisor and the ETS administrative assistant at SPD.Training@seattle.gov. The employee must provide a reason for not being able to attend training.

3. ETS Will Notify Each Employee's Immediate Supervisor or Section Commander or Civilian Manager of Failure to Attend or Complete Training

The learning management system electronically notifies an employee's immediate supervisor when the employee fails to attend required training or attends required training but fails to complete it.

Supervisors will refer incidents of an employee attending but failing to complete required training within the required timeframe to OPA.

4. Immediate Supervisors Will Conduct a Timely Review of Their Subordinates' Failure to Attend a Required Training for Which They are Registered

The immediate supervisor will speak with the employee to discuss the circumstances behind the failure to attend required training. The immediate supervisor will determine whether the failure to attend required training is justified, will document that determination and the reasoning behind that determination in the employee's PAS, and will reschedule the employee for training within the available sessions remaining.

Supervisors will refer the incident to OPA if the employee's absence is unjustified, or if the employee fails to provide reasonable advanced notice that they will not attend a scheduled training.

Additionally, supervisors have discretion to refer incidents to OPA when the employee's history of justified absences indicates a lack of commitment to meet the employee's obligation to attend required training.

1.070-PRO-1 Vetting Training Curriculum Through the Professional Standards Bureau

Training Lieutenant

1. **Sends** draft training curriculum to the Training Captain.

Training Captain

2. **Reviews** draft training curriculum.

3. **Sends** draft training curriculum to the Professional Standards Bureau (PSB) Assistant Chief.

PSB Assistant Chief (or designee)

4. **Forwards** draft training curriculum to Policy & Research Section (PRS) Captain (or designee).

PRS Captain (or designee)

5. **Forwards** draft training curriculum to PRS Sergeant (or designee).

PRS Sergeant (or designee)

6. **Assigns** a PRS detective to review draft curriculum (if possible, the detective will have been the policy project lead on the subject).

PRS Detective

7. **Reviews** draft curriculum.

8. **Determines** whether draft curriculum is consistent with department policy (Note: the intent is not to troubleshoot technical aspects of the training/curriculum).

   a. If the detective determines that the draft curriculum is consistent with policy, **emails** the PRS sergeant with that conclusion (which is then forwarded up the chain of command to the Professional Standards Bureau Assistant Chief) (Skip to step 12).

   b. If the detective determines that the draft curriculum may be inconsistent with policy, **schedules** a work group meeting with the PRS sergeant, the PRS detective, the Training sergeant, the Training officer who drafted the curriculum and, if feasible, at least one of the subject matter experts who participated in the work group when the policy was written/last updated.

      - The meeting should take place as soon as possible.

Work Group

9. **Discusses** the potential inconsistencies between policy and training curriculum.

a. **Training Officer: Documents** the process (including who from PRS vetted the draft curriculum, what was discussed at the meeting, whether there were any disagreements, whether edits were made after the meeting, etc.).

- If the work group can resolve all policy issues with the draft curriculum, skip to step 12.

10. **Forwards** curriculum to the PRS Captain and Training Captain for a resolution of any possible inconsistencies between training and policy, and for final approval by the Professional Standards Bureau Assistant Chief.

PRS Captain and Training Captain

11. **Reviews** draft curriculum.

12. **Discusses and resolves** the potential inconsistencies between policy and training curriculum.

13. **Forwards** draft curriculum to the Professional Standards Bureau Assistant Chief for review and approval.

PSB Assistant Chief

14. **Approves** final draft of the curriculum.

1.070-PRO-2 Vetting of Training Given Outside of the Department

Employee

1. **Completes** Outside Training Approval (form 32.0).

2. **Submits** through chain of command to Professional Standards Bureau Assistant Chief (or designee).

PSB Assistant Chief (or Designee)

3. **Completes** vetting process for external training.

4. **Sends** approval or denial to captain of employee who submitted form.

Captain

5. **Sends** approval or denial to employee.

Employee

(If training approved)

6. **Completes** Travel Training request, if payment needed, or just attends the training.

7. **Completes** the Individual Course Attendance Record (form 31.0) and submits to ATU.

1.075 – Field Training Officer (FTO) Program

Original Effective Date: 08/01/2015
Revised Effective Date: 01/01/2024

1.075-POL

The Field Training Officer (FTO) Program is required for probationary student officers. A modified FTO Program is required for lateral officers.

A probationary student officer is a sworn officer who has completed the WA State Police Academy or Equivalency Academy and who is in Post-BLEA (Basic Law Enforcement Academy) in the Field Training Program. Officers are considered probationary student officers until the completion of all phases of the training program.

The three-phase training program covers the academy, field training, and probation. The full program is approximately one (1) year.

The Field Training Program administration staff, assigned to the Education and Training Section (ETS), controls all student officers concerning assignments and record keeping.

1. Field Training Program Phase 1 – WA State Police Academy or Equivalency Academy

The WA State Police Academy is the initial basic training program for probationary officers who have no previous law enforcement experience. Upon successful completion from the academy, officers are fully certified as peace officers in WA State.

The Equivalency Academy is for officers with previous law enforcement experience from outside of WA State. Upon successful completion, officers are fully certified as peace officers in WA State.

2. Field Training Program Phase II – Field Training

Phase two of the field training program is the Field Training Officer (FTO) program, which is approximately fourteen (14) weeks long. The Field Training Coordinator (FTC) recommends officers for the FTO assignment and standardizes training given to Phase II student officers.

The FTO is an experienced officer who trains the student officer during this phase.

During Phase II, the student officer demonstrates the skills and knowledge learned at the academy or from previous police experience. The skills and knowledge are documented daily by the FTO.

3. Remedial Training

If a student officer is unsuccessful in reaching a satisfactory standard within the period that Phase II provides, the student officer may be moved into remedial training.

Remedial training consists of 52 working days of further training and evaluation and must be completed satisfactorily for the student officer to move to Phase III.

4. Field Training Program Phase III – Probation

During Phase III, the student officer works independently and is assigned to a patrol squad. The student officer is assigned a Field Training Sergeant (FTS), who is a patrol sergeant. The student officer is also assigned a shadow FTO who documents the student officer's skills and knowledge.

The FTS has primary control and responsibility over the assigned student officer where they evaluate the student officer's training and knowledge.

1.080 – Audits and Inspections

Original Effective Date: 08/21/2013
Revised Effective Date: 10/01/2023

1.080-POL

This policy outlines the authority and responsibilities for conducting audits and inspections, and responsibilities for cooperation with the audit and inspection function.

1. The Audit Unit Will Conduct Department Audits

Audits are conducted consistent with the Generally Accepted Government Auditing Standards (GAGAS) applicable to the subject, as published by the Government Accountability Office (GAO).

Audit/Inspection: The process of examining compliance with agreed upon criteria to include policies, procedures, unit manuals, state laws, and local governance by an independent person or body.

The Audit Unit Commander and Bureau Chiefs and above have authority to initiate audits and inspections.

Exception: Line inspections will be handled by precinct section captains.

All department captains/directors and executive directors may request audits of their precinct/section/bureau through the Audit Unit Commander. Requested audits will be considered based on the Audit Unit's determination of risk level, available resources, the needs of the department, and the schedule of audits.

2. The Office of Inspector General (OIG) Will Conduct External Audits and Reviews

The OIG is an external oversight entity that is independent from the Seattle Police Department. The Inspector General has authority to initiate audits or reviews of all police operations.

OIG engagements may not be performed under GAGAS. Such non-audit projects are conducted with the same authority and access as an audit.

3. The Audit Unit and OIG Will Have Full and Unrestricted Access to All Department Functions, Records, Property, and Personnel

Department units will respond to all requests from the Audit Unit and the OIG within the time frame indicated. If the deadline cannot be met, a response explaining why and when the request will be met is required.

A scheduled appointment should not be delayed due to other work, if feasible.

4. The Audit Unit Will Publish a Report at the Conclusion of the Audit and/or Inspection

The report will include all findings and may provide recommendations for corrective action, as needed.

The preliminary report will be forwarded through PowerDMS to the precinct/section captain. The captain, or their designee, will have seven (7) calendar days to review, comment in the discussion tab within PowerDMS (if necessary) and approve the audit to advance the workflow prior to final distribution.

- If the captain has not approved the audit during the seven (7) day time frame, they will be skipped, and the audit report will continue through the electronic workflow for final distribution.

Exception: The audited captain may request an extension prior to the due date. It may be extended by the Audit Unit based on a reasonable need.

5. The Audit Unit Commander Will Order Follow-Up Audits as Needed

The Audit Unit will notify the precinct/section captain that a follow-up audit will occur upon publication of the initial audit report.

The Audit Unit Commander will establish a timeline and provide guidelines at least ten (10) days prior to the follow-up audit to the precinct/section captain.

6. Captains Will Complete at Least Two (2) Annual Line Inspections of Personnel and Equipment Within Their Command

An inspection is a process of examining an item or several items. Line inspections will be conducted by a sergeant or direct supervisor.

7. Each Officer Within a Precinct/Section Will be Subject to at Least Two (2) Line Inspections

Informal inspections will be conducted while on-duty and may include roll-call inspections of uniforms and equipment.

Formal inspections are conducted like informal inspections but require a written report from command personnel. Reports will detail the finding of the inspection and documentation of actions taken.

The precinct/section captain or lieutenant will document the results of the inspection. The record will be retained at the precinct/section level for one (1) calendar year according to the Washington State Retention Schedule (LEO-01-39). After one (1) calendar year, the document may be destroyed.

1.090 – Ticket Chain of Custody

Original Effective Date: 08/01/2018
Revision Effective Date: 01/01/2024

1.090-POL

This policy applies when tracking the custody of paper tickets through the various channels of custody throughout the Seattle Police Department.

1. The Quartermaster (QM) Will Maintain the Ticket Supply

The Quartermaster will maintain an adequate supply of Criminal Citations, Notice of Infractions (NOI), Traffic Contact Reports (TCR), and Parking Violations.

2. The Audit Unit Will Approve All Ticket Orders

(See 1.090-PRO-1 Approving Ticket Orders)

3. Stationmasters Will Control Ticket Issuing at the Precinct/Section Level

(See 1.090-PRO-2 Issuing Tickets to Officers)

Only the Stationmaster or a supervisor of the permanent rank of sergeant and above can issue tickets from precinct supplies.

Each precinct will have a procedure to obtain tickets during non-business hours.

4. Sworn Employees Are Responsible For All Tickets Issued to Them

Sworn employees will retain copies of all tickets issued to them:

- "LEA" copies of Criminal Citations, NOIs, and TCRs

Sworn employees will turn in the LEA copies of Criminal Citations, NOIs, and TCRs to an immediate supervisor, upon completing a ticket book (25 total LEAs per book).

- If the sworn employee cannot account for an LEA copy, they will submit a memorandum (memo) in its place. The memo will state what kind of ticket is missing (Criminal, NOI, or TCR), the specific ticket number or numbers missing, and an explanation for why they are missing.

- Precincts will file the completed book of 25 LEA copies with any missing ticket memos in the precinct centralized storage location for these documents for:
    - Three (3) years plus current year for NOIs and Criminal Citations
    - Ten (10) years plus current year for DUI Criminal Citations
    - One (1) year plus current year for TCRs

5. Ticket Books Will Remain with the Sworn Employee that they were Assigned to Unless they are no Longer Needed

Sworn Employee separating from the department or transferring to a unit where they may no longer need a ticket book will leave their unused ticket books and LEA copies of used tickets with their immediate supervisor (see 1.090-PRO-3 Submitting a Ticket Book).

- Student officers will be assigned Criminal Citations, NOIs, Parking Citations, and TCRs at the start of their first rotation from the precinct that they are assigned to in their first rotation.
- Sworn employees transferring to another precinct or to a unit where they may need a ticket book may keep their unused or partially used ticket book (and LEAs/memos) for their new assignment. After completion of a ticket book, the precinct or section of their current assignment will retain the LEA copies and memos as per the retention period.

1.090-PRO-1 Approving Ticket Orders

Quartermaster

1. **Sends** one book selected from a batch order of tickets to the Audit Unit.

Audit Unit Detective

2. **Inspects** ticket book for quality.
3. **Sends** a memorandum or email to the Quartermaster for approval of the order.

Quartermaster

4. **Generates** a Case Lot Roster for the tickets.
5. **Creates** a Ticket Book Register for each book within the batch.

6. **Retains** the Case Lot Roster for five (5) years plus the current year.

1.090-PRO-2 Issuing Tickets to Officers

Stationmaster

1. **Orders** tickets from the Quartermaster.

Quartermaster

2. **Provides** tickets in Case Lots to the Stationmaster.

Stationmaster

3. **Signs** the Case Lot Roster prior to taking custody of tickets.

4. **Returns** any non-serviceable tickets to the Quartermaster upon discovery with a memorandum of explanation.

5. **Issues** tickets to officers upon request.

   Exception: a supervisor of the permanent rank of sergeant and above may also issue tickets by using the precinct ticket issuance internal process.

6. **Records** each book into the Ticket Book Register prior to issuance.

7. **Removes** the ticket book receipt from book prior to issuance.

8. **Provides** the officer with the ticket book.

9. **Scans** all ticket receipts and the ticket book register once all ticket books on the register are issued. **Retains** the electronic copy in the share folder for the precinct/unit for three (3) years plus the current year.

   - If requested by the Audit Unit, **sends** the scan to the Audit Unit in an e-mail to spd_audit unless otherwise requested by the Audit Unit.

1.090-PRO-3 Submitting a Completed Ticket Book

Sworn Employee

1. **Organizes** all LEA copies from their ticket book in numerical order.

2. **Writes** an SPD Memorandum explaining the reason for any missing LEA copies from the ticket book.

If the ticket book is complete:

3a. **Gives** the original LEA copies and memos to their immediate supervisor.

3b. **Leaves** the unused tickets in the book and **gives** the ticket book and LEA copies/memos to their immediate supervisor before leaving the precinct or unit if the officer is separating or transferring to a unit that they may no longer need a ticket book (see manual section 16.231 – Cancelling and Voiding Tickets).

Sworn Supervisor

4. **Ensures** all LEA copies of tickets are accounted for or that the memo exists for any outstanding LEA copies.

5. **Sends** the original LEA copies, SPD Memos, and any remaining unused tickets to the precinct stationmaster.

Stationmaster

6. **Logs** the date, number of LEA copies returned, and number of memos returned on the Ticket Register Form.

   - Form 27.5a Ticket Register Notice of Infraction or Form 27.5b Ticket Register Criminal Citation located in Word Templates.

7. **Sends** the unused tickets, LEAs, and memos to the precinct administrator.

Precinct Administrator

8. **Files** the LEA copies and memos at the precinct.

9. **Sends** all LEAs and memos requested by the Audit Unit through electronic means (scan and e-mail), unless otherwise requested by the Audit Unit.

10. **Purges** remaining unused tickets.

11. **Retains** the ticket book within the precinct for three (3) years plus the current year.

1.100 – Ticket Audits

Original Effective Date: 01/16/2013
Revision Date: 11/15/2022

1.100-POL

This policy applies when ticket audits (including Criminal Citations, Infractions, and Traffic Contact Reports, etc.) are initiated per RCW 46.64.010.

1. The Audit Unit Will Audit Tickets from Each Precinct and the Traffic Section Twice a Year

Each individual precinct and the Traffic Section will be audited twice a year.

2. Watch Lieutenants Will Assign Sergeants from their Watch to Conduct Ticket Inspections Monthly

(See 1.100-PRO-1 Unit Ticket Inspections)

Watch lieutenants will assign a sergeant or permanent acting sergeant, on a rotating schedule, from the watch to record the results of the inspection on a single SPD memorandum (one memo per watch, per month, not per squad).

The memo will be reviewed by their watch lieutenant. The memo will be retained as an electronic document at the precinct for the current plus previous year.

3. Precinct/Section Captains Will Perform Unit Ticket Inspections

Twice a year, at least 120 days apart, the precinct/section captain will inspect the unit ticket procedures to include:

- Accuracy of the Ticket Book Register.
- Security of the precinct LEA copy storage file.
- Completion and retention of watch lieutenant inspection memorandums.

The precinct/section captain will complete an SPD Memorandum documenting these inspections and retain with the watch lieutenant inspection memorandums.

1.100-PRO-1 Unit Ticket Inspections

Watch Lieutenant

1. **Selects** one sergeant or permanent acting sergeant under their command by using a rotating schedule each month.

2. **Verifies** that the sergeant understands how to complete the audit.

3. **Ensures** that the watch audit is complete before the end of the month, each month.

Sergeant

4. **Selects** two officers under their command.

5. **Checks** all 25 tickets of one criminal citation book and all 25 tickets of one notice of infraction book for each individual officer.

6. **Collects** memos of explanation from the officer for any missing ticket LEA copies.

7. **Drafts** an SPD memo documenting the results of the monthly inspection by using one memo to document both officers.

8. **Submits** the memo electronically to the watch lieutenant or adds it to precinct/section electronic folder containing those inspection memos.

Precinct/Section Captain

9. **Verifies** that all monthly inspection memos from each watch are in an electronic folder.

10. **Supplies** the Audit Unit with any requested memos, tickets, or documentation in an electronic format unless requested otherwise.

1.110 – Public Information

Effective Date: 12/01/2021

1.110-POL-1 General Policy

1. "Media" Definition

Media – any person who is an employee, agent, or independent contractor of any newspaper, magazine, or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution.

Entities related to media outlets, such as CrimeStoppers, are considered related outlets for purposes of this policy.

2. Except as May Otherwise Be Authorized by the Chief of Police or His or Her Designee, Employees Shall Not Release Information to the Media or Related Outlets Other Than as Prescribed by This Policy

Exception: The release of information responsive to a Public Disclosure Act Request or records subpoena shall be coordinated through the Legal Unit.

3. Public Affairs Unit Promotes Effective Relations Between the Media and the Department

The Public Affairs Unit shall promote effective relations between the news media and the department by:

- Assisting the media in covering news stories at the scene of police operations,

- Preparing and distributing news releases,

- Arranging for, and assisting at, news conferences,

- Coordinating and authorizing the release of information, and

- Coordinating the release of information with other public service agencies.

The general function of the Public Affairs Unit shall include, but not necessarily be limited to:

- Assisting news personnel in covering news stories at the scenes of incidents,
- Distributing public safety information via social media channels,
- Being available for on-call responses to the news media,
- Preparing and distributing agency news releases,
- Arranging for and assisting at news conferences,
- Coordinating and authorizing the release of information about victims, witnesses, and suspects,
- Assisting in crisis situations within the agency,
- Coordinating and authorizing the release of information concerning agency investigations and operations, and
- Developing procedures for releasing information when other public service agencies are involved in a mutual effort.

4. Public Information Officers (PIO) Work in the Public Affairs Unit and Act as the Representatives of the Chief of Police to the Media

5. Only Specific Personnel are Authorized to Give a Statement to the Media

Non-authorized personnel shall not provide any substantive information to the media.

When the media requests an interview with an on-duty employee, officers shall refer media representatives to a PIO or the on-scene captain or permanent-rank lieutenant.

At incidents where the media is on-scene and a PIO is not available, the precinct-of-occurrence watch lieutenant or someone designated by the on-scene captain or permanent-rank lieutenant will speak to the media as the department representative.

When the media does not respond to the scene but then contacts a department employee when there is not a PIO on-duty, the employee

shall instruct the media to call the Communication Section at (206) 684-8640.

The Dispatch Supervisor will page the on-call PIO in the event of a critical incident. The on-call PIO will communicate directly with news outlets regarding non-urgent matters as needed.

6. Chief of Police, or Designee, Is the Only Person Authorized to Speak to the Media Regarding Department Budget Issues, Department Goals, Allocation of Resources, and the Interpretation of Department Policy

7. Department Employees Will Notify the Public Affairs Unit of All Requests for Interviews Prior to Speaking With the Media

If a time constraint exists, the Dispatch Supervisor will page the on-call PIO to screen the incident.

8. Primary Officer Will Notify His or Her Immediate Supervisor When Responding to an Incident That is Likely to Produce a Media Response or When Notification of the Public Affairs Unit is Required by Department Policy

If the incident is an in-progress police operation, the on-scene captain or permanent-rank lieutenant will contact the Communications Section and request that a PIO respond to the scene. The watch lieutenant at the precinct-of-occurrence will act as the department media representative if a PIO does not respond.

9. When an Incident Produces a Media Response, or is Likely to Produce a Media Inquiry, the Primary Officer's Sergeant Will Send a Notification to the Public Affairs Unit E-mail Account

The Public Affairs Unit e-mail account is SPDNews@Seattle.gov.

10. Interaction with the Media

Department employees will cooperate with representatives of the media in a courteous and professional manner, providing only accurate, objective, and factual responses.

Speak about the facts as you know them. Do not speculate or editorialize. If you do not know the answer to a question, refer the media person to someone who has that information or tell them that you will attempt to get the information and get back to them.

Take time in answering questions and give a thoughtful response.

Do not make off-the-record statements to the media. **The media is under no obligation to keep your statement off the record**.

Department employees should contact the Public Affairs Unit with any complaint they have about an interaction with the media.

11. At Active Crime Scenes and Other Serious Incidents, the Media are Not Permitted Past the Marked Perimeter

The on-scene captain or permanent-rank lieutenant shall establish a location near the scene as a media staging area as soon as practical and advise the media if a PIO is responding and his or her estimated time of arrival.

The on-scene captain, permanent-rank lieutenant or supervising investigator will determine if the media will be allowed to cross the perimeter and set limitations on their movements until the scene has been secured. Once the scene is secured, and the criminal investigation is complete, the media will be given access to the location.

The media will be allowed in any area that is open to the public. The media cannot enter private property without the owner's permission.

- The media will not be restricted from entering a disaster area unless the media's presence interferes with a police operation.

The on-scene captain or permanent-rank lieutenant may declare a disaster area a crime scene if he or she believes the disaster occurred due to criminal action.

12. On-Scene Captain or Permanent-Rank Lieutenant Will Request That Media Aircraft Be Restricted Around the Location of a Police Operation When the Presence of the Aircraft Compromises Officer Safety or Hinders the Operation

The on-scene captain or permanent-rank lieutenant will inform the PIO of the reasons for the aircraft restriction. The PIO will contact the appropriate news agency and request that they voluntarily remove the aircraft. In the event that a PIO is not at the scene, the on-scene captain or permanent-rank lieutenant will have the Dispatch Supervisor make the request.

If the news agency does not voluntarily move their aircraft out of the area of the police operation, the PIO, Incident Commander, or Dispatch Supervisor will contact the Federal Aviation Administration and request that the airspace above the incident be cleared.

13. On-Scene Captain or Permanent-Rank Lieutenant May Request the Assistance of Media Aircraft for Viewing the Incident, Coordinating the Operation, Photographing the Incident, and Transporting Employees for Tactical or Operational Purposes

14. Department Employees Will Neither Prevent nor Facilitate the Photographing of Defendants or Suspects in Custody

15. Public Affairs Unit Shall Coordinate Requests for Media Ride-Alongs

The Public Affairs Unit will ensure that the precinct/unit hosting the media representative complete and sign a civilian observer Ride-Along Request and Waiver (Form 7.11).

During the ride-along, the media representative will not be allowed to use any image-recording device or audio recorder without the prior approval of the Chief of Police.

1.110-POL-2 Release of Information to the Media

1. Chief of Police or a Deputy Chief Will Screen the Information That Will Be Released to the Media in an Officer-Involved Shooting or Where a Serious Injury or Death of a Person Occurs as a Result of Police Activity

2. The Department Will Generally Release Information to the Media in a Timely Manner

The Public Affairs Unit will be the conduit for releasing information to the media. Public Affairs will coordinate with follow-up units when applicable to verify the case status and ensure that information released will not compromise an on-going investigation or pending prosecution. Information that is publicly available will be released as needed.

For information regarding the release of information related to an officer-involved shooting, see Manual Section 1.115-Media Release: Officer-Involved Shooting.

- Public Affairs Unit Will Release Information to CrimeStoppers and Other Media Outlets

All media outlets have equal access to department information once it has been deemed acceptable for release.

3. There is Certain Information That Can Generally Be Released to the Media

The facts regarding an incident may include:

- A basic description of the incident
- How the incident came to police attention
- What time the police responded to the call
- How many officers are currently assigned to the call
- The number of suspects and victims involved in the incident
- Adult suspects charged with a crime:
    - Suspect's name, age, gender, race, and city of residence
    - Charge filed by the prosecutor
    - Arresting/investigating unit
    - Circumstances of the arrest
- Adult suspects who have been arrested and booked into jail or cited but not charged with a crime:
    - Suspect's name, age, gender, race, and city of residence
    - Alleged offense
    - Arresting/investigating unit
    - Circumstances of the arrest
- Adult suspects who have been arrested, not booked into jail or cited, and have not been charged with a crime:
    - Age, gender, race, and city of residence
    - Investigating/arresting agency
- Medical condition of a suspect/victim:
    - Readily observed information regarding medical conditions may be released. Detailed medical information, diagnosis or prognosis will not be released.
- Deceased persons:

- Only the age, gender, race, and city of residence of the deceased person may be released. The King County Medical Examiner's Office will be responsible for releasing the identification of the deceased person.

4. Information Pertaining to Juveniles, Their Parents, or Legal Guardians Will Not Be Released

This applies whether the juvenile is reported as a suspect, witness, victim, missing person, runaway, or person of interest.

Information identifying child victims under age eighteen who are victims of sexual assault is confidential and not subject to release to the press or public.

Photographs of juveniles will not be released to the media without a court order or the consent of the juvenile's parent or guardian.

5. Certain Information Will Generally Not Be Released to the Media Unless Authorized by the Chief of Police or Designee

Statements about a suspect or defendant's:

- Character, criminal record, or reputation in the community
- Guilt, innocence, or possible outcome of pending legal proceedings
- The existence or content of any admission, confession, or alibi
- Statements or opinions regarding a defendant's willingness or refusal to make a statement
- The results of evidentiary examinations or forensic tests involving a pending case
- The anticipated testimony or credibility of any prospective victim or witness
- Statements or opinions concerning evidence, or legal arguments, to be used in a pending case
- Information regarding bombings, bomb threats, kidnappings or kidnapping threats, unless authorized by the captain or lieutenant of the Violent Crimes Investigations Section
- Any information disclosing the identity of a confidential source
- Identification information related to the victim of a sexual assault

6. Information on Vehicle or Boating Collisions Will Be Restricted to the Narrative Portion of the Report and Must Be Requested Through the Public Affairs Unit

The names, license numbers, or registration numbers of the persons and vehicles involved in the collision will not be released.

7. Booking Photo or an Investigative File Photo of a Suspect Wanted for a Serious Crime May Be Released to the Media if It Will Assist in the Capture of the Suspect or Warn the Public if the Suspect is a Danger to the Community

Authorization to release the photograph must come from the unit investigating the crime.

8. Photographs of Level III Sex Offenders May Be Released to the Media and the Public

9. Home Address, Telephone Number, or Date of Birth of Any Department Employee Will Not Be Released Without the Employee's Expressed Consent

The release of immediate on-scene information of the involved employee will be confined to the employee's age, race, gender, rank, tenure, and bureau of assignment.

10. Media Representatives May Obtain Copies of Police Reports Through the Public Affairs Unit

1.112 – Responding to Requests from Elected Officials

Effective Date: 02/01/2018

1.112-POL

This policy applies to all forms of communication by all civilian employees below the rank of executive and all sworn employees below the rank of Assistant Chief. Personnel conducting community meetings may communicate with elected officials, as appropriate.

The Department will ensure a prompt and thorough response to contacts and requests from elected officials and their representatives.

This policy does not apply to matters that are of no reasonable concern to the Department, to include personal communications. It also does not apply to correspondence between labor representatives and elected officials regarding legitimate labor concerns.

1. The Department Defines Elected Officials as Federal, State, County or Local Legislative or Elected Officials, Candidates, or Their Staff/Representatives

2. The Executive Director of Strategic Initiatives is the Official Point of Contact for Communication with Elected Officials

3. Employees Will Forward Requests from Elected Officials to the Official Department Point of Contact

Employees will not communicate with elected officials regarding department-related matters. Instead, they will forward requests to the official department point of contact.

The department point of contact will screen all outgoing department-related information with the chief of police before releasing it to elected officials.

(See 1.112-PRO-1 Communicating with Elected Officials)

Exception: Department employees who have regular interactions with elected officials about on-going issues may respond to such elected

officials at the time of the request but must inform the Office of the Chief of Police through their chain of command as soon as practical.

Exception: Personnel conducting community meetings may communicate with elected officials who are present, as appropriate, but must notify the Office of the Chief of Police through their chain of command as soon as practical.

Exception: Precinct captains may communicate with their district city councilmembers but must notify their bureau commander regarding these communications as soon as practical.

1.112-PRO-1 Communicating with Elected Officials

Employee

1. **Receives** an inquiry related to official department matters from an elected official or their representative.

2. **Notifies** their lieutenant/civilian manager via the chain of command.

Lieutenant/Civilian Manager

3. **Receives** the notification and **forwards** any official request through the chain of command to the department point of contact.

Executive Director of Strategic Initiatives

4. **Receives** the notification and proposes a response.

5. **Reviews** the request and proposed response with the chief of police.

6. **Provides** appropriate response to the elected official or representative.

1.115 – Media Release Officer-Involved Shooting

Original Effective Date: 06/01/2017
Revised Date: 06/01/2022

1.115-POL

This policy applies to the Department's release of information following an officer-involved shooting. This policy is intended to balance the integrity and credibility of an investigation with public transparency. This policy does not supersede the release policies of other agencies, should those agencies assume investigative responsibility.

For information about the investigation and review of officer-involved shootings, please see 8.400 - Use of Force Reporting and Investigation, 8.500 - Reviewing Use of Force.

1. The Department Will Issue a Statement as Soon as Feasible to Inform the Public of the Investigatory Timeline and Process

2. Information Released by the Department Will Be Factual and Will Not Contain Any Pre-Judgement

The Department will not compromise the investigatory timeline in order to expedite the release of information.

3. The Public Affairs Unit Coordinates the Release of Information Related to Officer-Involved Shootings (OIS) as Approved by the Chief of Police or Designee

Investigative units will provide all relevant information to the Public Affairs Unit.

4. Except as Otherwise Required by Law, the Department Will Not Release the Subject's Criminal History, Unless if it was Relevant to the Incident and Known to the Involved Officer(s) Prior to Engagement

5. Within 72 Hours of an OIS, the Department Will Release the Names of any Officers Who Discharged a Firearm, Absent Exigent Circumstances

6. Within 72 Hours of an OIS, the Department Will Release Video That Provides a General Overview of What Occurred, if Any Such Video Has Been Identified

This includes both Department-produced video (ICV, etc.) and private video (store security camera, etc.). The Department will not necessarily release all video related to an incident, just a representative and relevant sample.

Exception: The Department will not release video that may compromise an investigation.

7. Within 72 Hours of an OIS, the Department Will Release Photos of Relevant Evidence, if Any Such Evidence Has Been Identified

Exception: The Department will not release evidence that may compromise an investigation.

8. The Chief of Police Will Neither Approve Nor Condemn the Actions of Officers During an OIS Incident Until the Department's Process of Investigation and Review has Concluded

9. Except in Narrow Circumstances, all Information is Presumptively Releasable at the Conclusion of an Investigation

See Manual Section 12.080 - Department Records Access, Inspection & Dissemination

1.120 – Performance Review Entities and Processes

Effective Date: 02/01/2016

This policy pertains to the approval of the Department's performance review entities and processes. For information about specific entities and processes, please see Manual Sections:

2.020 – Appointments & Probation,

2.070 – Performance Evaluation,

3.070 – Early Intervention System,

8.400 – Use-of-Force Reporting & Investigation,

8.500 – Reviewing Use-of-Force,

13.010 – Collisions Involving Department Vehicles,

13.015 – Collision Review Board,

13.031 – Vehicle Eluding/Pursuits, and

16.100 – Patrol Training & Publications.

1.120-POL

1. The Chief of Police Must Approve any Department Board, Unit, or Process Created to Review Performance

The procedures of any Department board, unit, or process created to review performance must be approved by the Chief of Police and set forth in the Seattle Police Manual or an appropriate unit manual.

2.020 – Appointments & Probation

Effective Date: 10/01/2015

2.020-POL-1 General Policy

1. Definitions

Non-sworn employee: Any Department employee other than a sworn employee.

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

2. The Chief of Police Shall Be Appointed by the Mayor, Subject to Confirmation by a Majority Vote of all Members of the City Council

3. All Subordinate Sworn and Non-Sworn Employees Shall Be Appointed by the Chief of Police under Civil Service Rules and Regulations

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

4. Employees Are Assigned a Unique Serial Number

An employee's unique serial number is used for official identification with the Department.

Each employee shall be responsible for including their name and serial number on all official reports and records prepared by them.

5. Human Resources Section Issues Employees Official Department Identification Cards

6. Employees Are Excused from Duty Between Some Assignment Changes

Employees who are transferred, detailed, or temporarily assigned to a different section or unit from their current assignment, are excused from duty the eight hours proceeding the start of their new assignment.

7. If Deficiencies are Identified in Performance Appraisals, the Department Will Provide the Employee Remedial Training, as Appropriate

2.020-POL-2 Recruits, Reserves & Other Commissions

1. All Police Recruits Shall Satisfactorily Complete the Course of Instruction for the Basic Law Enforcement Academy Conducted by the Washington State Criminal Justice Training Commission

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

The Chief of Police may appoint and swear police recruits as police officers upon their graduation from the State-accredited Academy.

2. Police Reserves are Unpaid, Volunteer Personnel Selected From the Community

Reserves are under the command of the Field Training Unit and are responsible for aiding and supplementing the Department in matters of routine police duty and assisting in the event of emergencies.

3. Special Police Commissions May be Approved by the Chief of Police

The Employment Services Section is responsible for processing all applications. The duties of Commissioned Special Police will conform to City Ordinance. Special Police Commissions are valid only during the performance of duties for which the commission was issued.

4. The Chief of Police May Issue Honorary Police Commissions

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

- Non-sworn employees - Legal Advisor, etc.

- Professional Consultants - Chaplain Corps, etc.

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

2.020-POL-3 Probation

1. The Probationary Period for Non-Sworn Employees Shall Be Equivalent to Twelve (12) Months Full-Time Service From the Date of Hire

2. The Probationary Period for Sworn Employees Shall Be Twelve (12) Months From the Date a Police Recruit Successfully Completes the Washington State Basic Law Enforcement Training Academy

Minor absences due to vacations, annual military leaves, illnesses, etc., shall not be construed as interrupting the probationary period. If absences become excessive, the Executive Director of the Public Safety Civil Service Commission will approve a Departmental request for an extension of the probationary period. (Public Safety Civil Service Commission Rule 12.02)

No later than the end of the eleventh month of probation, the sworn probationer's section captain or the non-sworn probationer's supervisor shall submit a written report encompassing the probationer's work performance record and qualifications and shall include a recommendation as to whether the probationer should be granted permanent status. This report shall be sent to the Human Resources Section no later than one week after the end of the eleventh month of probation. Nothing in this section shall preclude a supervisor from addressing issues in the work performance of a probationary employee prior to the eleventh month of the probationary period.

2.020-POL-4 Promotion or Selection For Field Training Officer, Specialty Unit, Follow-Up Unit or Higher or Bonus Pay Position

1. Review of an Employee's Performance History When Considering Promotion or Selection for Field Training Officer, Specialty Unit or Higher or Bonus Pay Position

The data underlying an employee's performance and disciplinary history (PAS, use-of-force, OPA complaints, EEO complaints, on-duty collisions, vehicle pursuits, being named in police action claims or lawsuits, K9 apprehension-bite ratio and unexcused failure to appear in mandatory training) may be considered when an officer applies for promotion or for selection for a specialty unit, as a training officer, or for

any higher or bonus pay position to the degree that the subject matter is relevant to the position or assignment sought. Closed complaints with findings of lawful and proper or unfounded, Early Intervention Mentoring Plans successfully completed by an officer, and complaints that do not trigger early intervention thresholds are generally not relevant to a promotion or assignment decision.

Nothing in this policy manual precludes the consideration of performance-related criteria for promotions, selection for field training officer, specialty unit, or higher or bonus pay positions.

2. The Lieutenant or Captain of Specialized and Follow-Up Units Facilitates Appointments to Fill Open Positions

The lieutenant or captain of specialty and follow-up units must advertise an open position in the Department Notices at least 30 days prior to filling the position. (See 2.020-PRO-1 Advertising Open Positions in Specialty and Follow-Up Units.) The lieutenant or captain will request that applicants submit a memo of interest and/or resume for the position.

The lieutenant or captain will send a memo to each applicant stating that their memo of interest/resume has been received.

The lieutenant or captain will submit a memo to their bureau chief noting the top three candidates in order of priority. The memo will also list the names of all the employees applying for the position, in alphabetical order. The bureau chief will decide who will fill the position after consulting with the lieutenant or captain.

The lieutenant or captain will send a memo notifying the person selected for the position. A memo will also be sent to each person who applied for the position and was not selected. This will be done before any official or unofficial announcement.

In an effort to assist candidates to be more competitive for future openings, captains, lieutenants and sergeants will provide appropriate feedback and recommendations, (e.g., training, experience, improved skills, etc.) to the employees not selected for the position.

3. Police Detective or Investigator Assignments Will Require Successful Completion of a Course of Training Established by the Captain of the Education & Training Section

The Captain of the Education & Training Section shall establish a training schedule to best maintain a sufficient number of eligible candidates for the detective vacancies within the Department.

The Detective Course shall be scheduled and administered by the Education & Training Section and will include academic blocks of instruction as well as practical exercises for skill related training. The course will be structured around three core elements:

a. Criminal law

b. Criminal investigations

c. Department policy related to criminal investigations

Competency in all three core elements must be shown by successful completion of an examination at the end of the course.

Upon the successful completion of the Detective's Course, the employee's training record will be updated to reflect their eligibility status. Detective unit sergeants may verify a prospective candidate's eligibility by contacting the Education & Training Section. The employee's eligibility for a detective's position will not expire.

Selection of personnel for a detective assignment shall be at the discretion of the respective bureau chief.

In the event a particular individual is needed for a specific detective assignment and that individual has not completed the Detective's Course or has not worked a detective assignment, said individual must successfully complete the next scheduled Detective Course.

Failure to pass the Detective Course will eliminate their eligibility to work in a detective assignment. Eligibility may only be regained by passing the next scheduled Detective Course.

2.020-POL-5 Voluntary Transfer Requests

1. Employees May Submit Voluntary Transfer Requests

The initial request for transfer is made by submitting a Department Memorandum through the employee's chain of command to the appropriate section captain. Requests to transfer from one precinct to another shall be made on the Cross Precinct Preference Request Form (26.1) and forwarded to the Patrol Operations Bureau for consideration.

When a transfer is likely to occur, the section captain will advise the employee or section administrative assistant to submit an EMT move request. EMT move requests will be authorized through the employee's current and new chain of command, up to the Deputy Chief or Chief Operating Officer.

2.020-PRO-1 Advertising Open Positions in Specialty and Follow-Up Units

Lieutenant or Captain

1. **Develops** advertisement, which shall include the following:

    - Position description

    - Shift hours

    - Required qualifications

    - Desired qualifications

    - For sergeant positions, includes service in the Office of Professional Accountability as a desired qualification.

2. **Forwards** advertisement, via the chain of command, to the relevant bureau chief

Bureau Chief

3. **Reviews** advertisement

    3a. If approved, **forwards** advertisement to the Director of Human Resources.

    3b. If not approved, **forwards** advertisement back to the lieutenant or captain with an explanation as to why.

Director of Human Resources

4. **Reviews** advertisement

    4a. If approved, **forwards** advertisement to the lieutenant or captain.

    4b. If not approved, **forwards** advertisement back to the bureau chief with an explanation as to why.

Lieutenant or Captain

5. **Forwards** approved advertisement to SPD.Notice@seattle.gov

2.030 – Retirements & Separations

Effective Date: 05/01/2017

2.030-POL-1 Resignations & Retirements

1. Resignations Shall Be Made in Writing and Submitted to the Chief of Police at Least Two Weeks in Advance of the Final Day of Employment

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

a. A Former Employee Who Resigned May Request the Return of His or Her Name to the Proper Eligible Register for His or Her Class (Public Safety Civil Service Rule 10.05)

2. Employees Nearing the Date of Retirement Shall Notify the Human Resources Section at Least Two Weeks Prior to Their Last Day of Work

3. When any Employee Permanently Vacates His or Her Office, the Employee Shall Surrender all Department Equipment and Property to the Quartermaster

The Human Resources Section shall ensure that a separating employee has returned all Department-issued equipment and completed Return of Equipment (form 1.75).

4. The Human Resources Section Shall Notify a Separating Employee's Supervisor When an Employee is Starting the Separating Process and Shall Notify the Supervisor of any Outstanding Equipment

Supervisors are responsible for ensuring that separating or retiring employees return all Department property.

Supervisors are responsible for making all reasonable attempts at recovering Department property that has not been returned. Efforts may include phone calls, letters, and in-person contacts. All efforts must be documented.

If, after reasonable efforts at recovery, Department property is still not returned, the supervisor shall complete a memo detailing the outstanding items and the efforts made to recover them. All documentation shall be attached to the memo, which shall be forwarded through the chain of command to the Human Resources Director, with a copy to the Quartermaster Unit.

5. In the Event of Death of an Employee, the Appropriate Captain/Manager Shall Make Proper Disposition of all Department Property That was in the Possession of the Deceased

6. Lieutenants and Above Must Return Badges and Cap Shields to the Fiscal, Property, and Fleet Management Section

2.030-POL-2 Discharges

1. Non-Sworn Employees May Be Discharged From the Department Only in Accordance With City Personnel Rule 1.3.2

2. Sworn Employees May Be Discharged From the Department Only in Accordance With Public Safety Civil Service Rule 5.01

3. Employees May Only Be Discharged for Good Cause Shown

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

1. False or fraudulent statements or fraudulent conduct as an applicant, examinee, eligible, or employee, or such actions by others with the applicant's, examinee's, eligible's, or employee's connivance.

2. Conviction of a criminal offense or misdemeanor involving moral turpitude.

3. Willful or intentional violation of any lawful and reasonable regulation, order, or direction made or given by a superior officer.

4. Willful or intentional violation of any of the provisions of Civil Service law.

5. Incompetence or inefficiency in the performance of the duties of the position.

6. Improper or unauthorized use of City property or equipment.

7. Failure to pay or make reasonable provision for future payment of just debts.

8. Use of, or attempts to use, political influence or payment in securing appointment, promotion, transfer, leave of absence or increase in pay.

9. Aiding in assessment or collection from any employee of the City appointed under Public Safety Civil Service Rules for the purpose of securing the nomination or election of any person to municipal office.

10. An attempt to induce any employee of the City to commit an illegal act or act in violation of any lawful or reasonable Departmental regulation.

11. Taking or giving of bribes.

12. Abusive or improper treatment of a prisoner or one who is under arrest or sentence; provided, the acts committed were not necessarily or lawfully committed in self-defense, to protect the lives of others, or to prevent the escape of anyone lawfully in custody.

13. Unexcused absence from duty for three days.

    - Discharge in such case is mandatory unless the employee is otherwise separated from the class to which probationary appointment has been made.

14. Other employment for which a Secondary Employment Permit was not obtained and which in any way conflicts with the City's interests or interferes with City employment.

15. Failure to successfully complete firearms qualification.

4. In the Event an Employee is Discharged for Good Cause Shown, the Employee Will Receive a Written Notification

The written notification shall contain the following:

1. The reason for the discharge.

2. The effective date of the discharge.

3. The status of any retirement, insurance, or other benefit accounts.

5. A Regular Employee Who is Discharged or Demoted May, Within 10 Days After Receiving a Notice of Discharge, Make Written Appeal to the Public Safety Civil Service Commission for a Hearing

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

After such hearing, the Commission shall make its finding and decision and certify the same to the Chief of Police, either sustaining the action or reinstating the employee (Public Safety Civil Service Rule 6).

2.050 – Labor Relations

Original Effective Date: 05/19/2004
Revision Effective Date: 11/15/2022

Collective bargaining is a way for the Seattle Police Department and employees' unions to solve workplace problems. A union contract is a written agreement between the City and the employees that details the terms and benefits in a clear and legally binding way.

All employees will be treated fairly in matters arising from their employment, and they will have the opportunity to be heard fully any time they believe they have been treated unfairly.

Formal grievance procedures usually evolve from informal attempts to resolve differences between employees and the department.

The grievance procedures are defined in collective bargaining agreements, Civil Service Rules, Public Safety Civil Service Rules, and City of Seattle Personnel Rules.

2.050-POL-1 Collective Bargaining and Contract Management

1. Collective Bargaining is Done in Good-Faith

The department will abide by applicable laws and rules governing the collective bargaining process as set forth in RCW Chapter 41.56, Seattle City Charter Article XVI, Sec. 9, and SMC 4.04.120.

The department will negotiate in good faith with the representatives of public employee bargaining units and abide by the ground rules for collective bargaining that arise out of the collective bargaining process or labor arbitration.

The department commits to abide, in both letter and spirit, by the negotiated labor agreement that has been signed by the authorized representatives of the city, the bargaining units, and ratified by the City Council.

2. Contract Management Agreements (Labor Agreements) Are Between the Department and a Specific Union

The Chief of Police or designee will:

- Obtain a written, signed copy of labor agreements.
- Review and amend, if necessary, all written directives and procedures to coincide with the terms of the labor agreements.
- Disseminate information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees.

3. The Seattle Police Department Bargaining Units

Union Name Classifications Covered:

Seattle Police Officers' Guild

Police Officer

Police Sergeant

Seattle Police Management Association

Police Lieutenant

Police Captain

IFPTE, Local 17 – Technical Unit

Identification Technician

Photographer, Senior

IFPTE, Local 17 – Professional Unit

Accountant, Principal

Accountant, Senior

Administrative Staff Analyst

Administrative Staff Assistant

Crime Prevention Coordinator

Emergency Preparedness Officer

Equipment & Facilities Coordinator

Equipment & Facilities Coordinator, Senior

Executive Assistant

Executive Assistant, Senior

Financial Analyst, Senior

Fleet Management Analyst

Info Tech Systems Analyst

Marine Equipment Servicer

Management System Analyst

Management System Analyst, Assistant

Management System Analyst, Senior

Manager I, Manager II, Manager III (OEM)

Paralegal

Photographic Services Supervisor

Planning & Development Specialist, Senior

Research & Evaluation Assistant

Video Specialist II

IFPTE, Local 17 – Admin. Support Unit

Accounting Technician II

Accounting Technician III

Administrative Specialist I

Administrative Specialist II

Administrative Specialist III

Administrative Support Supervisor

Parking Enforcement Officer, Supervisor

Police Data Technician

Police Data Technician, Senior

Police Data Technician Supervisor

IFPTE, Local 17 – Info Tech Professional Unit

Info Tech Professional B

JCC – Teamsters, Local 117, Appendix "H"

Equipment Servicer

019 – Liuna Local 242

Laborers

Seattle Parking Enforcement Officers' Guild

Parking Enforcement Officer

Teamsters, Local 117

Community Service Officer

Community Service Officer Supervisor

Chief Warehouser

Evidence Warehouser

Evidence Warehouser, Senior

2.050-POL-2 Grievances for Represented and Non-Represented Employees

1. Represented Employees

Employees who are members of a bargaining unit having a labor agreement with the City will process their grievances according to the applicable grievance procedure provided by their agreement or the Civil Service Rules or Public Safety Civil Service Rules.

2. Non-Represented Employees

Non-represented department employees will process their grievances according to the grievance procedure provided by City of Seattle Personnel Rules 1.4.

3. Maintenance, Control, and Analysis of Grievance Records

The Human Resources Director will be responsible for the maintenance and control of grievance records.

The Legal Advisor, with assistance from the bargaining unit liaisons, will make an annual analysis of grievances. The Legal Advisor will forward the report to the Chief of Police.

2.070 - Performance Evaluation

Effective Date: 07/01/2019

A vital tool in maintaining the professionalism of the Seattle Police Department is an effective system of evaluating employee performance. Performance evaluations allow supervisors to evaluate whether subordinates are performing the job they were hired and/or promoted to do; measure the quantity and quality of their work; provide rewards for exceptional work; coach employees to grow and develop; identify specific problems and corrections to improve deficiencies.

Performance evaluations create an opportunity for supervisors to gain a deeper understanding of employees' attitudes and strengths. In return, this will allow employees to know exactly how they are performing and what they can do to improve their value to their peers, the department, and the community.

This policy applies to all employees except where specifically directed at the categories of sworn, non-sworn, and temporary employees.

2.070-POL Preparing and Delivering Performance Evaluations

1. Supervisors Complete Performance Evaluations for Their Subordinates

Captains or their non-sworn equivalents delegate evaluations for each employee under their command. Typically, this is the employee's immediate supervisor.

Captains will ensure supervisors complete evaluations on time and will review content prior to submission to the Human Resources Section.

2. Supervisors Continually Monitor Employee Performance

Throughout the evaluation period, supervisors will use the applicable evaluation system to document notable incidents or events involving employees. Ratings above or below standard should include documentation and specific examples of behavior.

Evaluators will use the ratings, measurements, and procedures established in E3 or the Performance Appraisal System.

3. Employees will be Notified by their Chain of Command When Their Performance is Deemed Unsatisfactory

Supervisors will normally give such notification prior to completion of the evaluation cycle.

4. Evaluations Follow a Schedule

Sworn Employees

- Probationary sworn employees in Phase I Training (Police recruits) are evaluated by the State Criminal Justice Training Academy through the Basic Law Enforcement Training program or an appropriate training program conducted or contracted by the Department.

- Probationary sworn employees in Phase II Training (the Field Training Program) receive evaluations according to the Field Training and Evaluation Program standards.

- Probationary sworn employees in Phase III Training will receive an Alternate Weekly Observation Report completed by the assigned Field Training Officer (FTO) and a monthly FTO Supervisor's Report.

- Non-probationary sworn employees receive evaluations a minimum of once per year, within 20 days of the employee's hire date.

Non-Sworn Employees

- Probationary employees receive evaluations every three months.

- Non-probationary employees receive evaluations once per calendar year.

- Employees placed on the Special Evaluation Cycle who are chronically performing at a deficient level receive evaluations every three months.

- Temporary employees do not receive performance evaluations.

5. Supervisors Will Provide Completed Performance Evaluations to Employees and Meet to Discuss

After completing evaluations, supervisors will meet with their subordinates individually to provide a copy of the evaluation and discuss the employee's performance.

During the discussions employees may ask questions concerning the evaluations and may make written comments on the evaluation in the space provided.

Once the evaluation discussions have taken place, the chain of command will review the evaluations before forwarding them to Human Resources.

6. Employees May Request an Evaluation Appeal

An employee may appeal an evaluation if the employee believes that the ratings or comments are inaccurate or unjustified and should be modified or removed. The employee requests the appeal as outlined in the employee's collective bargaining agreement (CBA). If a CBA does not apply, the appeal goes through the employee's chain of command.

3.035 - Reasonable Accommodation (ADA)

Effective Date: 01/01/2020

3.035-POL

The Department will accommodate employees in accordance with the Americans with Disabilities Act and Washington Law Against Discrimination, RCW 49.60.

1. Employees Request a Reasonable Accommodation

Employees may give an oral or written request for a reasonable accommodation to a supervisor or the Human Resources Section. The reasonable accommodation process begins when the request is made.

If the request is made orally to a supervisor, the supervisor or employee will complete a written request and forward the request to the Human Resources Section as soon as practical. (Also see: Seattle Department of Human Resources, ADA Resource Guide and Procedures for Providing Reasonable Accommodation for Individuals With Disabilities)

The written request will include:

- Identification and a brief history of the employee's disability, and
- A description of the accommodation(s) that the employee is seeking

The Human Resources Section will contact the requesting employee to enable the Department and employee to engage in an interactive dialogue regarding the accommodation request. The employee will be responsible for providing relevant documentation, including a treating physician's report describing the disability and the accommodation(s) required.

2. The Department Will Not Require Employees to Disclose their Religious Affiliation or Beliefs

Exception: Unless disclosing for the purposes of providing religious accommodations at the request of the employee

3. Department Personnel Will Not Disclose the Religious Affiliations of Another Employee

Exception: Unless the individual employee expressly consents to the disclosure of their religious affiliation and has knowledge of the purpose for the disclosure.

3.040 – Infectious Diseases Exposure Control

Original Effective Date: 06/19/2013
Revised Effective Date: 03/01/2023

This policy outlines safe work practices and guidelines for protection from the occupational transmission of airborne and bloodborne pathogens and against communicable diseases, in accordance with the requirements of WAC 296-823 Occupational Exposure to Bloodborne Pathogens and OSHA Directive CPL 2-2.069. This policy also covers reporting procedures for exposures to an infectious disease.

Sworn employees may contact the Harborview Medical Center triage desk at (206) 731-3074, ext. 3, or the Center for Disease Control (CDC) at (800) 232-4636, ext. 134, to discuss potential exposure incidents to assist in making the decision to initiate post-exposure follow-up procedures (see Ryan White HIV/AIDS Treatment Extension Act of 2009 for further information).

Sworn employees may consult the CDC for up-to-date information on infectious diseases.

3.040-POL-1 Airborne Pathogens

Airborne diseases are caused by pathogenic microbes small enough to be discharged from an infected person via coughing, sneezing, laughing, close personal contact, or aerosolization of the microbe. The discharged particles remain suspended in the air on dust particles, respiratory and water droplets. Airborne diseases include COVID, tuberculosis (TB), influenza, pertussis (whooping cough), and respiratory syncytial virus (RSV).

For appropriate personal protective equipment (PPE), see 3.040-POL-3(1).

1. Employees Will Make Reasonable Efforts to Limit Contact With Subjects Who Are Obviously Sick

Employees may question subjects about symptoms of a possible airborne illness (coughing up blood, fever, chills, fatigue, weight loss, etc.).

- Sworn employees may place a surgical facemask or face shield on an obviously sick subject who is handcuffed and/or will be transported.

Exception: Any subject experiencing respiratory distress, that is intoxicated, or may vomit, will not be fitted with a facemask.

2. Officers Will Not Transport Other Detainees in the Same Vehicle as a Detainee Who is Showing Signs of an Airborne Illness

When transporting a sick detainee, officers will:

- Raise prisoner screen (if applicable)
- Open rear vehicle windows/air vents
- Close front vehicle windows
- Turn airflow control to fresh (not re-circulate)
- Turn fan on high setting

(See 3.040-POL-3(2) for decontamination of a police vehicle)

3. Sworn Employees Will Not Hold Other Detainees in the Same Holding Cell as a Detainee Who is Showing Signs of an Airborne Illness

Sworn employees will attempt to limit the time that a sick person is held at a department facility to 15 minutes.

(See 3.040-POL-3(2) for decontamination of a holding cell)

4. Sworn Employees Will Make Notifications About Subjects Who May Have an Airborne Illness

If the subject will be transported to King County Jail, officers will contact the jail nursing station at (206) 296-1214.

If the subject will be transported to the Harborview Medical Center, officers will contact the triage desk at (206) 731-3074, ext. 3.

If the subject will not be booked into jail nor transported to a hospital, officers may contact the Seattle-King County Health Department Outreach Office at (206) 263-0331.

3.040-POL-2 Bloodborne Pathogens and Bodily Fluids

Bloodborne pathogens are microorganisms that cause diseases and are present in human blood. They include but are not limited to HIV, hepatitis B virus (HBV), and hepatitis C virus (HCV). Employees can be exposed to

blood through needlestick and other sharp injuries, mucous membrane, or skin exposure.

For appropriate personal protective equipment (PPE), see 3.040-POL-3(1).

A department reportable exposure incident is the direct exchange of a blood or other potentially infectious material (OPIM) from a source subject to a employee.

1. Employees May Contact the Human Resources Lieutenant for Information About the Hepatitis B Vaccination Series and Testing

The Human Resources Lieutenant may be reached at (206) 684-5466.

2. Employees Will Only Discard Waste Contaminated With Blood or OPIM in Containers Provided to the Department by the Commercial Biohazard Waste Contractor

3. Employees Must Discard Contaminated Sharps in Appropriate Containers as Soon as Feasible

Exception: The Evidence Unit may accept syringes only in cases of homicide or assault where the syringe has been used as a weapon (see the SPD Evidence Packaging/Submission Guide).

3.040-POL-3 Infectious Disease Exposure

1. To Limit Exposure to Infectious Diseases, Employees Will Use Appropriate PPE

PPE will be considered appropriate when it is designed to deter blood or OPIM from passing through or reaching the employee's clothing, footwear, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the PPE is used.

PPE includes:

- Nitrile gloves
- Eye protection
- Surgical face masks
- Fluid-shield masks
- Disposable foot coverings

- Rubber boots

Patrol officers and patrol supervisors will check their patrol vehicles at the beginning of each shift to make sure that they have biohazard kits that contain PPE.

- Officers will report incomplete kits to the stationmaster for restocking.

Employees exposed to an infectious disease, see 3.040-PRO-1 Infectious Disease Exposure Notification and Reporting.

2. Employees Will Arrange for Department Vehicles and Facilities that Become Contaminated to be Cleaned as Soon as Possible With an EPA-Approved Decontaminant

Employees will contact Pacific NW Bio WA, LLC at (206) 422-2681 to arrange for decontamination.

3. The Department Will Pay to Clean or Replace, if Necessary, Uniform Items That Become Contaminated With Blood or OPIM as a Result of a Duty-Related Incident

(See manual section 9.050 - Clothing Allowance and Reimbursement for Personal Property)

3.040-PRO-1 Infectious Disease Exposure Notification and Reporting

Employee

1. **Notifies** supervisor of exposure to bloodborne or airborne pathogens.

Supervisor

2a. For Airborne Exposure, **provides** the employee with an *Airborne Exposure Packet* (form 12.2a), or

2b. For Bloodborne Exposure, **provides** the employee with a *Bodily Fluid Exposure Packet* (form 12.2b).

- The following bloodborne exposures are considered non-reportable:

  - Exposure to blood or OPIM on intact skin

- Blood or OPIM on clothing or equipment

- Being present in the same room as an infected subject

- Touching or talking to an infected subject

3. **Completes** all applicable forms and seal the packet.

4. **Submits** the packet to the Human Resources Lieutenant by the end of the shift, if feasible.

5. **Notifies** the Watch Lieutenant/Manager of an infectious disease exposure by the end of the shift.

3.050 – Coordinating Sworn Employee Deaths

Original Effective Date: 11/09/2007
Revised Effective Date: 12/01/2023

Law enforcement officers understand the oath they take, and the risk involved in the day-to-day operations of policing. This policy outlines the response and includes recommended procedures for a Seattle Police Officer Line of Duty Death (LODD), an active sworn employee death, and a retired SPD sworn employee death.

The Seattle Police Department has established a chain of command that will be utilized in coordinating the functions necessary for the death of a sworn employee. Strict adherence to this policy is not mandatory; however, it should be used as a guideline to assist the department with providing the sworn employee's family and co-workers with the support they will need.

The wishes of the next of kin and other survivors should be strongly considered.

3.050-POL-1 Definitions

Active Sworn Employee Death: a sworn employee who is active and currently serving the agency. The sworn employee may have died performing a function in an official capacity at the time of their death. Many times, these are off duty accidents that result in death. The Chief of Police, Honor Guard Commander, and Chaplain will provide leadership in the honors (which will be different than the LODD honors) that will be provided by the agency for the funeral ceremony.

Beneficiary: individuals designated by the sworn employee as recipients of specific death benefits.

Benefits: Financial payments made to surviving families of the sworn employee killed on the line of duty which the family is entitled to.

Ceremony Types:

Active Sworn Employee Death: The Chief of Police, Honor Guard Commander, and Chaplain will provide leadership for the ceremony regarding the honors (which will be different than the LODD honors) that will be provided by the agency.

Line of Duty Death: The Chief of Police, Honor Guard Commander, and Chaplain will provide leadership for the ceremony regarding the honors that will be provided by the agency.

Retired Sworn Employee Death: The Honor Guard Commander and Chaplain will provide leadership in the honors that will be provided by the agency for the funeral ceremony. These services will usually include the SPD Honor Guard detail, an SPD Bagpiper, and the Chaplain upon request of the family.

Family Liaison Sworn Employees: the family liaison will be a sworn employee appointed by the department and the family. The liaison will be the designated facilitator between the family and department. The liaison will support the family throughout the entire process. The liaison will work closely with the SPD Wellness Unit for the purpose of supporting the family. The liaison will attend all planning meetings regarding the sworn employee's memorial service and relay the family's wishes to the planning team.

Honor Guard Commander: the Seattle Police Honor Guard Commander is responsible for coordinating the Honor Guard detail and the honors to be bestowed during the transport to the Medical Examiner's Office, to the funeral home, during the memorial service, and scheduled local, state, and federal events. The Honor Guard Commander works closely with the Family Liaison, the Funeral Director, the Incident Commander, and the Chaplain. The Honor Guard commander will be responsible for coordinating all formations, the individual plans for movement of the deceased officer, the family staging areas, and coordinate with the Traffic Commander of processional routes to the funeral home and ceremony.

The Incident Management Team: this team will only be activated in the case of a Line of Duty Death. This team will be established in accordance with the incident command system. There will be an Incident Commander established (Captain or above), Operations Commander, planning section, logistics section, traffic section, public information officer, security detail, and the Seattle Police Operations Center will be activated and utilized to gather resources needed to host the funeral. The Incident Commander is responsible for working with the Chief of Police and the overall operation of the entire event. In the event of any conflicts during the planning process, the Incident Commander will be responsible for the resolution of the conflict.

Line of Duty Death (LODD): the death of an active law enforcement officer/deputy by felonious or accidental means while performing police functions on or off-duty; Any action which a sworn employee is obligated or authorized by law, rule, regulation, or written condition of employment service to perform, or for which the sworn employee is compensated by the public

agency they serve, including actions taken or against a sworn employee. The term "killed in the line of duty" means a law enforcement officer has died in the performance of fulfilling their obligation as a sworn officer.

Notification Team: these team's primary function is to make the death notification to the survivor(s). This team should consist of the Police Chief, or designee, the immediate supervisor of the deceased sworn employee, and the chaplain or a representative from the Wellness Unit.

Retired Officer: the sworn employee is officially retired from the Seattle Police Department, and the department has been notified of the death.

Survivor: the immediate family members of the deceased sworn employee. A designated family member will be the decision-maker regarding funeral arrangements and the service. The SPD appointed family liaison will take direction for the designated family member.

Survivors: the primary family members of the deceased sworn employee who may include spouse, children, grandchildren, parents, siblings, grandparents, fiancé(e), and/or other identified significant others.

3.050-POL-2 Department Personnel Activation and Assignments Upon an Officer Line of Duty Death

Many of the same protocols will be followed as a sworn employee line of duty death. However, it is extremely important to note that the ceremonial honors are not the same and the Incident Management Team is often not activated for a sworn employee in-service death.

1. Certain Department Personnel Are Activated Upon a Line of Duty Death

The following personnel should be activated immediately upon receiving notice that a sworn employee has died in the line of duty:

- Notification Team
- Chaplain
- Honor Guard Commander
- Wellness Unit
- Human Resources / SPOG or SPMA
- Incident Commander

2. Sworn Employee Death (or Serious Injury) Notification and Formation of Notification Team

The name of the deceased sworn employee will not be released to the media or to SPD personnel before the family of the sworn employee is notified. The name will not be given over the radio, and SPD personnel will be advised not to disseminate any information over social media outlets or by phone. All information that will be released to the media and the public will be handled by the Public Information Officer (PIO) designated by the Chief of Police. The on-scene commander should consider putting out a message to all sworn SPD to not release any information regarding the incident and especially the involved sworn employee's name for 24 hours.

Immediately upon a Line of Duty death of a sworn employee, the sworn employee's immediate supervisor, if available, will be notified and will gather the sworn employee's emergency contact information. The supervisor will contact the Dispatch Supervisor, the Wellness Unit supervisor, and the Chaplain.

The Dispatch Supervisor will contact the bureau chief for the sworn employee involved.

The Notification Team will be formed.

- The Notification Team will be no larger than three (3) members of the department. The Notification Team will contact the sworn employee's immediate supervisor and the SPD Peer Support Coordinator who will appoint a family liaison(s) who will confirm when other visitors may see the family.

- Notification will always be made in person and will never be made alone.

- The Notification Team will act as the informing representatives and should all be present at the time of notification.

- If the Notification Team is delayed in forming, the notification should not be delayed.

    - If the sworn employee has been transported to the hospital because of serious/critical injuries, all attempts will be made to transport the family to the hospital as quickly as possible. If the family is being transported to the hospital, the reporting sworn employee will notify the supervisor at the hospital that the family is enroute.

With the speed at which communications occurs, it is likely that family, co-workers, and friends may already have been notified. The Notification Team will still contact the listed emergency contact individuals.

3. Personnel Assisting the Sworn Employee's Family at the Hospital

The Family Liaison

The family liaison will be with the family. Their primary role is to support the family and be a liaison between the family and the incident management team (IMT). The family liaison will work with the chaplain and the sworn employee's supervisor to ensure the family's privacy. The family liaison will also work with the chaplain and the sworn employee's supervisor regarding the potential of a large family gathering and if more support is needed at the hospital to care for them.

The Wellness Unit or SPD Peer Support Coordinator

The Wellness Unit's primary responsibility is to support sworn employees, and if possible, other sworn employees from regional agencies that may arrive at the established gathering area (precinct, hospital, medical examiner's office, etc.).

- As soon as possible, the Wellness Unit will establish a central gathering area (could be away from the hospital) for law enforcement personnel to gather.

The family of the sworn employee will be afforded the opportunity to see the sworn employee as soon as the medical staff advise they can and as soon as practical.

- If the family can see the sworn employee before death, then all arrangements should be made to allow this to happen.

- In the event the sworn employee has died before the family arrives at the hospital, then the medical staff and medical examiner will determine when the family can see the sworn employee.

Sworn Employee's Supervisor

The sworn employee's supervisor will begin the worker's compensation claim, and they will advise the hospital staff of the claim as well. If possible, no financial bills should be sent to the family, relieving the family of having to deal with these details initially.

(See 3.050-PRO-1 Sworn Employee Death Benefits)

Honor Guard Commander

If the sworn employee dies in the hospital, the Honor Guard Commander will lead and organize the honors for the sworn employee at the hospital and the transportation to the Medical Examiner's office.

- The Honor Guard Commander will lead and advise the family and the planning team of the next honors to be bestowed as the funeral service is scheduled.

- After any sworn employee's death, within 48-72 hours, the family liaison and the chaplain will begin discussing funeral arrangements. Funeral options will be presented to the family. The survivor or family member appointed by the family to make decisions will have the final say, even if this is not what the department wants.

- The Honor Guard Commander will also consult with the family liaison, chaplain, and family about the honors and rituals that the officer is entitled to for the service. There is a difference between a line of duty death and an active members death regarding the ceremonial honors.

3.050-POL-3 General Funeral Protocols

1. Flags Will Fly at Half-Staff and Mourning Insignia Will Be Authorized

Upon a line of duty death of a Seattle Police Officer, flags at department facilities will be lowered to half-staff for a length of time that is at the discretion of the Chief of Police.

Mourning insignia will be authorized per manual section 3.170 – Honoring Fallen Sworn Employees.

2. Department Employees May Attend the Viewing or Wake and Funeral Service

Every effort will be made by the department to allow department employees to attend the viewing or wake and the funeral service of a sworn employee who dies in the line of duty.

- Department members who attend the wake or funeral will dress in a class A uniform, or the unit uniform they are assigned. This will include a long-sleeved shirt, tie, dress pants, and hat. If assigned to a plain clothes unit, a suit and tie will be the accepted uniform.

3. The Honor Guard, the Incident Management Team (IMT), and SPOC have Specific Roles for the Funeral

The funeral should take place 10-14 days after the death.

Honor Guard

The Honor Guard Commander will coordinate the honor guard watch for the sworn employee, and this will include outside agencies honor guard members. The Honor Guard Commander will coordinate and arrange the ceremonial tasks with outside agencies.

Incident Management Team (IMT)

The IMT will be established, and a location for on-going planning will also be established.

- Sworn employees and members of the department that will be involved in the service will receive the times and location for daily planning meetings and walk-throughs of the venue where the service will be held from the IMT.

Seattle Police Operations Center (SPOC)

The SPOC will be activated, and they will assist the IMT in planning the needed resources for the funeral service.

- Department personnel not given a specific assignment during the funeral service that are attending the service will receive information on meeting locations and times for briefings. They will be assigned a supervisor through SPOC.

4. The Family Liaison, the Department Appointee, and Chief of Police have Specific Roles to Assist the Family of the Sworn Employee

Family Liaison

The family liaison will coordinate with the Wellness Unit the transportation needs for the family during the entire planning process.

Department Appointee

The department appointee (may be appointed by the Chief of Police) will maintain family support, if the family feels they need support, for up to one (1) year.

- During the first year, the department will formally invite the family of the deceased sworn employee to the Washington State Memorial service, National Police Week held in Washington D.C., and other local events honoring the sworn employee.

Seattle Police Chief

The Chief will coordinate with the family about any community groups or government leaders regarding the establishment of memorials, plaques, memorabilia, etc.

3.050-PRO-1 Sworn Employee Death Benefits

Supervisor

1. **Contacts** the Human Resources Lieutenant within 24-48 hours after the sworn employee's death.

2. **Contacts** SPOG (if member) or SPMA (if member) within 24-48 hours after the sworn employee's death.

Human Resources/SPOG or SPMA

3. **Coordinates** with family liaison a time to meet with the family to update benefits available to them.

   - This is usually within 3-5 days after the sworn employee's death.

3.070 – Early Intervention System

Effective Date: 04/01/2020

3.070-POL

This policy applies to the use of the Early Intervention System (EIS). The Early Intervention System shall employ risk management strategies that are not punitive or disciplinary in nature.

The Early Intervention System is a key element in the SPD's strategy to support employee wellness and professional growth by seeking to identify and mitigate against factors that may lead to negative performance issues, employee discipline, and/or employee or department liability. Once an SPD employee exceeds a preset threshold of risk factors described below, an Early Intervention Assessment will be conducted. An assessment may also be conducted at the discretion of a supervisor as part of his or her ongoing duties to monitor employee conduct and maintain performance standards.

If a mentoring plan is prescribed, the progress of the employee will be carefully tracked, and the employee's chain of command shall be personally responsible and accountable for the implementation of the individual program and such other steps as may be necessary to address any identified concerns, including demonstrated indicators of stress or training needs. The purpose of such Assessment and Plan is ultimately to support the employee in achieving professional goals.

The system is separate from, and does not replace, the existing system of discipline for violations of policy. Department employees remain fully accountable for adhering to policy and performance standards. Nonetheless, the EIS seeks to identify and address potential risk factors before policy violations arise. The goal is to intervene and offer assistance by identifying and modifying possible factors before they result in actions that are contrary to the mission and fundamental values of the Seattle Police Department, including its commitment to constitutional policing and upholding lawful, professional and ethical standards.

The EIS represents the Department's commitment to coach and mentor its employees and to hold the entire chain of command accountable for promoting employee wellness and success by managing risk to officers and the public.

The system is designed to support the employee through mentoring and coaching by supervisors. The use of the Early Intervention System provides employees:

* Training/Education

* Job performance feedback

* Other pathways to improve performance

* Consistent oversight and supervision

* A clear message to officers and civilian employees that the Department has resources available to assist them in meeting expectations.

Except as required by law, contract, or policy, information relating to the Early Intervention System shall be considered confidential and is not to be shared with persons not having access to the Early Intervention System. Violations of this policy may result in discipline.

Definitions:

1. **Assessment Report**: A form used to document the assessment conducted for an employee who has either reached the threshold criteria or who has been referred for a discretionary assessment.

2. **Early Intervention Alert**: Electronic pathway by which the assessment flows up the chain of command to the Performance Review Committee, and back. Each EIA has a tracking number.

3. **Early Intervention Mentoring Plan**: A strategy developed by an employee's chain of command to intervene and offer assistance to the employee so that he or she will be able to uphold lawful, professional and ethical standards. A mentoring plan contains the following:

- Issue(s) to be addressed

- Method/action plan for addressing the issue(s)

- Timeline for completion of the mentoring plan

- Follow-up actions to be taken

4. **Mandatory Training**: Firearms qualifications and any other training designated as mandatory by the Captain of the Education & Training Section.

5. **Status Report**: Biweekly report used to document actions and training taken during the review period.

3.070-POL-1 Oversight of the Early Intervention System

1. Sergeants, Managers and Commanders Are Required to Review the Early Intervention Criteria Thresholds of the Employees They Supervise at Least Once Weekly

Section chains of command will be responsible for ensuring that all levels of supervision utilize the Blue Team software for this purpose. If there is follow-up action based on this weekly review, the supervisor or commander shall document that in the PAS (Performance Appraisal System).

Additionally, the Early Intervention Coordinator will provide section captains and civilian managers with monthly updates of the Early Intervention criteria thresholds related to the employees under their command.

2. Sergeants, Commanders and Civilian Supervisors Are Required to Initiate an Early Intervention Assessment ("EIA") of any Employee they Supervise that Meets Criteria Thresholds

If an employee meets Early Intervention Criteria Assessment Thresholds, the employee's supervisor will conduct an Early Intervention Assessment, with one exception.

> **Exception**: A mentoring plan is mandatory for any employee who meets the EIS threshold due to 2 or more preventable vehicle collisions within 6 months. In that circumstance, the supervisor does not need to complete an EIA and may proceed directly to create a mentoring plan.

The EIA includes reviewing the Early Intervention Criteria thresholds and promptly notifying the affected employee if he or she has met any performance thresholds and affording the employee an opportunity to identify any errors in the data. If the information in the EIS is accurate, the sergeant, commander, or civilian supervisor must also review at least the last two performance evaluations in the PAS, documentation relating to the underlying incident(s) reflected in the EIS indicator, and any additional information that would be relevant to the identified performance issues.

3. A Sergeant, Commander, or Civilian Supervisor May, in Conjunction with Their Chain of Command, Contact the Early

Intervention Coordinator to Initiate the EIS and Assign a Discretionary Assessment to That Chain of Command

For example, if a supervisor identifies risk factors relating to officer performance or behavior that should be addressed formally, they may initiate a formal Assessment even if an EIS threshold has not yet been met.

The Department recognizes that supervisors of all levels must be proactive in guiding the performance of employees under their command. Supervisors are encouraged to address risk factors or performance concerns prior to the Early Intervention System being activated.

4. Upon Having an Officer Transfer into His or Her Squad or Unit of Command, a Sergeant or Commander Shall Review the Early Intervention Criteria Thresholds of That Employee, and Will Document Having Done So via the Performance Appraisal System

5. Utilizing Blue Team Software, Employees Will Have Access to Their Current Standing Regarding Early Intervention Criteria Thresholds Levels

Employees may view a display of their performance data contained in Blue Team by logging into that system and may obtain their past EIS Review Report(s)/ Early Intervention Assessment(s) by making a request to the Director of Human Resources via their chain of command.

If an employee believes at any time that Early Intervention data is inaccurate, he or she should immediately notify his or her immediate supervisor or commander. The employee will then provide written notice (e-mail or memo) of his or her request for correction to the Early Intervention Coordinator in Human Resources via the chain of command. Any proposed corrections to the data are subject to review by the Performance Review Committee, the employee's chain of command and the relevant bureau chief. The Director of Human Resources will make the final decision as to whether to modify early intervention data.

Corrections shall be documented fully in Blue Team so that the Department maintains a reliable audit trail regarding data entry and corrections.

6. After Receipt of the Completed Early Intervention Assessment, the Section Captain or Director Shall Create a Mentoring Plan for the Employee, if Appropriate

If the section captain or director decides an Early Intervention Mentoring Plan is needed, he or she may recommend a specific review period. The review period shall continue until the employee's chain of command provides the Performance Review Committee and the concerned Bureau Chief with satisfactory written assurances in the form of EIS Status Reports. These shall indicate that the officer or civilian employee has successfully completed the mentoring plan and his or her current performance is consistent with the lawful, professional, and ethical standards of the Department. If possible, Early Intervention should be achieved in six months or less.

Any decision not to place the officer in Early Intervention will be documented, justified, and fully articulated in the narrative portion of the Assessment Form, which will then be attached to the Blue Team Alert. The decision not to place an employee on an Early Intervention Mentoring Plan is subject to the approval of the Performance Review Committee and the relevant Assistant Chief.

7. Via the Early Intervention Coordinator, the Captain or Director Will Forward Their Recommendation of Whether to Put the Employee on an Early Intervention Mentoring Plan to the Performance Review Committee

The committee will review completed Assessments and Early Intervention Mentoring Plans to ensure Department-wide uniformity and consistency with SPD goals.

The committee may reject such Assessments and Early Intervention Mentoring Plans if they are inadequate, do not provide for uniformity and consistency in the treatment of similarly situated officers, or otherwise appear inconsistent with the goals of the Early Intervention System.

8. The Performance Review Committee Will Monitor the Early Intervention System

The committee will comprise of stakeholders within SPD, to include:

* Chief's designee

* Human Resources Director or designee

* Representative from the Patrol Operations Bureau

* Representative from the Audit, Policy & Research Section (APRS)

* Representative from the Education & Training Section (ETS)

* Early Intervention Coordinator

* Department Risk Management (Director of Legal Affairs or designee)

The committee shall meet monthly. The committee's responsibility is to ensure Department-wide consistency and uniformity in the implementation of the Early Intervention System. The committee is further responsible for determining whether the performance assessments and proposed Early Intervention Mentoring Plans are adequate to address concerns about risk factors, demonstrated indicators of stress, or training opportunities, and to provide the employee with the tools and support necessary to ensure that he or she adheres to Department policy and the lawful, professional, and ethical standards of the Department. The committee will be responsible for reviewing and adjusting, where appropriate, the threshold levels of the Early Intervention indicator criteria. New indicator criteria will also be considered when and if appropriate. The committee's recommendations for adjusting/changing indicator thresholds will be subject to approval from the Chief of Police.

The Early Intervention Coordinator will be responsible for scheduling meetings of the committee.

The Early Intervention Coordinator will be responsible for assisting commands with their use of the applicable Department computer software, including training of supervisors in its use.

9. The Committee Will Forward the Assessment and Early Intervention Mentoring Plan to the Appropriate Bureau Chief for Final Approval

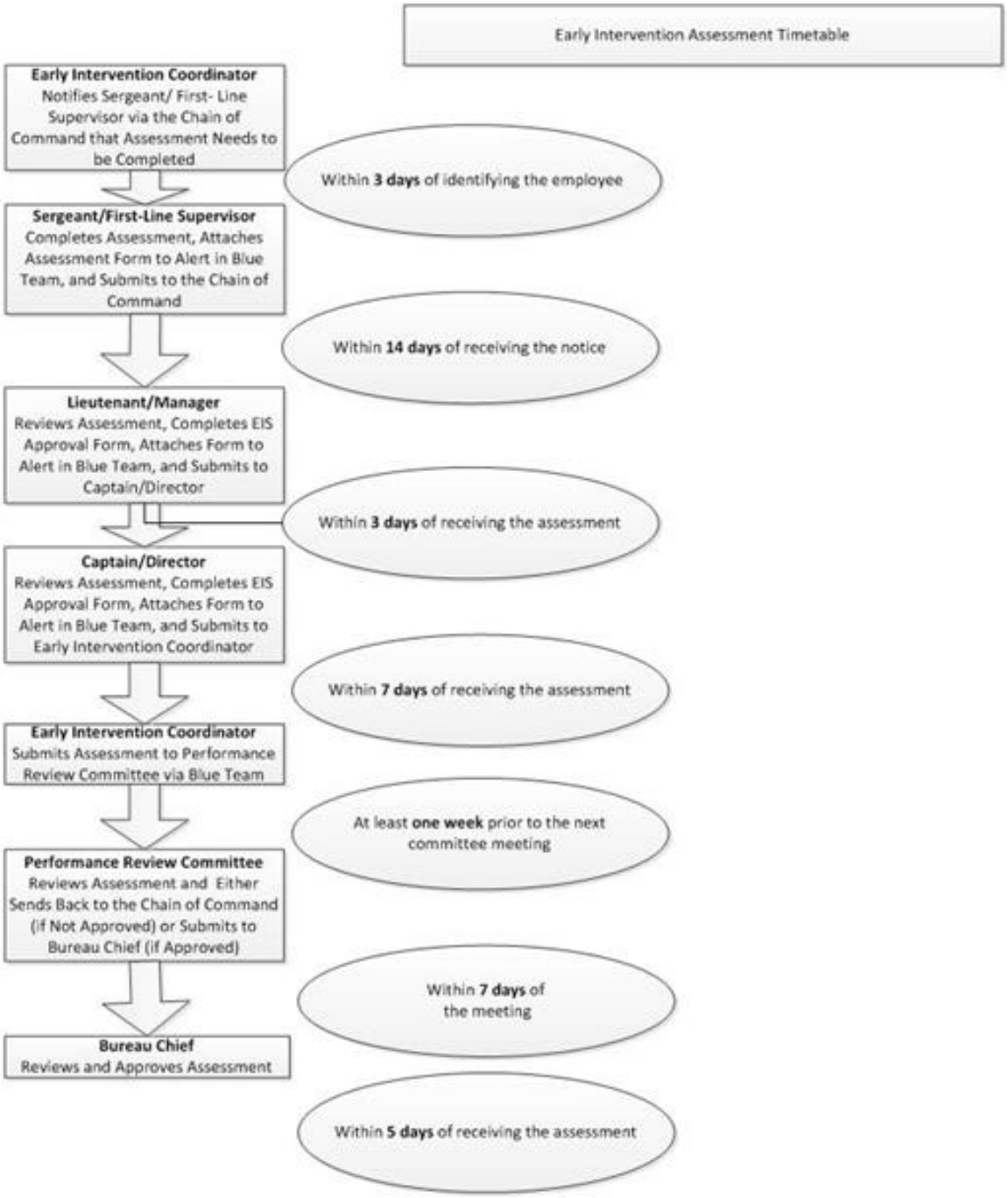
10. The Early Intervention Coordinator Maintains Resources and Supervisor's Toolkit for the Early Intervention System

11. The Early Intervention Coordinator Monitors Information Related to Certain Precinct-Level Activity

See 3.070-TSK-1 Early Intervention Coordinator's Role in Creating, Implementing and Completing an Early Intervention Mentoring Plan.

12. Documentation of Early Intervention Threshold Criteria in the Yearly Performance Appraisal Evaluation

Sergeants and first-line supervisors will document Early Intervention threshold indicator activity in the Performance Appraisal System. See Seattle Police Manual Section 2.070-Performance Evaluation. Section Captains and civilian managers shall monitor supervisors' use of the EIS software in the Performance Appraisal System.


Early Intervention Assessment Timetable
Early Intervention Coordinator
Notifies Sergeant/ First- Line Supervisor via the Chain of Command that Assessment Needs to be Completed
Within 3 days of identifying the employee
Sergeant/First-Line Supervisor
Completes Assessment, Attaches Assessment Form to Alert in Blue Team, and Submits to the Chain of Command
Within 14 days of receiving the notice
Lieutenant/Manager
Reviews Assessment, Completes EIS Approval Form, Attaches Form to Alert in Blue Team, and Submits to Captain/Director
Within 3 days of receiving the assessment
Captain/Director
Reviews Assessment, Completes EIS Approval Form, Attaches Form to Alert in Blue Team, and Submits to Early Intervention Coordinator
Within 7 days of receiving the assessment
Early Intervention Coordinator
Submits Assessment to Performance Review Committee via Blue Team
At least one week prior to the next committee meeting
Performance Review Committee
Reviews Assessment and Either Sends Back to the Chain of Command (if Not Approved) or Submits to Bureau Chief (if Approved)
Within 7 days of the meeting
Bureau Chief
Reviews and Approves Assessment
Within 5 days of receiving the assessment

3.070-POL-2 Administration of the Early Intervention System for Employees

1. Threshold Levels Initiate an Early Intervention Assessment

When the below criteria thresholds are met, an Early Intervention Assessment will be conducted for the involved employee. These thresholds are subject to revision, given the needs of the Department, after the consideration of the Performance Review Committee and the approval of the Chief of Police. The threshold time periods exist on a rolling basis.

* E.g., if an officer receives four OPA complaints within any period of twelve consecutive months, he or she has met the threshold level.

All sworn employees are assigned to a peer group based upon their assignment to one of the five SPD Bureaus. There are five peer groups:

Peer Group A: Patrol Operations Bureau

Peer Group B: Collaborative Policing Bureau

Peer Group C: Criminal Investigations Bureau

Peer Group D: Homeland Security/Special Operations Bureau

Peer Group E: Professional Standards Bureau

Trigger	Threshold Levels Peer Group A	Threshold Levels Peer Group B	Threshold Levels Peer Group C	Threshold Levels Peer Group D	Threshold Levels Peer Group E
Chain of Command Recommendations/ Discretionary Assessments	Each is reviewed	Same	Same	Same	Same
Use of Force – Type I	Officers exceeding six incidents within a six-month period	Officers exceeding five incidents within a six-month period	Officers exceeding three incidents within a six-month period	Officers exceeding five incidents within a six-month period	Officers exceeding three incidents within a six-month period
Use of Force – Type II	Officers exceeding four incidents within a six-month period	Officers exceeding three incidents within a six-month period	Officers exceeding two incidents within a six-month period	Officers exceeding three incidents within a six-month period	Officers exceeding two incidents within a six-month period
Use of Force – Type III	Officers exceeding one incident within a six-month period	Same	Same	Same	Same
Vehicle Collisions	Two (2) preventable collisions within six months OR four (4) collisions total within 12 months	Same	Same	Same	Same
Receipt of OPA complaints – Supervisory Action	Four (4) complaints within 12 months	Same	Same	Same	Same
Receipt of OPA complaints – Frontline Investigation	Four (4) complaints within 12 months	Same	Same	Same	Same
Receipt of OPA complaints – OPA investigation	Four (4) complaints within 12 months	Same	Same	Same	Same
Receipt of EEO complaints	Two (2) complaints within 12 months	Same	Same	Same	Same
Named in police action claims/lawsuit	Two (2) within 24 months	Same	Same	Same	Same

Additionally, an Early Intervention Assessment will be conducted at the aggregate level when an employee has a total of ten (10) indicators during any six-month window when the employee is not on a mentoring plan.

An employee's sergeant first-line supervisor shall meet with the involved employee and discuss relevant factors, up to and including an Early Intervention Plan. The chain of command has the ability to include others in this discussion, as deemed necessary.

2. When an Officer or Civilian Employee Under an Early Intervention Mentoring Plan Has Additional Early Intervention Threshold

Indicator Activity, That Employee's Lieutenant or Manager Will Review Any Further Early Intervention Threshold Indicator Activity

If an officer currently the subject of an Early Intervention Mentoring Plan has additional Early Intervention System activity, the employee's lieutenant will review the new event and submit to the captain, via the status report, a written recommendation regarding whether the original Early Intervention Mentoring Plan should be revised. Additional entries to the Early Intervention Mentoring Plan due to additional triggers are reviewed by the chain-of-command and the Performance Review Committee.

3. First-line Supervisors of Employees Designated for Early Intervention Assessments or Mentoring Plans Shall Coach and Mentor Employees About Issues and Behaviors That Indicate Possible Performance Risks

First-line supervisors shall carry out strategies to correct and modify the behaviors identified by the Early Intervention System. Based on each circumstance, performance mentoring of employees may include, without limitation:

* Regular and consistent conversations with employees about issues and incidents that affect behavior and performance.

* Sergeant ride-alongs with employees

* Sergeant accompaniment of employees on at least four calls/traffic stops/citizen contacts per work week.

* After action debriefs of significant events, arrests or other incidents that are an indicator criteria for the Early Intervention System.

* Review of the employee's training history and possible referral to the Education and Training Section for additional training and/or assistance.

* Identifying and supporting positive behaviors.

Debrief Exceptions: Designated Type III Use-of-Force incidents, firearms discharges, and any open OPA complaint cannot be discussed in detail, per labor agreements and Department policy. Sergeants may discuss general issues and best practices with the involved officers after that officer has given a statement and has been interviewed by OPA.

3.070-TSK-1 Early Intervention Coordinator's Role in Creating, Implementing, and Completing an Early Intervention Mentoring Plan

The **Early Intervention Coordinator**:

1. **Monitors** information related to certain precinct-level activity:

   * Uses of force

   * Numbers of individual employees who have triggered Early Intervention Assessments

   * Frequency of Early Intervention Assessments generated by employees assigned to specific supervisors in order to identify supervisors in need of additional skills and training.

2. **Identifies** employee who has met the criteria for an Early Intervention Assessment.

3. **Verifies** that the Early Intervention threshold criteria record for the identified employee is accurate and not the result of a system or human error. If a there is a question about accuracy, the Early Intervention Coordinator will consult with the Human Resources chain of command and the employee's chain of command, to determine whether or not an Early Intervention Assessment should proceed.

4. **Notifies**, within three days, the employee's chain of command, to include section captain or directors, that an Early Intervention Assessment needs to be completed if the early intervention threshold criteria record is accurate.

5. **Provides** assistance and acts as a resource to personnel involved in the early intervention process.

6. **Receives** and reviews the completed Early Intervention Assessment from the section captain or director. Advises the committee of possible inadequacies and issues of non-uniformity.

7. **Compiles** Early Intervention Assessments from across the Department for the committee.

8. **Forwards** the completed Early Intervention Mentoring Plan, Assessment and Status Reports received from the section

captain or director to the PRC, at least one week prior to the next committee meeting.

Upon being advised by a supervisor that he or she would like to conduct an EIA for an officer or civilian employee who has not met a threshold, the Early Intervention Coordinator shall create an EI Alert and provide it to the supervisor, commander, or civilian manager. This initiates the same set of tasks for the employee's chain of command as an EIA that is triggered by the threshold criteria.

3.070-TSK-2 Sergeant/First-Line Supervisor's Role in Creating, Implementing and Completing an Early Intervention Assessment/Early Intervention Mentoring Plan

Upon notice that one of the employees under his or her supervision has triggered an Early Intervention Assessment, or upon deciding to conduct a discretionary assessment, the **sergeant/first-line supervisor**:

1. **Obtains** documentation relevant to the triggering incident(s).

   * Such documentation may include Reports, use-of-force reports, OPA/EEO complaints and collision reports.

2. **Reviews** documentation relating to the triggering incident. The scope of the review must be thorough enough to identify factual circumstances surrounding the initiation, progression, and conclusion of the triggering incident(s) and to enable the supervisor to identify potential issues.

   - If a triggering incident has already gone through a separate administrative review (e.g., force review, OPA, collision review), the supervisor should be aware of the outcome of such review and should verify that the employee has followed through with any training recommendations or requirements or is scheduled to do so.

3. **Reviews** performance information contained in Blue Team and the Performance Appraisal System ("PAS"), looking for repeated issues and/or related trends.

   - In Blue Team, the sergeant **reviews** information contained in all indicator criteria areas. See 3.070-POL-2.

   - In PAS, the sergeant **reviews** at minimum: (a) the last two performance evaluations, and (b) any documentation

relating to performance that has occurred between the last evaluation and the date of the assessment.

- When reviewing both Blue Team and PAS, the scope of the review must be thorough enough to identify factual circumstances surrounding the initiation, progression, and conclusion of the incident(s) and to enable the supervisor to identify potential issues.

4. **Considers** any additional factors that may be relevant to the identified performance issue(s) or that might be impacting an employee's performance.

    - Such factors may include an employee's work history with the Department, secondary employment history, or EIS-related information beyond the triggering incidents (e.g., any prior EI Assessments or prior EI Mentoring Plans).

    - The review of these factors must be thorough enough to identify factual circumstances surrounding the initiation, progression, and conclusion of those incident(s) an to enable the supervisor to identify potential issues. The supervisor should become aware of the outcome of triggering incidents that have already gone through separate review and consider whether the employee has followed through with any training recommendations or requirements or is scheduled to do so.

    - In addition, when an officer meets the threshold based on a use-of-force trigger, the sergeant/first-line supervisor will review squad performance data in the Sergeant's DAP Dashboard to assess whether the employee's performance compares with the rest of the squad.

5. Promptly **notifies** the affected employee if he or she has met any performance thresholds and affording the employee an opportunity to identify any errors in the data.

6. **Meets** with employee and offers the employee an opportunity to discuss the concern.

7. Prior to completing an assessment, **accompanies/observes** the employee in work-related activity whenever possible.

8. **Considers** referrals to the Education & Training Section, the Employee Assistance Program (EAP) and/or Critical Incident Stress Management (CISM) Team. These alternatives may be part of the Early Intervention Mentoring Plan but are not substitutes for it.

9. **Completes** and **submits**, within 14 days of notice, an Early Intervention Assessment and, if appropriate, proposed Mentoring Plan through the supervisory chain. A proposed Mentoring Plan must identify specific performance issues to be addressed, identify specific methods/trainings that will be utilized to address the identified performance issues, and identify specific time frames for completing assigned tasks or training, and identify the chain of command responsibilities in ensuring the performance issues are addressed and corrected by involved employee, to include completion of bi-weekly status reports. If a training plan is not recommended, the supervisor shall thoroughly document the reasons for such decision.

10. If Early Intervention Mentoring Plan is approved, **coaches** and mentors the affected employee so as to address the identified concerns and improve performance on a continuing basis, using strategies identified in Section 3.070-POL-2.3.

11. **Utilizes** the status report to document actions/training taken.

12. **Modifies**, in conjunction with the chain of command, the Early Intervention Mentoring Plan as needed.

13. **Submits** an Early Intervention Status Report on a twice monthly basis to their supervisory chain for review and concurrence.

14. Upon completion of designated Review Period, **documents** and recommends on the status report whether or not affected employee has participated in and made progress in the designated training/coaching.

3.070-TSK-3 Lieutenant/Manager's Role in Creating, Implementing and Completing an Early Intervention Assessment/Early Intervention Mentoring Plan

Upon notice that one of the employees under his or her command triggers an Early Intervention Assessment, or that a sergeant/first-line supervisor has decided to initiate a discretionary assessment, the **lieutenant/manager**:

1. Reviews the circumstances that triggered the EIA.

2. **Ensures** that the employee's sergeant/first-line supervisor is aware of and will be responsible for the EIA.

3. **Reviews** Early Intervention Assessment and proposed Mentoring Plan developed by sergeant/first-line supervisor for completeness and appropriateness, as described in Section 3.070-TSK-2.

4. **Directs** corrections, modifications, and/or additions to the Early Intervention Assessment and/or Mentoring Plan when needed.

5. **Recommends** whether or not employee should be assigned to the Early Intervention Program via the proposed Early Intervention Mentoring Plan.

6. **Submits**, within three days of receipt from the sergeant/first-line supervisor, the completed Early Intervention Assessment and proposed Mentoring Plan to the section captain/director.

7. **Reviews** Early Intervention Status Reports for the employee and documents their observations on the EI Alert.

8. **Specifies** on the Early Intervention Status Report and at the completion of designated Review Period, whether the employee should be removed from Early Intervention Program.

3.070-TSK-4 Section Captain/Director's Role in Creating, Implementing and Completing an Early Intervention Assessment/Early Intervention Mentoring Plan

Upon notice that one of the employees under his or her command triggers an Early Intervention Assessment, or that a sergeant/first-line supervisor has decided to initiate a discretionary assessment, the **captain/director**:

1. **Reviews** the factors and circumstances that led to the EIA.

2. **Ensures** that the employee's lieutenant and sergeant/manager and first-line supervisor are aware of and will be responsible for the EIA.

3. **Reviews** assessments and proposed mentoring plans for completeness, appropriateness, and effectiveness with the goal of reducing risk factors and upholding lawful, professional, and ethical standards.

4. **Determines** whether or not a proposed Early Intervention Mentoring Plan appropriate based on completed EIA and if so, establishes a timeframe for implementing Early Intervention Plan timeframe.

5. **Forwards,** via Blue Team, completed Early Intervention Assessment/ Early Intervention Mentoring Plan within seven days of receipt to the Bureau Chief.

6. **Implements** and oversees Early Intervention Plan, upon approval by bureau chief.

7. **Reviews** completed Early Intervention Status Reports forwarded by lieutenant/manager for completeness and appropriateness and documents having done so in the comments field of the EI Alert.

8. **Designates**, if appropriate, that the affected employee has completed the designated Early Intervention Mentoring Plan review period and should be removed from the Early Intervention Program or; that the Early Intervention Mentoring Plan will be extended for another specified time period.

3.070-TSK-5 Performance Review Committee's Role in Creating, Implementing and Completing an Early Intervention Assessment/Early Intervention Mentoring Plan

The **Performance Review Committee**:

1. **Reviews** certain precinct-level activity:

   * Whether executives are holding Captains accountable for managing the risk of police misconduct in their units.

   * Whether the Lieutenants/managers or captains/directors or both are adequately holding sergeants/first-line supervisors accountable for their supervision of officers/civilian employees under their command.

   * Whether the employee's immediate supervisor has adequately overseen the employee's performance in the past and is doing so currently.

2. **Reviews** each Early Intervention Assessment/ Early Intervention Mentoring Plan/status report against Department policy to ensure consistency across Department.

3. **Determines** whether Early Intervention Assessment/ Early Intervention Mentoring Plan/status reports meet department's goals of intervening and offering assistance to employees.

4. **Forwards**, within seven days of the monthly meeting, Early Intervention Assessment/ Early Intervention Mentoring Plan/status reports with their recommendations to appropriate bureau chief for final approval.

3.070-TSK-6 Bureau Chief's Role in Creating, Implementing and Completing an Early Intervention Assessment/Early Intervention Mentoring Plan

When one of the employees under his or her supervision triggers an Early Intervention Assessment, either by way of a chain-of-command recommendation or by crossing one or more thresholds, the **bureau chief**:

1. **Reviews** initial recommendations for action developed by affected employee's chain of command and the PRC.

2. **Determines** whether Early Intervention Assessment/Early Intervention Mentoring Plan is consistent with SPD policy and the goals of intervening and offering assistance to employees so that they will be able to uphold lawful, professional and ethical standards.

3. **Approves**, within five days of receipt, the Early Intervention Assessment/ Early Intervention Mentoring Plan, as appropriate.

4. **Reviews** completed Blue Team and Early Intervention Mentoring Plan Status Reports / Early Intervention Mentoring Plan prepared by subordinates.

5. **Forwards** completed Early Intervention Assessment/ Early Intervention Mentoring Plan to the PRC, if applicable.

6. **Designates** final disposition of Early Intervention Mentoring Plan as completed or directs additional actions.

3.080 – Travel Training System

Effective Date: 03/20/2013

3.080-POL

This policy applies to all employees requesting training and travel that requires Department funds.

1. Employees Will Use the Department's Electronic Travel Training System to Request Training and Travel That Require Department Funds

See 3.080-PRO-1 Employee Requesting Training and Travel Funding

Employees may access the system through this link:

Travel Training Request System Application

Employees may access the Travel Training User Guide through this link: User Guide

Employees may access the City Travel and Training Policy and Procedures for detailed information about travel and training.

2. Employees Must Submit Requests 30 Days Prior to Travel

3. Employee Requests Through the Travel Training System Are Reviewed Through Their Chain of Command

The chain of command through the rank of Chief Operating Officer will review all requests for employee travel/training requiring Department funds.

4. Employees Will Not Use the Travel Training System to Request Training That Does Not Require Funding

Employees will submit travel/training requests which do not require Department funds through their chain of command, so that captains/directors may authorize training days.

5. The Captains Training Committee Will Review Funding Requests from Sergeants and Officers

The Captains Training Committee, chaired by the Training Captain, will review and approve or disapprove all training requests from sergeants and officers that require Department funds.

Exception: If the requested training costs less than $500 or is funded through a specific source such as a grant, then the Travel/Training System will not route the request through the Captains Training Committee.

6. Employees Returning from Non-Department Training Will Complete an *Individual Course Attendance Record* (Form 31.0)

3.080-PRO-1 Employee Requesting Training and Travel Funding

Employee (With a Sergeant or Supervisor as a Direct Report)

NOTE: Employees with a Lieutenant/Manager or above as a Direct Report will proceed to step 4.

1. **Emails** their Sergeant/Supervisor outlining the details, costs and time required for requested travel/training.

Sergeant/Supervisor

2. **Approves** or **denies** the request and informs the requesting employee. If approved:

Employee (With a Sergeant or Supervisor as a Direct Report)

3. **Enters** the name of the approving Sergeant/Supervisor in the *Travel Justification/Comments* field when completing the Travel/Training Request and Approval Form.

Employee (All)

4. **Follows** the User Guide to complete the required fields in the Travel/Training Request and Approval Form.

5. **Enters** the reason/need for the travel/training in the *Travel Justification/General Comments* field.

6. **Attaches** a PDF of the completed registration form for the specific training in the Travel Training System. (Reference 2.2.4 in the User Guide)

7. **Selects** the funding source from the drop-down menu with the Org or Project Number. (Reference 2.2.8 in the User Guide)

   If an **Officer or Sergeant** is requesting Department funds, **checks** the routing box for the Captains Training Committee. See 3.080-POL-5. (Reference 2.7 in the User Guide)

8. **Submits** the Travel/Training Request and Approval Form.

Chain of Command

9. **Approves** or **denies** the request through the rank of Chief Operating Officer. If approved:

Fiscal Unit

10. **Verifies** the funding source and **registers** the employee for the training.

11. **Issues** a "PT#" to the requesting employee.

Employee (All)

12. **Uses** the "PT#" to make travel reservations.

13. **Sends** an *Individual Course Attendance Record* (form 31.0) to the Education & Training Section at the completion of the training.

14. **Completes and submits** the Expense Claim Form in the Travel Training System.

15. **Sends** original receipts to the Fiscal Unit.

3.090 – Employee Recognition Awards Program

Effective Date: 09/01/2003

PURPOSE

The Seattle Police Department Employee Recognition Awards Program will formally recognize and reward exceptional performance and outstanding contributions made by the sworn and non-sworn employees of this Department during each calendar year, and the process will be guided by our Mission, Vision and Core Values.

I. Eligibility

A. All permanent, full-time or part-time Seattle Police Department employees or temporary employees having at least 3 years with the Department are eligible to participate in the Awards Program.

II. Awards Process

A. Employee Recognition Committee (ERC)

1. An Employee Recognition Committee (ERC) shall be established to oversee the Employee Recognition Awards Program.

2. The Human Resources Bureau will select the ERC members and have lead responsibility for the Committee. The ERC should have representatives from each of the bureaus which may include non-sworn, sworn, management and support staff members of the ERC will serve 3-year terms.

3. The ERC will meet as needed and as determined by the Human Resources Bureau to initiate the nomination process, review nominations, select the award recipients, and coordinate the awards ceremony.

B. Award Categories

1. Medal of Valor

a. Awarded to sworn employees who knowingly perform conspicuous acts of courage under life threatening circumstances so that others might live.

2. Medal of Courage

a. Awarded to non-sworn employees who take action during an emergency with the intent to save a life, help the injured, or assist law enforcement.

3. Outstanding Public Service

a. An individual recognized for going above and beyond the expectations of their position which impacted a problem, issue, or event.

4. Excellence

a. Consistently demonstrated exceptional work performance which made positive contributions to the Department.

5. Community Ambassador

a. Cultivated a productive working relationship between community members and the Seattle Police Department.

6. Inspirational

a. Consistently promoted a can-do approach which inspired others to achieve performance excellence.

7. Innovation

a. Developed a creative solution to a long-standing problem which embodied the characteristics of courage, risk-taking and/or perseverance.

Note: The ERC may add, delete, or change categories or definitions as necessary.

C. Nomination Process

1. This is an employee generated awards program in which any Department employee may nominate another eligible Department employee or work group based on the seven award categories. A work group may consist of a team, work unit, squad or combination of individuals working together.

2. The ERC will publicize the Awards Program and nomination process and distribute the nomination packets throughout the Department.

3. The nominator must complete the nomination form and return it to the ERC by the specified deadline. In addition, the nomination form should include a detailed description of why the nominee qualifies for the award. The nominator is responsible for identifying two additional references. The nominator must give each reference a Nomination Reference Form to be completed by the reference and submitted to the ERC by the specified deadline.

4. At the conclusion of the nomination period, the ERC will review the nominations and select the award recipients.

D. Selection Process

1. Award nominations will be reviewed by the Nomination and Selection sub-committee of the ERC. The sub-committee will evaluate and select the finalists through a "blind selection process" in which the nominations reviewed will be absent the nominee's identity. This will provide a consistent, unbiased, and credible selection of the award recipients. The recipients will be selected based on the merits of their achievements.

2. The sub-committee will present the finalists to the full ERC who will approve the final selection for each of the categories. The award recipients will be notified, and the selections will be publicized Department-wide.

E. Awards Package

1. The Chief of Police will present the awards package to each award recipient at the annual Employee Recognition Awards ceremony. The awards package may include an engraved memento, gift certificate, paid day off, and/or a certificate of appreciation. The ERC will determine the awards package on a yearly basis.

3.170 – Honoring Fallen Sworn Employees

Original Effective Date: 09/01/2020
Revised Effective Date: 12/01/2023

This policy applies to all department personnel when honoring fallen sworn employees.

3.170-POL

Every year, law enforcement officers are either killed in the line of duty or suffer an on-duty death. Honoring fallen officers is steeped in traditions that include mourning insignia bands and ribbons (as defined in "Definitions" below) to recognize the unique sacrifices that first responders make for their community.

(See also manual section 3.050 – Coordinating Sworn Employee Deaths)

1. Definitions

Memorial Ribbon: a looped and crossed blue ribbon or blue and black ribbon.

Mourning Band: a solid band of material measuring approximately one-half inch (1/2") in width. The mourning band is solid black or black with a thin blue line in the middle.

SPD Mourning Badge: the metal Seattle Police badge that has an enamel black/blue horizontal band across the center of the badge. The officer's serial number is engraved at the bottom.

SPD Mourning Badge Lapel Pin: the Seattle Police mourning badge lapel pin is a miniature version of the SPD Mourning Badge. It does not have a serial number engraved.

2. The Chief of Police Authorizes Mourning Insignia

The Office of the Chief will authorize mourning insignia and uniform of the day for all services. The Policy & Research Section (PRS) sends an SPDALL email to relay the authorization.

For on-duty deaths, employees display mourning insignia beginning with the Chief's authorization until the interment or memorial service is complete.

For SPD and SFD line-of-duty deaths, employees may choose to keep mourning insignia affixed for 72 hours after the interment or memorial service is complete.

Personnel will not wear mourning insignia for funerals or memorial services where death did not occur on duty or in the line of duty. However, the Chief of Police may authorize mourning insignia in other circumstances on a case-by-case basis.

3. The Department Will Recognize Line-of-Duty Deaths of Seattle Police Officers and Seattle Firefighters

To recognize line-of-duty death of a Seattle Police Officer or Seattle Firefighter, sworn personnel may only display mourning insignia in the following ways:

- Sworn employees may wear the SPD Mourning Badge, or
- Sworn employees may affix the mourning band to their metal or cloth badge in the following manner:
    - The mourning band may not cover the center of the badge so that it does not obscure any number. The mourning band must be worn horizontally above or below the center, even if there is no number on the badge.
        - For cloth and metal badges without any badge number, the mourning band will be placed above the star to not cover it.
    - Alterations to the mourning band, such as cutting it to expose the numbers underneath and writing or affixing the officer's serial number on top of the mourning band, are not acceptable.

      Exception: This does not apply to mourning badges purchased through the Seattle Police Foundation that already have the serial number displayed.

Parking Enforcement Officers may wear the mourning band on their badge per the sworn guidelines above.

Non-sworn employees may honor their sworn colleagues by displaying a memorial ribbon or SPD Mourning Badge Lapel Pin.

4. The Department May Recognize Law Enforcement Deaths from Other Agencies

At the discretion of the Chief of Police, the department may recognize on-duty or line-of-duty deaths from other law enforcement agencies.

The Office of the Chief will authorize mourning insignia. The mourning insignia is displayed beginning with the Chief's authorization until the interment or memorial service is complete.

The department recognizes that many SPD sworn employees have experience from other departments and law enforcement family members in other locations. If sworn employees have a personal connection to an officer killed in the line of duty, and mourning insignia are not specifically authorized department-wide by the Chief, they may wear mourning insignia until the interment or memorial service is complete.

5. Flags Play an Important Role in Honoring Fallen Sworn Employees

On May 15th of each year, all police facility flags will fly at half-staff in recognition of Peace Officers' Memorial Day.

For the line-of-duty death of a Seattle Police Officer or Seattle Firefighter, all flags at police facilities are lowered to half-staff at the time of death and will remain at that position until 72 hours after the interment or memorial service.

For regional or WA State line-of-duty deaths, flags may be lowered to half-staff at the Chief of Police's discretion.

When the flag is presented or retired by an honor guard, and the command "present arms" is given, all uniformed sworn personnel will render a salute. Plainclothes sworn employees will place their hand over their heart. Officers will maintain the salute until the honor guard gives the command, "order arms."

Sworn employees in uniform, with a uniform hat, will wear their hat for the presentation of colors and during the salute. They may remove their hat after rendering the salute.

3.290 – Pre-Service/In-Service and Specialized Training

Effective Date: 10/23/2003

POLICY

All employees shall receive necessary training for the completion of their assigned duties. This will include both pre-service and in-service training.

I. Sworn Employees

A. Sworn employees transferred into certain specialized units must receive job-specific training prior to beginning the specialized assignment when practical, or as soon as possible after assignment to a specialized unit.

B. Assignments requiring this pre-service training include but are not limited to:

- DUI Squad
- Motorcycle Squad
- SWAT
- Harbor Unit
- Canine Unit
- Mounted Patrol Unit
- Bicycle Squad
- Arson and Bomb Squad
- Polygraph Unit

C. The Education & Training Section shall administer some specialized training, while other specialized training shall require outside training courses.

D. Unit Captains are responsible for developing ongoing training for unit members and shall forward records of training conducted to the Education & Training Section annually.

E. The Department shall provide all sworn personnel annual retraining. The training may include but is not necessarily limited to: firearms and use of force; diversity and ethics training; emergency vehicle operation; defensive tactics; first aid and legal updates.

II. Non-Sworn Employees

A. Non-sworn employees hired for or transferred to specialized positions must receive job-specific training prior to beginning the specialized assignment when practical, or as soon as possible after assignment to a specialized unit.

B. Positions requiring specialized pre-service training are:

- Legal Advisors
- Latent Print Examiners
- Data Technicians
- Dispatchers
- Parking Enforcement Officers
- Victim Advocates
- Information Technicians

C. The City of Seattle Training and Development Unit shall administer some specialized training, while other specialized positions shall require outside training courses or college degrees.

D. Unit Managers are responsible for developing ongoing training for unit members and shall document all training for each unit member including specialized pre-service and in-service training.

E. The following non-sworn positions require documented in service training, which the department will provide:

- Legal Advisors
- Data Technicians
- Dispatchers

3.330 – Workplace Safety

Effective Date: 11/20/2006

Policy

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

I. Reporting of Unsafe Working Conditions/Practices

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

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

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

II. Safety and Health Committee

A. The Department's Safety and Health Committee is established in compliance with WAC 296-800-13020.

B. Committee meetings shall address the following:

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

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

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

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

C. Committee Membership and Election

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

2. Elected members may be appointed by the collective bargaining units or elected from the membership. Elected committee members shall serve terms not to exceed one year but may be re-elected without limit.

3. The Human Resources Section shall coordinate the election of the above employee-elected committee members.

D. Procedures

1. A Chair shall be elected by the committee to serve for one year.

2. The frequency, date, and location of committee meetings shall be determined by the committee but shall not be less than once per quarter.

3. Subject matter discussed, and the members present, shall be documented and maintained on file for a period of one year. Such documentation shall be maintained by the Employment Services Lieutenant.

4. The Safety Officer shall be responsible for documenting committee meeting attendance and the subjects discussed and shall also serve as an advisor to the committee.

5. Copies of the meeting minutes shall be provided to the Chief of Police, the Department Safety Officer, and posted on employee bulletin boards.

3.335 – Hazard Notification and Training Standards

Original Effective Date 03/01/2018
Reviewed Date: 03/07/2023

3.335-POL

This policy applies to all units that use and/or store hazardous chemicals or have other hazards also requiring notification and training per WAC 296-800.

A hazard is an inherent or potential condition which can cause injury, death, occupational disease, or property damage.

1. Units Storing Hazardous Chemicals Will Maintain an Accurate Inventory Updated Annually

These units are also required to maintain a Material Safety Data Sheet (MSDS) for each chemical, a written plan specific to the unit, and provide ongoing employee training.

The department Safety Officer determines if other units using industrial strength chemicals are required to meet the same notification and training requirements. These include chemicals that are:

- Combustible/explosive
- Corrosive
- Unstable/reactive
- Oxidizers
- Compressed gases
- Toxic (poisonous)
- Carcinogens
- Irritants
- Sensitizers

2. The Department Will Provide Employees Information and Training on Hazards and Hazardous Chemicals in Their Work Environment

The department will provide this information and training at the time of initial assignment and whenever a new hazard or hazardous chemical is introduced. Units that conduct specialized training beyond standard department-wide courses will maintain training completion records.

The information and training shall include the following:

- The department's responsibilities for hazard communication and training
- The location of the unit's written emergency plan, lists of hazardous chemicals, and MSDS
- An explanation of MSDS, the unit's chemical labeling system, warning signs, and color codes
- Physical and health hazards of the chemicals in the workplace including the symptoms of over-exposure
- Use of the proper personal protective equipment, safe work practices, and the proper procedures to follow in the event of an emergency
- Operations in the work area where hazards or hazardous chemicals are present
- Methods of detecting/observing the presence or release of a hazardous chemical into the work environment

3. Training May Cover Groups of Chemicals

Units may arrange chemicals in functional groups and train on them as a group. A specific chemical may fall under one or more functional groups.

4. Unit Supervisors are Responsible for Training and Compliance

Unit supervisors are responsible for employee safety and health training and compliance with this manual section.

The department Safety Officer may assist the unit in developing a plan and training curriculum, choose the proper personal protective equipment, develop engineering controls, and conduct job-task analysis.

3.340 – Employee Involvement Committees & JLMC

Effective Date: 08/12/2004

PURPOSE

The City and the Guild have jointly created the Joint Labor Management Committee (JLMC). The JLMC is comprised of representatives from the Seattle Police Department, a representative from the City Labor Relations and a representative from the Guild. The main purpose behind the JLMC is to address workplace issues in a mutually agreeable fashion before they rise to the level of a grievance. The JLMC also is the committee responsible for approving and overseeing Employee Involvement Committees.

I. Employee Involvement Committees

A. These committees are formed with the joint agreement of labor and management to address specific workplace issues. Employees participate in creative problem-solving groups to address agency concerns with an emphasis on productivity, efficiency, and customer service.

B. Employee Involvement Committees:

1. EIC are preapproved by the JLMC.

2. When deciding if an EIC should be formed it is important to focus on the desired result. The result should be something that is advantageous to both employees and the Department. The goals would be increased customer satisfaction, improved turnaround or response times, better quality of service or efficiency. Results should be cost neutral.

3. An EIC is made up of employees, supervisors and if appropriate, a manager.

4. EICs include people closest to the problem, who work together cooperatively to reach creative solutions.

5. The EIC may discuss working hours and working conditions.

6. Members of the EIC may receive training in problem solving and group dynamics.

C. If an employee has a proposal for an EIC, certain steps should be followed:

1. The employee can ask other coworkers if they have similar concerns.

2. Submit a proposal, in memo form, to either the Guild or the Chief Operating Officer. Include a copy of the EIC Charter that has been filled out.

3. The JMLC will then determine if the charter is approved.

4. If it is approved it will be sent to a citywide EIC Coordinator. A facilitator will be assigned and training schedule will be established.

5. After training, the EIC participants will start working on resolving the workplace issues that are addressed in the charter.

D. All proposals for alternative shifts must be handled through the EIC process.

II. Employee Involvement Committee Charter

A. EIC Name

B. Department(s)

C. Expected results ("charge")

D. EIC members and their union affiliations (if any)

E. EIC facilitator (assigned once EIC approved)

F. Executive sponsor(s)

G. Resource/support staff

H. Expected date of intermediate report to Labor- Management Committee*

I. Expected date of final report*

J. Labor-Management Committee(s) approving charter

K. Date(s) of charter approval

* May change during the course of the EIC's work; changes must be approved by both the EIC and Labor Management Committee(s).

4.000 – Employee Move Tracking System (EMT)

Effective Date: 04/01/2015

4.000-POL

This policy applies to all employees transferring assignments, going on leave, rotation status as a probationary student, or separating from the Department.

1. Sworn Lieutenants and Authorized Administrative Specialists Will Request Employee Transfers through the EMT

Lieutenants may assign administrative specialists to initiate the EMT requests.

The lieutenant or assigned administrative specialist will document approved transfer requests in the EMT prior to the execution of the transfer.

(See 4.000-PRO-1 Employee Initiating a Transfer Request)

2. Employees Must Submit Requests 2 Weeks Prior to the Scheduled Start Date in the Receiving Unit

Employee transfers will not occur until the EMT request is finalized by Human Resources.

Exception: Prior approval of the Human Resource command is required for transfers that occur prior to the finalization of the transfer in the EMT.

3. The Employee's Chain of Command Reviews Employee Transfer Requests

The chain of command through the rank of Assistant Chief will review all requests for employee transfer requests outside of the requesting employee's current bureau. The chain of command through the rank of Captain will review all requests for employee transfer requests inside the requesting employee's current bureau.

4. The Human Resources Section Uses EMT for the Following Requests

4.040-PRO-1 Employee Going on Extended Sick Leave

4.040-PRO-2 Employee Returning from Extended Sick Leave

4.070-PRO-1 Employee Requesting a Limited-Duty Assignment

4.070-PRO-2 Employee Returning From a Limited-Duty Assignment

4.000-PRO-1 Employee Initiating a Transfer Request

Employee

1. **Submits** a memo to their lieutenant/manager through their chain of command.

Lieutenant/Manager (Either from the employee's current unit or receiving unit)

2. **Directs** administrative personnel to work with receiving unit on transfer initiation.

   Note: Both the current unit and/or the receiving unit may initiate an EMT request.

Human Resources

3. **Approves** the transfer after the current unit of assignment's chain of command approves the transfer and again after the receiving unit's chain of command approves the transfer.

Receiving Lieutenant/Manager

4. **Completes** (or directs administrative personnel to complete) the transfer request in the EMT.

   Note: The receiving unit must update watch, shift, and court codes.

Human Resources

5. **Approves** and **finalizes** the transfer request and notifies all commands involved and the employee by email.

4.005 – Police Employee Data System (PEDS)

Effective Date: 04/14/2014

4.005-POL

This policy applies to sworn and non-sworn employees.

1. Employees Information is Updated in PEDS

Employees or their supervisor will update PEDS within two weeks of changing:

- Callout information
- Work phone numbers
- Court code
- "Acting" status
- Emergency contact phone number
- Residential address
- Computer network/drive/application access
- Case management queue access

Note: Employees will call the Benefits Unit in Human Resources Section ((206) 684-0963) to update PEDS within two weeks of changing their legal name.

(See PEDS User Guide)

2. Captains, Directors, and Managers Manage Employee PEDS Within Their Command

Captains, directors, and managers will assign administrative personnel to check the accuracy of employee PEDS information within their command and update as needed.

3. Employees Provide Their Current Residential Address and Personal Phone Number

Employees will maintain a cell phone or telephone landline in their residence.

Employees will provide their current residential address and telephone number through PEDS.

Employees may use a post office box as their mailing address but will also provide their residential address.

4.010 – Employee Time Off

Effective Date: 07/01/2017

4.010-POL

This policy applies to all sworn and non-sworn employees.

1. Employee Time Off is Regulated

Department employees will earn and use time off as prescribed by the Fair Labor Standards Act (FLSA), state law, city ordinance, city personnel rules, collective bargaining agreement and any other lawful agreement.

United States Department of Labor

Collective Bargaining Agreements

City Personnel Site

City Personnel Definitions Page

City Personnel Rules

2. Employees Schedule Time Off With Their Sergeant/Supervisor

Employees will request sergeant/supervisor approval for scheduled and unscheduled time off.

Employees will submit a Leave Request application to request over four consecutive calendar days off.

- Request for over four consecutive calendar days off require the approval of a Section Captain or Non-Sworn Equivalent

Employees will contact their sergeant/supervisor before their scheduled work shift to request an unscheduled absence from duty.

If the request for time off is not approved, the employee will report for work as scheduled.

For SPOG members, all requests for vacation time of 10 days or greater submitted by January 31st of each year will be made in the order of

departmental seniority and returned either approved or denied by February 14th. All vacation requests made after January 31st of each year will be honored on a first-come, first-served basis.

3. Sergeants/Supervisors Will Approve Timesheets by Noon on the Wednesday Following the End of Each Pay Period

4. Authorized Employees Record Time Using the Electronic Timesheet

Authorized employees may access the electronic timesheet through the City Employee Self-Service link.

Employees may also access:

Department's Timesheet Entry Guide

Electronic Timesheet from a Non-City Computer

5. Employees Will Not Request Time Off That Exceeds Their Anticipated Leave Balance at the Time the Leave is to be Taken

Exception: Employees may use unearned holiday leave if the scheduled holiday leave will be earned by the end of the year.

Exception: Employees on a 4/2- or 24-hour work schedule may use unearned furlough leave up to 36 hours if the furlough leave will be earned by the end of the year.

6. Sergeants/Supervisors Will Verify That an Employee's Leave Balances Sufficiently Cover Requested Time Off

7. Employees Use All of Their Furloughs and Holidays by the End of the Year

Employees will use all their furloughs by the end of the last reporting pay period of the year, which is the pay period that is reflected on the last payday in December. Employees may contact the Payroll Supervisor for assistance with determining the appropriate pay period.

Employees will use all their holidays by December 31st.

Employees may email a request for an extension through their chain of command to their Bureau Chief. The Bureau Chief will notify the employee of their decision and send the request and their decision to the Payroll Unit.

The Payroll Unit will adjust employee negative holiday or furlough balances at the end of the year using paid leave (vacation, holiday, comp time) and/or pay adjustments.

Employees will lose paid holidays or furloughs if not used by the listed deadlines.

8. Sergeants/Supervisors May Request Timekeeping Corrections for Their Subordinates

Sergeants/Supervisors may email the Payroll supervisor to request correction of a submitted timesheet.

- Employees have 45 days from the day in question to submit a request.

Exception: Employees on extended absence may request a correction until 45 days after their return to work.

Exception: Beyond 45 days, the employee's sergeant/supervisor may email a request to their Bureau Chief through their chain of command explaining the need for the exception.

9. Employees Absent Without Leave (AWOL) Are Not Paid for the Time of the Absence

The sergeant/supervisor of an AWOL employee will send a memo outlining the circumstances of the absence to the Human Resources director. The sergeant/supervisor will send a copy of their memo to their Bureau Chief through their chain of command.

10. Employees May Earn Compensatory Overtime (Comp Time) for Use as Time Off from Work

Employee comp time balance limits are specified by their collective bargaining agreement or City Personnel Rules.

Employees may contact the Payroll supervisor to request pay for accumulated comp time.

11. Sergeants/Supervisors May Give Sworn Subordinates Release Time (RT)

Sergeants/supervisors may approve release time for sworn employees due to an unforeseen medical emergency involving an immediate family member (See 4.010-PRO-1 Sworn Employees Release Time).

12. Employees May Work Furlough Days (Circle Furloughs) With Approval

Employees may work their furloughs with sergeant/supervisor approval if the employee does not exceed FLSA allowances.

- Employees will contact their supervisor to verify their FLSA status.

- Supervisors may contact the Payroll Unit for further clarification.

Exception: Employees working a 9/80 schedule will not work scheduled furlough days unless on approved overtime.

Employees will take a normal workday off during the same FLSA period they worked their furlough.

Employees may refer to the Timekeeping help sheet or contact the Payroll Supervisor in Human Resources for additional information.

13. A Captain's Approval is Required for Employees to Work Special Duty

Employees will complete the Special Duty Day Authorization (form 15.8) to request special duty days.

Employees may request special duty days when performing Department business outside of their regular duty including: attending a job-related business meeting, working on an extradition, or testifying in an outside jurisdiction.

14. Police Officers and Sergeants Performing Union Business May Take Guild Days With Approval

SPOG members requesting guild days will complete the Guild Day Authorization and Voucher (form 2.23.1).

The Seattle Police Officers' Guild president will review and approve or disapprove requests for guild days.

15. The Department May Restrict Time Off Under Applicable Bargaining Agreements

Seattle Police Operations Center (SPOC) personnel will determine staffing needs for events that require police services beyond normal assignment.

These restricted-day-off events include but are not limited to: Fourth of July, Torchlight Parade, Seafair/Hydros, and New Year's Eve.

SPOC will announce personnel assignments for these events in a Special Order.

16. Some Detective Positions are Exempt From Working Restricted-Day-Off Events

These units are exempt:

- Homicide/Assault detectives designated as "next up" and "standby"
- Force Investigation Team (FIT) detectives designated as "standby" by the FIT commander.
- Arson/Bomb Squad detectives
- Traffic Collision Investigation Section detectives designated as "standby"
- Crime Scene Investigation (CSI) unit detectives designated as "standby"
- Undercover officers who do not have secondary work permits

Bureau Chiefs will submit a list of exempt employees under their command to SPOC by January 31st of every year.

Section Captains will notify SPOC of changes to this list as they occur.

17. Employees Request a Personal Exemption from a Restricted Day-Off-Event in the Leave Request Application

Employees will request a personal exemption from a restricted-day-off event with supporting documentation by January 31st.

Note: Employees requesting a personal exemption for an emergent situation will submit the request when practical.

18. Metropolitan Bureau Level Command Reviews Requests for Personal Exemptions of a Restricted-Day-Off Event

A personal exemption from a restricted-day-off event requires approval at the Metropolitan Bureau level of command. When SPOG members submit requests for exemption by January 31st, the Metropolitan Bureau level of command will approve or reject these requests by February 14th.

Employees with a personal exemption request of a serious or significant nature are given priority.

19. Employees with an Exemption Will Not Work Off-Duty the Day of the Event

4.010-PRO-1 Sworn Employees Release Time

Sworn Employee

1. **Informs** their sergeant/supervisor of a personal emergency that requires immediate release from work.

Sergeant/Supervisor

2. **Assesses** the need for release time and approves or denies the employee's request.

Note: The sergeant/supervisor may inform the employee that their situation qualifies them for release time without the employee making a request.

3. **Completes** the Release Time Authorization (form 2.27).

   Note: Employees are charged sick time if the Leave Request is not received by Payroll in time for payroll processing, or if the request does not meet the requirements for release time.

   Note: A Bureau Commander may authorize additional release time.

4. **Forwards** the completed Release Time Authorization (form 2.27) to Payroll and a copy of the form through the chain of command to the Bureau Chief, also a copy to the Family Medical Leave Coordinator if the request is for over three consecutive days.

Family Medical Leave Coordinator

5. **Informs** the employee of the Family Medical Leave option.

4.015 – Restricted Time Off for a Pre-Planned Event

Effective Date: 09/18/2013

4.015-POL

This policy applies to sworn and non-sworn employees.

1. The Department May Restrict Time Off Under Applicable Bargaining Agreements

Seattle Police Operations Center (SPOC) personnel will determine staffing needs for pre-planned events that require police services beyond normal assignment.

Pre-planned events include but are not limited to: Fourth of July, Torchlight Parade, Seafair/Hydros, and New Year's Eve.

SPOC will announce personnel assignments for these pre-planned events in a Special Order.

2. Some Detective Positions are Exempt From Pre-Planned Events

The following units are exempt from pre-planned events:

- Homicide/Assault detectives designated as "next up" and "standby"
- Force Investigation Team (FIT) detectives designated as "standby" by the FIT commander.
- Arson/Bomb Squad detectives
- Traffic Collision Investigation Section detectives designated as "standby"
- Crime Scene Investigation (CSI) unit detectives designated as "standby"
- Undercover officers who do not have secondary work permits

Bureau Chiefs will submit a list of exempt employees under their command to SPOC by January 31st of every year.

Section Captains will notify SPOC of changes to this list as they occur.

3. Bureau Chiefs Review Requests for Personal Exemptions

Bureau Chiefs will give priority to employee personal requests of a serious or significant nature.

(See 4.015-PRO-1 Requesting a Personal Exemption From a Pre-Planned Event)

4. Employees With an Exemption Will Not Work Off-Duty the Day of the Event

4.015-PRO-1 Requesting a Personal Exemption From a Pre-Planned Event

Employee

1. **Submits** a *Request for Authorized Absence* (form 2.23) requesting the exemption through their chain of command with supporting documentation by January 31st.

Note: Employees requesting a personal exemption for an emergent situation will submit the request when practical.

Employee's Chain of Command

2. **Approves or denies** through Captain/Director.

   - If approved, **forwards** the request to the Special Operations Bureau Chief by February 10th.

   - If denied, **informs** the employee through the chain of command.

Metropolitan Bureau Chief

3. **Approves** or **Denies** the request.

   - If approved, the Bureau Chief **forwards** the request to the Deputy Chief.

   - If denied, **informs** the employee through the chain of command.

4.020 – Reporting and Recording Overtime/Out of Classification Pay

Effective Date: 05/01/2017

4.020-POL-1 Civilians, Officers, Detectives, Sergeants, and Lieutenants

This policy applies to civilians, officers, detectives, sergeants, and lieutenants requesting, recording, or approving overtime or out-of-classification pay.

1. City Personnel Rules and Collective Bargaining Agreements (CBAs) Determine Overtime and Out-of-Classification Pay

Personnel Rule 3.5 – Out-of-Class Assignments

Personnel Rule 3.6 – Overtime Compensation

Collective Bargaining Agreements

If there are conflicts between this manual section or the City personnel rules and a CBA, the CBA prevails.

Temporary employees and non-represented employees will refer to the City personnel rules for definitions and compensation rates.

2. Employees Require Pre-Approval from a Supervisor to Work Overtime

Only a supervisor shall authorize employees to work beyond their regular shift.

Exception: Employees do not need pre-approval from a supervisor to appear in court in response to a subpoena (See paragraph 10 below).

Exception: Employees who are actively participating in a major incident may work beyond their regular shift without authorization until such time as it is feasible to obtain authorization. The supervisor will grant authorization for the overtime already worked and then will determine whether to authorize additional overtime.

Individuals may not authorize their own overtime. Employees who work overtime without authorization may be subject to disciplinary action.

3. Employee Work-Hour Maximums

No employee may work more than 90 hours in one week, from 0300 hours on Saturday until 0300 hours the following Saturday. These hours include all hours worked (i.e., regularly scheduled shifts, overtime, court time, paid details, compensatory time, secondary employment). Any shift missed due to illness or injury, suspension or administrative leave shall also be included in the calculation of the total of hours worked for the week.

Exceptions to these limitations on maximum hours worked may be made only in the interest of public safety, court appearances, and mandatory overtime. These exceptions must be pre-approved by a captain or civilian equivalent or higher-ranking individual.

4. Supervisor Responsibilities for Monitoring Overtime Use

It is the responsibility of all supervisors to ensure that staff operates in a manner that minimizes the need for overtime.

Supervisors will ensure that all overtime is authorized in advance and that the work done on overtime is necessary to the mission of the Department, consistent with this policy.

Supervisors shall ensure that overtime requests are completed in accordance with the procedures established in this policy and that the appropriate reason for the overtime is recorded on the documentation.

As feasible, supervisors shall ensure that individuals do not work in excess of the maximum allowable overtime hours as established by paragraph 3 of this policy or the appropriate collective bargaining agreement.

5. Lieutenant/Manager Responsibilities for Monitoring Overtime Use

Lieutenants and managers shall review the overtime of their respective sections and ensure that overtime use complies with the policies and mission of the Department. This includes the review of overtime reports by unit, reason for the overtime, and individuals' amount of overtime worked for a period of time.

6. Employees Are Compensated for Authorized Overtime Worked

7. Employees On Sick Leave, Military Leave, Disciplinary Suspension, or Limited Duty Will Not Work Department Overtime

8. Employees Will Not Use Discretionary Time Off to Work Department Overtime

Employees Will Not Use Discretionary Time Off to Work Department Overtime.

Exception: SPOG members will follow their current CBA where it conflicts with this policy.

9. A Bureau Chief Approves Altering Regular Shift Hours to Work Department Overtime

The employee's bureau chief, through the chain of command, will approve

and check the "entered electronically" box on the form. The sergeant or supervisor will then submit the form to the chain of command.

When employees work an overtime detail for another unit to which they are not regularly assigned, that unit's commander may allow the overtime to be entered directly onto the employees' timesheet. In this case, the commander must communicate this to the employees' direct sergeant or supervisor. The overtime request will still require approval through the chain of command of where the overtime was actually worked.

b. Event Overtime Summary Forms

Sergeants/supervisors will record a combination of employee regular work time and overtime on the Event Overtime Summary.

Sergeants/supervisors will send the completed Event Overtime Summary to:

- SPOC for special events (exception: Traffic Unit and Parking enforcement)

- Payroll Unit for all other events

Because timesheets will already have been processed, sergeants or supervisors will not enter overtime on the electronic timesheet for overtime earned in a previous pay period. Sergeant's/supervisors will submit forms that include overtime worked in a previous pay period to the Payroll Unit via the chain of command. The Payroll Unit will handle the timesheet entry.

12. Sworn Employees May Request Overtime for Taking Law Enforcement Action Off-Duty

(See manual section 5.120-Secondary Employment)

13. Overtime is Paid as Wages or Compensatory Time Off (Comp Time)

Maximum comp time accrual is established in collective bargaining agreements.

14. Off-Duty Standby Pay is Authorized by a Captain

Employees must get approval from a captain to work off-duty standby.

15. Employees Are Compensated When Working Out-of-Classification

Employees may refer to Personnel Rule 3.5 – Out-of-Class Assignments and their Collective Bargaining Agreements for definitions and application for working out-of-classification.

Sworn employees will receive out-of-classification pay when assigned to perform all of the duties of a higher paying classification for any amount of time.

16. An Out-of-Classification Assignment Requires Approval from a Precinct/Section Captain, Director, or Manager

Captains, directors and managers, or their designees, will screen and approve personnel for out-of-classification assignments.

Non-sworn employees will get approval from Human Resources prior to an out-of-classification assignment.

Captains or their designees will send an email to the Payroll supervisor listing sworn employees working out-of-classification assignments to set up out-of-classification codes on the electronic timesheet.

17. Officers Assigned as Acting Sergeants Receive Training

Captains will send officers to Department sergeant training for acting sergeant assignments over 60 consecutive days.

Captains will send officers to Department sergeant training prior to, or within 90 days of the start of the acting sergeant assignment lasting over 60 days.

18. Captains Retain Copies of Signed Overtime Forms for all Section and Precinct Personnel

19. Captains are Responsible to Ensure that Supervisors Approve Their Direct Reports' Timesheets

4.020-POL-2 Captains

1. Captains Shall Log Overtime Worked on Their Timesheets for Later Use as Flex Time

4.030 – Jury Duty

Effective Date: 09/18/2013

4.030-POL

This policy applies to all Department employees summoned to jury duty.

1. Employees Serving Jury Duty Notify the Department

(See 4.030-PRO-1 Employee Serving Jury Duty)

Employees may refer to City Personnel Rule 3.10 - Jury Duty or Testimony as Witness: Compensation - For Definitions and Application.

2. The Employee or Their Chain of Command May Request the Employee's Release from Jury Duty

Employees or their supervisor may request release from jury duty due to workload, operational need, special event, or other reasonable justification (See 4.030-PRO-2 Requesting Release from Jury Duty).

Employees will follow the procedures of the summoning court for requesting release from jury duty.

3. Sergeants/Supervisors Place Employees Serving Jury Duty on a 5/2 Work Schedule

4. Employees Serving Jury Duty are Excused from Their Routine Duties

5. Employees Serving Jury Duty Follow the Reporting Instructions of the Court

6. Employees Released by the Court for All or Part of a Day While Serving Jury Duty Report to Their Supervisor

Exception: If the employee is impaneled on a jury and released for a day or part of a day, then they do not report to their supervisor.

7. Employees Completing Their Jury Duty and Released by the Court Report to Their Regular Work Assignment

8. Employees May Keep Court-Provided Compensation for the Cost of Transportation

Employees will submit to Fiscal the total amount of money received from the court for jury duty, minus the amount that is designated as a transportation allowance. See City Personnel Rule 3.10.3 - Section D.

4.030-PRO-1 Employee Serving Jury Duty

Employee

1. **Provides** their sergeant/supervisor a copy of the jury summons.

Sergeant/Supervisor

2. **Emails** the jury summons to the Payroll Unit and to the employee's Section Captain or Director and their chain of command.

3. **Marks** the employee "JA" for jury duty on the timesheet.

Employee

4. **Reports** to sergeant/supervisor when released by the court (See 4.030-POL-7).

4.030-PRO-2 Requesting Release from Jury Duty

Employee

1. **Informs** their sergeant/supervisor they are requesting release from jury duty.

2. **Provides** their sergeant/supervisor a copy of the jury summons.

Sergeant/Supervisor

3. **Emails** the jury summons to the Payroll Unit and to the employee's Captain/Director/Manager and their chain of command.

Captain/Director/Manager

4. **Notifies** the employee and the sergeant/supervisor if the request is approved or denied.

   If approved, **provides** a letter on Department letterhead requesting the release of the employee from jury duty.

Employee

5. **Follows** the court's instructions requesting release from jury duty.

4.040 – Sick Leave

Effective Date: 05/04/2016

4.040-POL

This policy applies to all employees using or recording sick leave.

1. Department Employees Keep Medical Information Confidential

Employee medical information is treated as confidential under City personnel rules, policies, and applicable law.

Completed employee *Medical Absence Reports* (form 2.11) are confidential personnel records.

2. Employee Use of Sick Leave is Regulated by City Personnel Rules and Collective Bargaining Agreements

Employee sick leave includes paid and unpaid time taken for qualified reasons as defined by City Personnel Rules:

Personnel Rule 7.1, Family and Medical Leave

Personnel Rule 7.2, Pregnancy Disability Leave

Personnel Rule 7.3, Leave of Absence

Personnel Rule 7.4, Sabbatical Leave

Personnel Rule 7.7, Sick Leave and Sick Leave Transfer

3. Employees May Use Sick Leave for an Eligible Family Member

Eligible family member is defined by SMC 4.24.005.

Employees may establish the relationship of spouse or domestic partner by an Affidavit of Marriage/Domestic Partnership as required by SMC 4.30.020.

Employees will file a Statement of Termination of Marriage/Domestic Partnership with the Human Resources Section within 31 days of a divorce or termination.

Employees may file a subsequent Affidavit of Marriage/Domestic Partnership for domestic partnerships after 90 days has elapsed from the termination of the prior partnership.

4. The City of Seattle Follows the Sick and Safe Leave Law

Employees may access additional information from the City's Sick and Safe Website.

5. Employees Will Not Use Sick Leave Under Specific Conditions

Employees will not use sick leave when they are:

- Suspended
- On leave without pay
- Laid off
- On any other non-pay status
- Injured or disabled while working for an employer other than the City of Seattle
- On a regular furlough day, holiday, or time outside their regular work schedule.

Exception: Employees may use sick leave if they become ill or injured while on a scheduled trip and provide the Payroll Unit with documentation from a doctor.

6. Employees Will Not Work Secondary Employment While Using Sick Leave

Exception: The Chief of Police may grant exceptions on a case-by-case basis.

7. Employees Contact a Sergeant/Supervisor When Taking Sick Leave

Employees will contact a sergeant/supervisor before the start of their regularly assigned shift on the first day of using sick leave.

8. Employee Sick Leave is Recorded on the Electronic Time Sheet and the *Medical Absence Report* (form 2.11)

Sergeants/supervisors will record their employees' sick leave on the electronic time sheet and complete a *Medical Absence Report* (form 2.11) (The sergeant/supervisor maintains the responsibility to record their employee's sick leave when the employee goes on extended sick leave).

Employees returning to work after using sick leave will verify the information on the *Medical Absence Report* (form 2.11) and sign it.

Sergeants/supervisors will sign the completed, FINAL *Medical Absence Report* (form 2.11) and submit it to Payroll.

9. Employees Will Use Earned Sick Leave for a Medical Absence

Sergeants/supervisors/employees will not substitute discretionary leave for requested sick leave if an employee has an insufficient sick leave balance.

- Employees may be subject to disciplinary action for being absent from work without sufficient leave.

If the employee does not have sufficient sick time to cover their absence, sergeants/supervisors/employees will mark the timesheet "WS" for time not covered by the employee's sick leave balance.

10. Employees on Sick Leave for Over Two Weeks Are Placed on a 5/2 Schedule

Sergeants/supervisors will notify the Employment Services Lieutenant and their chain of command if an employee is expected out on sick leave for over two weeks. The sergeant/supervisor will place the employee on a 5/2 schedule.

(See manual section 4.040-PRO-1 Employee Going on Extended Sick Leave and 4.040-PRO-2 Employee Returning from Extended Sick Leave)

11. Employees Require Permission to Leave Their Place of Recovery

Employees on sick leave wishing to leave their place of recovery will contact the Employment Services Lieutenant for approval.

The employee will provide the Employment Services Lieutenant with certification from their health care provider stating the employee cannot

work but their recovery from the illness/injury is not impeded by the employee leaving their place of recovery.

Exceptions: Medical appointments, sudden unexpected personal emergencies, attendance at religious services, and voting do not require prior approval.

12. Employees Complete a Washington State Insurer Activity Prescription Form (APF) When Required

Sworn LEOFF II employees and non-sworn employees will send the Employment Services Lieutenant a completed APF signed by their sergeant/supervisor and their health care professional when returning to work after taking over four consecutive days of sick leave, including Family and Medical Leave.

Sworn LEOFF I employees will send the Employment Services Lieutenant a completed APF signed by their sergeant/supervisor and their health care provider if they take over five consecutive days of sick leave.

The APF will certify the employee could not work due to illness and/or injury during the requested sick leave and that the employee is cleared to resume duty without restrictions on the date they return to work.

13. LEOFF II Sworn Employees and Non-Sworn Employees May Use Disability Benefits

(See manual section 4.060-Long Term Disability Benefits)

14. A Bureau Chief May Refer an Employee for Psychological Fitness for Duty Evaluation

A Bureau Chief may contact the Human Resources Director to request an employee psychological fitness for duty evaluation. The Bureau Chief will provide documentation of the behavior affecting an employee's ability to perform their duty.

15. Sworn Employees Surrender Their Department Issued Firearm While Using Sick Leave for Mental-Health Illness

Sworn employees will surrender their Department-issued firearms to their immediate supervisor when using sick leave for a mental health illness.

The Employment Services Lieutenant will take possession of the firearm(s) from the immediate supervisor.

Sworn employees will not take police action while using sick leave for mental health illness.

16. The Employment Services Lieutenant Investigates Sick Leave Abuse

The Employment Services Lieutenant will report sick leave abuse cases to the Human Resources Director. The Human Resources Director will notify the employee's Bureau Chief.

17. The Human Resources Director May Place an Employee on the Mandatory Reporting Program for Sick Leave Abuse

Employees using sick leave while on the mandatory reporting program will provide an *Insurer Activity Prescription Form* (APF) signed by a health care provider before returning to work.

4.040-PRO-1 Employee Going on Extended Sick Leave

Employee

1. **Notifies** Sergeant/Supervisor of sick leave exceeding two weeks.

Sergeant/Supervisor

2. **Emails** the Employment Services Lieutenant and their chain of command of employee sick leave exceeding two weeks.

Employment Services Lieutenant

3. **Updates** PEDS.
4. **Creates** EMT entry.

Sustainment

5. **Updates** Versonnel.
6. **Closes** EMT and PEDS Request.

Sergeant/Supervisor

7. **Continues** to record employee’s sick leave on the electronic timesheet throughout the extended leave.

4.040-PRO-2 Employee Returning from Extended Sick Leave

Employee

1. **Obtains** a Washington State Insurer Activity Prescription Form (APF) signed by a health care professional releasing them to duty without restrictions including the date released to full duty.

   - The APF must be signed by the employee and the sergeant/supervisor before the employee returns to their regular assignment.

2. **Submits**

with a live representative. Sworn employees may view the Department of Retirement Systems policy from this link: http://www.drs.wa.gov/.

Civilian employees may contact SCRS (Seattle City Employees' Retirement System) at (206) 386-1293. Non-sworn employees may view the Seattle City Employees' Retirement System policy from this link: www.seattle.gov/retirement/.

4.050-PRO-1 Reporting and Investigating Job-Related Illness or Injury

Employee

1. **Requests** a sergeant/supervisor respond to the injured/ill employee's location.

Sergeant/Supervisor

2. **Investigates** the circumstances surrounding the injury or illness.

3. **Completes** an *Investigating Supervisor's Report of Employee's Industrial Injury* (form 2.22).

   a. **Sends** the original to the Employment Services lieutenant.

   b. **Provides** the employee with a copy.

4. **If** the employee requires time off work, **completes** a *Medical Absence Report* (form 2.11).

5. **If** medical treatment is required for a LEOFF 2 or civilian employee, **completes** a Self-Insurer Accident Report (SIF-2).

   Ensures the "employee" portion of the SIF-2 is completed by the injured employee.

6. **Gives** the employee a copy of the SIF-2.

7. **Gives** the LEOFF 2 or civilian employee an electronic or paper copy of, "A Guide to Workers' Compensation Benefits" and, "Help for Injured Workers of Self-Insured Businesses."

8. **Provides** a Washington State Insurer Activity Prescription Form (APF) to the employee.

Note: A health care provider must complete this form when an employee is treated for a duty-related illness or injury.

9. **Makes** a copy of the completed SIF-2 for unit records.

10. **Delivers** the completed SIF-2 form and the APF, if available, to the Employment Services Lieutenant within 24 hours of the incident.

4.060 – Long-Term Disability Benefits

Effective Date: 09/18/2013

4.060-POL

This policy applies to sworn LEOFF II and non-sworn employees claiming long-term disability benefits.

1. Sworn LEOFF II and Regularly Appointed Non-Sworn Employees May Claim Long-Term Disability Benefits

Sworn LEOFF II employees will contact the Seattle Police Officers' Guild (SPOG) to coordinate long-term disability benefits.

Non-sworn employees will contact the Family and Medical Leave Coordinator in the Human Resources Section to coordinate long-term disability benefits.

- Non-sworn employees may view certificate and policy amendment documents for long-term disability benefits on the City Personnel Disability Web Page.

2. The Human Resources Section Assists Employees Seeking Long-Term Disability Benefits

All employees will contact the Payroll Unit in the Human Resources Section for assistance in completing the long-term disability benefits employer's statement.

(See 4.060-PRO-1 Completing an Employer's Statement for Employees Seeking Long-Term Disability Benefits)

3. Employees Coordinate Leave Status With the Department

Employees receiving long-term disability benefits will use their sick leave balances or authorized leave (see manual section 4.100-Family and Medical Leave).

Employees may contact the Family and Medical Leave Coordinator in the Human Resources Section for assistance in reviewing leave options.

4.060-PRO-1 Completing an Employer's Statement for Employees Seeking Long-Term Disability Benefits

Employee

1. **Submits** a written request or email to the Payroll supervisor for a completed employer's statement.

Payroll Unit

2. **Completes** the employer's statement.

   a. For sworn LEOFF II, **sends** the employer's statement to the long-term disability insurance provider.

   b. For non-sworn personnel, **sends** the employer's statement to the City Personnel Benefits Unit.

3. **Sends** a copy of the completed employer's statement to the requesting employee.

4.070 – Limited-Duty Assignments

Effective Date: 04/14/2014

4.070-POL

This policy applies to all employees seeking a limited-duty assignment because of a diagnosis by a health care professional of a physical or mental disability that temporarily prevents them from performing their regularly assigned duties.

1. Employees May Work Up to 16 Weeks on a Limited-Duty Assignment

Exception: The Human Resources Director may extend the limited-duty assignment beyond 16 weeks if the employee is not fit to return to their regular duty assignment.

Exception: The 16-week limit does not apply to pregnant employees.

2. Employees on a Limited-Duty Assignment Shall Not Work for a Secondary Employer

3. The Employment Services Lieutenant Establishes Reporting Requirements for the Limited-Duty Employee

4. Employees Require Approval From the Employment Services Lieutenant or the Human Resources Director to Return to Work in a Limited-Duty Capacity

Sergeants/supervisors will not allow an employee to work in a limited-duty capacity without the required approval regardless of the duration of the limited-duty.

4.070-PRO-1 Employee Requesting a Limited-Duty Assignment

Employee

1. **Emails** a request for a limited-duty assignment to the Employment Services Lieutenant and their Captain/Director/Manager (via chain of command) to include:

- Job-related limitations

- Expected duration of their need for a limited-duty assignment

2. **Sends** a completed Washington State Insurer Activity Prescription Form (APF) from their healthcare professional to the Employment Services Lieutenant.

Employment Services Lieutenant

3. **Determines** whether to approve the request and, if approved, **finds** a limited-duty assignment for the employee.

4. **Creates** the employees limited-duty assignment in EMT.

5. **Updates** the employee's limited-duty assignment in PEDS.

6. **Emails** a notification to the employee, the employee's chain of command, and the limited-duty chain of command of the limited-duty assignment.

Employee

7. **Reports** to their limited-duty assignment sergeant/supervisor.

Sustainment

8. **Receives** updated EMT entry and **updates** Versonnel.

9. **Closes** PEDS and EMT request.

4.070-PRO-2 Employee Returning From a Limited-Duty Assignment

Employee

1. Upon completion of their limited-duty assignment, **obtains** an APF signed by a healthcare professional releasing them to duty without restrictions.

   - The APF must include the date released to full duty.

   - The APF must be signed by the employee and their sergeant/supervisor before the employee returns to their regular assignment.

2. **Submits** the signed APF to their regular sergeant/supervisor.

Sergeant/Supervisor

3. **Emails** or **Faxes** an image of the signed APF to the Employment Services Lieutenant.

4. **Sends** through interoffice mail the original signed hard copy APF to the Employment Services Lieutenant.

Employment Services Lieutenant

5. **Updates** PEDS.

6. **Creates** a transfer request in EMT.

Sustainment

7. **Receives** updated EMT entry and **updates** Versonnel.

8. **Closes** PEDS and EMT request.

4.080 – Pregnancy

Effective Date: 03/19/2014

4.080-POL

This policy applies to pregnant employees.

1. Pregnant Employees May Request a Limited Duty Assignment (See 4.070-Limited Duty)

The pregnant employee will notify her supervisor and the Employment Services Lieutenant when the employee or a health care provider believes her condition prevents her from safely performing all the duties of her regular position or assignment.

2. Pregnant Employees May Request Family and Medical Leave (See 4.100-Family and Medical Leave)

Employees may take family and medical leave for pregnancy, prenatal care, or to care for a newborn child.

Employees may request both pregnancy disability leave and family and medical leave.

Employees may review leave options with the Family and Medical Leave Coordinator.

(See RCW 49.78 – Family Leave, and U.S. Department of Labor for Federal and State Family and Medical Leave Act options)

3. Pregnant Employees May Claim Long Term Disability Benefits

(See manual section 4.060-Long Term Disability Benefits)

4. Pregnant Employees May Request Pregnancy Disability Leave as Described in City Personnel Rule 7.2 – Pregnancy Disability Leave

Pregnant employees will use all accrued sick leave and then may take an unpaid pregnancy disability leave of absence for a disability related to pregnancy or childbirth.

- Employees may request both pregnancy disability leave and family and medical leave.

(See 4.080-PRO-1 Requesting Pregnancy Disability Leave)

5. Eligible Employees May Buy Back Retirement Service Credit for Unpaid Leave of Absence

Employees may buy back service credit after they return to regular paid status or separate from employment.

LEOFF II members may contact DRS (Department of Retirement Systems) at 360-464-7000 or toll free at 1-800-547-6657; pressing "0" to speak with a live representative. Sworn employees may view the Department of Retirement Systems policy from this link: http://www.drs.wa.gov/.

Civilian employees may contact SCRS (Seattle City Employees' Retirement System) at 206-386-1293. Non-sworn employees may view the Seattle City Employees' Retirement System policy from this link: www.seattle.gov/retirement/.

6. The Department Follows the City Policy on Breastfeeding

(Also see SMC 4.34.055(G) Use and Scheduling of Vacations)

4.080-PRO-1 Requesting Pregnancy Disability Leave

Employee

1. **Completes** an *Employee Request for Leave of Absence* (form 2.9) and a Washington State Insurer Activity Prescription Form (APF).
   - A health care provider must state the medical necessity for pregnancy disability leave on the APF and estimate the duration of the leave.
2. **Submits** completed forms to the Family and Medical Leave Coordinator.

Family and Medical Leave Coordinator

3. **Reviews** completed forms and **follows up** with the employee.
4. **Forwards** the request to the Human Resources Director.

Seattle Police

4.090 – Leave of Absence Without Pay

Effective Date: 09/18/2013

4.090-POL

This policy applies to employees requesting a leave of absence without pay.

1. Employees May Request an Unpaid Leave of Absence for Personal or Medical Reasons

Employees may refer to City Personnel Rule 7.3-Leave of Absence for definitions and application.

Employees may request an unpaid "Leave of absence for medical reasons" for up to 12 months while recovering from their own personal illness or injury.

- Employees must use their unpaid Family and Medical Leave entitlement before applying for an unpaid leave of absence for medical reasons.

Employees may request an unpaid "Leave of Absence for Personal Reasons" for up to 12 months for reasons other than recovering from their own illness or injury or after they exhaust their FMLA entitlement.

(See 4.090-PRO-1 Employee Requesting Personal Leave of Absence and 4.090-PRO-2 Employee Requesting Medical Leave of Absence)

2. Eligible Employees May Buy Back Retirement Service Credit for Unpaid Medical Leave of Absence

LEOFF II members may contact DRS (Department of Retirement Systems) at 360-464-7000 or toll free at 1-800-547-6657; pressing "0" to speak with a live representative. Sworn employees may view the Department of Retirement Systems policy from this link: http://www.drs.wa.gov/.

Civilian employees may contact SCRS (Seattle City Employees' Retirement System) at 206-386-1293. Non-Sworn employees may view the Seattle City Employees' Retirement System policy from this link: www.seattle.gov/retirement/.

4.090-PRO-1 Employee Requesting Personal Leave of Absence

Employee

1. **Submits** *Employee Request for Leave of Absence* (form 2.9) to sergeant/supervisor.

Sergeant/Supervisor

2. **Sends** the completed form through the chain of command to the Human Resources Director.

Human Resources Director

3. **Informs** the employee if the leave is approved or denied.

4.090-PRO-2 Employee Requesting Medical Leave of Absence

Employee

1. **Submits** the *Employee Request for Leave of Absence* (form 2.9) and an *Insurer Activity Prescription Form* (APF) to the Family and Medical Leave coordinator in the Human Resources Section.

Human Resources Director

2. **Informs** the employee if the leave is approved or denied.

4.100 – Family and Medical Leave

Effective Date: 09/18/2013

4.100-POL

This policy applies to employees seeking Family and Medical Leave.

1. The Department Complies With the Federal Family and Medical Leave Act

Employees may view the city Family and Medical Leave policy from this link: Personnel Rule 7.1 – Family and Medical Leave

See additional resources:

Your Rights Under City Family and Medical Leave

Seattle Municipal Code Chapter 4.26-Family and Medical Leave

Federal Family and Medical Leave Act

A qualifying military exigency for the spouse/domestic partner, son, daughter, or parent of the employee as defined in the federal **Family and Medical Leave Act, including**:

- Short-notice deployment
- Military events and related activities
- Childcare and school activities
- Care of military member's parent
- Financial and legal arrangements
- Counseling
- Rest and recuperation
- Post-deployment activities
- Any other event that the employee and Department agree is a qualifying exigency.

Also see: Fact Sheet #28M (c): Qualifying Exigency Leave under the Family and Medical Leave Act

- Care of a spouse/domestic partner, parent, son, daughter, or next of kin who is a covered service member and has a serious illness or injury under the terms and circumstances that such leave would be available under the federal Family and Medical Leave Act.

Also see: Fact Sheet #28M(a): Military Caregiver Leave for a Current Service member under the Family and Medical Leave Act

- Care of a spouse/domestic partner, parent, son, daughter, or next of kin who is a covered veteran and has a serious illness or injury under the terms and circumstances that such leave would be available under the federal Family and Medical Leave Act.

Also see: Fact Sheet #28M(b): Military Caregiver Leave for a Veteran under the Family and Medical Leave Act

3. Employees May Use Paid and/or Unpaid Time for Family and Medical Leave

4. Employees Notify the Department When Family and Medical Leave is Needed

Employees will notify the Family and Medical Leave Coordinator in the Human Resources Section 30 days before the leave is needed.

If 30 days' notice is not possible, the employee will contact the Family and Medical Leave Coordinator in Human Resources Section for instruction.

(See 4.100-PRO-1 Requesting Family and Medical Leave)

5. Family and Medical Leave Electronic Timesheets Coding will be Used for the Specific Dates of Approval of Family and Medical Leave by Human Resources

Sergeants/supervisors/employees will use these family and medical leave codes for family and medical leave time.

"92" for employee sick leave use

"93" for family sick leave use

"94" for vacation use

"95" for floating holiday use

"96" for executive leave use

"98" for comp time use

"FM" for unpaid family and medical leave use

6. Eligible Employees May Buy Back Retirement Service Credit for Unpaid Medical Leave of Absence

Employees may buy back service credit after they return to regular paid status or separate from employment.

LEOFF II members may contact DRS (Department of Retirement Systems) at 360-464-7000 or toll free at 1-800-547-6657; pressing "0" to speak with a live representative. Sworn employees may view the Department of Retirement Systems policy from this link: http://www.drs.wa.gov/.

Non-Sworn employees may contact SCRS (Seattle City Employees' Retirement System) at 206-386-1293. Non-Sworn employees may view the Seattle City Employees' Retirement System policy from this link: www.seattle.gov/retirement/.

4.100-PRO-1 Requesting Family and Medical Leave

Employee

1. **Sends** a completed (form 2.10), and certification directly to the Family and Medical Leave Coordinator in the Human Resources Section.

   Certification of Health Care Provider for Employee's Serious Health Condition

   Certification of Health Care Provider for Family Member's Serious Health Condition

   Certification of Qualifying Exigency For Military Family Leave

   Certification for Serious Injury or Illness of Covered Service member for Military Caregiver Leave

   Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave

Family and Medical Leave Coordinator

2. **Assists** the employee with obtaining the required forms.

3. **Reviews** the completed forms and **updates** the employee.

4. **Forwards** the request to the Human Resources Director.

Human Resources Director

5. **Informs** the employee in writing of the Department's decision regarding the request.

4.110 – Sick Leave Donation

Effective Date: 09/18/2013

4.110-POL

This policy applies to employees who want to donate sick leave or receive donated sick leave.

1. Employees May Donate Sick leave and Receive Donated Sick leave as Described in City Personnel Rule 7.7 – Sick Leave and Sick Leave Transfer

Employees may receive up to 560 hours of donated sick leave for each incident.

2. Eligible Employees May Receive Donated Sick Leave

Employees will use donated sick time only for their own illness or injury.

An employee is eligible to receive donated sick leave when they:

- Exhaust their paid leave balances due to an illness or injury, and
- Will go on leave without pay, or will leave city employment without a donation, and
- Are not eligible for benefits under SMC 4.44 or the State Industrial Insurance and Medical Aid Acts.

(See 4.110-PRO-1 Requesting Donation for Sick leave)

3. Eligible Employees May Donate Sick Leave

Employees may donate sick leave if:

- They can donate a minimum of eight hours, and
- They will maintain a minimum sick leave balance of 240 hours after the donation.

An employee separating from the Department may donate sick leave if:

- They will maintain a minimum sick leave balance of 240 hours after the donation, and

- The donated time does not exceed the actual time the employee could use before separation.

Eligible employees may send a completed Application to Donate Sick Leave (form 20.6) to the Human Resources Section, Payroll Supervisor.

4. Excess Donated Sick Leave is Returned to the Donor

The Payroll Unit will coordinate the return of unused donated sick leave to the donor.

4.110-PRO-1 Requesting Donation for Sick Leave

Employee

1. **Completes** an *Application to Receive Sick Leave (form 20.5)* and a Washington State Insurer Activity Prescription Form (APF).

2. **Sends** the completed forms to the Human Resource Section Payroll Supervisor.

Payroll Supervisor

3. **Reviews** and **submits** the request to the Human Resources Director.

Human Resources Director

4. **Certifies** the donated sick leave request and then **notifies** the employee's sergeant/supervisor.

5. If requested by the employee, **posts** a request for donated sick leave in the Notices.

4.120 – Domestic Violence, Sexual Assault, and Stalking Leave

Effective Date: 09/18/2013

4.120-POL

This policy applies to employees who must take leave due to domestic violence, sexual assault, or stalking.

1. Employees May Take Leave Due to Domestic Violence, Sexual Assault and Stalking

Employees may refer to Personnel Rule 7.11 - Domestic Violence, Sexual Assault, and Stalking Leave.

Employees may contact the Employment Services Lieutenant for assistance in obtaining leave.

4.130 – Military Leave

Effective Date: 01/01/2017

4.130-POL

This policy applies to employees fulfilling a military obligation.

1. Employees May Refer to City Personnel Rule 7.9—Military Leave and RCW 38.40.060 For Definitions and Application

Employees serving in the National Guard or military reserve of the United States are granted paid military leave of absence for up to 21 workdays each federal fiscal year (October 1st through September 30th) to report for required military duty.

Employees may take unpaid military leave or paid discretionary time if their military service goes beyond 21 workdays.

(See 4.130-PRO-1 Requesting Military Leave)

2. A Bureau Chief Approves Employee Military Leave That Exceeds 21 Workdays in a Federal Fiscal Year

Employees requesting unpaid military leave will submit a "Leave Request."

The employee will complete the Department request before the publication of their military orders.

4.130-PRO-1 Requesting Military Leave

Employee

1a. **Completes** a "Leave Request" for up to 21 days of paid military leave.

- For unpaid leave beyond 21 days of paid leave proceeds to 1b.

1b. **Completes** an Employee Request for Leave of Absence (form 2.9) for unpaid military leave.

2. **Attaches** a copy of military orders or written verification of assigned drill days.

3. **Submits** a Leave Request or Employee Request for Leave of Absence (form 2.9) to the Bureau Chief through their chain of command.

4. **Emails** a copy of the request to the Human Resources Director.

5. **Contacts** the Benefits Supervisor in Human Resources regarding possible military wage supplement pay.

Benefits Supervisor

6. **Notifies** the employee in writing of the Department's decision regarding the unpaid military leave request.

7. **Updates** PEDS if the military leave lasts over two weeks.

Employee

8. **Notifies** the Benefits Supervisor when unpaid military leave over two weeks is ending.

Employment Services Lieutenant

9. **Authorizes** the employee to return to duty when the employee's military leave ends.

10. **Temporarily assigns** the employee returning from extended absence to the Education and Training Section.

11. **Directs** Benefits Supervisor to update PEDS when the military leave ends.

4.140 – Military Spouse/Domestic Partner Leave

Effective Date: 09/18/2013

4.140-POL

This policy applies to employees with a military spouse or state registered domestic partner.

1. Employees With a Military Spouse or State Registered Domestic Partner Deployed or Called Up to Active Duty May Use the Military Family Leave Act

Also see: Washington State Military Family Leave Act – RCW 49.77.

Employees with a spouse or state registered domestic partner who is a U.S. military member may take up to 15 days of unpaid leave each deployment when the military member is deployed or called up to active duty.

Employees may elect to substitute any accrued leave for any part of the unpaid leave.

Employees may split the 15 days of unpaid leave between the time prior to the deployment and then during the deployment.

Employees will not exceed 15 days per deployment.

4.140-PRO-1 Requesting Leave Under the Military Family Leave Act

Employee

1a. If requesting paid leave using accumulated time, **completes** a *Request for Authorized Absence* (form 2.23), and/or

1b. If requesting 15 days of unpaid military family leave, **completes** an *Employee Request for Leave of Absence* (form 2.9), and

1c. **Completes** the Certification of Military Exigency form.

- If applicable, **writes** the registration number for Washington state registered domestic partnership on the form.

2. **Attaches** a copy of military orders.

3. **Submits** *Request for Authorized Absence* (form 2.23) or the *Employee Request for Leave of Absence* (form 2.9) to their Bureau Chief through their chain of command.

4. **Sends** a copy to the Benefits Supervisor.

Benefits Supervisor

5. **Notifies** the employee in writing of the Department's decision regarding paid and unpaid leave.

6. **Updates** PEDS if the military leave lasts over two weeks.

7. **Updates** PEDS when the military family leave ends.

4.150 – Bereavement Leave

Effective Date: 08/01/2021

This policy applies to all department employees requesting bereavement leave.

The intention of this policy is to implement Personnel Rule 7.8.

For part-time employees, leave amounts outlined in the policy are pro-rated.

4.150-POL

1. Definitions

For the purposes of this policy, these terms have the meanings reflected in Personnel Rule 7.8.

- **Bereavement leave**: Time off without loss of pay or reduction of any accrued paid leave in the event of the death of a close relative.

  Possible uses of bereavement leave include, but are not limited to, attending a funeral or memorial service, tending to the family member's estate, or grieving the loss of the family member.

- **Close relative**: The employee's spouse/domestic partner, or the child, parent, sibling, grandparent or grandchild of the employee or the employee's spouse/domestic partner, or legal guardian, ward, or any person over whom the employee or employee's spouse/domestic partner has legal custody.

- **Relative other than a close relative**: The following relatives of the employee or the employee's spouse/domestic partner: cousin, parent's sibling, parent's sibling's child, spouse or domestic partner of a sibling, child, or grandchild.

2. The Department Grants up to 40 Hours of Bereavement Leave for a Close Relative

The department will grant up to 40 hours of bereavement leave in the event of the death of a close relative.

- For sworn employees, bereavement leave also covers the death of a relative other than a close relative.

Employees will notify the need to use bereavement leave as soon as practicable if the need is foreseeable.

Employees may take bereavement leave intermittently.

3. The Department May Approve Sick Leave for Bereavement of a Relative Other Than a Close Relative

The department may approve the use of up to 40 hours of sick leave for non-sworn employees in the event of the death of a relative other than a close relative.

4. Employees May Request the Use of Additional Time

The department may approve, for any employee, additional time off for bereavement charged to vacation, personal holidays, compensatory time off, or executive and merit leave. The employee may also request unpaid leave.

5. Employees Must Use Leave Under This Policy Within One Year

Bereavement leave, or sick leave used for bereavement purposes, must be used within one year of the death of the employee's qualifying family member. After such time, the ability to use leave in this manner is forfeited.

6. Employees Will Submit a Request and Provide Reasonable Documentation

Employees will submit a bereavement leave request (form 2.91) to request leave under this policy.

A supervisor may complete and submit the form on behalf of the employee.

Supervisors may require employees to provide reasonable documentation to substantiate the need for bereavement leave.

Sections will archive requests submitted by their personnel.

5.001 - Standards and Duties

Effective Date: 05/01/2021

5.001-POL

This policy provides the philosophy for employee conduct and professionalism. It is not the Department's intent to interfere with or constrain the freedoms, privacy, and liberties of employees; discipline will only be imposed where there is a connection between the conduct and the duties, rank, assignment, or responsibilities of the employee.

The Department expects all employees to treat all people with dignity; remember that community caretaking is at times the focus, not always command and control; and that the guiding principle is to treat everyone with respect and courtesy, guarding against employing an officious or overbearing attitude and refraining from language, demeanor, and actions that may cause the individual feeling belittled, ridiculed, or intimidated.

This section applies to all Department employees. The content is not all-inclusive. Employees must also comply with conduct expectations in other manual sections pertaining to them.

1. The Chief of Police Determines Employee Duty Status

The Chief of Police has final authority through the Charter of the City of Seattle to determine the on-duty status of any employee, and whether their actions are within the course and scope of their duties.

Completion of overtime or other Department forms by an employee does not establish the employee's duty status.

2. Employees Must Adhere to Laws, City Policy, and Department Policy

Employees adhere to:

- Federal laws
- State laws

- Laws of the City of Seattle
- City of Seattle policies
- The Seattle Police Manual
- Published Directives and Special Orders
- Applicable collective bargaining agreements and relevant labor laws

3. Employees Use Training to Assist in Following Policy

Department training is intended to provide guidance on how to implement and follow policy.

Not following training, in itself, is not a policy violation.

Regardless of the result, an employee may need to explain, and possibly document, a substantial deviation from training.

4. Employees Must Attend All Mandatory Training

Employees will attend mandatory training and follow the current curriculum during their duties.

Employees who have missed any mandatory training because of excused absences, such as a sick day or court appearance, will arrange through their immediate supervisor to complete that training within a reasonable time frame.

Employees on approved limited duty who cannot participate in a mandatory training program will request a waiver using SPD Memorandum (form 1.11), and an Insurer Activity Prescription Form (APF) through their chain of command.

Also See: 1.075-Failure to Complete Required Training

5. Employees Complete Work in a Timely Manner

Absent exigent circumstances or supervisory approval, employees will complete all required duties and official reports before going off duty.

6. Employees May Use Discretion

Employees are authorized and expected to use discretion in a reasonable manner consistent with the mission of the Department and duties of their office and assignment.

Discretion is proportional to the severity of the crime or public safety issue being addressed.

7. Employees Engaged in Department-Related Activities Identify Themselves When Requested

Employees will provide their name and Department serial number verbally, or in writing if requested.

Employees may use a Department-issued business card that contains their name and serial number to satisfy the request for the information.

Employees will also show their department identification card and badge (sworn) when specifically requested to do so.

Exception: Employees are not required to immediately identify themselves if:

- An investigation is jeopardized
- A police function is hindered
- There is a safety consideration

8. On-Duty Officers in Civilian Attire Identify Themselves When Contacting Citizens

Officers will accomplish this verbally and/or by displaying their badge or Department-issued identification.

Exception: Employees are not required to immediately identify themselves if:

- An investigation is jeopardized
- A police function is hindered
- There is a safety consideration

9. Uniformed Employees Will Not Initiate Contact With Officers Dressed In Civilian Clothing

When any uniformed employee meets an officer dressed in civilian attire, that uniformed employee will not openly recognize the plain-clothes officer unless greeted first.

10. Employees Will Strive to be Professional

Regardless of duty status, employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers. Employees will avoid unnecessary escalation of events even if those events do not end in reportable uses of force.

Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person.

Employees on duty or in uniform will not publicly ridicule:

- The Department or its policies
- Other Department employees
- Other law enforcement agencies
- The criminal justice system or police profession

This applies where such expression is defamatory, obscene, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth.

11. Employees Will Be Truthful and Complete in All Communication

Exception: Employees may use deception for a specific and lawful purpose in certain circumstances, when:

- There is an exigent threat to life safety or public safety
- It is necessary due to the nature of the employee's assignment
- There is a need to acquire information for a criminal investigation

12. Employees Must Promptly Report Exonerating Information

Employees must report any information they discover that may exonerate a person who is under investigation or has been charged with or convicted of a crime.

13. Employees Will Not Use Their Position or Authority for Personal Gain

14. Retaliation is prohibited

No employee will retaliate against any person who:

- Exercises a constitutional right
- Records an incident
- Makes a public disclosure request
- Publicly criticizes an SPD employee or the Department
- Initiates litigation
- Opposes any practice reasonably believed to be unlawful or in violation of Department policy
- Files a complaint or provides testimony or information related to a complaint of misconduct
- Provides testimony or information for any other administrative criminal or civil proceeding involving the Department or an officer
- Communicates intent to engage in the above-described activities
- Otherwise engages in lawful behavior

Retaliation includes discouragement, intimidation, coercion, or adverse action against any person. This prohibition will include any interference with the conduct of an administrative, civil, or criminal investigation.

Such retaliation may be a criminal act, may give rise to personal civil liability, or constitute independent grounds for discipline, up to and including termination.

15. Employees Obey any Lawful Order Issued by a Superior Officer

Failure to obey lawful orders from a superior officer constitutes insubordination. Orders may be issued directly, relayed through a subordinate employee or current Department training, published in notices, and other forms of communication.

16. Supervisors Clarify Conflicts in Orders

Should any orders conflict with a previous order, or published regulation, employees may respectfully bring this to the supervisor's attention.

The supervisor who issued the conflicting order will try to correct the conflict in orders.

17. Employees May Object to Orders Under Certain Conditions

An employee may object to a supervisor's orders under these conditions:

- When such orders represent unjustified, substantial and/or reckless disregard for life or safety
- When such orders are illegal or unethical
- When the supervisor has been relieved of duty by an employee of higher rank
- When other circumstances are present that establish the supervisor's inability to discharge the duties of the assignment

Employees in this situation will, if practical, state the basis for objecting to the order to the supervisor.

If the situation remains unresolved, the employee will immediately contact the next higher-ranking supervisor in the chain of command.

18. Employees Must Avoid Conflicts of Interest

Employees will not associate with persons or organizations where such association reasonably gives the appearance of conflict of interest.

Employees will not engage in enforcement, investigative, or administrative functions that create or give the appearance of conflicts of interest.

Employees will not investigate events where they are involved. This also applies where any person with whom the employee has a personal relationship is involved in the event.

Except in cases of emergency, officers will not arrest family members, business associates, or social acquaintances.

Employees will not show preference by recommending or suggesting the employment of any attorney, bondsman, or other business during the course of, or because of, their official business as employees of the Department.

See also SMC 4.16-City Code of Ethics and 5.120 – Off-Duty Employment.

19. Employees Must Disclose Conflicts

Employees will immediately disclose to the Chief of Police, via their supervisor, any activities or relationships that may present an actual, potential, or apparent conflict of interest for themselves or other Department employees.

20. Employees Will Not Use a Department Mailing Address for Personal Reasons

This provision includes using a Department address for a driver license, vehicle registration, telephone service, etc.

21. Employees Will Not Imply to Another Agency the Department's Approval or Disapproval of That Agency's Actions

22. Employees Will Not Use Their Position to Inappropriately Influence Court Proceedings

Department employees are regularly called as witnesses to testify in court pursuant to their official duties. Outside of these official appearances, employees will not use their positions to make any recommendations or otherwise influence the disposition of any court proceedings.

Exception: Employees may address the court on behalf of a crime victim during sentencing, if requested. However, employees who intend to address the court in this capacity will first consult with the prosecuting attorney's office to review the employees' intended remarks.

23. Employees Notify the Department Before Initiating any Claim for Damages Related to Their Official Position

Employees must report their intention to initiate a claim for damages sustained while working in a law enforcement capacity or by virtue of employment with the Department. This notification is to the Chief of Police via the employee's chain of command.

24. Officers Report any Off-Duty Assault on Themselves Related to Department Employment

If an employee is assaulted while working off-duty in a law enforcement capacity, that employee must report the assault. The employee must then notify the Department before seeking a No Contact or Restraining Order related to the assault. This notification is to the Chief of Police via the employee's chain of command.

25. Employees Report Their Intent to Initiate Lawsuits or Seek Court Orders

Employees must report to the Chief of Police their intention to sue for damages sustained while working in a law enforcement capacity or by virtue of employment with the Department.

Sworn employees will notify their supervisor prior to applying for a No Contact or Restraining Order stemming from an assault on the employee that occurred while the employee was working in a law enforcement capacity.

26. Employees Follow the Americans With Disabilities Act (ADA) in the Performance of their Job

Employees interacting with persons with disabilities will take steps to provide needed accommodations to provide police services or achieve a law enforcement goal.

See: Commonly asked questions about the Americans with Disabilities Act and Law Enforcement, ADA.gov, City of Seattle ADA.

5.002 - Responsibilities of Employees Concerning Alleged Policy Violations

Effective Date: 07/15/2018

5.002-POL

This policy applies to the reporting of alleged policy violations identified by the public, employees of the Department, or others and related investigations by the Department and OPA.

The purpose of this policy and the related procedures is to provide a prompt, just, and open disposition of allegations of policy violation regarding the conduct of employees.

1. The Department Will Accept Allegations of Policy Violations from Any Source and by Any Means

2. Employees Will Assist Any Person Who Wishes to File a Complaint

In addition to obligations that may arise under other parts of this manual (e.g., See 5.140-Bias-Free Policing-6, 7) employees will assist the complainant by taking the complaint and passing it on to a supervisor or OPA (see also 6 below).

If the complainant requests information on where and how to file the allegation, the employee will provide it. However, the employee is still responsible for passing the complaint on to a supervisor or OPA.

If the employee is unable to take the complaint (e.g., the allegation is made during a demonstration while the employee is on a line, etc.), while not interfering or compromising public safety interests, the employee will provide specific information to the complainant on where and how to file the allegation.

3. Employees Shall Not Discourage, Interfere With, Hinder, or Obstruct Any Person from Filing a Complaint or Conducting or

Cooperating with an Investigation of an Allegation of a Policy Violation

4. Retaliation Is Prohibited

No employee will retaliate against any person who:

- Exercises a constitutional right
- Records an incident, including videotaping and photographing
- Makes a public disclosure request
- Publicly criticizes an SPD employee or the Department
- Initiates litigation
- Opposes any practice reasonably believed to be unlawful or in a violation of Department policy
- Files a complaint or provides testimony or information related to an allegation of policy violations, including but not limited to complaints made OPA, Human Resources, or the EEO Investigator
- Provides testimony or information for any other administrative criminal or civil proceeding involving the Department or a Department employee
- Files a whistle-blower claim pursuant to Seattle Municipal Code
- Communicates an intent to engage in the above-described activities
- Otherwise engages in lawful behavior

Retaliation includes discouragement, intimidation, coercion, or undertaking any adverse action against any person because the person engaged in any of the activity set forth above. This prohibition specifically includes interference with any administrative, civil, or criminal investigation.

Retaliation may constitute independent grounds for discipline, up to and including termination.

5. Supervisors Will Investigate or Refer Allegations of Policy Violations Depending on the Severity of the Violation

a. All allegations of serious policy violations will be referred to OPA for investigation.

The following are serious policy violations that must be referred to OPA:

- Unnecessary, unreasonable, or disproportionate use of force

- Biased policing, including use of language that is derogatory based on an individual's sex, race, ethnicity, religion, homeless status, or other protected class.

  Exception: Supervisors will not report an allegation of biased policing directly to OPA in those circumstances where a Bias Review Blue Team Entry is appropriate under 5.140-POL-6 and 5.140-POL-7.

  See 5.140-Bias-Free Policing, sections 6 & 7.

- Any other violation of SPD policy that may violate a suspect/person's constitutional rights to freedom of speech, to the free exercise of religion, to peaceably assemble, to due process of law, and to be secure against unreasonable search and seizure

- Violations of law enforcement authority

- Failure to use ICV when required

- Failure to report serious policy violations to OPA

- Violations of any policy that are intentional or reckless

- Serious neglect of duty

- Insubordination

- Potential criminal violations of law

- Failure to fully cooperate in an internal investigation

- Dishonesty

- Misuse of authority, conflicts of interest, or improper use of position for personal gain

- Repeated minor policy violations

b. If the severity of the violation is unclear, the lieutenant or civilian equivalent will consult OPA.

The level of seriousness of an alleged policy violation is sometimes contingent upon the specific facts of an incident. The Department recognizes that even some minor violations may raise concerns of public trust and warrant a referral to OPA. Employees should consider the totality of the circumstances when determining the level of seriousness of an alleged policy violation, apply common sense, and consult with an OPA lieutenant or above if uncertain.

c. Minor policy violations (allegations of policy violations that do not rise to the level of "serious") must still be investigated by the chain of command.

Supervisors who witness, have reason to believe, or receive an allegation of a minor policy violation are expected to address the violation as they deem appropriate.

Supervisors also have the discretion to refer allegations of even minor policy violations to OPA for investigation where they deem it appropriate.

Allegations of minor policy violations may include administrative, procedural, or technical violations of SPD policies that are unrelated to:

(1) The use of force,

(2) Exercise of law enforcement authority, and/or

(3) The list of serious offenses outlined above or issues involving similarly serious potential violations.

Example of allegations of minor policy violations include, but are not limited to:

- Force reporting timeline violations

  Exception: Willful violations of the force reporting timelines must be considered serious violations of policy and referred to OPA

- Failure to perform a system checks on ICV/BWV equipment that causes no failure to record officer actions

- Failure to seatbelt subjects who are being transported by an officer in a seatbelt equipped Department vehicle or during performing official duties where the detainee is not injured as the result of not being secured.

- Failure to identify tactical issues or document deficiencies in the use of force packet

- Failure to turn off the vehicle's AM/FM radio when the ICV is engaged

- Engaging in law enforcement related secondary employment without a valid secondary work permit on file with the Department

- Minor Rudeness (absent bias)

- Traffic and parking infractions

- Profanity not directed as an insult

- Employee tardiness

- Uniform, equipment, and personal appearance

- Failure to attend and/or complete required training (including mandatory e-Learning modules on Cornerstone) for which the employee is registered, unless the failure is:

    - Unjustified and/or

    - The employee fails to provide reasonable advance notice he or she will not attend a scheduled training

        (Supervisors may contact the Cornerstone lieutenant in ETS to research an employee's previous instances of missed training.)

- Failure of a supervisor to register employees for training, except when that failure results in the employees missing the opportunity to attend training

6. Employees Will Report Alleged Violations

Employees will report any alleged minor policy violation to a supervisor.

Employees will report any alleged serious violations to a supervisor or directly to OPA.

For sworn employees this reporting requirement also applies to allegations of uses of force not yet reported.

Employees who witness or learn of a violation of public trust or an allegation of a violation of public trust will take action to prevent aggravation of the incident or loss of evidence that could prove or disprove the allegation.

Any employee who observes another employee engaged in dangerous or criminal conduct or abuse will take reasonable action to intervene.

7. Employees Will Avoid Conflicts of Interest Regarding Allegations of Policy Violation

Employees' duty to avoid and disclose actual, potential, or apparent conflicts of interest (See 5.001-Standards and Duties) extends to the allegation process.

If a supervisor is the subject of an allegation of policy violation, the employee receiving the allegation will refer the allegation to the next highest-level employee in the supervisor's chain of command.

If the subject of the allegation of policy violation is assigned to OPA, the employee receiving the report will forward the allegation to the OPA Director.

If the subject of the allegation of policy violation is the OPA Director, the allegation will be forwarded to the City Human Resources Director.

8. Employees Will Report Certain Events

Employees will report to their supervisor, in writing, as soon as practical (and before the start of their next work shift) any of these circumstances in any jurisdiction:

- They are the subject, or they believe they may be the subject of a criminal investigation, criminal traffic citation, arrest, or conviction

- They are the respondent of an order of protection, restraining order, no contact order, anti-harassment order

- Their Washington driver license is expired, suspended, revoked, or restricted, for example, with an ignition interlock driver license

9. The OPA Manual Sets Forth OPA Procedures

10. OPA May Choose to Investigate Any Alleged Policy Violation

If a supervisor is informed that OPA is taking over an investigation, the supervisor will cease their investigation.

11. Employees Will Cooperate with Department Internal Investigations

Employees will truthfully answer all questions, render complete, comprehensive statements, and promptly provide all available material related to investigations of alleged policy violations. The statements will include all material facts and circumstances surrounding the subject matter of the investigation, which are known by the employee. Omissions of material facts known by the employee will be a failure to cooperate in an internal investigation.

12. OPA Maintains a Record of all Allegations Referred

All allegations of policy violations and any files related to these allegations will be secured within OPA offices for a period of time consistent with the Department's record retention policies.

5.002-TSK-1 Employee Reporting of Serious Policy Violations

When any employee is referring an allegation of serious policy violations to OPA, the employee:

1. **Provides** all of the following information to OPA, if possible:

    - The nature, date, and place of occurrence of the alleged incident

    - Name of employee involved or their serial number and other description

    - Name, address, and telephone number of the complainant, aggrieved party, and all known witnesses

    - A detailed summary of the allegation

- Information about perishable and other known evidence, including video recordings

- Whether the investigation presents any actual, potential, or apparent conflicts of interest

2. **Assembles** any supporting documentation.

3. **Documents** the allegation on a Complaint Blue Team entry and forwards the entry to OPA via the chain of command.

Exception: If the employee named in the allegation is assigned to OPA, the allegation is sent directly to the OPA Director.

Exception: If the allegation involves the chain of command and the employee does not want it to be viewed by the chain of command, the employee may forward it directly to an OPA lieutenant.

Exception: If the allegation is an EEO complaint, the employee will refer to 5.040-PRO-1.

5.003 – Front Line Investigations

Effective Date: 05/10/2017

5.003-POL

1. Supervisors Will Investigate and Document Allegations of Minor Policy Violations

Supervisors will fully investigate and take corrective action, within their authority, when they witness or receive allegations of an employee's minor policy violations. (See 5.002-Responsibilities of Employees Concerning Alleged Policy Violations, 5.c.)

Exception: If the supervisor is informed that OPA is taking over the investigation, the supervisor will cease their investigation as described in 5.003-PRO-1 Supervisor Reporting Allegations of Minor Policy Violations.

When reporting allegations of minor policy violations supervisors/ sergeants are expected to complete the investigation and forward to the lieutenant within two (2) calendar weeks.

Lieutenants are expected to complete the review of the investigation and forward to the captain within one calendar week.

Captains are expected to complete the review of the investigation and forward within one calendar week.

In exceptional cases, when workload or scheduling issues will preclude timely review, each reviewer may request an extension from his or her supervisor.

If a report is delayed beyond this time limit, the reason for the delay will be documented.

Supervisors/Sergeants will screen the incident with a lieutenant to confirm the violation meets the criteria for minor misconduct. Lieutenants will screen with OPA if in doubt regarding its appropriate categorization.

2. A Supervisor May Relieve a Subordinate Employee of Duty

If immediate relief from duty is necessary to protect the Department, the employee, or the public, a supervisor may relieve a subordinate employee from duty and place the employee on Administrative Leave for up to 24 hours (excluding weekends and holidays).

The supervisor will screen the incident with a higher-ranking employee prior to informing the employee they are relieved from duty.

- A permanent lieutenant or higher will screen incidents involving sworn employees and notify their bureau chief through the chain of command and call the bureau chiefs office the next day. The HR Director and Employee Services Lieutenant are informed of any relief from duty immediately.

Supervisors will notify a higher-ranking employee within their chain of command, or the Duty Captain, before going off duty where immediate investigative action by the OPA may be necessary. If warranted, the higher-ranking employee will notify OPA immediately. After hours, the Communications Section will follow its callout procedure for OPA.

The higher-ranking employee will consider having the Peer Support personnel contact the employee if appropriate.

5.003-PRO-1 Supervisor Reporting Allegations of Minor Policy Violations

First observed or first reported allegation of a minor policy violation

Supervisor

1. **Reviews** the allegations and investigates to determine if a Frontline investigation is appropriate.
2. **Screens** the incident with a lieutenant/civilian manager.
3. **Counsels** the employee as to any tactical or behavioral concerns raised by the complaint.

4. **Takes** remedial steps to correct the tactics or behavior if necessary.

5. **Documents** the allegation/violation, any remedial actions taken, and outcome in PAS.

6a. **Internal Allegation**: If the alleged violation is observed by the supervisor or a Department employee, **documents** the completed investigation in a Frontline Blue Team entry and forwards it to the chain of command.

6b. **External Allegation**: If the allegation is made by a person outside of the Department, **documents** the completed investigation in a Frontline Blue Team entry and forwards it to OPA, via the chain of command.

7. When possible, **notifies** the complainant that the investigation is completed.

Second observed or second reported allegation of a similar minor policy violation.

Supervisor

1. **Reviews** the allegations and investigates to determine if a Frontline investigation is appropriate.

2. **Screens** the incident with a lieutenant/civilian manager.

3. **Counsels** the employee as to any tactical or behavioral concerns raised by the complaint.

4. **Takes** remedial steps to correct the tactics or behavior if necessary.

5. **Documents** the allegation/violation, any remedial actions taken, and outcome in PAS.

6. **Notifies** the Employment Services Lieutenant of the PAS entry via email.

7. **Documents** the completed investigation in a Frontline Blue Team entry and forwards it to OPA, via the chain of command.

Lieutenant/Captain/Civilian Manager

8. **Reviews** the complaint and **provides** a recommendation in Frontline Blue Team.

   - A second violation will typically result in an oral reprimand.

OPA

9. **Reviews** the incident and the chain of command's recommendation.

10. **Determines** whether to take over the investigation and advises the chain of command of their decision via Blue Team.

Lieutenant/Captain/Civilian Manager

11. If OPA will not be taking over the investigation, **issues** a reprimand as appropriate using the Frontline Reprimand Form (25.4).

12. **Documents** the reprimand in a Frontline Blue Team entry.

Supervisor

13. **Documents** the resolution in PAS.

14. If a reprimand is issued, **notifies** the Employment Services Lieutenant of the PAS entry via email.

15. When possible, **notifies** the complainant that the investigation is completed.

Employment Services Lieutenant

16. **Notifies** the employee's union of the reprimand.

Third observed or third reported allegation of a similar minor policy violation.

Supervisor

1. **Reviews** the allegations and investigates to determine if a Frontline investigation is appropriate.

2. **Screens** the incident with a lieutenant/civilian manager.

3. **Counsels** the employee as to any tactical or behavioral concerns raised by the complaint.

4. **Takes** remedial steps to correct the tactics or behavior if necessary.

5. **Documents** the allegation/violation, any remedial actions taken, and outcome in PAS.

6. **Documents** the completed investigation in a Frontline Blue Team entry and forwards it to OPA, via the chain of command.

Lieutenant/Captain/Civilian Manager

7. **Reviews** the complaint and **provides** a recommendation in Frontline Blue Team.

   -A third violation will typically result in a written reprimand.

OPA

8. **Reviews** the incident and the chain of command's recommendation.

9. **Determines** whether to take over the investigation and advises the chain of command of their decision via Blue Team.

Lieutenant/Captain/Civilian Manager

10. If OPA will not be taking over the investigation, **issues** a reprimand as appropriate using the Frontline Reprimand Form (25.4).

11. **Documents** the reprimand in a Frontline Blue Team entry.

Supervisor

12. **Documents** the resolution in PAS.

13. If a reprimand is issued, **notifies** the Employment Services Lieutenant of the PAS entry via email.

14. When possible, **notifies** the complainant that the investigation is completed.

Employment Services Lieutenant

15. **Notifies** the employee's union of the reprimand.

Fourth observed or fourth reported allegation of a similar minor policy violation.

Supervisor

1. **Follows** 5.002-TSK-1 Employee Reporting of Serious Policy Violations.

   - The fourth observed or fourth reported allegation of a similar minor policy violation is handled as a serious policy violation.

5.010 – Civil Actions

Effective Date: 05/01/2020

I. Definition

Civil action: Civil law deals with matters involving harm to an individual or other private party, such as a business. Such cases are usually initiated by a private party (plaintiff) and decided by a judge based upon the "preponderance of the evidence" standard, where the plaintiff most likely requests money for damages or an injunction to prevent recurring harm in the future.

For Example: Civil cases include temporary restraining orders, landlord/tenant issues, defamation, battery, medical malpractice, fraud, not paying in full or on time, failing to deliver goods sold or promised.

II. Citizen Claims for Reimbursement

A. Although citizens may file a claim with the City for reimbursement for any damages or expenses that result from police action, officers cannot obligate, and should not suggest, that the City or the Department will pay such claims. Legally, the City is usually not obligated to reimburse citizens for all damages or expenses that result from police action (e.g. the service of a search warrant where force is used to gain entry).

1. Officers shall not promise citizens that they will be reimbursed if they file a claim.

B. If a citizen requests information regarding reimbursement for damages, officers should inform them that they may apply for reimbursement by filing a claim with the Claims Division of the City's Law Department. Citizens may pick up a claim form at the Seattle Municipal Building, Clerk's Office, 600 Fourth Avenue - Room #104, or they may call 684-8213, and a form will be mailed to them.

III. Involvement/Participation in Civil Actions - Generally

A. No employee shall volunteer to aid any private party in any manner in a civil action, and no employee shall participate in

any manner in a civil action except as provided by Department policy and due process of law.

B. No employee, except the Chief of Police as the custodian of Department records or an employee specifically designated by the Chief of Police (e.g., Records, Evidence and Identification Section Director, Department Legal Advisors), shall provide to any person or authority outside the Department, related to a civil action, any Department records, reports, documents, or other materials, or copies thereof, completed by an employee in the performance of official duties.

C. No employee shall confer or consult with any person outside the Department or participate in any activity or proceeding related to a civil action, except in response to a subpoena or at the request of a Department Legal Advisor, City Attorney, or private attorney representing the City.

IV. Compensation for Appearances in Civil Actions

A. An employee who makes an authorized appearance (e.g., interview, conference, deposition, judicial proceeding) related to a civil action shall be compensated by the Department in accordance with applicable compensation provisions for duty-related activities.

B. No employee shall solicit or receive, directly or indirectly, any other fees or compensation (e.g., witness fees, expert witness fees, consultation fees) for any appearance, participation, or other activity related to a civil action.

V. Supervisory Notification and Scheduling

A. Whenever an employee receives a subpoena or request from a Department Legal Advisor, City Attorney, or private attorney representing the City to appear or participate in an activity related to a civil action, the employee shall inform their immediate supervisor of the subpoena or request, the nature of the employee's involvement (e.g., appearance at trial, deposition), and the anticipated date and time of the appearance.

B. Whenever possible, consideration should be given to scheduling appearances and activities related to private civil actions (a civil action where the City, State, or some other government agency is not a party to the action) outside the

employee's normal duty hours if an on-duty appearance would affect the operation of the employee's unit of assignment.

VI. Overtime Requests

A. An employee who makes an off-duty appearance related to a civil action shall submit an Overtime Request (form 1.33) in order to receive compensation for the appearance. Employees shall indicate on the request:

1. That the appearance or activity was related to a civil action,

2. Names of the parties involved in the civil action and who requested the employee's appearance,

3. The nature of the appearance (e.g., trial, deposition, interview).

B. The Overtime Request shall be routed and reviewed according to standard court time/Overtime Request routing and review procedures.

VII. Fiscal Unit Notification

A. In all cases where an employee makes a civil action related appearance (e.g., interview, conference, deposition, judicial proceeding), on-duty or off-duty, at the request of a private party (a party other than the City, Department, or other government agency), the Fiscal, Property and Fleet Management Section will collect fees from the private party. In order to facilitate billing by the Fiscal Unit, such employee appearances shall be reported as follows:

1. The employee who makes an appearance, on- or off-duty related, shall complete a Memorandum (form 1.11) addressed to the Fiscal, Property and Fleet Management Section, indicating the following:

    a. Name, address, and business phone number of the attorney(s) representing the party who requested the employee's appearance,

    b. The date, hours, location, nature of the appearance (e.g., conference, deposition, trial), any time spent in preparation for the appearance, and whether the appearance occurred during the employee's on-duty or off-duty hours, and a brief description of the nature of the civil action (e.g., civil lawsuit, insurance claim) and the incident and employee

activity related to the civil action (e.g., vehicle accident investigation, Report Number),

c. The employee shall attach to the Memorandum a copy of any subpoena the employee received and in the case of off-duty appearances, a copy of the Overtime Request completed by the employee.

2. In the event an employee receives any fees or compensation for a civil appearance, the employee shall forward the fees or compensation to the Fiscal, Property and Fleet Management Section with the Memorandum, and

a. Any checks received by an employee shall be endorsed "payable to the City of Seattle" and shall be signed by the employee.

3. The Memorandum with attachments shall be forwarded for review through the employee's chain of command. Each supervisor shall initial and date the Memorandum to acknowledge review. The Section/Precinct Captain shall then forward the Memorandum, with attachments, to the Director of the Fiscal, Property and Fleet Management Section.

5.020 – Gifts and Gratuities

Effective Date: 08/15/2012

5.020-POL

This policy applies to any item of value received by an employee in the course of their duties.

1. Department employees shall not accept any gift or other item if it appears that the person offering the gift is trying to influence the employee.

a. Several gift/gratuity situations are prohibited.

- Soliciting or receiving any thing of monetary value that would, to a reasonable person, appear to have been accepted with the intent to give or obtain special consideration or influence.

- Using or attempting to use their official position for a purpose that is for the private benefit of the Department employee or any other person.

- Soliciting or accepting any gift or gratuity from other Department employees if such items would adversely affect the actions of the employee in connection with police operations.

- Offering or agreeing to purchase any item of private property from a non-criminal justice employee, when the contact with the owner or agent of the owner is as a result of the employee performing his/her Department duties, without Department approval. This prohibition to purchase specifically includes firearms and real property.

- Becoming financially or otherwise indebted to any other employee to the extent that work performance is affected.

- Soliciting any personal notoriety and/or award or soliciting or accepting any reward for services rendered incident to their position or duty as an employee of the Department.

- Soliciting or accepting free admission to the theaters and other places of amusement for themselves or others, except in the line of duty.

b. Employees receiving prohibited gifts or gratuities are required to report and document such items.

- See 5.020-PRO-1

2. Employees may accept the following unsolicited items unless it would appear to a reasonable person that the item had been offered with the intent to influence the employee's official actions.

- Advertising or promotional items valued at $25 or less.
- Items valued at $25 or less that are placed in a common area where they are shared with coworkers.
- Items with an aggregate value that does not exceed $50 from a single source in a calendar year.
- Tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
- Informational material, publications, or subscriptions related to the recipient's performance of official duties.
- Food and beverages consumed at hosted receptions.
- Admission to, and the cost of food and beverages consumed at events sponsored by or in conjunction with a civic, charitable, governmental or community organization.
- Gifts that are accepted on behalf of and retained by the Department.
- Gifts of nominal monetary value, not to exceed $25.
- Purchases made by a community member for an individual officer (e.g., a cup of coffee, a snack or beverage), with the total value being $5 or less.
- Anonymous purchases of food for an individual officer, with the total value of $10 or less.
- Gifts motivated by a family or personal relationship (and not due to the recipient's status as a police officer).

5.020-PRO-1 Reporting Prohibited Gifts and Gratuities

Officer/Detective

1. **Sends** an email or SPD Memorandum (form 1.11) through their chain of command to the captain of the Compliance Section explaining the circumstances.

    a. **Retains** the item(s) until a decision is made regarding their ultimate disposition.

Sergeant

2. **Forwards** this email/memo to the officer/detective's lieutenant.

Lieutenant

3. **Forwards** this email/memo to the officer/detective's captain.

Captain

4. **Forwards** this email/memo to the captain of the Compliance Section.

Captain of the Compliance Section

5. **Receives** this communication from the officer/detective's captain.

6. **Notifies** the officer/detective's chain of command regarding the item's disposition.

7. **Determines** the appropriate disposition of the item.

8. **Notifies** the Compliance Section Administrative Assistant.

Section Administrative Assistant

9. **Keeps** a log regarding items received and their disposition.

10. **Sends** correspondence to the citizen, if known, who gave the officer/detective the item(s).

5.030 – Preparing for Criminal Case Interviews

Effective Date: 01/01/2015

5.030-POL

This policy applies when Department employees receive requests from the defense for criminal case interviews and/or notice to appear as a defense witness in a criminal case.

1. Department Employees May Participate in Felony Case Interviews After Notifying the King County Prosecuting Attorney's Office (KCPAO)

For felony case interviews, Department employees will contact the KCPAO to speak with the assigned prosecutor or to request that a prosecutor be present for the interview.

(See 5.030-TSK-1 Providing Notice to the King County Prosecutor's Office)

If a Department employee declines an interview request then they may be subpoenaed or ordered by the court to provide a deposition which may result in unnecessary costs to the Department.

2. Department Employees May Participate in Misdemeanor Case Interviews After Notice to the Seattle City Attorney's Office (SCAO)

After receiving a request for a defense interview on a misdemeanor case, employees will notify the SCAO by sending an email to Law_Defense_Interview_Request with the following information:

- Subject Line: "Defense Interview"
- Officer Name and contact number
- Report Number
- Defense Attorney Name
- Date Defense Contacted Officer

- Prosecutor Requested to Attend: Yes or No

If a Department employee declines an interview request then they may be subpoenaed or ordered by the court to provide a deposition which may result in unnecessary costs to the Department.

3. Department Employees Shall Notify the KCPAO Juvenile Section Before Participating in an Interview of a Case Involving Juvenile Suspects.

Contact the KCPAO Juvenile Section to speak to a prosecutor or paralegal supervisor.

4. Department Employees Shall Verify Information Before the Interview

Before scheduling a case interview, employees will verify the following information:

- The person requesting the interview is representing the defendant, the State, or the City.
- The Report and any other relevant reports that contain information relevant to the case.
- The victim is not a Department employee. If the victim is a Department employee, contact the appropriate Prosecutor's office for consultation prior to conducting the interview.
- The case is an active criminal case.
    * For felony adult cases use the KCPOA case management system for case status.
    * For cases involving a juvenile subject contact the KCPAO Juvenile Section.
    * For misdemeanor adult cases call the Law Department at (206) 684-7757.

If the employee cannot verify the above information, the employee will refer the requestor to the appropriate Prosecutor's office to facilitate the interview.

5. Department Employees May Refuse to Answer Questions and May Terminate the Interview

An employee may refuse to answer questions during the interview if the employee has concerns about the line of questioning or if the employee feels that another investigation may be compromised by answering the questions.

The employee may request that the interview be recorded and that a recording be provided by the interviewer. The employee may also terminate the interview.

The employee may contact the SCAO or KCPAO to relay the concerns and seek guidance on resuming the interview at a later date.

6. Department Employees Shall Not Sign Criminal Case Documents That Were Not Prepared by SPD

Exception: A Department employee may sign a document or statement if done so at the direction of the assigned prosecutor.

7. Department Employees Requested to Appear as a Defense Witness Shall Immediately Notify the KCPAO

This request may include a personal appearance, deposition, or affidavit by the employee.

(See 5.030-TSK-1 Providing Notice to the King County Prosecutor's Office)

8. Department Employees Shall Schedule Interviews to Take Place During Work Hours

Exception: If the employee is unable to schedule the interview during regular work hours, the employee shall get authorization from their supervisor for overtime before conducting the interview.

5.030-TSK-1 Providing Notice to the King County Prosecutor's Office

After receiving a defense request for an interview on a felony case, the **Department Employee**:

1. **Logs** into King County Ingress Distributed Security Gateway
2. **Clicks** on "PAO CASE INFO" to access searchable fields.
   - "Report#" is the police case number
   - "L.E. Agency" button gives a list of agencies

- It is not necessary to complete every field

3. **Locates** the "File #" link for the case to show case details.

4. **Finds** the "Assigned" prosecutor.

5. **Sends** an e-mail to the assigned prosecutor using the email link including the following information:

   - Defendant's name

   - KCPAO cause number

   - SPD Report Number

   - Name of defense attorney or investigator requesting the interview

   - Employee's contact information

   - Request for contact before the interview or to have prosecutor present during the interview

6. **Schedules** the interview if the employee has received no response after 5 business days or after conferring with the prosecutor's office.

   Exception: If a request was made to have the prosecutor's office schedule the interview, or if the case is a Class A Violent Felony or Sex Crime, then re-contact the assigned prosecutor or paralegal.

5.040 – EEO Complaints and Investigations

Effective Date: 04/01/2019

An EEO (Equal Employment Opportunity) complaint is an oral or written complaint alleging discrimination or harassment, both of which are strictly prohibited.

Discrimination is any act, by itself or as part of a practice, which is intended to or results in different treatment or differentiates between or among individuals or groups of individuals by reason of race, color, age, sex, marital status, sexual orientation, gender identity, political ideology, creed, religion, ancestry, national origin, honorably discharged veteran or military status; or the presence of any sensory, mental, or physical disability.

Harassment is a form of discrimination characterized by any of the following circumstances:

- Submission to discriminatory conduct is made either explicitly or implicitly a term or condition of employment
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment

Sexual harassment is defined as unwelcome advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature under the above circumstances.

For further guidance, see http://www.eeoc.gov/.

This Policy 5.040 shall at all times be construed in a manner consistent with the City of Seattle Personnel Rules and will be construed to provide no less protection against discrimination and harassment than is required by applicable federal and state laws.

5.040-POL

1. The Human Resources Director Shall Monitor all Department Procedures Regarding Fair Employment and Labor Practices

2. The Human Resources Director Shall Oversee the Investigation of Complaints of Discriminatory Misconduct by Department Employees

3. The EEO Investigator Will Investigate Complaints

The EEO Investigator will investigate all discrimination and harassment complaints as defined in this policy 5.040, as well as complaints of retaliation for bringing or participating in an EEO investigation. All other complaints will be referred through appropriate channels.

- The EEO Investigator shall notify the chains of command of both the complainant and the named employee.

4. Supervisors and Managers Shall Immediately Take Action When There is an Indication That Harassment May be Occurring

See 5.040-PRO-1 EEO Investigations.

5. The Chain of Command of the Accused Employee Will Cooperate With the EEO Investigator

6. Employees May, at any Time, Seek Redress from an Enforcement Agency or a Court of Law

Administrative agencies (Washington State Human Rights Commission, Seattle Human Rights Commission, and the Equal Employment Opportunity Commission) have established time limits for filing complaints. In most cases, such a complaint must be filed within 180 days of the last date of alleged harm.

7. Supervisors and Managers Shall Maintain Confidentiality of EEO Complaints and Investigations

8. The EEO Investigator Shall Complete the Investigation No Later Than 180 Days From the Receipt of the Complaint or From the Time That a Supervisor Became Aware of the Situation

The time limit for completing an investigation may be extended if it is determined by the Human Resources Director that additional time is necessary for a full and complete investigation. The named employee will be immediately notified in writing of any extension, with a courtesy copy sent to the complainant.

9. All Misconduct Records and Complaints and Their Resolutions Will be Maintained by the EEO Investigator and Human Resources

When a complaint is determined to be unfounded or not sustained, the record of the complaint shall be expunged three years after the end of the year of the complaint.

When a complaint results in a sustained finding, the record shall be expunged six years after the end of the year of the complaint.

- A file may be maintained for a longer retention period if there is a hold requested by the Department legal adviser. The legal adviser shall be responsible for releasing the hold.

5.040-PRO-1 EEO Investigations

Employee

1. **Notifies** a supervisor or management representative of an EEO complaint

    - Alternatively, the employee may contact the supervisor's supervisor, the EEO Investigator, OPA-IS Captain, or another management employee.

Supervisor or Manager

2. **Takes** immediate action, in consultation with SPD Human Resources, by doing the following:

    a. **Mitigates** the matter to prevent harm from continuing while an investigation is pending; for example, removing the named employee from the workplace, granting time off to the complainant if requested, temporarily changing work locations of the named employee or complainant (if the latter consents).

    b. **Documents** the mitigation efforts in a memo. **Provides** a copy of the memo to both the complainant and the named employee.

    c. **Refers** the incident to the EEO Investigator via the chain of command, for further action

EEO Investigator

3. **Conducts** intake to evaluate the appropriate course of action – for example: investigation, contact log, or referral to OPA.

4. **Assesses** the need to recommend removal of the parties from the same work environment, if this has not already occurred through initial mitigation by the supervisor or manager

5. If investigation is determined to be the course of action, **notifies** the named employee in writing that an EEO complaint has been filed and will be investigated

6. **Complies** with any right to union representation of individuals, including the named employee, who may be disciplined based on their statements

7. **Advises** all parties to the investigation that all forms of retaliation against the complainant violate city ordinance, as well as state and federal law

8. **Conducts** investigation through completion, making recommendation as to whether each alleged EEO policy violation is Sustained or Not Sustained

9. **Forwards** the case to the Assistant Chief of the named employee

Assistant Chief, Section Captain of the Named Employee, and Human Resources Director

10. **Meet** with EEO investigator to review case and recommended findings of the investigation (whether there was a policy violation)

11. **Deliberate** and make final determination whether each alleged EEO policy violation is Sustained or Not Sustained, and determine, personnel actions, and organizational follow-up to recommend to the Chief of Police

12. **Submit** their recommendations to the Chief of Police

Human Resources Director and Chief of Police

13. **Verify** that the named employee has received the results of the investigation, and provide the named employee an opportunity to provide a response to the allegations

14. **Consider** any additional information provided by the named employee

15. **Make** a final decision regarding disciplinary action

16. The Human Resources Director then **notifies** the EEO Investigator of the decision.

EEO Investigator

17. Upon request, **provides** a written summary of the investigation outcome to the complainant and the named employee

5.060 – Employee Political Activity

Effective Date: 07/13/2004

POLICY

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

I. Permitted Campaign Activity

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

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

II. Prohibited Campaign Activity

A. The exercise of those rights, however, are subject to the provisions of State law (RCW 42.17A.555), and the Seattle Municipal Code, SMC 2.04.300, which prohibit the use of City facilities for political purposes. The Seattle Code of Ethics (SMC 4.16.070(2)(a)(b) prohibits the use of a City position for private benefit, and the use of City funds and facilities for other than a City purpose. SMC 2.04.300 and SMC 4.16.070(2)(a)(b) prohibit City officers and employees from:

1. Engaging in campaign work (volunteer or paid) during City paid time, except vacation time,
2. Using office space, telephones, stationary, etc., at any time, to assist a candidate or to support or oppose a ballot measure; and

a. For example, signs, bumper stickers, photos, invitations to fund raisers, position papers, etc., may not be displayed on City bulletin boards, walls of City work areas, or City vehicles

b. City officers and employees may not solicit campaign funds (verbally or with literature) or petition for signatures on City property, at any time.

3. Using their City position to endorse or oppose a candidate or ballot issue.

a. For example, a City employee may give an endorsement speech to a local service club, as long as the employee clearly states that this is the employee's personal position and not a City position.

(1) The exception to this rule, however, is that an elected official may be listed, with their office title, on campaign literature or in the voter's pamphlet as an endorser or a member of an advisory committee.

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

III. Ballot Issues

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

1. State ballot issues

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

2. County-wide ballot issues

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

b. See RCW 29A.20.161.

3. City ballot issues

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

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

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

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

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

IV. City Facilities

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

V. Prohibited Uses

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

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

VI. Permitted Activities

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

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

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

B. Providing Information on Request

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

C. Unbiased Information in the Course of City Business

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

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

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

D. Departments Authorized to Promote Issues

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

E. Equal Access to Public Facilities

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

F. Normal and Regular Conduct of Elected Officials / Statements

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

    a. An open press conference, or

    b. In response to a specific request.

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

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

VII. Additional Resources

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

5.090 – Operations Bureau General Personnel Matters

Effective Date: 08/18/2003

I. Duty Hours

A. Watch Hours

1. First Watch

a. Early Squads: 0300 hrs.-to-1200 hrs.

b. Late Squads: 0330 hrs.-to-1230 hrs.

2. Second Watch

a. Early Squads: 1100 hrs.-to-2000 hrs.

b. Late Squads: 1130 hrs.-to-2030 hrs.

3. Third Watch

a. Early Squads: 1900 hrs.-to-0400 hrs.

b. Late Squads 1930 hrs.-to-0430 hrs.

B. Specialty Unit Hours

1. Anti-Crime Teams

a. 1900 hrs.-to-0300 hrs.

2. Community Police Team

a. 1000 hrs.-to-1800 hrs.

3. Special Patrol Unit

a. Day Shift: 1000hrs.-to-1800 hrs.

b. Night Shift: 1900 hrs.-to-0300 hrs.

4. Special Deployment

a. 0800 hrs.-to-1600 hrs.

5. Seattle Center Detail

a. Day Shift: 0930 hrs.-to-1800 hrs.

b. Night Shift: 1730 hrs.-to-0130 hrs.

6. Traffic Unit

a. #1 Motorcycles 0700 hrs.-to-1500 hrs.

b. #2 Motorcycles 1000 hrs.-to-1800 hrs.

c. AM Cars 0630 hrs.-to-1430 hrs.

d. PM Cars 1300 hrs.-to-2100 hrs.

e. DUI Squad 2000 hrs.-to-0400 hrs.

7. Canine Unit

a. Narcotics Dog: 1600 hrs.-to-2300 hrs.

b. #1: 2000 hrs.-to-0300 hrs.

c. #2: 2100 hrs._to-0400 hrs.

d. #3: 2200 hrs.-to-0500 hrs.

8. Mounted Unit

a. 1000 hrs.-to-1800 hrs.

9. Harbor Patrol

a. Day Shift: 0700 hrs.-to-1500 hrs.

b. Swing Shift: 1500 hrs.-to-2300 hrs.

c. Night Shift: 2300 hrs.-to-0700 hrs.

10. Parking Enforcement Unit

a. #1: 0630 hrs.-to-1500 hrs.

b. #2: 0800 hrs.-to-1630 hrs.

c. #3: 0900 hrs.-to-1730 hrs.

d. #4: 0945 hrs.-to-1815 hrs.

e. #5: 1430 hrs.-to-2300 hrs.

Exception: Modification to these hours may be made by a Captain upon approval from the Operations Bureau Chief.

C. Responsibilities

1. Watch Lieutenant will report to duty at least thirty minutes prior to the first roll call of their watch.

2. Sector Sergeants will report for duty fifteen minutes prior to the start of their roll call.

3. Officers will report for duty, fully equipped and prepared, at the start of their watch.

Note: Officers not arriving on time or in the proper uniform will be subject to corrective action, unless excused.

4. Station personnel will report for duty as ordered by the Precinct Captain.

5. Other personnel will report for duty as directed by the appropriate captain.

6. Officers who cannot report for duty at their assigned time will:

a. Contact their sergeant before the start of the watch.

b. Explain the situation; and

c. Provide an estimated time of arrival.

7. Shift change will occur as near as possible to the above times. If this is not possible

a. The Sector Sergeant will notify Radio.

b. Explain why the on-coming watch cannot relieve the previous watch.

8. Officers shall remain on duty for the entire assigned watch unless excused by a sergeant.

II. Roll Call Responsibilities

A. Patrol Officer

1. Watch start hours are also roll call start hours.

2. Take notes during roll call.

B. Sergeants

1. Record those officers not present when their names are called.

a. Place the word "late" on the roll call sheet.

b. Mark officers reporting to roll call out of uniform "late" on the roll call sheet.

2. Obtain and document explanations for tardiness.

a. Forward explanations to the Watch Lieutenant.

3. Provide information on criminal activity.

4. Conduct formal roll call training no less than monthly. This training should be documented on the Staff Distribution report.

C. Lieutenant

1. Conduct roll call during formal inspections.

2. Address roll calls as needed.

III. Inspections

1. The sergeant will assemble the watch.

a. Give command of "At close interval, fall in."

b. Determine the number of ranks needed.

(1) Space ranks six feet apart, if possible.

c. Plainclothes officers should be separate on the left end of the formation.

d. Sergeants should be separate on the right end of the formation.

2. Once the ranks are assembled, the sergeant will:

a. Give the command "At close interval, dress right dress."

b. Officers:

(1) Place the heel of the left hand on the left hip at the belt line; and

(2) Extend the left elbow out to the left and

(3) Look to the right to help dress the line of officers.

c. Check the dress and cover of the formation.

d. Return to the position of attention.

(1) Give the command "Officers Ready, front."

(2) Bring your hand smartly down the trouser seam, and re-cup your fingers. Turn your eyes to the front.

3. Place the ranks at ease.

a. Keep the right foot in place while at ease

4. Call the watch to attention when the inspecting officer enters the room.

5. The sergeant will face the inspecting officer.

a. Render a hand salute and say, “The watch is ready for inspection."

b. The inspecting officer will return the salute; this begins the inspection.

6. Follow the inspecting officer through the ranks.

7. Place the ranks not being inspected "At ease."

a. Call the rank to” Attention" as the inspecting officer approaches

b. Place the rank just inspected "At ease."

8. On completion of the inspection, call the ranks to attention.

9. The inspecting officer may address or dismiss the watch.

a. The ranks may be placed "At ease," if addressed.

b. Call the watch to "Attention" on completion of the inspecting officer's address.

10. The sergeant will exchange salutes with the inspecting officer.

11. The inspector commanding officer will issue the command to dismiss the watch.

12. Dismiss the watch.

    a. Give the command of "Fall out" after the inspecting officer has left the area.

IV. Assignments

A. Staffing Assignments

1. On-duty strength requirements will vary from precinct to precinct.

    a. Requirements depend on the total resources available.

    b. Patrol deployment software defines the guidelines.

    c. The Operations Bureau Chief determines the minimum on-duty strength requirements.

2. Distribution of personnel between precincts is determined by the Operations Bureau Chief.

    a. Precinct Captains will keep the Operations Bureau Chief informed on precinct staffing needs.

3. The Precinct Captain distributes staffing resources among the three watches.

    a. The Operations Bureau Chief provides the staffing guidelines.

4. The Watch Lieutenant distributes resources among the sectors.

    a. The Precinct Captain provides the sector staffing guidelines.

    b. The Watch Lieutenant will provide the beat staffing guidelines.

5. The Sector Sergeant will distribute resources among the beats.

B. Car Beat Assignments

1. Patrol deployment software is used to determine the number of various units needed.

    a. Adjustment of resources may be needed to meet staffing or operational needs.

2. The Operations Bureau Chief determines the number of two- officer units in each sector.

a. The Watch Lieutenant will ensure the number of allowed units is not exceeded without justification during routine operations and report significant variations to the Precinct Captain.

3. If the watch falls below minimum strength:

a. Assign one-officer units to two officer beats; and

b. The number of two-officer units will remain consistent with Patrol deployment software, unless operational priorities dictate otherwise.

C. Foot and Bicycle Beat Assignments

1. The Operations Bureau Chief determines the number of foot/bicycle assignments.

a. Assignments are made as resources permit.

2. Precinct Captains may assign a combination car/foot or car/bicycle beat.

D. Plainclothes Assignments

1. Watch Lieutenants may assign plainclothes units to resolve a specific problem.

a. Assignments will normally be six days or less.

b. Assignments longer than six days require approval from the Operations Bureau Chief.

V. Transfer Requests

A. Within Operations Bureau

1. Submit a memo to your sergeant.

a. The individual's chain of command indicates approval or disapproval.

2. Forward memorandum to the requested precinct.

a. The receiving chain of command indicates approval or disapproval.

3. All transfers are determined by the needs of the Operations Bureau.

4. The Operations Bureau Chief will make the final decision regarding transfers.

5.100 - Operations Bureau Individual Responsibilities

Effective Date: 07/20/2010

I. Patrol Officers

A. Responsibilities

1. Remain in your area (district/beat) as much as possible, unless:

    a. Dispatched by radio.

    b. In pursuit.

    c. Responding to a major police incident.

    d. Given permission by sergeant.

2. Monitor and take appropriate action regarding criminal activity in assigned area.

3. Complete reports accurately.

    a. Enter serial number and court code.

    b. Submit for approval prior to the end of shift.

4. Update MDT/CAD log to include:

    a. Dispatched calls.

    b. On-views.

    c. Description of incident and actions taken.

    d. MIR disposition.

    e. Times in and out of service.

    f. Other entries required on form.

5. Engage in high visibility directed patrol in areas assigned by sergeants.

6. Maintain close contact with the community.

7. Utilize creative problem-solving techniques involving traditional and non-traditional police tactics.

8. Display the necessary interpersonal skills to work with:

   a. Varied community groups comprised of diverse ethnic and cultural backgrounds.

   b. Various public and private agencies.

9. Demonstrate consistent work habits which reflect a high standard of performance and initiative.

10. Remain professional at all times.

B. Foot and Bicycle Beat Officers

1. Make numerous contacts with the public and merchants in assigned area.

2. Share responsibility for radio calls in assigned area.

3. Record all activities on an SPD log sheet.

C. Plainclothes Officers

1. Assigned by the Sergeant for specific details.

2. Document activity on the Patrol Unit Log.

D. Appearance

1. Officers will wear the proper and complete uniform.

   a. Attach and secure all uniform accessories.

   b. Maintain and clean the uniform.

      (1) Replace the uniform as soon as it becomes worn, torn, or damaged.

2. Officers will ensure they are properly attired and groomed.

E. Lunch and Coffee Breaks

1. No more than two marked cars (excluding sergeants' vehicles), with a maximum of four officers and one Sergeant, may be at one location during a break.

F. Community Meetings

1. Officers will attend community meetings when requested, if possible.

    a. Ensure sergeant knows the time and location of meeting.

    b. Officers assigned to the area the meeting is held in will attend as the department's representatives, if possible.

2. If no one can attend, the requester will be contacted and informed of the circumstances

II. Duty Officer

A. Responsibilities

1. Perform the general office duties required during the watch.

2. Respond to both in-person and telephone inquiries.

    a. Telephone courtesy.

        (1) Answer the phone by stating:

            (a) Seattle Police Department.

            (b) Precinct.

            (c) Officer's name.

            (d) Offer of assistance.

    b. Answer the phone as soon as possible.

    c. If you need to answer another line ask the caller to hold and explain any delay.

    d. Contact a sergeant if assistance is needed.

        Option: Consider taking a call-back number and return the call at a later time.

3. Take in-person complaints

    a. Complete necessary reports.

b. Take other appropriate actions, as required.

c. Employee Complaints.

(1) Refer to a Sergeant.

(2) If a Sergeant is not available:

(a) Take complainant's name and phone number, and

(b) Notify a Sergeant for call-back.

4. Notify the Communications Section of staffing deployment.

a. Call 911 so the primary operator can take the information.

b. Routine Service:

(1) Take report over the phone or from in-person complainant.

(2) Call 911 for an officer to be dispatched if evidence collection is necessary.

5. Each precinct will make daily mail deliveries to the Public Safety Building Data Distribution Center. Data Center is open twenty-four hours a day seven days a week.

a. Copy and distribute reports.

b. Sort and route citations.

c. Delivery times:

(1) 1st Watch before 0530

(2) 2nd Watch before 1430

(3) 3rd Watch before 2230

d. Deliver:

(1) Mail.

(2) Subpoenas.

(3) Reports.

(4) Citations.

6. Inspect the precinct facility hourly after normal business hours.

    a. Trespass.

        (1) Public areas of the precinct are open at all times.

        (2) Trespass warnings or arrests should be made only under the most aggravated of circumstances.

        (3) Alternatives to arrest may include:

            (a) SUV wagon.

            (b) Taxi.

7. Perform other duties assigned by sergeants.

8. Handling of fax messages.

    a. Determine correct destinations and time sensitive concerns.

    b. Place fax in:

        (1) Officer's box; or

        (2) Watch board.

    c. Phone officers if time sensitive.

    d. Make copies if fax concerns more than one officer.

    e. Encourage other agencies to use fax messages.

9. Present a professional appearance.

    a. Wear the Operations Bureau uniform of the day including a Department approved sidearm.

        Exception: The Watch Lieutenant may waive wearing the gun belt, and light duty limitations may preclude wearing some or all of a standard uniform.

III. Patrol Sergeant

A. Responsibilities

1. Direct supervision of police officers, including:

    a. Coordination of response to criminal trends identified by district officers.

b. Identifying and providing squad and individual training.

c. Direct supervision at any incident involving multiple units.

d. Personal screening of prisoners and arrests.

e. Interviewing of injured suspects.

f. Approval of police reports and log sheets.

g. Check holding rooms at the start and throughout the shift.

h. Monthly inspection of issued demonstration management gear to verify that each officer has the proper gear and that it is in good condition. Document the inspection on the daily watch sheet.

B. Field Supervision

1. Ensure officers comply with the following:

a. Log into service as soon as possible.

b. Manage their time appropriately.

(1) Calls for service.

(2) On-views.

(3) Details.

c. Remain in service, in assigned area, until fifteen minutes prior to the end of the shift.

2. Monitor assigned frequencies.

3. Remain in the field for a majority of the shift.

a. Advise radio when leaving or returning to your sector.

4. Document prisoners placed in holding rooms.

a. Note any apparent injuries to, or violent conduct by, prisoners using:

(1) Report; and

(2) Use of Force Statement; and

(3) Hazard Report (form 5.38) if appropriate.

b. Ensure the above paperwork is completed before the end of the shift.

5. Check the personal appearance of assigned officers and ensure officers' equipment is in good condition.

6. Reports:

a. Ensure accuracy and completeness.

b. Check for the correct court code on paperwork.

(1) Notify the Executive Assistant of the Operations Bureau by memorandum of any court code changes.

C. Problem Solving

1. Responsible for overall problem solving.

a. Ensure officers are applying problem solving techniques.

2. Encourage officers in their problem-solving efforts by using the following methods.

a. Brainstorming sessions.

b. Mediation techniques.

c. Community meetings.

d. Utilizing other resources.

(1) City departments.

(2) Social agencies.

3. Monitor call load activity and coordinate time for officers to use the above methods.

IV. Watch Lieutenants Responsibilities

A. Duties

1. Responsible for the supervision, administration, and performance of assigned watch.

2. Reports directly to the Precinct Captain.

3. Perform delegated duties assigned from the Operations Bureau Chief, or the Precinct Captain.

B. Responsibilities

1. Remain available by radio or telephone during the shift.

2. Provide direct supervision at any incident that is of a sensitive nature.

3. Screen all arrests involving an assault to an officer.

4. Inspect the watch.

a. Personal appearance

b. Department vehicles

c. Holding rooms

5. Encourage officers in their problem-solving efforts.

6. At least one Watch Lieutenant with the permanent rank of Lieutenant will be on duty at all times.

C. Additional Duties

1. 1st Watch Lieutenant (Facility and Vehicle Coordinator)

a. Conduct weekly inspections of the precinct to ensure the precinct is properly maintained.

b. Conduct monthly inspections of all precinct patrol vehicles to ensure proper maintenance.

2. 2nd Watch Lieutenant (Precinct Training Coordinator)

a. Coordinate training for the precinct.

b. Report monthly to precinct Captain on training and recommendations for additional training.

3. 3rd Watch Lieutenant (Community Liaison Coordinator)

a. Serve as Community Liaison as directed by the Precinct Captain.

V. Operations Lieutenant

A. Responsibilities

1. Overall operation of the Anti-Crime Team and the Community Police Team include:

    a. Planning

    b. Coordinating

    c. Budgeting

2. Flexibility to commit the entire unit, or any part of it, immediately to address a community need.

3. Report directly to the Precinct Captain.

4. Maintain effective staffing deployment.

5. Attend community meetings, respond to questions, and obtain input and feedback on neighborhood problems.

6. Conduct unit meetings to discuss and seek input from unit personnel to identify the problem area, the problem, personnel assignments, their duties, and expected results.

7. Plan activities with other units and agencies working with the team in order to avoid duplication of effort.

8. Maintain routine contact with the Precinct Watch Lieutenants to ensure effective communication and coordination between the team and other patrol officers.

VI. Precinct Captain

A. Responsibilities

1. Overall management and performance of assigned precinct.

2. Oversight of all problem-solving efforts of assigned precinct.

3. Reports directly to the Operations Bureau Chief.

VII. Bureau Chief

A. Responsibilities

1. Responsible for the overall management and performance of the Operations Bureau.

2. Reports directly to the Deputy Chief of Operations.

VIII. Equipment and Facilities Coordinators (Stationmaster)

A. Responsibilities

1. Responsible for the general maintenance and supply of

    a. Precinct facility

    b. Assigned vehicles

    c. Assigned equipment.

B. Vehicles

1. Inspect vehicles

    a. Prepare slips for maintenance and damage repair

2. Schedule vehicles for preventive maintenance.

    a. Transport vehicles to Haller Lake and/or Charles Street shops.

    b. Check with the shops about availability of units for return to service.

3. Maintain records of assigned vehicles, including damage files.

4. Make assignments of patrol vehicles to districts.

    a. Monitor mileage

5. Request maintenance materials and related equipment through

    a. FFD.

    b. Charles Street Garage or Haller Lake Shop.

6. Test drive vehicles for maintenance monitoring purposes.

7. Monitor fuel delivery and use.

C. Equipment

1. Maintain and track precinct specific equipment.

2. Order supplies and equipment

3. Maintain all records of equipment assigned to the precinct.

a. Confirm with an annual inventory

4. Provide proper storage for police documents.

a. Issue citation books

5. Maintain keyboards and all precinct keys.

6. Issue lockers

7. Conduct monthly inspections of the precinct's chemical agent supply. Verify that the munitions are current and accounted for. Document these inspections on a memorandum to the Precinct Captain.

5.120 - Off-Duty Employment

Effective Date: 02/01/2019

The Department has the management right to regulate the law enforcement related off-duty employment of its employees. This policy applies to the off-duty employment of Department employees.

5.120-POL-1 Off-Duty Employment Eligibility, Requirements, and Authorized Activities

1. Department Policy Applies to Off-Duty Employment

Employees working law enforcement related off-duty jobs are held to the same standards of conduct and performance that apply on duty. Employees must adhere to all Department policies and procedures including those related to use of force.

Employees are responsible for prisoner processing, investigatory paperwork, and reports required by policy. An on-duty sergeant must approve all reports.

Exception: If a supervisor is working off duty supervising officers, he or she will screen arrests and uses of force that occur during the course and scope of the off-duty employment.

2. Employees Must Be Eligible for Off-Duty Employment

To be eligible for off-duty employment, employees must meet these criteria:

- The person must be a full-time employee of the Seattle Police Department.
- The employee must be in good standing with the Department, having completed all required training, certifications, and qualifications.
- The employee must have completed their civil service probationary period.
- The employee must not otherwise be prohibited from working off-duty employment.

3. Certain Events Suspend Eligibility for Off-Duty Employment

Eligibility for off-duty employment becomes suspended during these circumstances:

- Sick Leave, for an employee's own illness
- Long Term Disability
- Military Leave
- Limited Duty
- Family Medical Leave, for an employee's own qualifying medical condition
- Release time
- Suspension
- Mandatory Administrative Reassignment due to an on-going OPA investigation

A poor work record, significant complaint history, or discipline may result in denial or revocation of off-duty employment eligibility.

Exception: The Chief of Police may grant permission to engage in off-duty employment while on extended sick leave for an employee's own illness.

The employee must submit a written request that includes a doctor's medical recommendation to the Director of Human Resources. If granted, the permission will be in writing.

The employee must have written permission before engaging in off-duty work.

4. Employees Must Request Approval for all Law Enforcement Related Off-Duty Employment and Business Activities

Before engaging in law enforcement related off-duty employment, the employee will submit an Off-Duty Employment Permit (Form 1.30) to the employee's chain of command up to the precinct or section captain.

The form must contain the employer or business name, the street address where work will take place, and specific duties the employee

will perform. Employees may not submit vague descriptions such as "various security".

Sergeants and above will ensure that permits are forwarded to the next reviewer or to the Human Resources Section promptly.

(See 5.120-PRO-1 Obtaining a Permit for Off-Duty Employment)

The employee may not work until the request has been approved, in writing, by the employee's precinct or section captain and the captain of the precinct where the work is to be performed.

> **Exception**: Where insufficient time exists to process an Off-Duty Employment Permit, a sergeant from the employee's section or bureau may authorize employment. This authorization is valid for four days to allow time to process the permit.

(See 5.120-PRO-2 Obtaining a Permit for Off-Duty Employment on Short Notice)

5. Approval of Off-Duty Employment is not Automatic

Permits may be denied or revoked when doing so would be in the best interest of the Department.

Before approving Off-Duty Employment Permits, the chain of command must verify that the off-duty employment follows this manual section. Approval of a permit that violates this section may be grounds for discipline.

6. Off-duty Employment Permits Are Valid for a Maximum of One Year, Expiring on the Employee's Date of Hire

Employees must submit a new Off-Duty Employment Permit request each year for renewal.

7. The Director of Human Resources Maintains a File of All Off-Duty Employment Permits

8. Employees Must Report Each Off-Duty Shift in Blue Team

Employees will report their off-duty job shifts, using Blue Team, by the conclusion of the employee's next Department work shift.

Each off-duty shift requires a separate Blue Team entry.

The employee will include any event number related to the off-duty job in the "external case number" field. When there are no related events, the field is left blank. The event number created when logging into service with radio is not necessary.

When adding themselves, employees will select their role, matching the type of work performed. (Flagging, Uniformed Security, or Plainclothes Security)

Employees will enter the CAD-compliant address where work was performed, and the name of the person or business directing the work.

> **Note:** As an example, if the employee is flagging traffic for a construction company but is being paid by a third party, the employee will enter the name of the construction company, not the third party.

In the "summary of incident" field, employees enter the number of hours worked.

(See 5.120-PRO-3 Logging Off-Duty Hours Worked via Blue Team)

9. Officers are Expected to Take Appropriate Law Enforcement Action When Working Off-Duty

Officers will assist on-duty officers whenever it is appropriate.

10. Taking Police Action May Convert Time to On-Duty Status

If an employee takes enforcement action related to off-duty employment, that time is paid by the off-duty employer until the end of the off-duty shift. The employee will not receive pay from the Department for this time.

The Department may pay overtime if law enforcement action requires the employee to work past the off-duty shift, or if the officer was required by Department policy to take action and doing so prevents the officer from performing the off-duty job.

An on-duty sergeant must approve this overtime prior to, or as soon as practical after, the employee takes the law enforcement action.

Overtime earned is paid hour-for-hour for the actual time spent performing the tasks.

11. The Department May Call Upon Employees Working Off-Duty

The Department may call upon officers working off-duty for tasks such as addressing a public safety emergency, processing an arrest, booking a suspect, etc.

An officer working off-duty will be entitled to call back pay if such duty will not permit the officer to return to his or her off-duty job before the end of that shift.

If the officer can return to the off-duty job, the Department will compensate the officer at the rate of time and a half for the actual time spent performing the Department duty.

12. Officers and Sergeants Working Off-Duty Must Earn a Minimum Rate of Pay

Officers and sergeants may only work law enforcement related off-duty at a minimum rate of pay equal to the top step of police officer or sergeant.

The total compensation in meeting these rates may comprise pay and other benefits, such as food.

13. Employees Must Log-In at the Beginning of Their Off-Duty Shifts and Log-Off at the End of Their Shifts

Employees working off-duty must have their portable radio.

Employees shall log in with Communications at the beginning of their shift and provide this information:

- Their appropriate "Victor" call sign
- The business or event name and address where they are working
- The hours they are working
- Whether they are working in uniform or plain clothes

Exception: Employees do not have to log in when working security at Safeco Field or Century Link Field where there are on-scene SPD supervisors, and all employees are operating as a group on a radio channel separate from normal radio traffic.

14. Employees Working Traffic Control Must Wear Safety Equipment

While working any off-duty job where overhead hazards exist, each employee working traffic control must wear a Department-issued

safety vest or the reversible raincoat worn with the lime green side out and hard hats. Hard hats must meet the Washington Industrial Safety and Health Act standards.

15. Patrol Sergeants and Lieutenants Shall Periodically Inspect Off-Duty Employment Locations that are Active During Shift Hours

Sergeants and lieutenants will work to correct any policy violations they discover and may relieve the employee from the off-duty job, if appropriate.

The sergeant or lieutenant will document the issue and the action taken to correct the problem on an SPD Memorandum, via the chain of command, to the Patrol Operations Bureau Chief.

5.120-POL-2 Restrictions on Off-Duty Employment

To maintain the integrity of the Department and its employees, the Department prohibits or restricts certain types of off-duty employment activities having a potential for actual or perceived conflicts of interest or that would lower the dignity of the police profession.

1. The Department Prohibits Certain Employment

Employees are prohibited from engaging in the following off-duty employment and business activities:

- Performing tasks other than those of a law enforcement or traffic control nature while in Department uniform

- Any employment in which police authority might be used for private purposes of a civil nature such as repossessing or towing vehicles or acting as a process server or bill collector

- Employment which requires access to police files, records, or services as a condition for employment

  Exception: The Bureau Chief having control over such information may grant specific approval for such use.

- Employment which results in other qualified persons being deprived of "rightful" employment and which results in a justified complaint. The Department will be the sole judge in these matters

- Employment which assists in the case preparation for the defense in any criminal action or proceeding

- Employment by or on behalf of a nightclub or an establishment licensed for or providing adult entertainment

- Employment directly for any or on behalf of establishments that sell or dispense intoxicating beverages

  Exception: The Department may grant an exception to this prohibition if the employer is a business association that has received specific authorization from the Department to hire off-duty officers and/or if the employer's main activity is not the sale or consumption of alcohol such as athletic events, hotels, etc.

- Employment directly for or on behalf of businesses that sell, produce, or dispense marijuana, marijuana-infused products, marijuana extracts or marijuana concentrates

- Owning, operating, managing, or having a financial interest in a business that sells, produces, or dispenses marijuana, marijuana-infused products, marijuana extracts or marijuana concentrates

- Owning a private security business after September 1, 1984

- Owning, operating, managing, or having a financial interest in a business providing security services where the employee utilizes their color of office, position of employment, or access to Department information, files, records, or services for private or business gain

- Owning, operating, managing, or having a financial interest in a private investigation business

- Performing police functions in uniform for a private employer beyond the jurisdiction of the corporate limits of the City

  Exception: The employee may perform this work with prior written approval of the chief law enforcement officer of the agency having jurisdiction. If employees do not submit the written authorization, they may not wear any part of the Seattle Police uniform or anything that would identify the employee as a Seattle Police Officer.

- Employment involving any form of gambling

  Exception: Employees may participate as volunteers (not in uniform) in legal gambling activities sponsored by a "Bona Fide Charitable or Nonprofit Organization" as defined in RCW 9.46.0209.

An employee may hold an office in "Bona Fide Charitable or Nonprofit Organizations" such as churches and fraternal societies wherein one of

the statutory mandates of such an office requires their participation in the application process for or signing of city, county, or state licenses authorizing the dispensing of alcoholic beverages or the conducting of legal gambling activities.

However, this exemption is not an authorization for any other employee activity elsewhere prohibited within this manual.

- Participating in professional sporting events where there is a substantial risk of serious injury, without prior written approval of the employee's Bureau Chief

- Any other employment activity not herein defined where there is a law enforcement obligation for close police scrutiny, which would lower the dignity of the police profession, or that creates actual or perceived conflicts of interest.

2. The Chief May Waive Prohibitions for Pending Retirement

The Chief of Police may waive any provisions listed above if an employee wishes to invest in such businesses prior to leaving city service and has indicated, in writing, a commitment to retire within eighteen months.

3. Employees May Not Work Any Off-Duty Employment While On-Duty

Except for court overtime, an employee will not accept payment from an off-duty employer for the same time paid by the Department.

4. Employees Will Not Solicit Off-Duty Work While On-Duty

Employees shall not solicit off-duty work while on-duty or at any time that would lead a reasonable person to believe that the regular provision of police services to their business or person may be affected.

5. Employees Will Not Use On-Duty Time to Conduct Investigations for an Off-Duty Employer

Employees may not conduct any investigations or take other law enforcement action on behalf of their off-duty employer while on duty.

Matters requiring further follow-up may be referred to a sergeant for assignment or to the appropriate follow-up unit.

6. Employees Will Not Disclose Any Confidential Information Obtained in an Official Capacity to Any Off-Duty Employer

7. Supervisory Ranks May Not Work for their Subordinates

Employees holding the rank of sergeant and above shall not engage in off-duty employment coordinated, brokered, supervised, or scheduled by an employee of lower rank in the supervisor's direct chain of command.

8. Employees Must Have a Rest Period of at Least Six Consecutive Hours in a Rolling 24-Hour Period

Work includes regular Department shift hours, Department and/or court overtime, and law enforcement or traffic control off-duty employment.

Employees must not exceed 64 total hours of work per week when off-duty employment and Department work hours are combined. Employees working a Department-approved full-time alternative schedule are considered to be on a 40-hour week.

> **Exception**: A lieutenant or above may waive the application of this standard for the needs of the Department. Exceptions may also be considered for assignments and/or off-duty employment such as traveling security, or overnight security assignments which allow a paid rest period.

This provision does not affect the collective bargaining agreement between the Guild and the City and does not apply to employees working the 24-hour shift in the Harbor Unit when they actually work that shift.

9. Disability Benefits Are Restricted by Off-duty Employment

The following is an excerpt from RCW 41.20.060, covering the Police Retirement Pension:

"Disability benefits provided for by this chapter shall not be paid when the policeman [police officer] is disabled while he [she] is engaged for compensation in outside work not of a police or special police nature."

LEOFF II officers are not covered by Washington State Industrial Insurance for injuries resulting from off-duty employment.

5.120-PRO-1 Obtaining a Permit for Off-Duty Employment

Officer

1. **Completes** an Off-Duty Employment Permit
2. **Submits** completed permit to a sergeant

Sergeant

3. **Reviews** officer's work record, complaint history and discipline history
4. **Recommends** approval or denial of the permit
5. **Forwards** the permit to the lieutenant

Lieutenant

6. **Recommends** approval or denial of the permit
7. **Forwards** the permit to the captain

Captain

8. **Approves** or denies permit
9. If the work will be performed in another precinct, **forwards** permit to the captain of that precinct for final approval

Captain who issues final approval

10. **Forwards** a copy of the permit to the officer
11. **Retains** a copy of the permit
12. **Forwards** the original permit to the Human Resources Section

5.120-PRO-2 Obtaining a Permit for Off-Duty Employment on Short Notice

Officer

1. **Completes** an Off-duty Employment Permit
2. Under "Hours of Employment," **indicates** the hours and the inclusive employment dates, and

3. **Marks** the box at the top of the Off-duty Employment Permit specifying "Permit for Off-Duty Employment less than 4 days"

4. **Contacts** a sergeant (in person or by phone) and requests approval

Sergeant

5. **Recommends** approval or denial of the permit

6. If approved, the sergeant or above **gives** the employee a signed copy of the permit

If verbal approval was granted, the **employee prints** the name of the approving sergeant in the signature block, **obtains** written confirmation within 24 hours and **attaches** it to the permit.

7. **Forwards** the original document to the Human Resources Section, via the chain of command

5.120-PRO-3 Reporting Off-Duty Hours Worked via Blue Team

Employee

1. **Adds** a new Blue Team incident. The type is "Off Duty"

2a. **Enters** any related event numbers in the "External Case Number" field.

or

2b. If there are no related event numbers, **leaves** the "External Case Number" field blank.

3. **Enters** date and time the off-duty job started in the "Date" and "Time of Occurrence" fields

4. **Enters** the street address where the work was performed

5. **Selects** the precinct area where the work was performed for the "Location of Occurrence" field

6. **Enters** number of hours worked in the "Summary of Incident" field

7. **Selects** "Community Member" for the reporting party

8. **Uses** the "Last Name" field to search the existing list of off-duty employers. If there is no match, the employee **enters** the off-duty employer's information

9. **Clicks** "Add Me" to add himself or herself to the entry

10. **Selects** his or her role, matching the type of work performed (Flagging, Uniformed Security, or Plainclothes Security)

11. **Forwards** the entry to the recipient "Off Duty"

12. **Enters** "off duty" in the "instructions" field

Off Duty Administrator

13. **Reviews** the Blue Team entry for formatting accuracy and completeness.

14. **Sends** the entry to QA

5.125 – Social Media

Effective Date: 07/01/2019

Social media refers to digital communication platforms that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites, microblogging sites, photo and video sharing sites, wikis, blogs, and news sites. Some examples of social media include:

- Facebook
- Twitter
- Instagram
- YouTube
- Reddit
- Tumblr

These policies address the use of social media in general and not one particular form.

5.125-POL-1 Department Use of Social Media

The Department endorses the secure use of social media as described below to enhance community engagement, information distribution, and neighborhood safety.

1. The Chief of Police Approves Official Department Social Media Accounts

Exception: This approval requirement does not apply to the Director of the Office of Police Accountability (OPA) or the OPA staff acting under the authority of the OPA Director. However, this exception does not relieve the Director of the obligation to obtain approval from the Mayor's communications director per City policy.

2. Public Affairs Will Oversee all Official Department Social Media Accounts

3. The Department Will Clearly Identify its Official Social Media Accounts

Where possible, Department social media accounts shall prominently display the following information and/or statements:

- Department contact information and a link to the Department website
- That pages are maintained by the Department
- The purpose and scope of the Department's presence on the websites
- That the opinions expressed by visitors to the pages do not reflect the opinions of the Department
- That posted comments will be monitored and that the Department reserves the right to remove comments at its discretion such as obscenities, off-topic comments, personal attacks, any comments that jeopardize an ongoing investigation or prosecution, or that otherwise impair the Department's ability to provide effective law enforcement services to the community.
- That any content posted or submitted for posting is subject to public disclosure

4. Employees May Use Non-Official Social Media Accounts for Investigations

Any employees using non-official social media accounts for investigative purposes will obtain written permission from the Chief of Police, regardless of duty assignment.

These employees will maintain a log of all social media postings to non-official accounts.

5. Social Media Content is Subject to Information Technology and Records Management Laws and Policies

The City of Seattle Department of Information Technology stores and retains content from official Department social media accounts in compliance with open records laws and policies.

5.125-POL-2 Employee Personal Use of Social Media

This policy covers employee personal use of social media affecting the workplace and/or the Department's ability to perform its public mission.

The Department recognizes the role that social media plays in the personal lives of some Department employees. However, the personal use of social media can have bearing on employees in their official capacity as they are held to a high standard by the community.

Engaging in prohibited speech outlined in this policy may provide grounds for discipline and may be used to undermine or impeach an officer's testimony in legal proceedings.

1. Employees Shall Not Post Speech That Negatively Impacts the Department's Ability to Serve the Public

Employees may express themselves as private citizens on social media sites as long as employees do not:

- Make, share, or comment in support of any posting that includes harassment, threats of violence, or similar conduct
- Make, share, or comment in support of any posting that ridicules, maligns, disparages, expresses bias, or disrespect toward any race, religion, sex, gender, sexual orientation, nationality, or any other protected class of individuals
- Make, share, or comment in support of any posting that suggests that Department personnel are engaged in behavior reasonably considered to be unlawful or reckless toward public safety
- Otherwise violate any law or SPD policy

Employees shall make reasonable efforts to remove content appearing on their social media account that violates this policy upon learning of the offensive content.

2. Employees May Not Post Privileged Information or Represent the Department

Employees shall not post or otherwise disseminate any confidential information they have access to as a result of their employment with the Department.

Employees may not make any statements, appearances, endorsements, or publish materials that could reasonably be considered to represent the views or positions of the Department.

Exception: This section does not apply to the personnel outlined in Manual section 1.110 – Public Information.

3. Employees May Not Use Their City Email Address to Register a Personal Account on Social Media

Employees shall refer to Manual section 12.110 regarding personal use of City-owned equipment and devices to access the internet and email.

5.130 – Supervisor/Employee Relationships

Effective Date: 03/01/2018

This manual section applies to all employees.

5.130-POL

1. Family and Relationships Defined

For purposes of this policy, the following terms will apply:

Family Relationship – The relationship between an employee and his or her:

- Spouse or domestic partner,
- Children and stepchildren,
- Parents, stepparents, and parents-in-law,
- Grandparents and grandparents-in-law,
- Siblings and siblings-in-law,
- Aunts and uncles.

Personal Relationship – A relationship involving employees who are dating, engaged in a sexual or romantic relationship, or cohabitating.

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.

2. The Department Will Avoid Placing Employees in Certain Assignments When There is a Family or Personal Relationship

The Seattle Police Department will not knowingly place employees with a family or personal relationship in a supervisor/subordinate assignment.

The Department will not place employees in assignments where it is reasonable that the family or personal relationship interest between the employees could interfere with the interests of the Department.

3. Employees Must Report the Development of Personal Supervisor/Subordinate Relationships

Supervisors and subordinates who develop a personal or family relationship with each other during the course of employment shall report the relationship to the Human Resources lieutenant.

If the Department determines there is a reasonable possibility of a conflict of interest, or that the relationship could interfere with the interests of the Department, one of the involved employees will be transferred to another position. Applicable collective bargaining agreements will govern the transfer.

5.140 – Bias-Free Policing

Effective Date: 08/01/2019

5.140-POL

The Seattle Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner.

The Department recognizes that bias can occur at both an individual and an institutional level and is committed to eradicating both.

Our objective is to provide equitable police services based upon the needs of the people we encounter.

The intent of this policy is to increase the Department's effectiveness as a law enforcement agency and to build mutual trust and respect with Seattle's diverse groups and communities.

Bias-based policing is the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible personal characteristics of an individual. Such "discernible personal characteristics" include, but are not limited to, the following:

- Age
- Disability status
- Economic status
- Familial status
- Gender
- Gender Identity
- Homelessness
- Mental illness
- National origin
- Political ideology

- Race, ethnicity, or color
- Religion
- Sexual orientation
- Use of a motorcycle or motorcycle-related paraphernalia – RCW 43.101.419
- Veteran status

1. Every Employee is Responsible for Knowing and Complying With This Policy

The Chief of Police will reinforce that bias-based policing is unacceptable through specific yearly training, regular updates, and such other means as may be appropriate.

Supervisors are responsible for ensuring all personnel in their command are operating in compliance with this policy.

2. Officers Will Not Engage in Bias-Based Policing

Employees shall not make decisions or take actions that are influenced by bias, prejudice, or discriminatory intent. Law enforcement and investigative decisions must be based upon observable behavior or specific intelligence.

Officers may not use discernible personal characteristics in determining reasonable suspicion or probable cause, except as part of a suspect description.

Employees shall not express—verbally, in writing, or by other gesture—any prejudice or derogatory comments concerning discernible personal characteristics.

No employee shall retaliate against any person who initiates or provides information or testimony related to an investigation, prosecution, Office of Police Accountability (OPA) complaint, litigation or hearings related to the Department or Departmental employees, regardless of the context in which the allegation is made, or because of such person's participation in the complaint process as a victim, witness, investigator, decision-maker, or reviewer.

Employees who engage in, ignore, or condone bias-based policing will be subject to discipline.

Supervisors and commanders who fail to respond to, document, and review allegations of bias-based policing will be subject to discipline.

3. The Characteristics of an Individual May Be Appropriately Considered in Limited Circumstances

Officers may take into account the discernible personal characteristics of an individual in establishing reasonable suspicion or probable cause, only when the characteristic is part of a specific suspect description based on trustworthy and relevant information that links a specific person to a particular unlawful incident.

Officers must articulate specific facts and circumstances that support their use of such characteristics in establishing reasonable suspicion or probable cause.

Officers are expected to consider relevant personal characteristics of an individual when determining whether to provide services designed for individuals with those characteristics (e.g., behavioral crisis, homelessness, addictions, etc.).

4. All Employees Share Responsibility for Preventing Bias-Based Policing

Employees who have observed or are aware of others who have engaged in bias-based policing shall specifically report such incidents to a supervisor, providing all information known to them before the end of the shift during which they make the observation or become aware of the incident.

Supervisors, commanders, and civilian managers have an individual obligation to ensure the timely and complete review and documentation of all allegations of violation of this policy that are referred to them or of which they should reasonably be aware.

5. Employees Will Call a Supervisor in Response to Allegations of Bias-Based Policing

If a person alleges bias-based policing, the employee shall call a supervisor to the scene to review the circumstances and determine an appropriate course of action. For purposes of this policy, an allegation of bias-based policing occurs whenever, from the perspective of a reasonable officer, a person complains that they have received different treatment from an officer because of any discernible personal characteristic listed above.

If the person declines to speak with a supervisor or wishes to leave before the supervisor arrives, the employee will attempt to obtain the person's contact information voluntarily.

- The employee will also offer the person the supervisor's contact information and information on how to file a complaint with the OPA.

Officers may not extend a detention solely to await the arrival of a supervisor.

If officers have completed their business with the person making the allegation, and the supervisor has not yet arrived, the officer will wait at the location for the supervisor to arrive.

6. Supervisors Conduct Preliminary Inquiry into Bias-Based Policing

If the person making the allegation wishes to speak with the supervisor about the bias-based policing concerns, the supervisor will discuss the incident with the person making the allegation (See 5.140-PRO-1 Handling a Bias-Based Policing Allegation).

- If the person making the allegation has left the scene, the supervisor shall make meaningful attempts to contact the person making the allegation by phone or letter.

- The supervisor will document the attempts in the Blue Team entry. If after meaningful attempts the person making the allegation is unavailable or unresponsive to phone calls or letter, the supervisor will review BWV/ICV of the incident.

- The supervisor will document any issues found on the BWV/ICV.

The reviewing supervisor shall explain to the person making the allegation the option to refer the complaint to OPA. If the person making the allegation asks that the matter be referred to OPA then the reviewing supervisor shall refer it using the Complaint Blue Team entry, instead of the Bias Review Blue Team entry.

If the reviewing or approving supervisor determines that there may have been misconduct, that supervisor shall refer the matter to OPA using the Complaint Blue Team entry for further investigation. When a supervisor sends a complaint to OPA, a Bias Review Blue Team entry will not be used.

Bias Review Blue Team entries are used when all of the following apply:

- The supervisor has conducted a preliminary investigation into the allegation of bias-based policing,
- The supervisor believes that no misconduct occurred,
- The supervisor has explained to the person making the allegation the option to refer the complaint to OPA,
- The supervisor provides the person OPA's contact information, and
- The person does not ask that the matter be referred to OPA.

7. Employees Will Document All Allegations of Bias-Based Policing

If the use of a Bias Review Blue Team entry is permitted under the circumstances (see 5.140-POL-6), the investigating supervisor will complete the entry to document the circumstances of the allegations and steps that were taken to investigate and resolve it. This review must include the following information, if the person is willing to provide it:

- The person's name,
- Address,
- Phone number, or email address, and
- Contact information for witnesses who observed the events.

The investigating supervisor must submit all documentation of an allegation of bias-based policing by the end of their shift.

The supervisor will then forward the Blue Team entry, via the chain of command, to the bureau chief.

8. The Chief Legal Officer Prepares an Annual Report for the Chief of Police and the Public

The Chief Legal Officer will prepare a report that describes and analyzes the year's bias-based policing allegations and the status of the Department's effort to prevent bias-based policing, and any disparate impacts of policing.

After review by the SPD command staff, and after names of individual officers have been removed, this report will be made available to the community.

9. Disparate Impacts

The Seattle Police Department is committed to eliminating policies and practices that have an unwarranted disparate impact on certain protected classes. It is possible that the long-term impacts of historical inequality and institutional bias could result in disproportionate enforcement, even in the absence of intentional bias. The Department's policy is to identify ways to protect public safety and public order without engaging in unwarranted or unnecessary disproportionate enforcement.

In consultation with the Community Police Commission, and the Office of the Inspector General for Public Safety, the Department shall periodically analyze data which will assist in identification of SPD practices – including stops, citations, and arrests – that may have a disparate impact on particular protected classes relative to the general population.

Alternatively, the Department may rely in whole or in part on the Community Police Commission and the Office of the Inspector General for Public Safety for analysis of this data.

When unwarranted disparate impacts are identified and verified, the Department will consult with neighborhoods, businesses, community groups, and/or the Community Police Commission, and the Office of the Inspector General for Public Safety, to explore equally effective alternative practices that would result in less disproportionate impact. Alternative enforcement practices may include addressing the targeted behavior in a different way, de-emphasizing the practice in question, or other measures. Initially, disparate impact analysis will focus on race, color, and national origin. The Department will consult with neighborhoods, businesses, community groups, and/or the Community Police Commission, and the Office of the Inspector General for Public Safety, about whether to examine disparity with respect to other classifications.

The Disparate Impacts section of the policy is not a basis to impose discipline upon any employee of the Department, nor is it intended to create a private right of action to enforce its terms.

a. The Chief of Police or Designee Will Enforce Policy

The Chief or designee will ensure that this policy is in effect and carried out.

b. Officers Document Enforcement Activity

See Seattle Police Manual Section 6.220 – Voluntary Contacts, Terry Stops & Detentions.

c. The Department Analyzes Officer-Initiated Activity

The analysis focuses on enforcement practices (stops, citations, and arrests) that are not primarily driven by reports from crime victims. These include, but are not limited to:

- Violation of the Uniform Controlled Substance Act (VUCSA)
- Prostitution
- Obstructing
- Resisting arrest
- Driving crimes/infractions
- Pedestrian interference
- Illegal camping
- Pedestrian violations (e.g., "Jaywalking")
- Drinking in public
- Public consumption of marijuana
- Public urination/defecation

5.140–PRO-1 Handling a Bias-Based Policing Allegation

Employee

1. **Receives** an allegation of bias-based policing
2. **Calls** a supervisor to the scene

   2a. If the officer's sergeant is not available, the officer **notifies** a sergeant from the officer's precinct.

   2b. If no sergeant is available, the officer **notifies** a lieutenant who may assign a specific sergeant or who will personally respond to conduct the same review as would have been required of a sergeant had one been available.

3. If the person making the allegation wishes to leave the scene, the officer **attempts** to obtain the person's contact information voluntarily.

Next-Level Supervisor

4. **Responds** to the scene

5. **Gathers** all relevant information from the person making the allegation and any witnesses, if they are willing to provide it

   - Relevant information is defined as any information that may tend to explain, prove, or disprove the allegations being made.

6. **Provides** specific information to the person on how to file a complaint or, if warranted, **refers** the matter to OPA for further investigation

   See Seattle Police Manual Section 5.002 - Responsibilities of Employees Concerning Complaints of Possible Misconduct

7. **Completes** a Blue Team entry

   7a. **Uses** the Complaint Blue Team entry for cases that are being referred to OPA for further investigation

   7b. **Uses** the Bias Review Blue Team entry for cases that are not being referred to OPA for further investigation

8. **Forwards** the Blue Team entry to the bureau chief via the chain of command

Bureau Chief

9. **Reviews** and **forwards** the Blue Team entry to OPA

5.150 – Use of Private Vehicles for City Business

Effective Date: 12/29/2004

Policy

Employees should always attempt to use City vehicles in the performance of their duties for the Police Department. Whenever possible, permission shall be obtained from an employee's Bureau Chief prior to using their private vehicle on City business.

I. Definitions

A. For purposes of reimbursement, vehicles shall be defined as any motor driven conveyance licensed to operate on the public roads and highways.

II. Procedures

A. Employees shall obtain prior authorization from their Section Captain before using a private vehicle on City business. Use a Seattle Police Department Memorandum (form 1.11).

B. Employees shall notify their Section Captain immediately following the use of a private vehicle for City business in instances where obtaining prior permission is not possible.

C. Requests for reimbursement shall be completed on Claim for Private Automobile Mileage Form (form 5.12) with a copy of the approval attached. Both documents will then be forwarded to the Director of the Fiscal, Property, and Fleet Management Section.

D. Reimbursement for authorized private vehicle travel within the Puget Sound area shall be at the current City rate.

E. Reimbursement for authorized private vehicle travel outside the Puget Sound area shall not exceed the lowest round trip air fare to and from that location, regardless of the amount of mileage.

5.160 – Observation of Officers

Effective Date: 10/01/2017

5.160-POL

It is the policy of the Seattle Police Department that a person not involved in an incident may remain in the vicinity of any stop, detention, arrest, or other incident occurring in a public place, and observe or record activity and express themselves, including making comments critical of an officer's actions, so long as the person's conduct and presence are otherwise lawful.

Officers should assume that a member of the general public is observing, and possibly recording, their activities at all times.

1. Officer Safety, the Protection of the Suspect or Person Being Detained, Including His or Her Right to Privacy, and the Safety of Onlookers are the Most Important Factors

2. People Have the Right to Record Police Officer Enforcement Activities

Exception: The person's conduct and presence must not:

- hinder, delay, or compromise legitimate police actions or rescue efforts;
- threaten the safety of the officers or members of the public; or
- attempt to incite others to violence

These conditions on the conduct do not prohibit conduct that creates a slight inconvenience for an officer, such as minor delay caused by escorting the person to a nearby location.

3. People, Regardless of Their Intent to Video and/or Audio-Record an Activity, May Not Enter any Established Marked and Protected Crime Scene or a Restricted Area That Would Normally Be Unavailable to the General Public

Officers and follow-up investigators will determine who enters or leaves a secure scene.

In public areas, there is no distinction between people employed by news media organizations and those who are not. The existence of "press credentials" extends no special privileges to any person, nor does the absence of such credentials limit a person's free access to record law enforcement activities while in public, under most circumstances.

4. Officers May Contact People to Obtain Evidence

When officers seek recorded media from a member of the public, they shall first request voluntary surrender of the media. Officers shall document this request and the person's response in the Report. If the person surrenders the media, officers shall provide a Report Number and the requesting officer's name.

If officers do not have sufficient authority to seize the media but think it may be of value to a criminal investigation, they shall advise people that a court order will be sought for the media since it may be evidence of a crime.

5.170 – Alcohol and Substance Use

Effective Date: 11/21/2012

5.170-POL

This policy pertains to the Department's response to employee alcohol and substance use.

1. Employees Shall not Report for Duty Under the Influence of any Intoxicant

Employees are prohibited from reporting for duty with the odor of an alcoholic beverage on their breath or under the influence of any intoxicant.

2. Employees Shall not Consume Intoxicants in any Department-Operated Facilities or Police Vehicles

This prohibition does not extend to facilities operated by police-related private organizations (Seattle Police Officers' Guild, etc.) or undercover operations as described in subsection 6, below.

3. Employees Shall Submit to Tests for Intoxication When There are Indications of Impairment

(See 5.170-PRO-1 Testing for Impairment)

4. Employees Shall Not Consume Intoxicating Beverages While Wearing any Recognizable Part of the SPD Uniform

This prohibition does not apply to the following circumstances:

- Receptions related to a law enforcement funeral
- The annual Department awards banquet
- The annual Vancouver Police Ball
- Other functions, as authorized by the Chief

5. Employees Shall not Consume any Food or Beverage in any Tavern or in the Lounge Area of any Restaurant Where Intoxicating Liquor is Sold While Wearing any Recognizable Part of the Police Uniform

6. Undercover Officers Shall Only Consume Intoxicating Beverages When Necessary for a Police Operation

Officers shall obtain approval from a sergeant or above in their chain of command prior to consuming intoxicating beverages while on-duty.

7. No Employee Shall Use or Possess any Controlled Substance, Except at the Direction of a Medical Authority

Employees shall only possess narcotics, dangerous drugs or controlled substances (as defined in DEA Regulations 21 C.F.R Sections 1308.11-1308.15) per duty requirements or at the direction of a medical authority. Employees shall not use medication to the extent that their performance is affected while on-duty.

a. Employees Shall not Use Marijuana, Medical or Otherwise, On- or Off-Duty

8. Employees Shall Report the Use of Impairing Medications

Employees using any medication which has side effects that might impair their performance on-duty shall notify their immediate supervisor. (See 5.170-PRO-2 Reporting Medications)

5.170-PRO-1 Testing for Impairment

Sergeant or Non-Sworn Supervisor

1. **Recognizes** that an employee may be under the influence of an intoxicant

2. **Notifies** a lieutenant

3. **Orders** the employee to submit to any required tests under this procedure

4. **Arranges** for another sergeant or supervisor to witness the tests

   - The lieutenant may serve as the witness.

5. **Administers** or **directs** the administration of the field sobriety and BAC breath tests

6. **Documents** results of the test on form 10.5 (Fit-For-Duty Behavior Observation Form)

7. **Submits** form to lieutenant

Lieutenant

8. **Reviews** the form

9. **Determines** whether to recommend a Fit-For-Duty test

    a. **If** BAC is not consistent with behavior observed, or if substances other than alcohol are suspected, follows 5.170-TSK-1 Fit-For-Duty Testing

10. **Arranges** transportation for the employee directly to home, if medical attention is not needed

11. **Advises** employee that he or she is on paid administrative leave until further notice

12. **Forwards** all original paperwork under confidential cover to the Human Resources Director with copies under confidential cover to the employee's Bureau Chief and OPA-IS

    a. **If** after office hours, verbally notifies the Duty Captain, Bureau Chief, or Human Resources Director

Employment Services Lieutenant

13. **Reviews** the packet

5.170-PRO-2 Reporting Medications Which Impair Performance

Employee

1. **Advises** the sergeant or supervisor of the use of medication(s) that might impair performance on-duty

2. **Submits** Insurance Activity Prescription Form (APF) listing medication(s), side effects, and duty limitations to sergeant or supervisor

Sergeant or Non-sworn Supervisor

3. **Determines** whether the employee will be allowed to perform regular duties, be reassigned to limited duty, or be relieved of duty for that shift

4. **Forwards** APF to section Captain

Section Captain

5. **Consults** with the Employment Services lieutenant before determining the employee's assignment while using medication

5.170-TSK-1 Fit-For-Duty Testing

When the **lieutenant or above** determines the need for a fit-for-duty test, he or she:

1. **Directs** the employee to submit to a reasonable suspicion drug test at a Department-approved testing facility.

2. **Directs** the employee to read and sign the Employee Acknowledgment of Medical Release for Drug Test (form 10.6).

    a. **If** the employee refuses to sign, **informs** the employee that refusal to sign constitutes insubordination and allows the employee another opportunity to sign. **If** the employee still refuses to sign, **relieves** the employee of duty.

3. **Contacts** the Employment Services Lieutenant through Communications for instructions as to where to transport the employee.

    a. **If** unable to reach the Employment Services Lieutenant, **contacts** the City Safety Coordinator at (206) 684-7959 for instructions as to where to transport the employee.

4. **Transports** the employee to the approved testing site with the witness supervisor.

5. **Provides** Health Care Professional's Findings & Recommendations to health care professionals for them to fill out.

6. **Remains** at testing site during testing.

7. **Arranges** transportation for the employee directly to home, if medical attention is not needed.

8. **Advises** employee that he or she is on paid administrative leave until further notice.

9. **Forwards** all original paperwork under confidential cover to the Human Resources Director with copies under confidential cover to the employee's Bureau Chief and OPA-IS.

    a. **If** after office hours, **verbally** notifies the Duty Captain, Bureau Chief or Human Resources Director.

5.175 – Critical Incident Stress Management Communications

Effective Date: 04/17/2013

5.175-POL

This policy applies to communications between Seattle Police Department employees and members of the SPD Critical Incident Stress Management (CISM) team members.

1. CISM Team Members are "Peer Support Counselors" as Defined by RCW 5.60.060(6)(b)

The Department will also extend this designation to civilian employees who are CISM team members.

The Peer Support Coordinator and SPD Communications shall maintain a current list of CISM team members.

2. Any Department Employee May Make a Referral to CISM

Employees may refer co-workers or themselves for assistance.

- By phone: (206) 233-2765 or through SPD Communications

- By email: SPD_Peer_Support@seattle.gov

3. Communications Between a Department Employee and CISM are Confidential When the CISM Team Member is Acting in an Official Capacity

RCW 5.60.060 includes CISM team members as persons protected against divulging privileged communications.

Exception: CISM relationships with employees are not privileged when the CISM team member is an initial responder or witness to an incident the employee is involved in that triggers a CISM relationship.

4. The Department Shall Not Compel Confidential Information from CISM

Members of Department management, including the Office of Professional Accountability, cannot compel CISM team members to testify about any information made to them by an employee during a CISM relationship.

The Department shall not use information conveyed to CISM during a CISM relationship for discipline or other administrative proceedings involving employees.

5. The Employee Requesting Confidential Communication With CISM Shall Have Sole Authority to Waive Privilege

The employee may voluntarily give the CISM team member permission to provide information.

6. CISM Team Members, as Department Employees, Are Still Mandatory Reporters in Certain Circumstances

CISM team members shall report to the proper investigative unit information provided by SPD employees when it relates to:

- Injury, abuse, or neglect of a child, or vulnerable adult
- Danger of physical harm to oneself or others
- Domestic violence crimes
- Court orders issued when the counseling relationship is deemed not confidential pursuant to RCW Chapter 5.60

7. CISM Communications with Employees Shall Remain Confidential After the CISM Relationship Has Ceased

5.180 – Carrying Weapons into King County Superior Court

Effective Date: 10/01/2015

5.180-POL

This policy exists to instruct officers when they may carry weapons into King County Superior Court.

1. Officers May Only Carry Weapons into King County Superior Court When on Official Department Business

Under these circumstances, officers are on official Department business:

- Appearing for trial in response to a subpoena
- Meeting with a judge to sign a warrant
- Filing a warrant after service
- Attending a meeting with a prosecuting attorney
- Responding to an emergency
- Whenever directed by a superior

5.190 – Court Appearances and Legal Proceedings

Effective Date: 04/01/2009

I. Subpoenas and Court Appearances

A. Police Officers and Parking Enforcement Officers shall respond to all subpoenas and summons received from any court, or other formal hearings resulting from actions related to their City employment.

1. Only the primary officer, the officer that is listed first on the subpoena, shall attend Seattle Municipal Court cases and License Revocation Hearings, unless prior approval for additional officers is granted by a sergeant or requested by the City Attorney's office.

2. If for any reason the primary officer cannot appear, the officer shall attempt to arrange for the secondary officer to answer the subpoena or summons.

3. In the event that neither officer can attend, it shall be the responsibility of the primary officer to notify the witness coordinator for Municipal Court cases or the prosecuting attorney's office for Superior Court cases. Officers who cannot make satisfactory arrangements with the court shall notify their sergeant(s).

    a. The sergeant shall take the necessary steps to resolve the conflict.

4. Officers shall be prepared and present at the required place, date, and time specified on the subpoena or summons.

5. Sergeants will personally deliver subpoenas, summons, etc. directly to the involved employee. In addition, the sergeant will maintain a written record of such delivery. It will be the responsibility of the section/precinct Captain to maintain a record of all such service occurring in their respective sections/precincts. In cases where in-person delivery is not practical (e.g., change of court date/time and the employee is at home), sergeants must still document their delivery efforts.

6. Sergeants have the responsibility of notifying officers who are on extended sick leave of incoming subpoenas. Sergeants shall mail subpoenas to the officer's home address and make phone notification

in those instances where a mailed notification would not provide sufficient warning of a pending court date.

a. Officers on extended sick leave who are able to appear and testify shall make every effort to comply with any subpoena or summons received.

7. Officers responding to subpoenas or summons outside of the City shall contact the Patrol Operations Bureau Administrative Section for transportation instructions.

8. Officers shall obtain approval of their sergeant prior to testifying in any court or hearing not directly related to their duties as police officers or City employees, except in those cases when it is clear that the officer is acting as a private citizen and party in a non-police court action.

B. Checking Seattle Municipal Court Trial Information

1. All Seattle Municipal Court trial updates will be posted on the City Law Department's website: www.seattle.gov/law/docs/upcomingtrialinfo.htm

a. There is a link to the trial updates from the Law Department's main page at: www.seattle.gov/law. The link can be accessed from any Internet capable computer so it can be accessed from home as well as from work. A link to the page has also been added to the SPD in-web home page accessible from any Department networked computer.

2. The Trial Information web page lists cases by the SMC case number. There are no current plans to list the cases by Defendant. The Law Department is including the SMC case number on all subpoenas issued to SPD Officers. The SMC case number will be needed to look up the status of a case on the web page.

a. The Trial Information line will not be linked to the MDT's for security reasons.

C. Officer Stand-by

1. Officers will continue to receive an email from the Law Department informing them that they will soon receive a subpoena. The email will instruct the officers on how they can put themselves on stand-by (voluntary recall). Officers have the option of responding to the email or by calling (206) 684-7757.

II. Failure to Appear

A. If an officer fails to appear to a Municipal Court assigned case, then Municipal Court personnel will contact the SPD Court Coordinator. The Court Coordinator will log the officer's FTA notice upon receipt. The Court Coordinator then forwards the FTA notice and the Performance Management Record (PMR) forms to the appropriate Bureau Chief, along with a due date for action. The Court Coordinator maintains a database of information that outlines those employees with current FTA information on record. The court coordinator will coordinate with Human Resources and/or OPAIS for those incidents requiring specialized attention.

B. The following section contains definitions and consequences for officers if they have a First, Second, Third or Fourth Failure to Appear in Municipal Court.

1. First Failure to Appear:

a. Upon receiving an FTA form, the Court Coordinator will check the employee's file for possible prior FTAs within a three (3) year period before forwarding it to the appropriate Bureau Chief with instructions for resolution. The Bureau Chief will ensure that the FTA form is forwarded to the appropriate sergeant for action.

b. The sergeant will review the circumstances with the named employee who is alleged to have failed to appear for court. The sergeant will note the circumstances surrounding the allegation described on the FTA form. If it is confirmed that the employee did not have justifiable reasons for failing to appear for court, the following will occur:

(1) The sergeant will counsel the employee as to the importance of complying with a court ordered subpoena to appear in court as directed.

(2) The sergeant will ensure that appropriate documentation that outlines the specifics of the counseling session is noted on a PMR form.

(3) The sergeant will forward both the completed FTA and PMR forms through the chain of command up to the Bureau Chief. The Bureau Chief will then forward it to the Court Coordinator for filing purposes.

(4) For a first confirmed FTA, copies of the FTA and PMR forms will not be placed in the employee's Human Resource Personnel file.

Note: The above listed actions will be considered a supervisory counseling session.

2. Second Confirmed Failure to Appear - It is considered a second confirmed failure to appear for court if the violation occurs within 36 months (3 years) from the date of a previous confirmed violation.

   a. It is considered a second confirmed failure to appear for court if the violation occurs within 36 months (3 years) from the date of a previous confirmed violation.

   b. Upon receiving an FTA form, the Court Coordinator will check the employee's file for possible prior FTAs within a three (3) year period before forwarding it to the appropriate Bureau Chief with instructions for resolution.

   c. The Bureau Chief will ensure that the FTA form is forwarded to the appropriate sergeant for action.

   d. The sergeant will review the circumstances with the named employee who is alleged to have failed to appear for court. The sergeant will note the circumstances surrounding the allegation described on the FTA form. If it is confirmed within 36 months (3 years) from a previous FTA violation that the employee did not have justifiable reasons for failing to appear for court, the following will occur:

      (1) The sergeant will counsel the employee as to the importance of complying with a court ordered subpoena to appear in court as directed.

      (2) The sergeant will ensure that appropriate documentation that outlines the specifics of the counseling session is noted on a PMR form.

      (3) The sergeant will forward both the completed FTA and PMR forms through the chain of command up to the Bureau Chief. The Bureau Chief will then forward it to the Court Coordinator for filing purposes.

      (4) For a second confirmed FTA, copies of the FTA and PMR forms will not be placed in the employee's Human Resource Personnel file.

      Note: The above listed actions will be considered a verbal reprimand.

3. Third Confirmed Failure To Appear - It is considered a third confirmed failure to appear for court if the violation occurs within 36 months (3 years) from the date of the first two confirmed violations.

a. It is considered a third confirmed failure to appear for court if the violation occurs within 36 months (3 years) from the date of the first two confirmed violations.

b. Upon receiving an FTA form, the Court Coordinator will check the employee's file for possible prior FTAs within a three (3) year period before forwarding it to the appropriate Bureau Chief with instructions for resolution.

c. The Bureau Chief will ensure that the FTA form is forwarded to the appropriate Lieutenant or Captain for action.

d. The appropriate Lieutenant or Captain will review the circumstances with the named employee who is alleged to have failed to appear for court. He/she will note the circumstances surrounding the allegation described on the FTA form. If it is confirmed within 36 months (3 years) from the first of two previous FTA violations that the employee did not have justifiable reasons for failing to appear for court, the following will occur:

(1) The appropriate Lieutenant or Captain will elicit the assistance of the Human Resources Bureau.

(2) The appropriate Lieutenant or Captain will counsel the employee as to the importance of complying with a court ordered subpoena and consequences for failing to appear for court.

(3) The appropriate Lieutenant or Captain will ensure that appropriate documentation outlines the specifics of the counseling session and is noted on a PMR form.

(4) The appropriate Lieutenant or Captain will forward both the completed FTA and PMR forms through the chain of command up to the Bureau Chief. The Bureau Chief will then forward it to the Court Coordinator for filing purposes.

Note: The above listed actions will be considered a written reprimand and such documentation will be placed in the employee's personnel file within Human Resources.

4. Fourth Confirmed Failure to Appear - It is considered a fourth confirmed failure to appear for court if the violation occurs within 36 months (3 years) from the date of the first of the three previous confirmed violations.

a. Upon receiving an FTA form, the Court Coordinator checks the employee's file for possible prior FTAs within a three (3) year

period before forwarding it to the appropriate Bureau Chief with instructions for resolution. The Bureau Chief will forward the necessary information to OPAIS for investigation. If sustained, the employee may be subject to discipline, up to and including termination.

III. Meetings with Attorneys

A. Interviews and meetings with attorneys shall be scheduled, if possible, during the officer's normal working hours to avoid unnecessary overtime.

B. Meetings scheduled during off duty hours shall first be approved by the officer's sergeant. The sergeant shall justify why overtime was authorized.

C. Overtime shall not be approved for meetings which could have been scheduled during the officer's normal shift.

IV. Overtime Pay for Court Appearances

A. For specific information regarding court overtime pay, employees shall refer to their current collective bargaining agreement. In the event of a conflict between the agreement and this manual, the provisions of the bargaining agreement shall apply.

B. Employees shall document court overtime on the Overtime Request (form 1.33).

1. A bailiff's or prosecutor's signature is required by the Timekeeping Squad when an Overtime Request is submitted as a result of a court appearance.

    a. Both signature blocks must be signed when the secondary, non-subpoena officer appears for court in place of the subpoenaed primary officer.

C. Employees shall not receive overtime pay for any court appearances while on a regular-duty status. This includes any judicial or quasi-judicial hearing in Federal, Superior, Justice, and Municipal Courts.

D. Employees, whether officially on- or off-duty, who are being compensated at the time by City salary or overtime pay, shall not receive witness fees, either directly or indirectly, for appearances at any judicial or quasi-judicial hearing.

E. Compensation for mileage or travel expenditures via private vehicle shall be allowed, but any officer or employee receiving witness fees over and above travel allowances shall immediately report the amount received to the Fiscal, Property, and Fleet Management Section for payroll adjustment.

F. Employees shall not be allowed overtime compensation by the Department for appearances in any court or hearing not directly related to their official duties as police officers or City employees.

5.210 – Law Enforcement Flying Armed

Effective Date: 02/01/2016

5.210-POL

1. Officers Follow Department Policy While Flying Armed

Officers will limit taking police action to responding to life safety emergencies or when requested by the flight crew or air marshals.

Officers will not consume alcohol within 8 hours prior to the flight and will not be impaired by any substance while flying armed.

2. The Department Follows Transportation Security Administration Guidelines

Officers will only be able to fly armed if they are conducting official Departmental business and are in compliance with TSA guidelines:

- https://www.tsa.gov/about-tsa/law-enforcement-officers-flying-armed

3. Officers Complete Required Training to Fly Armed

Officers must successfully complete the required "Law Enforcement Officers Flying Armed" course through the Advanced Training Unit.

Officers flying armed will follow all restrictions and requirements presented in the training course.

4. Authorization to Fly Armed is Requested on the *Approval Request to Fly Armed* (form 18.3)

(See 5.210-PRO-1 Law Enforcement Officers Requesting to Fly Armed)

5. Officers Carry an Authorized Duty Handgun and Department Identification While Flying Armed

Officers are required to carry the handgun they are currently qualified on while flying.

Officers will carry the handgun concealed.

Officers will carry their Department badge and/or identification on their person.

5.210-PRO-1 Law Enforcement Officers Requesting to Fly Armed

Officer

1. **Completes** the *Approval Request to Fly Armed* (form 18.3) for the departing and return flights.

2. **Submits** the completed form and proof that they have successfully completed the required training to their chain of command to their Precinct/Section captain.

Captain

3. **Reviews** the form and proof of training. Based on the criteria stated on the form **approves/disapproves** the request to fly armed.

4. **Returns** the form to the officer through the chain of command.

Officer

5. **Takes** the completed approved form to the Chief's Office for the Chief's signature.

6. **Takes** the signed form to the Data Center.

Data Center

7. **Submits** a National Law Enforcement Telecommunications System (NLETS) message to TSA

    - TSA provides the Data Center with an NLETS unique alphanumeric code.

8. **Forwards** the TSA NLETS unique alphanumeric code and original signed request to the officer.

Officer

9. **Notifies** the airline check-in counter that they are a law enforcement officer flying armed, presents credentials, and completes airline paperwork

10. **Responds** to TSA checkpoint (usually at exit gate) and provides TSA with airline paperwork, TSA code, credentials, and boarding pass.

11. **Notifies** airline at each boarding gate that they are flying armed and **presents** airline paperwork and **follows** airline procedures.

5.300 – Patrol Ruses

Effective Date: 11/01/2023

The public expects law enforcement officers to be truthful and transparent in their interactions with the community they serve. The community also rightfully expects their law enforcement officers to fulfill law enforcement objectives in a manner that promotes the safety of all involved.

This policy recognizes that patrol ruses may serve an important role in mitigating the inherent risk in some activities and may promote a vital community safety interest, while at the same time recognizing that any act of deception, regardless of intent, when improper, may detrimentally impact the public's trust in the department and may undermine law enforcement efforts.

Department policy requires officers to be truthful in their communications (5.001-POL-11 Employees Will Be Truthful and Complete in All Communication). However, no portion of 5.001-POL-11 or any other policy will be interpreted to prohibit officers from using deception in the form of a patrol ruse to accomplish a specific, legitimate, lawful purpose if the patrol ruse is deployed consistent with this policy.

This policy applies to patrol officers.

5.300-POL-1 Definitions

Patrol Ruse: an officer's act of deception intended to achieve a person's cooperation.

Shock the Conscience: any situation or form of deception that falls outside the standards of civilized decency and seems grossly unjust to the observer.

5.300-POL-2 Use of Patrol Ruses

Patrol ruses will be reasonable in scope and narrowly tailored to meet a specific, legitimate, and lawful purpose.

Patrol ruses may be used in the following circumstances:

- For the furtherance of de-escalation,

- To calm or provide comfort to a person(s),

- To promote the safety of any person,

- For scene management, or

- To bring potentially violent situations to a peaceful resolution.

Patrol ruses may also be used for investigative purposes where there is reasonable suspicion of a crime.

Exception: Patrol ruses are prohibited for the investigation of misdemeanor property crimes.

Patrol ruses used for investigative purposes must comply with manual section 6.150 – Advising Persons of Miranda and the Right to Counsel.

When reasonably practicable, officers will consult with a supervisor before using a patrol ruse for investigative purposes.

Patrol ruses may not be broadcast over radio, social media, or any other mass media format.

No patrol ruse may involve officers making or implying promises regarding prosecution or filing decisions.

Patrol ruses that shock the conscience will not be used.

5.300-POL-3 Documentation of Patrol Ruses

All uses of patrol ruses, and the justification for a patrol ruse, will be documented in the report, investigative file, or updated in CAD, as appropriate.

- Documentation will include what the patrol ruse was, why the patrol ruse was used, if the patrol ruse was effective, and the supervisor who was consulted, if used for investigative purposes.

    - If the officer was unable to consult with a supervisor prior to using a ruse for an investigatory purpose, the officer will document why the consultation was not practicable.

- The word “ruse” will be written in the report, investigative file, or CAD.

6.010 – Arrests

Original Effective Date: 07/26/2019
Revised Effective Date: 11/01/2023

6.010-POL

This policy applies when any on-duty or off-duty sworn employee makes an arrest of any person or any government or public official.

A government or public official means any officer, law enforcement officer, elected official, appointed official, or employee of a federal, state, or local government.

For charge-by-officer, see manual section 15.020 – Charge-By-Officer (CBO). For stops and detentions, see manual section 6.220 – Voluntary Contacts, Terry Stops, and Detentions.

Employees will not engage in enforcement, investigative, or administrative functions that create conflicts of interest or the appearance of conflicts of interest (see manual section 5.001 – Standards and Duties).

1. Sworn Employees Must Have Probable Cause That a Subject has Committed a Crime in Order to Effect an Arrest

Sworn employees must have probable cause to arrest a subject without a warrant (RCW 10.31.100).

2. When Taking a Suspect into Custody, Sworn Employees Will Identify Themselves, Inform the Suspect They are Under Arrest, and State the Reason for the Arrest, As Early as Practical

3. Sworn Employees Will Advise All Arrestees of Their Full Miranda Rights

Sworn employees will give this advisement to all subjects taken into custody, regardless of interview, as soon as practical (see manual section 6.150 – Advising Persons of Right to Counsel and Miranda).

4. Sworn Employees are Required to Report Arrests

A sworn employee will notify a sergeant and complete an Arrest Report for each person arrested.

When a subject is arrested for assaulting an on-duty or off-duty officer, the sergeant will notify a lieutenant (see manual section 15.330 – Responding to Threats & Assaults on Officers).

In addition to all other pertinent information, the report will include the name of the sergeant who reviewed the incident and the location where the review took place.

If a sworn employee arrests a subject but then discovers that probable cause for the arrest no longer exists, the sworn employee may not extend the subject's detention to await the arrival of or screening with a supervisor. The sworn employee will immediately release the subject.

Incidents where a subject has been arrested and then released will be documented in a report.

5. Arrested Government or Public Officials will not be Given Preferential Treatment

All arrests involving a known government or public official, including SPD, require an in-person response by an on-duty permanent ranked lieutenant (or above). An on-duty captain will be notified.

- For domestic violence arrests of an employee of any law enforcement agency, including SPD, see manual section 15.390 - Domestic Violence Incidents Involving Department Employees.

The responding permanent ranked lieutenant (or above) will coordinate the investigation and resources and is responsible for ensuring that all mandatory procedures are followed, and no treatment is offered that is unavailable to the public.

(See 6.010-PRO-1 Investigations Involving Arrested Government or Public Officials)

6. Sergeants Must Screen All Arrests Prior to Booking or Release

The sergeant will screen the arrest in-person if the person detained has been handcuffed by SPD, is injured, or claiming injury, or has been the subject of a reportable use-of-force.

- In-person sergeant screenings will be captured on BWV, on Axon Capture, on another sworn employee's BWV (if the sergeant is not equipped), or on a patrol vehicle's in-car video (see manual section 16.090 – In-Car and Body-Worn Video).

Sergeants screen detentions for involuntary mental health evaluations, with no reportable use of force, per manual section 16.110 - Crisis Intervention.

(See 6.010-TSK-1 Sergeant Screening and Approving an Arrest)

When a sergeant is the primary officer for an arrest, a different sergeant or above rank will review the incident.

7. Arrest Reports Must Be Completed by End of Shift

The primary sworn employee will complete the arrest report as soon as practical after the arrest. In all cases, the arrest report will be completed before going out of service.

For all bookings, sworn employees will directly notify the screening supervisor after the report has been sent. The screening supervisor will review the report immediately for approval (see 6.010-PRO-2 Sworn Employee Reporting the Arrest).

8. The Screening Supervisor Will Approve the Report

The same supervisor that screened the arrest will be the one to review all documentation related to the event.

> **Exception:** Another supervisor may review the documentation if it is impractical for the initial supervisor to do so. The screening supervisor will locate an alternate supervisor to perform the review and will inform the reporting sworn employee of the change.

(See 6.010-TSK-1 Sergeant Screening and Approving an Arrest)

9. Felony Arrests Require an Alert Email and a Label

For felony arrests, sworn employees will complete an Alert Email with copies of paper documents attached as a PDF to the Alert Email (see 6.010-TSK-2 Sworn Employee Assembling an Alert Email).

Sergeants will apply a label to the report for the appropriate investigative unit (see 6.010-TSK-1 Sergeant Screening and Approving an Arrest).

6.010-PRO-1 Investigations Involving Arrested Government or Public Officials

Sworn Employee

1. **Identifies** that the investigation involves a government or public official, including SPD.

2. **Contacts** a patrol sergeant.

Sergeant

3. **Responds** to the location of the incident and **assists** the patrol officer with the investigation, as needed.

4. **Screens** arrests and **approves** the report.

5. For an SPD employee, **sends** an Alert Email to the arrested SPD employee's chain of command, and **records** transcription.

   - The Alert Email will contain the report number.

   - **Scans** of any paper documents of the investigation into an email.

   - **Submits** the email to the employee's chain of command.

   - **Routes** original paper documents to the Data Center through normal distribution processes.

   - **Completes** a report if additional Alert information becomes available.

     - Follows the same Alert procedures to forward new or updated information.

6. **Notifies** a lieutenant of permanent rank of the incident.

Lieutenant (Permanent Rank)

7. **Responds** to the location of the incident and oversees the investigation and resources.

   - **Notifies** the on-duty captain.

8. If a non-SPD employee is arrested, **contacts** the appropriate law enforcement, government, or public agency, and obtains information about the employee to include unit of assignment and who to contact within their department.

9. **Reviews** all reports related to the incident and **obtains** copies of all reports.

10. If an SPD sworn employee has been placed under arrest, the lieutenant **notifies**:

    - Duty Captain,

    - The arrested sworn employee's section/bureau commanders,

    - Public Affairs Unit,

- OPA Director, and

- Chief of Police.

11. If the arrested SPD employee is a sworn employee, **informs** the arrested sworn employee that their duty status is suspended under the Seattle Police Manual and applicable collective bargaining agreements.

    - If the arrested sworn employee is in physical possession of their duty weapon, badge, and/or identification card, **takes** these items and **delivers** them to the arrested sworn employee's bureau chief at the beginning of the next business day.

12. **Oversees** the investigation to include:

    - Ensuring that the report is completed (as mandated by RCW 10.99.030).

    - Screening the arrest.

    - Assesses the victim's safety and providing resources to the victim by contacting the Victim Support Team Manager via Communications.

    - Calling other department personnel, as necessary.

    - Verifying that a thorough primary investigation is conducted, to include statements, photographs, and evidence collection.

13. **Notifies** the Duty Captain of all details of the investigation, when possible.

Duty Captain

14. **Verifies** that the following notifications are made:

    - The arrested SPD employee's section and bureau commanders

    - Public Affairs Unit

    - OPA Director

    - Chief of Police

6.010-PRO-2 Sworn Employee Reporting the Arrest

Sworn Employee

1. **Arrests** a subject.

2. **Advises** the subject of their Miranda rights.

3. **Notifies** sergeant of the arrest.

Sergeant

4. **Screens** the incident (see 6.010-TSK-1 Sergeant Screening and Approving an Arrest).

Sworn Employee

5. **Completes** an Arrest Report for each subject arrested.

   - In Mark43, **marks** "Participating Officer" with the screening sergeant's name, "Involvement" listed as "Screening Supervisor," and **fills** in appropriate "Notification" details.

   - For booking, also **completes** a Superform.

   - For felony arrests, also **completes** an Alert Email (see 6.010-TSK-2 Sworn Employee Assembling an Alert Email).

6. **Submits** the completed report when finished.

7. **Notifies** the screening sergeant that the completed report has been sent.

Sergeant

8. **Applies** a label to the report for the appropriate follow-up unit.

Data Center Unit

9. **Attaches** any paper documents to the report.

6.010-TSK-1 Sergeant Screening and Approving an Arrest

When screening an arrest, the **sergeant**:

1. **Reviews** the circumstances surrounding the incident and the physical condition of the person arrested or detained.

   - This review must take place in-person and be recorded if the subject detained has been handcuffed, is injured or claiming injury, or has been the subject of a reportable use-of-force.

2. **Determines** the appropriateness of the offense charged and the disposition of the subject arrested or detained.

3. **Reads** Sergeant Arrest Screening Questions (Form 6.1).

   - This applies even if the subject is released.

   - If the subject's answers to screening questions, post-Miranda, could be relevant in court or other proceedings, or if their responses are noteworthy, the sergeant will write a supplemental in Mark43.

4. **Reviews** the report(s) for completeness.

5. **Applies** a label to the report for the appropriate follow-up unit.

6.010-TSK-2 Sworn Employee Assembling an Alert Email

When completing an Alert Email for a felony booking, the **reporting sworn employee**:

1. **Compiles** copies of any paper documents from the investigation and a printout of the Superform.

2. **Scans** and **attaches** the PDF documents into an email and **emails** the appropriate follow-up unit.

3. **Routes** original paper documents to Data Center through normal distribution processes.

4. **Completes** a report if additional Alert information becomes available.

   - **Follows** the same Alert procedures to forward the new information.

6.020 – Interactions with Foreign Nationals

Effective Date: 02/01/2018

It is the Seattle Police Department's intent to foster trust and cooperation with *all* people served by the Department, including immigrant and refugee residents.

The Department encourages any person who wishes to communicate with Seattle Police officers to do so without fear of inquiry regarding their immigration status.

6.020-POL-1 General Policy Regarding Contacts with Foreign Nationals

The Department recognizes that local law enforcement has no role in immigration enforcement. "Unlawful presence" in the country is a civil matter and not within the department's jurisdiction.

1. Employees Will Not Inquire About Any Person's Citizenship or Immigration Status.

There are no exceptions to this policy, unless approved by the Chief of Police or designee.

2. Employees Will Not Request Specific Documents for the Sole Purpose of Determining a Person's Immigration Status

A general request for adequate identification as part of a criminal investigation or to issue a Notice of Infraction is typically all that is necessary or appropriate.

Employees may rely on immigration documents to establish someone's identity if they are the person's only source of identification.

3. Employees Will Not Initiate, Maintain, or Participate in any Police Action Based on an Individual's Immigration Status

SPD employees will not act on NCIC/WACIC hits issued by Immigration and Customs Enforcement (ICE), Enforcement and Removal

Operations (ERO), or other DHS agencies. These hits may include some or all of the following language:

- "Administrative Warrant of Removal from the United States"
- "Immigration Violation – Failure to Appear for Removal"
- "Outstanding Warrant for Deportation"

SPD Employees regardless of assignment within SPD or participation in joint task force operations must comply with this policy.

4. Employees Will Notify a Bureau Chief Through the Chain of Command Before Contacting the Department of Homeland Security (DHS) Regarding Foreign Nationals

Employees will not contact DHS or any agencies thereof, respond to DHS inquiries, or grant DHS access to police facilities under any circumstances involving a foreign national without first notifying a bureau chief or above.

6.020-POL-2 Arrest and Detention of Foreign Nationals

The Vienna Convention and other treaties outline notification procedures when a foreign national is detained or arrested. Consular officials may access their nationals in detention and provide consular assistance. However, notification places no obligation upon consular officials to perform any services on behalf of the foreign national.

Compliance with this policy enhances the ability of the United States to insist that foreign officials provide the same rights to United States citizens arrested abroad.

The US Department of State has more information on consular notification on their website.

1. Employees Will Notify a Bureau Chief Through the Chain of Command Before Contacting the Department of Homeland Security (DHS) Regarding Foreign Nationals

Employees will not contact DHS or any agencies thereof, respond to DHS inquiries, or grant DHS access to police facilities under any circumstances involving the arrest or detention of a foreign national without first notifying a bureau chief or above.

2. Employees Will Notify Detained or Arrested Foreign Nationals of the Right to Consular Notification

Employees will not inquire about any person's citizenship or immigration status.

When an arrested or detained person *voluntarily* gives information or a search yields documentation that he or she is a foreign national, employees will advise the arrestee or detainee of the right to have consular officials notified. This applies whether or not the suspect will be interrogated.

- The notification occurs after arrival at the precinct, jail, or other significant detention such as hospitalization, but before interrogation or booking. Department of State – Consular Notification and Access

  Note: A person who is a citizen of the United States and another country (dual citizenship) may be treated exclusively as a United States citizen when in the United States. Consular notification is not required if the detainee is a U.S. citizen. This is true even if the detainee's other country of citizenship is a mandatory notification country.

Absent other information, officers may accept the person's passport or other travel document as evidence of the person's nationality.

The employee making the arrest makes the consular notification.

(See 6.020-TSK-1 Employee Making a Consular Notification)

3. Some Circumstances Trigger Automatic Consular Notification

The Department of State maintains a list of countries that require consular notification when one of their citizens is arrested or detained. Once an employee is made aware that the arrested or detained person is a citizen of one of these countries, notification must be made regardless of the foreign national's wishes.

That list is located here: Mandatory Notification Countries

The following circumstances also trigger automatic consular notification.

- When a government official becomes aware of the death of a foreign national;

- When a guardianship or trusteeship is being considered with respect to a foreign national who is a minor or incompetent;

- When a foreign ship or aircraft is involved in a collision or accident.

4. Employees Will Record Details of Consular Notification in the Report

Employees will document the steps taken to notify the consulate or advise the arrestee/detainee of their right to consular notification.

5. Employees Will Verify Claims of Diplomatic Immunity

The Department of State issues identification cards to foreign nationals with diplomatic immunity. The degree of immunity is detailed on the back of the cards.

Once a person claims to be entitled to immunity, officers will immediately advise the person that their immunity status must be verified and request identification to substantiate the claim.

If the person claiming immunity cannot provide documentation, and the offense would warrant arrest or detention, the officer may continue to detain the suspect until confirming the individual's status.

If the claim of immunity is not valid, the officer will follow standard procedures, keeping in mind the appropriate consular notification and/or advisement.

Employees may contact the Department of State with questions on diplomatic immunity. Their website contains phone and fax numbers.

6. Employees May Intervene for Public Safety Regardless of an Involved Person's Diplomatic Status

When a foreign national with full diplomatic immunity is involved in an incident, and the safety of the public is in imminent danger or a crime may otherwise be committed, employees may intervene to halt such activity. This intervention may include use of force and/or arrest if otherwise justified according to existing policy.

If an officer has a person stopped and the officer believes the person is too impaired by alcohol/narcotics to drive safely, the officer will not permit that person to continue to drive (even in the case of diplomatic agents).

In these cases, the screening sergeant contacts the Department of State for guidance as soon as feasible.

7. Employees May Stop Foreign Nationals for Investigation (Terry Stop) or Stop and Cite for Traffic Violations Regardless of Their Diplomatic Immunity

A stop for a traffic infraction is not considered an arrest or detention as it relates to diplomatic immunity.

8. Employees Will Thoroughly Document Incidents Involving Immunity

Investigating and preparing reports does not violate diplomatic immunity. Absent a public safety emergency, when a foreign national with full diplomatic immunity is suspected of committing a crime, officers shall obtain as much information as possible during the initial investigation.

In addition to the offense(s) being investigated, employees will list "Diplomatic-Personnel-Involved" in the "Offenses" section.

The primary officer will send the Report to a sergeant for approval, notify the sergeant directly, and send any paper documents to the Data Center in an ALERT Packet.

The sergeant will route the Report as an ALERT packet after review and approval.

The Data Center will fax a copy of the report to the Department of State.

9. Joint Operations with Federal Agencies Require Bureau Chief Approval

The Department designates personnel to assist federal agencies from time to time, and these operations may involve the arrest of persons who have been previously deported and are currently involved in criminal activity. Any such joint operations, including access to SPD facilities, require approval of the employees' bureau chief via the chain of command.

6.020-TSK-1 Employee Making a Consular Notification

When an arrestee/detainee voluntarily provides information or documentation that he or she is a foreign national, the **employee**:

1. **Advises** the arrestee/detainee of the following:

    a. For a **mandatory** notification country:

    Because of your nationality, we are required to notify your country's consular representatives here in the United States that you have been arrested or detained. After your consular officials

are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country's consular officials as soon as possible.

b. For a **non-mandatory** notification country:

As a non-United States citizen who is being arrested or detained, you are entitled to have us notify your country's consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. If you want us to notify your country's consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want us to notify your country's consular officials?

- The Department of State has this notification in different languages and contact information for consular offices on their website.

2. **Notify** that country's nearest consular official if required or requested by faxing or emailing SPD form 58.0.

   - If a fax machine and email are not available, **call** to make consular notification and **document** the date, time, and point of contact in the Report.

3. **Submit** the fax sheet and fax transmittal report or a printout of the sent email to the Data Center.

   - If the fax machine does not print a fax transmittal report, **record** the date and time the fax was sent in the Report.

4. **Document** the method of notification or attempt in the Report.

5. **Notify** jail staff if the suspect is being booked and notification has not yet been made.

6.030 – Body Cavity Searches

Effective Date: 07/01/1996

POLICY

Requests for body cavity searches of suspects shall be made only when it is necessary and justifiable. Body cavity searches are justifiable if they meet the requirements of State law (RCW Chapter 10.79).

I. General

A. Body cavity searches shall not be conducted by Seattle Police Officers.

B. The actual body cavity search will be conducted by medical personnel of Harborview Medical Center or an approved medical facility.

II. Procedures

A. An officer who has probable cause to believe that evidence of a crime or a weapon or contraband is concealed in body cavities must obtain written authorization from a lieutenant or above and a search warrant.

B. A police officer who is the same sex as the person being searched must be present during the search by the hospital medical personnel and will be responsible for preparing the necessary documentation required under RCW 10.79.080(4).

6.060 – Collection of Information for Law Enforcement Purposes

Effective Date: 01/06/2021

This policy applies to all Department personnel that collect and disseminate private sexual information and restricted information for law enforcement purposes. The purpose of this policy is to ensure that the collection and review of such information serves a legitimate law enforcement purpose and does not unreasonably infringe upon individual rights, liberties, and freedoms secured by the Constitution of the United States and of the State of Washington, including, among others, the freedom of speech, press, association and assembly; liberty of conscience; the exercise of religion; and the right to petition government for redress of grievances; or violate an individual's right to privacy.

This policy is intended to provide guidance in applying SMC Chapter 14.12. Department personnel are required to be familiar with that Chapter and should refer to that Chapter as needed.

Private Sexual Information means any information about an individual's sexual practices or orientation.

Restricted Information means information about:

- An individual's political or religious associations, activities, beliefs, or opinions';

- The political or religious activities, beliefs, or opinions and the membership, mailing, subscription, or contributor lists of a political or religious organization, an organization formed for the protection or advancement of civil rights or civil liberties, or an organization formed for community purposes;

- An individual's membership or participation in such an organization, in a political or religious demonstration, or in a demonstration for a community purpose.

1. Department Personnel Will Ensure That Investigations Which Collect or Rely On Restricted Information Have a Legitimate Law Enforcement Purpose

2. Except as Provided Below, Department Personnel Will Not Collect Private Sexual Information or Restricted Information about an Individual Absent an Authorization by a Lieutenant or Above

Exceptions:

- Information may be collected as part of a criminal investigation where the subject of that information supplies the information to department personnel, as in reporting of a bias crime;

- Information may be collected as part of a criminal investigation based upon reasonable suspicion and where the subject of the investigation has made that information readily reviewable by any member of the public, as in unrestricted social media postings;

- Information may be collected as provided to SPD by a third party reporting a crime.

- Information may be collected when necessary to provide religious accommodation.

(See SMC Chapter 14.12 and RCW 49.60)

3. Department Personnel Will Not Provide or Disclose Private Sexual Information or Restricted Information Under any Government Program Compiling a List, Registry, or Database Based on Religious Belief, Practice, or Affiliation, or National Origin, or Ethnicity for Law Enforcement or Immigration Purposes

4. Department Personnel Will Not Investigate, Enforce, or Assist in the Investigation or Enforcement of any Criminal, Civil or Administrative Violation of any Requirement that Individuals Register with the Federal Government or any Federal Agency Based on Religion

5. Department Personnel Will Not Use Public Funds, Facilities, Property, Equipment, or Personnel to Create a List or Database of Personally Identifiable Information Based on an Individual's Religious Belief, Practices, or Affiliation

6. Lieutenant or Above May Issue an Authorization for the Collection of Information that Relates to Political Affiliation or Sexual Orientation and Serves a Legitimate Law Enforcement Purpose

Any unit obtaining an authorization must register it with the Criminal Intelligence Section. All units must maintain records of their authorizations.

Employees will not investigate, or collect information, on groups or individuals related to their political, or their sexual orientation, unless it serves a legitimate law enforcement purpose and is approved via the authorization process.

7. Department Personnel May Take Video and Photographic Documentation of Individuals Participating in a Demonstration Under Certain Circumstances

Employees May Take Photographs of Demonstrators Under the Following Conditions:

- When there is reasonable suspicion of criminal activity.

This includes taking baseline shots to later identify individuals who don masks or otherwise may alter their appearance, when there is an existing authorization or criminal activity is reasonably anticipated. If no criminal activity occurs, the information shall be purged unless retention is approved via an authorization.

- When actual criminal activity is occurring.

8. Department Personnel May Take Photographs During a Demonstration to Document the Event

Photographs by officers are permitted to document the event, but employees must take care to ensure that individual demonstrators are not readily identifiable in any such images. If possible, any documentary photographs should be long-range to reduce the likelihood of identifying any individual demonstrators.

9. Department Personnel Will Not Video Record Individuals Lawfully Demonstrating, Unless Ordered to do so by a Lieutenant or Above

Except for body-worn or in-car video, Department employees who are not assigned to the Video Unit or the Criminal Intelligence Section shall not take video during a demonstration, unless ordered to do so by a lieutenant or above.

When safe and practical, employees will activate body worn video and/or in-car video when an imminent risk to public safety or large-scale property damage appears likely.

See Manual Section 16.090 – In-Car and Body-Worn Video (1)(g)

10. Criminal Intelligence Section Receives and Vets Original Copies of all Videos and Photographs Taken at a Demonstration Covered by the Ordinance

Employees will send original copies of all videos and photographs taken at a demonstration to the Criminal Intelligence Section within 24 hours of the event.

Employees will not make or retain any copies of these videos and photographs.

Within five days of the demonstration, the Criminal Intelligence Section will purge all videos and photographs not covered by an authorization to be retained.

Exception: This section does not apply to in-car and body-worn video.

11. Criminal Intelligence Section Maintains a Log of All Videos and Photographs Received

Employees will store documentation covered by an authorization in the appropriate case file. The Department may actively collect additional information on the case as long as the authorization remains current.

When an authorization expires or closes, the associated case file becomes inactivated. The Criminal Intelligence Section may keep inactivated cases for up to five years, after which, the file will be securely sequestered from the rest of the Department. The Department will not actively collect additional information on or further investigate inactivated cases, although de minimus updates may be added without reactivation. The Criminal Intelligence Section will purge case files within five years of being inactivated.

The Criminal Intelligence Section maintains a log of all files purged, containing the file number of the event.

12. Infiltration of Political and Religious Organizations Requires Authorization from the Chief of Police, or Designee

Undercover officers, cooperating witnesses and confidential informants acting under the control of the Department may only infiltrate a political or religious organization under the authorization of the Chief of Police (or designee). Undercover officers participating in demonstrations will not incite or encourage any actions by the crowd but may actively protest. The authorization lasts until it expires or is closed.

This does not preclude plain-clothes officers from being assigned to public demonstrations. Plain-clothes work is not affected by the Investigations

Ordinance nor this manual section, other than the restrictions on photography and video.

6.120 – Impounding Vehicles

Effective Date: 04/01/2022

6.120-POL

This policy applies to all sworn employees when impounding vehicles pursuant to investigations, arrests, recoveries, and parking violations. The Case Assignment Matrix is used to determine which detective unit will follow-up on an impounded vehicle.

1. Sworn Employees Consider Alternatives to Impound

Sworn employees may leave a vehicle at the scene of the incident if not needed for police purposes. The vehicle may be:

- Legally parked and secured at the scene, with the owner's permission, or
- Released to the owner, or
- Privately towed at the owner's expense.

Sworn employees do not have to exhaust all possible alternatives to impound and do not have to wait an unreasonable amount of time for alternatives to be carried out.

(See manual section 6.120-POL-7 for DUI arrests)

2. Vehicles are Impounded Using the Appropriate Form

Department personnel may use:

- The Uniform Washington State Tow/Impound and Inventory Record
- SECTOR trained officers may use the Electronic Tow/Impound Record (see manual section 15.380 - SECTOR).
    - When using SECTOR, officers will print the required number of copies as required by the corresponding TSK listed below.
- The Vessel, Watercraft, or Obstruction Theft and Impound Report (Form 5.42) to impound boats.

Department personnel will record the reason for the impound on the tow/impound records.

3. Sworn Employees Impound Vehicles When Arresting Drivers for Certain Crimes

Sworn employees impound the vehicle if the driver is arrested for: (see RCW 9A.88.140)

- Commercial Sexual Abuse of a Minor
- Promoting Commercial Sexual Abuse of a Minor
- Promoting Travel for Commercial Sexual Abuse of a Minor

(See 6.120-TSK-5 Impounding Vehicles for Sexual Abuse of a Minor)

4. Sworn Employees May Impound Vehicles With Prior Notice

Officers may impound a vehicle after giving 24 hours' notice (See SMC 11.30.060) when the vehicle is:

- In violation of any law, or
- Abandoned, or
- Mechanically unsafe

If none of the conditions in SMC 11.30.060 are met, a vehicle may be impounded after 72 hours' notice has been given under SMC 11.72.440 – "Parking Enforcement".

(See 6.120-TSK-3-Impounding with a Vehicle Notice (Form 8.5))

5. Sworn Employees May Impound Vehicles Without Prior Notice

See SMC 11.30.040 for when a vehicle may be impounded without prior notice.

6. Sworn Employees Perform an Inventory Search Pursuant to Impoundment of the Vehicle

Sworn employees inspect and inventory items of value within the vehicle using the Uniform Washington State Tow/Impound and Inventory Record(see manual section 6.180 - Searches-General)

Exception: Sworn employees will not complete the inspection and inventory if the vehicle is impounded on an investigatory hold.

7. Sworn Employees Exhaust Reasonable Alternatives Prior to Impounding Vehicles Operated by Drivers in Certain Situations

These situations include:

- DUI or DUI Physical Control arrests
  - Sworn employees may impound in DUI or Physical Control cases only after their individualized consideration of the circumstances, and if the sworn employee determines that there is no reasonable alternative to impound.
  - Reasonable alternatives must be considered and exhausted before the vehicle may be impounded.
  - Sworn employees will document their reasoning for both impounding or not impounding. Considerations for impounding should include the risk of the impaired driver returning to their vehicle and driving while impaired.

  (See 6.120-TSK-2 Impounding a Vehicle for DUI Arrests)
- Drivers operating a vehicle without a valid driver's license
- Drivers operating a vehicle with a suspended (DWLS) or revoked driver's license

Sworn employees will consider reasonable alternatives to impoundment (e.g., allowing a licensed passenger to take possession of the vehicle or calling a family member to retrieve the vehicle).

Sworn employees will not impound vehicles for DWLS 3rd violations.

Sworn employees may impound vehicles for other crimes committed that warrant impoundment.

(See 6.120-TSK-4 Impounding Vehicles for DWLS)

8. Sworn Employees May Impound Vehicles to the Vehicle Processing Room (VPR) for Specific Reasons

A sergeant/supervisor will screen any incident where the sworn employee believes there is a reason to impound the vehicle to the VPR.

A sworn employee will escort the impounded vehicle to the VPR.

(See 6.120-TSK-6 Placing Vehicles into the Vehicle Processing Room (VPR))

Sworn employees may impound a vehicle to the VPR when:

- The vehicle contains evidence and is pending a warrant, or
- A specific analysis of the vehicle must be performed (DNA, fingerprinting, damage analysis, etc.), or
- The vehicle is an integral part of the investigation (agent/tool of the crime), or
- The vehicle is held pending a seizure, or
- Acting on the direction of the case detective.

Sworn employees will not impound vehicles to the VPR when:

- A vehicle is impounded for a crime that occurred outside of Seattle, or
- The vehicle is oversized, unless authorized by a follow-up unit sergeant, or CSI, or
- The vehicle is leaking gasoline or hazardous materials, unless screened by CSI, or
- The vehicle is damaged in an arson fire, unless screened by CSI.

9. Detectives Assigned to an Impounded Vehicle Case Retain Vehicles as Long as Necessary to Complete Investigation or Prosecution

Detectives may request a vehicle be transferred from the Vehicle Processing Room (VPR) to the long-term storage lot by completing a Long-Term Vehicle Hold Request Form (Form 5.55).

- Form 5.55 will be forwarded up the chain of command to the investigative Unit Commander.
- The prosecutor should be consulted prior to submitting the request, if one has been assigned to the incident.

(See 6.120-PRO-1 Requesting Vehicle Transfer to Long-Term Vehicle Storage)

(See 6.120-TSK-7 Detective Requesting Vehicle Transfer to Long-Term Vehicle Storage)

If the primary detective decides not to obtain a search warrant for the vehicle, they will inventory the contents of the vehicle as soon as practical.

Exception: Contents of the trunk and locked containers are not opened for inventories.

Only the assigned investigative unit (detective, detective-sergeant, officer assigned to the assigned detective unit, etc.) that the vehicle is being held for, may release the vehicle.

Exception: CSI can release held vehicles for other detective units.

Investigative unit sergeants/supervisors report dispositions on impounded vehicles to Record Files Unit - Auto Records Team upon request.

10. Detectives May Store Vehicles for Long-Term

List of city processing facilities:

- SPD vehicle processing room (VPR)
- SPD long term storage
- SPD narcotics facility
- SPD seizure garage
- Charles Street maintenance facility
- TCIS storage garage

11. Detectives Assigned to Impounded Vehicle Cases Determine When Vehicles are Improperly Impounded

SMC 11.30.180 outlines when the owner of a vehicle will be assessed impoundment, towing, and storage charges.

12. Detectives Assigned to Impound Vehicle Cases May Release the Vehicle to Other Investigative Units

(See 6.120-TSK-8 Detective Releasing a Vehicle to Other Investigative Units)

13. Sworn Employees Will Not Drive Impounded Vehicles Including Those in the Vehicle Processing Room

14. Vehicles Will Only be Released to Owners from the Department Contracted Tow Lot

Sworn employees will arrange transport for vehicles in the Vehicle Processing Room to the tow lot prior to notifying the owner of the release. Vehicles will not be released from the VPR, Narcotic Seizure Garage, or other City processing facilities.

6.120-PRO-1 Requesting Vehicle Transfer to Long-Term Vehicle Storage

Detective

1. **Completes** all the requested information on the Long-Term Vehicle Hold Request Form (Form 5.55).

2. **Sends** the form to their immediate supervisor.

Sergeant

3. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).

4. If approved, **sends** the form to their immediate supervisor.

Lieutenant

5. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).

6. If approved, **sends** the form to the Section Commander

Section Commander

7. **Approves** or **rejects** the Long-Term Vehicle Hold Request Form (Form 5.55).

   - When approving a request, the Section Commander should consider the suitability of alternate methods of evidence collection and documentation (scanning, photography, DNA collection, etc.).

8. **Sends** the approved form to the Forensic Services Lieutenant.

6.120-TSK-1 Impounding a Vehicle for Parking Violations

When impounding vehicles under a violation outlined in SMC 11.30.040, or when a vehicle may be impounded without prior notice, **the sworn employee**:

1. **Issues** the vehicle a Parking Ticket.

2. **Completes** a Uniform Washington State Tow/Impound and Inventory Record and leaves the driver and tow company copies with the vehicle.

3. **Forwards** the completed supervisor copy to Data Center.

6.120-TSK-2 Impounding a Vehicle for DUI Arrests

When Impounding Vehicles under a DUI arrest, **the sworn employee**:

1. **Considers** individualized reasonable alternatives to impounding the vehicle.

2. If, in the judgement of the officer, no reasonable alternatives to impound exist, **requests** a tow through Communications.

3. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.

4. **Checks** the "DUI/PC IMPOUND" box in the top left corner of the form.

5. **Writes** "Hailey's Law" and the crime driver was arrested for in the Narrative or Diagram portion of the form.

6. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.

7. **Provides** the arrestee and tow company with their respective copies of the tow record.

8. **Advises** the arrested driver that only another registered owner or legal owner of the vehicle may redeem the vehicle within twelve hours.

9. **Forwards** the completed supervisor copy of the tow record to Data Center.

6.120-TSK-3 Impounding with a Parking Warning (Form 8.5)

When Impounding Vehicles with prior notice **the sworn employee**:

1. **Determines** if the vehicle is in violation of a law, abandoned, or mechanically unsafe.

2. **Attaches** a completed Parking Warning form (Form 8.5) to the driver's side window or windshield of the vehicle.

3. **Returns** to the vehicle after the notice has lapsed and orders a tow.

4. **Writes** "Notice attached on (date)" in the narrative portion of the tow record.

5a. **Completes** a Uniform Washington State Tow/Impound and Inventory Record and **leaves** the "driver" and "tow company" copies with the vehicle, or

5b. **Completes** the Electronic Tow/Impound Record in SECTOR and **prints** two copies and leaves them with the vehicle. (See manual section 15.380 – SECTOR)

6.120-TSK-4 Impounding a Vehicle for DWLS

When impounding vehicles under a DWLS violation, **the sworn employee**:

1. **Requests** a tow through Communications.

2. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.

3. **Checks** the "DWLS IMPOUND" box in the top left corner and leaves the "DAY HOLD" portion blank.

4. **Completes** and **provides** the driver with the informational page and driver copy of the tow record packet.

5. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.

6. **Provides** the tow company with their copy of the tow record.

7. **Forwards** the completed supervisor copy to Data Center.

6.120-TSK-5 Impounding a Vehicle for Sexual Abuse of a Minor

When impounding vehicles under crimes outlined in RCW 9A.88.140, **the sworn employee**:

1. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.

2. **Checks** the "EVIDENCE" box in the top left corner of the form.

3. **Writes** "VICE/Prostitution hold" and the appropriate reason for hold in the Narrative or Diagram portion of the form based on the specific probable cause for arrest:

    - "This vehicle is impounded pursuant to RCW 9.68A.100—Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes," or

    - "This vehicle is impounded pursuant to RCW 9.68A.101—Promoting Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes," or

    - "This vehicle is impounded pursuant to RCW 9.68A.102—Promoting Travel for Commercial Sexual Abuse of a Minor and is further being held for evidentiary purposes."

4. **Provides** a copy of the tow record and a Commercial Sexual Exploitation of a Minor Instruction Sheet (Form 20.2) to the arrested person.

5. **Forwards** the supervisor copy of the tow record to Data Center.

6.120-TSK-6 Impounding Vehicles into the Vehicle Processing Room (VPR)

When Impounding Vehicles into the VPR, **the sworn employee**:

1. **Screens** the impound with the sergeant of the appropriate follow up unit. See: Case Assignment Matrix.

2. **Requests** a tow through Communications.

3. **Completes** a Uniform Washington State Tow/Impound and Inventory Record.

4. **Writes** a detailed reason for the investigatory hold and the unit responsible for follow-up investigation in the Narrative or Diagram field on the tow record. See: Case Assignment Matrix.

    - Do not simply write "See Narrative".

5. **Obtains** the tow company's truck number and driver name and writes in the appropriate box on the tow record.

6. **Follows** the vehicle to the VPR and keeps observation over it during transport.

7. **Leaves** the “Officer” and “Driver” copies on the windshield of the unlocked vehicle in the VPR and **delivers** the "Tow Company" copy to the tow truck operator.

    - Sworn employees ensure that the VPR is locked and secure before leaving.

8. **Forwards** the “Supervisor” copy to Data Center in an Alert Packet if using the paper Uniform Washington State Tow/Impound and Inventory Record.

6.120-TSK-7 Detective Requesting Vehicle Transfer to Long-Term Vehicle Storage

When a vehicle needs to be retained for evidentiary purposes, the vehicle can be considered for transfer to the long-term vehicle storage area. The follow-up detective:

1. **Completes** the Long-Term Vehicle Hold Request Form (Form 5.55).

2. **Forwards** the Hold Request Form through their chain of command to their unit commander.

3. Once approved, **sends** the approved form to the Forensic Services Lieutenant.

6.120-TSK-8 Sworn Employee Releasing a Vehicle to Other Investigative Units

When the custody of the vehicle investigation is transferred from the original sworn employee or follow-up unit to the new follow-up unit, the **original sworn employee or follow-up unit detective**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:

    - Report Number

    - Date/Time

    - Vehicle information section

    - Hold transfer section

2. **Faxes** a copy of the Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records at (206) 684-8355 and **sends** the original Form 5.53 to Auto Records via inter-departmental mail.

6.120-TSK-9 Detective Releasing a Vehicle from a City Processing Facility to a City Contracted Tow Lot

When releasing a vehicle from a city processing facility to a city contracted tow lot, the **follow-up unit detective**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:

   - Report Number

   - Date/Time

   - Vehicle information section

   - Hold Release Information section of the Vehicle Investigative Hold Tracking Form (Form 5.53)

2. In Hold Release Information section:

   - **Checks** the box indicating 'City Pays' when:

     - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was not arrested or charged, or

     - The vehicle was improperly placed on investigatory hold, in which case; notifies their sergeant who will inform the impounding detective and notifies their precinct/section captain via email.

     OR

   - **Checks** the box indicating 'Owner Pays' when:

     - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was arrested or charged.

3. **Completes** all the information in the Vehicle Movement to/from Facility section on the Vehicle Investigative Hold Tracking Form (Form 5.53).

   - In the 'from' section, checks storage facility.

   - In the 'to' section, checks 'Tow Co. (Specify)' and lists the current tow contractor.

4. **Calls** the tow contractor to schedule a re-tow from the specified processing facility to the tow contractor's lot.

5. **Completes** the Appointment Scheduling section of the Vehicle Investigative Hold Tracking Form (Form 5.53).

6. **Faxes** a copy of the Hold Tracking Form to Auto Records at (206) 684-8355, **provides** a copy of the form to the tow truck driver, and sends the original Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records via inter-departmental mail.

6.120-TSK-10 Sworn Employee Releasing a Vehicle from a City Contracted Tow Lot

When releasing a vehicle from a contracted tow lot to the owner/authorized person, the **sworn employee**:

1. **Completes** the Vehicle Investigative Hold Tracking Form (Form 5.53) with these details:

   - Report Number

   - Date/Time

   - Vehicle information section

   - Hold Release Information section

2. In Hold Release Information section:

   - **Checks** the box indicating 'City Pays' when:

     - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was not arrested or charged, or

     - The vehicle was improperly placed on investigatory hold, in which case; notifies their sergeant who will inform the impounding sworn employee and notifies their precinct/section captain via email.

     OR

   - **Checks** the box indicating 'Owner Pays' when:

     - The registered owner, or the driver authorized by the registered owner, in the incident leading to the investigative hold, was arrested, or charged.

3. **Faxes** a copy of the Vehicle Investigative Hold Tracking Form (Form 5.53) to Auto Records (206) 684-8355 and **sends** the original Form 5.53 to Auto Records via inter-departmental mail.

6.130 – Informant Management

Effective Date: 03/20/2013

6.130-POL

This policy applies when utilizing confidential informants for investigative or intelligence purposes.

Confidential Informant (CI) - A person who provides information or services to the Department in return for money or other benefit including consideration from a prosecutor, court or other governmental agency. A CI may take part in an investigation or prosecution without benefit if the intention is to keep their identity confidential throughout.

1. Only Authorized Personnel Shall Utilize CIs

The only units authorized to use CIs are:

- Human Trafficking Unit
- Major Crimes Task Force
- Narcotics
- Gun Violence Reduction Team
- Investigation Support Unit

The Assistant Chief of the Investigations Bureau may approve exceptions to this policy.

2. Officers Shall Receive Training Prior to Using CIs

The sergeant of the officer's unit shall provide them training on use of CIs.

3. Detectives Shall Follow the Procedures for Use of CIs

The Confidential Informant Guidelines shall contain all training materials and reference information on the use of CIs. These guidelines shall be kept updated by the Investigative Bureau and shall be available for authorized personnel through the Compliance Section.

Any deviation to procedures outlined in the Confidential Informant Guidelines must be approved by the authorized detective's lieutenant or above.

4. Detective Sergeants Shall Screen all Potential CIs Prior to Their Use

A unit sergeant must approve the use of a CI prior to their investigative use. The approval shall include an in-person meeting between the CI and the sergeant prior to approval.

Additionally, CIs under DOC supervision or any other court-restricted status require approval from the overseeing agency. Approval documentation must be placed in the CI's file.

5. Unit Sergeants Shall Verify the Completion of all CI File Paperwork

The sergeant of each authorized investigative unit shall review and approve all CI files prior to use of the CI.

- A unit sergeant may approve use of a CI prior to completion of their file if they can articulate risk to the investigation caused by delay. This shall be documented in a memorandum and placed into the CI's file as soon as practical.

6. Department Employees Shall Keep the Identity of CIs Confidential

7. Detectives Shall Not Utilize Persons Under 16 Years of Age as CIs

8. Detectives Shall Obtain Approval to Utilize Persons 16 or 17 Years of Age as CIs

The detective shall obtain approval from the Assistant Chief of the investigations bureau prior to use of these persons as CIs.

9. Certain Activities Shall Be Restricted Between Department Employees and CIs

Detectives shall only meet or deliver payment to CIs with another law enforcement officer present.

Exception: The detective's sergeant may pre-approve a solo meeting.

Department employees shall not condone or encourage CIs to engage in unlawful activity.

Department employees shall not knowingly maintain social relationships or otherwise become personally involved with CIs without pre-approval by the Chief of Police.

Department employees shall not buy, sell, receive, or transfer for personal gain, anything of value to or from a person the employee knows to be a CI.

- This rule does not apply to a legitimate, routine retail or wholesale purchase from a licensed business that a CI is employed by or owns.

10. Detectives Shall Not Offer Consideration to CIs Without Proper Approval

A detective shall not offer consideration to an informant who has been charged with a crime without the approval of Assistant Chief of the Investigations Bureau and the prosecuting attorney of the crime the CI was charged with.

Detectives shall contact their sergeant or a prosecuting attorney for review of any search or arrest warrant affidavits generated from CI-provided information prior to submission to the courts.

11. Investigative Units Shall Secure and Maintain Chain of Custody for all CI Files in Their Possession

Units shall secure CI files in a centralized location and restrict access to authorized personnel only.

- The unit shall maintain a log which will include entries for each time access is made into the CI file storage location

Detectives will create individual CI files and each detective involved in the use of a CI will be responsible for keeping an individual file on the CI current and complete.

12. The Investigative Unit May Purge Inactive CI Files

Prior to purging these files, a detective must verify:

- There has been no contact with the informant within five years and,

- They must receive approval from the Assistant Chief of the Investigations Bureau.

13. Detectives Shall Not Utilize Problem Informants Without Approval From the Unit Lieutenant

Detectives shall refer to and follow the Confidential Informant Guidelines for policies and procedures related to problem informants.

14. The Office of the Assistant Chief of the Investigations Bureau Shall Maintain a Central File

The Assistant Chief's office shall maintain a centralized and secured record of all department CIs containing:

- Informant Name Cards (form 1.1.5) and unit catalogs
- Problem Informant Cards (form 1.1.7)
- Duplicate CI information

15. The Audit, Policy, & Research Section (Compliance Section) Shall Audit CI Files Twice Each Year

Each investigative unit shall be subject to an audit twice a year. Unit audits shall be at least 120 days apart.

16. The Department Shall Regulate Payments to CIs

CIs may receive cash payments for any of the following:

- Information
- Evidence
- Contraband
- Actual expenses incurred by the CI
- Introductions between detectives and other CIs

All CI payments require:

- Satisfactory completion of the CI's services/activities
- A completed Justification for Payment of Funds (form 1.1.6)
- An entry into the CI Activity Report
- Any other vouchers, receipts, or payment control reports or logs required by the detective's unit of assignment

17. Detectives Shall Obtain Approval to Share CI Information with Outside Agencies

Detectives shall obtain permission from their unit lieutenant prior to sharing CI information with outside agencies.

- Detectives may only share information without approval if the information serves an immediate public safety emergency. The detective shall notify their Section Captain as soon as practical after sharing information in these circumstances. The detective shall document all shared information in a memorandum placed in the CI's file.

6.135 – Cooperating Witnesses

Effective Date: 03/20/2013

6.135-POL

This policy applies when utilizing cooperating witnesses for investigative or intelligence purposes.

Cooperating Witness (CW) - Cooperating Witnesses are not confidential informants and may be subpoenaed to testify to their involvement in investigations stemming from their information or services. A CW is willing to provide information to police about the criminal activity of others and/or facilitate the delivery of illegal drugs or other items related a crime in exchange for a release from custody in lieu of being booked into jail.

1. Only Investigative Bureau Detectives and Anti-Crime Team (ACT) Personnel Shall Utilize CWs

Patrol officers shall contact the sergeant of the appropriate investigative unit or ACT if they encounter a subject who wishes to act as a CW.

CWs under DOC supervision or other court restricted status require approval from the overseeing agency prior to their use.

- Approval documentation must be sent to the appropriate follow-up unit.

2. ACT Shall Obtain Watch Lieutenant Approval Prior to Use of a CW

3. The Watch Lieutenant Can Approve a Temporary 5-Day, One-Time Use Request for Use of the CW

4. Any Subsequent Investigative Work With the CW by ACT Can Only be Conducted With Approval From the Appropriate Follow-Up Unit Sergeant

(See 6.135-PRO-1 ACT Utilization of a CW)

5. Investigative Bureau Detectives Shall Obtain Sergeant Approval Prior to Use of a CW

6. ACT and Investigative Bureau Sergeants Shall Maintain Oversight of the Use of CWs

7. Officers Shall Inform CWs of the Requirements of Their Assistance

Detectives shall inform CWs that they may have to testify in court as to their assistance.

After the CW agrees to the terms of their assistance, an ACT sergeant may approve their release from custody, if appropriate.

- Personnel shall not make or imply promises in regards to prosecution, or filing decisions related to the incident in which the CW was arrested.

8. Detectives Shall Not Utilize Persons Under 16 Years of Age as CWs

9. Detectives Shall Obtain Approval to Utilize Persons 16 or 17 Years of Age as CWs

The detective shall obtain approval from the Assistant Chief of the investigations bureau prior to use of these persons as CWs.

6.135-PRO-1 ACT Utilization of a Cooperating Witness (CW)

ACT Sergeant

1. **Contacts** a watch lieutenant requesting temporary approval to use a CW.

Watch Lieutenant

2. **Reviews** the request.
   - If the request if for use of a CW who has previously been used as such, **contacts** the appropriate follow-up unit sergeant for approval to utilize the CW.
3. **Considers** factors in the use of the CW such as:
   - Officer safety/life safety
   - Credibility of the CW
   - Threat assessment/risk analysis of the police operation
   - Availability of police resources

4. **Considers** disqualifying CWs when their arrest situation or criminal history includes:

   - Crimes of violence or assault

   - Domestic violence assault

   - Assaults on law enforcement

5. **Consults** the appropriate follow-up unit (if necessary)

6. **Approves** a temporary (5-day, one-time use) request.

ACT Sergeant

7. **Assigns** officer(s) to work with the CW.

ACT Officer(s)

8. **Completes** appropriate paperwork for the CW.

(See 6.135-TSK-1 Completing Cooperating Witness Forms and Preparing an Alert Packet)

6.135-TSK-1 Completing Cooperating Witness Forms and Preparing an Alert Packet

When completing forms associated with the use of a CW, an **officer**:

1. **Completes** the Cooperating Witness Checklist (form 22.7) prior to working with a CW.

2. Additionally, after receiving approval to work with a person as a Cooperating Witness, **completes** the following forms with the CW:

   - Cooperation Disclaimer (form 22.8)

   - Cooperation Release (form 22.9)

3. **Prepares** an Alert Packet for the appropriate follow-up unit including the following additional items:

   - Printout of the CW's criminal history/NCIC III.

   - At least one officer statement which serves as a "police witness" to the CW's words and actions related to the incident under which the CW's testimony was obtained.

6.140 – Locating a Cell Phone During an Emergency

Effective Date: 05/16/2012

6.140-POL

1. A Lieutenant (Or an Acting Lieutenant) Will Screen and Approve Patrol Requests for Locating a Cell Phone During an Emergency as Defined Below

2. A Sergeant or Designee Will Contact the Technical and Electronic Support Unit (TESU) of the Investigation Support Unit to Screen and Coordinate Requests by Patrol to Locate a Cell Phone During an Emergency

Also see Find a Stolen Cell Phone flow chart.

3. Definition: Historic Information

- Cell phone data that has previously been captured and stored by the cell phone service provider.
- Cell site information becomes "historic" the instant after it has been saved to the cellular service provider's computers.
- This information is available to law enforcement with a search warrant, search warrant exception, consent to search, or when the Community Caretaking Warrant Exception applies).

4. Definition: Prospective Information

- Cell phone data that shows the current or future use and location of a cell phone. 'Pinging' the cell phone generates prospective information. This requires an action on the part of the cell service provider to locate the cell phone.
- This information is available to law enforcement with an existing pen register and/or trap and trace order or a qualifying pen/trap emergency. Even with a qualifying emergency, a pen register and/or trap and trace court order is required.

5. Definition: Community Caretaking Warrant Exception

- Community caretaking function exception to the warrant requirement is totally divorced from a criminal investigation. The emergency aid doctrine arises from a police officer's community caretaking responsibility to come to the aid of persons believed to be in danger of death or physical harm. If the exception applies, police officers may conduct a noncriminal investigation so long as it is necessary and strictly relevant to performance of the community caretaking function. The noncriminal investigation must end when reasons for initiating an encounter are fully resolved.

6. Officers May Request Historic Information Using Community Caretaking Only When an Emergency Exists and:

- Someone likely needs immediate assistance for health or safety reasons and,
- A reasonable person in the same situation would similarly believe that there was a need for immediate assistance and,
- There is a reasonable basis to believe that locating a cell phone is necessary to provide the needed assistance and,
- The claimed emergency is not a mere pretext for an evidentiary search and,
- The danger is such that even if the search warrant were diligently pursued, the emergency requires locating the cell phone before a warrant could be obtained.

7. Officers May Request Prospective Information Using a Qualifying Pen/Trap Emergency When:

- An emergency situation exists that involves “immediate danger of death or serious bodily injury” and,
- A qualified King County Prosecutor from the Special Operations Unit agrees with police that the above-described emergency situation exists and,
- There is a reasonable basis to believe that locating a cell phone is necessary to police ability to provide the needed assistance and,
- The danger is such that, even if the pen/trap court order were diligently pursued, the emergency requires locating the cell phone before an order could be obtained.
- The facts and circumstance support that a court could lawfully authorize the order if pursued.

8. Officers Will Document What Cell Phone Data Was Obtained in the Report

9. If Prospective Information Using a Qualifying Pen/Trap Emergency is Obtained, The Requesting Officer Must Complete the Pen Register and/or Trap and Trace Affidavit and Order Within 48 Hours

- The officer will coordinate with TESU and the approving deputy prosecuting attorney.
- The officer will take the order to a judge for signature and return the originals to the deputy prosecuting attorney for processing.
- Failure to obtain the pen register and/or trap and trace affidavit and order within 48 hours of obtaining the information from the cell phone provider is a Gross Misdemeanor -- even if pen/trap usage has ceased prior to seeking an order.

6.140-PRO-1 Requesting the Location of a Cell Phone

Officer

1. **Recognizes** the need to locate a cell phone.
2. **Notifies** a sergeant.

Sergeant

3. **Screens** the incident and determines, with the officer, which type of information is required.
4. **Contacts** TESU through Communications.

TESU Sgt/Det

5. **Assists** the sergeant in verifying the type of information that can be obtained.
6. **Contacts** the Special Operations Prosecutor if prospective information using a qualifying pen/trap emergency is required.
7. **Provides** direction and reporting requirements to the Patrol Sergeant.

Sergeant

8. **Instructs** the officer to complete the Cell Phone Location Request (form 22.4)

9. **Notifies** an on-duty Lieutenant of the request.

Lieutenant

10. **Approves** (if appropriate) the request and signs the completed Cell Phone Location Request form, returning the form to the Officer.

Officer

11. **Delivers** the approved Cell Phone Location Request form to Communications.

Communications

12. **Follows** their internal procedure to obtain the information from the cellular service provider.

13. **Notifies** the requesting officer of the results.

Officer

14. **Completes** the required Report and other paperwork and reporting requirements (See 6.140-TSK-1 Officer Reporting).

Sergeant

15. **Reviews** and approves all related paperwork.

16. **Follows-up** with the officer that if a pen/trap order is obtained, then the officer completed the order affidavit requirements.

TESU

17. **Records** the incident for inclusion in a required monthly report that is sent to the King County Administrative Office of the Courts if a pen/trap order is required.

6.140-TSK-1 Officer Reporting

1. **Sends** the original Cell Phone Location Request to Data.

2. **Compiles** an Alert Packet that includes the Report, a copy of the Cell Phone Location Request, copies of any other documents associated with the incident.

    a. The Report must include:

        - Facts supporting the Community Caretaking Warrant Exception if Historic Information is sought, or,

        - Facts supporting the qualifying pen/trap emergency if Prospective Information is sought.

        - The name of the TESU sergeant/detective that screened the incident,

        - The name of the Sergeant that screened the incident,

        - The name of the Lieutenant who approved obtaining the cell phone data.

        - The type of data that was obtained from the cellular service company and if the data assisted the investigation or resolution of the incident.

        - That the Cell Phone Location Request (form 22.4) was completed.

3. **Sends** the Alert Pack to TESU.

4. If prospective information is obtained, then **completes** the pen register and/or trap and trace affidavit and order within 48 hours of obtaining the information from the cell phone provider.

    a. **Coordinates** with TESU and the approving deputy prosecuting attorney, who will sign off on the order.

    b. **Meets** with a judge to obtain their signature on the order.

    c. **Returns** the originals back to the deputy prosecuting attorney.

6.150 – Advising Persons of Miranda and the Right to Counsel

Original Effective Date: 11/01/2020
Revised Effective Date: 11/15/2022

This policy applies to all sworn employees.

6.150-POL-1 Advising Miranda Rights

1. Sworn Employees Will Advise All Arrestees of Their Full Miranda Rights

Sworn employees will give this advisement to all persons taken into custody, regardless of interview, as soon as practical (see Superior Court Rule CrR 3.1).

2. Miranda Warnings Must Precede Custodial Interview

Sworn employees must give Miranda warnings before questioning a person who is in custody (i.e., custodial interview).

- A juvenile's age is a consideration in determining whether the juvenile would not feel free to leave. A child may be in custody for purposes of the Miranda rule when an adult in the same circumstances would not.

If the arresting sworn employee is awaiting the arrival of a follow-up detective, the sworn employee may postpone the reading of Miranda and the interview; however, at a minimum, the sworn employee must advise the arrestee of their right to an attorney (per Superior Court Rule CrR 3.1).

3. Sworn Employees Must Include All Elements of Miranda and Establish Understanding

When advising a person of Miranda, sworn employees will include the following statements:

"You have the right to remain silent."

"Anything you say can be used against you in a court of law."

"You have the right at this time to talk to a lawyer and have your lawyer present with you while you are being questioned."

"If you cannot afford to hire a lawyer, one will be appointed to represent you before questioning, if you wish."

Sworn employees will establish that the suspect understands in one of two ways:

- By asking "Do you understand" after each of the four Miranda warnings, or

- By asking, "Do you understand each of these rights?" after reading all the warnings.

Sworn employees may then begin asking questions.

If the arrestee makes a comment that causes the sworn employee to believe that the arrestee might be requesting an attorney, sworn employees will ask the arrestee to confirm, with a "yes" or "no" answer, whether the arrestee is requesting an attorney.

4. Sworn Employees Will Include Additional Warning for the Hearing-Impaired

When advising a person who is hearing-impaired of Miranda, sworn employees will include the following warning:

"If you are hearing-impaired, the Seattle Police Department has the obligation to offer you an interpreter without cost and will defer interviews pending the appearance of the interpreter."

(See RCW 2.42.120 Appointment of interpreter—Responsibility for compensation—Reimbursement)

(See manual section 15.250 – Interpreters/Translators)

5. Sworn Employees Will Provide Miranda in Appropriate Language

When advising Miranda to a person who speaks limited English, sworn employees will give Miranda warnings in the appropriate language to establish understanding, by doing one of the following:

- Request another sworn employee who speaks the language of the person who speaks limited English, or

- Contact the Community Safety Communications Center (CSCC) at (206) 583-2111 and request to be transferred to Voiance Language Services for an interpreter in the appropriate language. Sworn employees must request the call be recorded, if appropriate.

(See manual section 15.250 – Interpreters and Translators)

6. Should an Arrestee Clearly Invoke the Right to Remain Silent, Sworn Employees Must Read Miranda Again if They Later Re-Initiate Contact

7. Sworn Employees Will Stop Questioning Once an Arrestee has Invoked the Right to a Lawyer

Once an arrestee invokes the right to counsel, sworn employees will stop questioning unless the suspect reinitiates contact. Though sworn employees may not ask further questions, they may document anything the arrestee says that is unsolicited.

Exception: Sworn employees may continue questioning related to locating a kidnapped or missing person, or evidence, such as a gun, for public safety reasons.

8. Attorney-Client Protected Conversations Will Not be Recorded

Sworn employees providing adults or juveniles right to counsel will protect the privacy of the attorney-client privileged communication. If a private room and phone at the precinct is not feasible, in-car video may be stopped to provide privacy during the consultation.

9. Sworn Employees Will Record Miranda Warnings

If sworn employees are recording a custodial interview, the Miranda warnings must also be recorded, even if they have been previously given to the suspect.

(See RCW 9.73.090(1)(b)(iii) and RCW 10.122.030)

When a juvenile suspect has been arrested for a felony crime, a custodial interrogation (including the giving of any required warning), advice of the rights of the suspect being questioned, and the waiver of any rights by the suspect, must be recorded electronically in its entirety (RCW 10.122.030).

Exception: Spontaneous statements made outside the course of a custodial interrogation, or a statement made in response to a question asked routinely during the processing of the arrest of a subject, do not apply.

(See also manual sections 7.110 – Recorded Statements and 16.090 – In-Car and Body-Worn Video for when to record Miranda and custodial interrogations)

10. Sworn Employees Will Read Additional Warning for Juveniles

When reading Miranda to a juvenile, sworn employees will include the following warning:

> "If you are under the age of 18, anything you say can be used against you in a juvenile court prosecution for a juvenile offense and can also be used against you in an adult court criminal prosecution if you are to be tried as an adult."

A parent or guardian must waive the rights of a juvenile under the age of 12 and has the right to be present during the interview.

11. After Issuing Miranda Warnings, Sworn Employees Will Not Question Any Person Younger than 18 Years of Age or Request Consent from a Juvenile to Search Their Person, Property, Dwelling, or Vehicle Unless the Juvenile has Consulted With Legal Counsel

Sworn employees will provide a juvenile with access to an attorney for consultation. The juvenile's legal consultation may be in person, by telephone, or by video conference and may not be waived, regardless of custody status (RCW 13.40.740 and SMC 3.28.147). Nothing in this section affects the juvenile's right to waive counsel after consultation.

After the juvenile has consulted with legal counsel, the juvenile may advise, have a parent or guardian advise, or direct legal counsel to advise, the officer as to whether the juvenile chooses to assert a Constitutional right. Any assertion of rights by the juvenile via legal counsel will be treated by an officer as though it came from the juvenile.

Exception: Questioning a juvenile without legal counsel after issuing a Miranda warning may take place if:

1. The sworn employee who issued the warning reasonably believes the information sought is necessary to protect life from an imminent threat; and

2. Delay to allow legal consultation by phone would hamper the protection of life from an imminent threat; and

3. The questioning is limited to matters reasonably expected to obtain information necessary to protect life from an imminent threat.

12. If a Juvenile Does not Have an Attorney, The Juvenile may Contact the King County Department of Public Defense 24 Hours a Day

The King County Public Defender's Office may be reached at (206) 477-8899.

6.150-POL-2 Miranda Warnings and Right to Counsel Documentation

1. Sworn Employees Will Document the Advisement of Miranda

Sworn employees will document the Miranda advisement in at least one of the following ways:

- Explanation of Rights Form (English/ Spanish)
- Officer statement
- Department-approved recording device (this includes In-Car Video)

2. Sworn Employees Will Report Each Incident Invoking Exceptions to Juvenile Legal Counsel

The report will include:

1. The time the juvenile was given a Miranda warning;
2. The time the juvenile was questioned without legal consultation;
3. The reasons that justified questioning the juvenile without legal consultation;
4. The questions posed to the juvenile;
5. The juvenile's name, age, and race; and
6. The name and badge number of the officer(s) involved in the incident.

On a quarterly basis, the Seattle Police Department will provide these reports to the Office of the Inspector General, the Seattle City Attorney's Office, the King County Prosecuting Attorney's Office and the Director of the King County Department of Public Defense providing copies of the records with the juvenile's name redacted and replaced with initials.

(See 6.150-TSK-1 Juvenile Questioning Without Miranda Documentation)

6.150-TSK-1 Juvenile Questioning Without Miranda Documentation

A sworn employee who questions a juvenile will document in Mark43 [see "Juvenile Miranda without Counsel Mark43 Documentation" (internal link)].

The **sworn employee**:

1. **Creates** a supplemental report under the case number.
2. Under the supplemental type, **selects** "Juvenile Post-Miranda Questioning Documentation."

3. In the narrative card, **selects** the narrative guide titled "Juvenile Miranda Requirements."

4. **Enters** the required information in the narrative guide.

5. **Submits** the supplemental for approval.

6.180 – Searches-General

Effective Date: 05/01/2020

This policy applies to searches conducted by Department employees.

1. Officers May Only Make Searches Pursuant to a Search Warrant, Unless a Specific Exception Applies

Officers will serve all search warrants in accordance with Seattle Police Manual Section 6.185 - Search Warrants.

Except as described in this policy, officers shall not conduct a search without a valid search warrant. In each circumstance, officers are required to document in a Report or Field Contact that an exception to the warrant requirement applies.

6.180-POL-1 Community Caretaking Searches

The need to protect or preserve life, avoid serious injury or protect property in danger of damage may justify an entry that would otherwise be illegal absent an emergency.

It is important to remember that while an entry may be justified under the emergency doctrine, a warrant will generally need to be obtained prior to further investigation or seizure of evidence.

The emergency doctrine and the community-caretaking exception do not require probable cause but shall be motivated solely by the perceived need to render aid or assistance. Officers will act under a community caretaking role in emergency action, not in their evidence gathering role.

1. Officers May Perform Warrantless Community Caretaking Searches Under Specific Circumstances

Officers may conduct warrantless community caretaking searches when:

- The officer has subjective belief that someone likely needs assistance for health or safety concerns;

- Officers will attempt to rouse suspected unconscious persons prior to conducting searches. Suspected unconsciousness alone does not support a reasonable, objective belief of a need for immediate assistance.

- A reasonable person in the same situation would similarly believe that there is need for assistance;

- There is a reasonable basis to associate the need for assistance with the place searched;

- There is an imminent threat of substantial bodily injury to persons or substantial damage to property;

- A specific person or persons or property need immediate help for health or safety reasons

2. Officers May Make a Limited Sweep of a Vehicle Under Specific Circumstances

Officers may make a limited sweep of a vehicle when:

- There is reasonable suspicion that an unsecured firearm is in the vehicle, and

- The vehicle will be impounded and towed from the scene.

3. Officers Must Cease a Search Immediately Upon Dispelling the Reason for the Noncriminal Investigation

4. Officers Will Not Use Community Caretaking as Pretext for an Investigatory Search

6.180-POL-2 Consent Searches

1. Officers Conducting a Consent Search Will Ask the Consenting Person to Sign a Consent to Search form (form 9.54)

If the Consent to Search form is not available, officers will document the consent using another department authorized recording device, such as ICV, BWV, or digital recorder.

2. The Validity of the Consent Depends on Consent Being Given Voluntarily

The age, capacity for understanding, and education of the person are scrutinized by the court, as is the totality of the circumstances, including actual or perceived physical and mental coercion, exploitation, and the authority of the person to give consent. If consent is obtained after an officer notifies the person of the right to refuse consent, that can be considered an indicator of voluntariness.

Prior to conducting a consent search, officers are required to make a good faith effort to determine whether the consenting person has capacity to provide consent.

3. Third-Party Consents Are Valid Under Certain Conditions

- Consent is valid if the third person has equal authority over the business or residence and it can be concluded the absent person assumed the risk the cohabitant (roommate) might permit a search.

- All cohabitants (roommates) or business partners who are present must affirmatively provide their consent prior to the search. Consent to search is not allowed if one cohabitant or business partner objects to the consent, even if another person gives permission.

- Parents and legal guardians may consent to search a minor's living area if they have routine access to the area and the minor is not paying rent.

- Landlords cannot give consent to search if a lease or rental agreement is still valid.

6.180-POL-3 Exigent Circumstance Searches

1. Officers Will Not Conduct Warrantless Searches or Seizures Unless there is Both Subjective and Objectively Reasonable Basis to Believe that Exigent Circumstances Exist.

Factors to be considered by the court include:

- Is the crime involved a serious offense or crime of violence?

- Is there reasonable basis to believe the suspect is armed?

- Is there objectively reasonable basis to believe the suspect committed the crime?

- Is there objectively reasonable basis to believe the suspect is on the premises?

- Is there objectively reasonable basis to believe that the suspect is likely to escape if not swiftly apprehended?

- Did the police identify themselves and give the suspect a chance to surrender prior to entry?

- Was the entry made peaceably?

6.180-POL-4 Open View and Plain View Doctrines

Open View- The open view doctrine applies when the officer sees contraband or evidence from a vantage point available to the public. To seize the contraband or evidence, it must be located in an area open to the public and not protected by the Constitution.

- Police officers are not allowed to enter and seize contraband if the contraband is exposed to the public from a constitutionally protected place. For example: If officers see physical evidence of a crime in the window of a residence, they cannot enter the home, but have probable cause to seek a search warrant.

Plain View- The plain view doctrine applies when the police inadvertently discover contraband or evidence after making a lawful intrusion into a constitutionally protected area, such as a residence or a vehicle. The contraband or evidence must be immediately recognizable as such and be in plain view.

- The key to the plain view doctrine is being in the protected place with consent or on legitimate police business. Once the inadvertent discovery is made, officers may have probable cause to seek a search warrant for a more thorough search.

6.180-POL-5 Pat-Down/Frisk

The purpose and scope of a frisk is to discover weapons or other items which pose a danger to the officer or those nearby. It is not a generalized search of the entire person. The decision to conduct a frisk is based upon the totality of the circumstances and the reasonable conclusions drawn from the officer's training and experience. Generally, the frisk will be limited to a pat-down of outer clothing. Once the officer ascertains that no weapon is present after the frisk is completed, the officer's limited authority to frisk is completed (i.e., the frisk will stop).

6.180-POL-6 Search Incident-to-Arrest/Custodial Search

Search Incident-to-Arrest – Officers may, incident to a lawful arrest, search an arrestee's person and the area within the arrestee's immediate control.

Vehicles – After a person is arrested out of a vehicle, officers do not have authority to search the passenger compartment and locked or unlocked containers within the vehicle incident to arrest. One of the following must apply:

- Officers have consent to search,

- Exigent circumstances exist, or

- Officers are performing an inventory search pursuant to impoundment of the vehicle. (Inventory searches do not include searches of locked containers or locked trunks.)

Residence – When a person is arrested in a residence, officers may only search the immediate area where the arrest occurred. Officers may only search other areas of the residence if:

- They reasonably believe that officer safety is threatened,
- There is a reasonable chance the arrested person might escape or destroy evidence.

Personal Items – Officers may only search personal items such as wallets, backpacks, or other bags if the subject had them in his or her actual and exclusive possession at or immediately preceding the time of his or her arrest.

Cell phones – Officers may not search digital information on a cell phone or other device without the owner's consent or a search warrant.

Exception: Officers may search abandoned cell phones/electronic devices for the sole purpose of identifying the owner of the property. The search must cease upon identifying the owner of the property. If the officer views evidence of a crime on a device, the officer must cease the search and write a search warrant for the phone/device.

6.180-POL-7 Custodial Searches

Officers shall thoroughly search the persons of all arrestees who are taken into custody.

1. Officers Will Conduct Custodial Searches as Soon as Possible After the Arrest and Before Transporting the Prisoner(s)

Evidence of any crime which is discovered in the course of a valid custodial search may be used to support whatever subsequent charge is appropriate.

2. Generally, Officers Will Not Search Suspects of the Opposite Gender

Officers may search suspects of the opposite gender if:

- There is a reasonable likelihood that the suspect possesses a weapon, or other object capable of causing injury or which could facilitate escape, or

- The officer believes the suspect possesses objects which constitute evidence, which if not seized immediately could be destroyed, lost, or lose their evidentiary value, or

- There is no officer of the same gender readily available to conduct the search.

Officers will memorialize custodial searches via ICV and BWV.

3. Searches Conducted on Transgender Subjects Will Comply with Manual Section 16.200-Interacting with Gender-Diverse Individuals

6.181 – Performing Inventory Searches

Effective Date: 06/18/2012

6.181-POL

This policy applies when an officer impounds a vehicle, takes possession of personal property for safekeeping, or for personal property that has accompanied an arrestee to a secure police or jail facility.

This policy does not apply to Evidence Unit staff who comply with procedures adopted by that unit.

This policy also does not apply to found property. See Manual Section 7.020 - Found Property.

1. Inventory Searches Serve an Administrative Function

Inventory searches are not searches incident to arrest. They are administrative in nature and are necessary to:

- Protect and account for property of the arrested person.

- Protect the officer and Department from false claims.

- Isolate dangerous items from police and jail facilities.

Inventory searches are not a substitute for obtaining a search warrant or consent.

Inventory searches of personal property or vehicles must occur as close in time as practical to placing an arrestee in a secure police or jail facility or impoundment of the vehicle.

2. Officers Will Inventory Vehicles and Personal Items

Officers will inventory the contents of all vehicles to be impounded and all personal property for safekeeping or that has accompanied an arrestee to a secure police facility.

Exception: Officers will not perform the inventory search if the entire vehicle, personal item, or contents are considered evidence or must remain untouched pending a search warrant.

Exception: If an arrestee is eligible for bail, officers will not inventory the arrestee's property until after the arrestee has had the opportunity to post bail.

3. Vehicle Inventory Searches Do Not Include the Trunk, Closed Containers, or Locked Vehicles

When impounding a vehicle to a tow company's storage lot, officers may not enter or access the trunk or closed containers inside of the vehicle in an effort to perform an inventory search. Officers will list these closed containers as sealed units on the Vehicle Report or Custodial Property Summary. Officers will treat locked vehicles as a sealed unit.

Exception: Officers may inventory closed containers or the trunk if there is a reasonable belief that items inside may pose a danger to the officer or police facility. Officers must be able to articulate supporting facts.

4. Officers Will Place Valuable Items into Evidence

If an officer is inventorying a vehicle that contains cash, jewelry, or other items of significant value that cannot be secured inside the vehicle, then the officer will place those items into Evidence.

5. Officers Will Use the Designated Form to Document Inventories

Officers will use the Custodial Property Summary to document inventory searches.

Exception: Officers may use either the Tow/Impound Record or the Custodial Property Summary to document an inventory search of a vehicle.

6. CSI Personnel May Perform Inventory Searches for Follow-Up Units

As a courtesy to follow-up units, Crime Scene Investigations (CSI) detectives may perform the inventory search of a vehicle held in the vehicle processing room before releasing it to the owner. During these searches, CSI detectives may locate contraband or other suspicious items.

If the items found are illegal to possess, the CSI detective will seize the items and log them into evidence. If the detective believes that other items

found may constitute evidence of a crime, the detective performing the inventory search will immediately end the search.

In either situation, the detective will complete a supplement report and notify the follow-up unit named on the Vehicle Report. The named follow-up unit is responsible for the disposition or re-assignment of the case.

6.185 – Search Warrants

Effective Date: 03/01/2016

6.185-POL

This policy applies to administrative, dynamic, and high-risk search warrants. For information specific to DUI blood warrants see Section 15.280-DUI Investigations.

1. Defining the Types of Search Warrants

Administrative Search Warrant – A warrant that is served in a police-controlled environment (e.g., police precinct, vehicle processing room) or is otherwise low-risk.

Dynamic Search Warrant – A warrant that is served where officers expect forced entry, and it is unknown if persons present are armed. Though higher risk than an administrative warrant, it does not rise to the level of a high-risk warrant.

High-Risk Search Warrant – A warrant that is served where there are known armed persons at the location, or the location is barricaded.

2. Sergeants or Above Must Approve Search Warrants

A sergeant or above approves administrative search warrant service.

A lieutenant or above approves dynamic and high-risk search warrant service.

If any high-risk factors are present, the lieutenant will consult with SWAT.

A captain or above approves search warrants to be served outside the city.

See 6.280-Warrant Arrests and Pre-Planned Arrest Operations for the approval process required for some warrant arrests.

3. Dynamic and High-Risk Warrants Require a Risk Assessment

When evaluating a dynamic or high-risk warrant, the sergeant or above will complete the SWAT Risk Assessment (form 12.2) See 6.185-PRO-2.

4. SPD SWAT is the Designated Unit to Serve High-Risk Warrants

5. Warrants Served Outside the City Must Relate to Seattle Crime

In order for SPD personnel to serve a warrant outside the city, the warrant must be associated with criminal activity in Seattle.

Exception: A permanent captain or above may approve exceptions on a case-by-case basis.

6. Officer Must "Deconflict" Narcotics Warrants

The day before the planned warrant service, the detective or sergeant in charge of a narcotics search warrant must check the target location for simultaneous warrants or investigations by other law enforcement agencies. See 6.185-TSK-3.

7. Outside Agencies May Serve SPD Warrants in Their City

For warrant service outside the city, SPD may allow local agencies to serve warrants in their jurisdiction if the agency chooses and has the ability.

If SPD serves the warrant, the SPD sergeant or above in charge of the warrant will notify a supervisor from the local agency and request the supervisor be present at the warrant execution.

8. Sergeant or Designee Writes Operations Order and Briefs/Debriefs

For dynamic and high-risk warrants, a sergeant or designee will write an operations order and conduct a tactical briefing, with all personnel involved, before the warrant service. The operations order must be approved by the section chain of command.

The sergeant or designee will follow the warrant service with a debriefing for all personnel involved.

9. Sergeant or Above Completes After Action Report

For dynamic and high-risk warrants, the sergeant or above who was in charge of the warrant service will complete the After-Action Report (form 28.1).

The sergeant will forward this report through the chain of command to the level of Bureau Chief.

10. Bureau Chief keeps After Action Report

The originating unit's Bureau Chief will review and retain the After-Action Report.

11. Officers Shall Not Call Judges' Personal Numbers After Hours Without Approval

Officers will attempt to contact an on-call judge through SPD Communications.

A sergeant may authorize an officer to call a judge's personal number if Communications cannot reach the on-call judge.

6.185-PRO-1 Administrative Search Warrant Procedure

Officer or Detective

1. **Screens** the anticipated warrant service with a sergeant or above

Sergeant or Above

2. **Reviews** the circumstances and any preliminary paperwork and approves if appropriate

Officer or Detective

3. **Completes** the search warrant using the forms in the Search Warrant Resource Center. See 6.185-TSK-1 or TSK-2

4. **Serves** the search warrant

5. **Assembles** a search warrant packet. See 6.185-TSK-1 or TSK-2

6. **Files** the warrant with the appropriate court and delivers copies to the SPD Data Center Unit. See 6.185-TSK-5, 6, or 7

a. If the case will be assigned for follow-up, **sends** the warrant packet to the appropriate follow-up unit for filing.

Detective

7. **Files** the warrant with Municipal or Superior court as indicated on the Search Warrant Packet Cover Sheet. See 6.185-TSK-5, 6, or 7

6.185-PRO-2 Dynamic and High-Risk Search Warrant Procedure

Officer or Detective

1. **Screens** the anticipated warrant service with a sergeant or above

Ultimate approval must be from a lieutenant or above.

Sergeant or Above

2. **Reviews** the circumstances and any preliminary paperwork

Officer or Detective

3. **Completes** the search warrant using the forms in the Search Warrant Resource Center. See 6.185-TSK-1 or TSK-2

a. While completing the warrant, **contacts** NWHIDTA or WSIN, if appropriate, to check the target location for conflicts. See 6.185-TSK-3

Sergeant or Above

4. **Evaluates** the warrant using the SWAT Risk Assessment (Form 12.2)

a. **Consults** with SWAT Lieutenant or SWAT Sergeant.

b. **Re-screens** the warrant with SWAT any time there is new information that increases the warrant's risk.

5. **Delivers** the completed Risk Assessment back to the primary officer or detective for inclusion in the case packet

Investigating Unit or SWAT

6. **Serves** the search warrant per unit guidelines

Sergeant or Above

7. **Completes** the After-Action Report (form 28.1)

8. **Forwards** the After-Action Report to the Bureau Chief via the chain of command

Bureau Chief

9. **Retains** the After-Action Report

Officer or Detective

10. **Files** the warrant with the appropriate court. See 6.185-TSK-5, 6, or 7

6.185-TSK-1 Completing the Search Warrant (In Person, Business Hours)

When writing a warrant and presenting it to a judge in person and during business hours, the **officer or detective**:

1. **Completes** the search warrant and affidavit using the forms in the Search Warrant Resource Center leaving the affidavit unsigned

2. **Calls** to arrange for a meeting with a judge to sign the warrant:

   a. Superior Court (Felony/Other County)

   b. Municipal Court (Misdemeanor Only)

   Phone numbers for the above are available only to Seattle Police employees and are exempt from disclosure to the public by RCW 42.56.420(1)(a).

3. **Serves** the warrant

   a. During the warrant service, completes the inventory and return of service.

4. **Leaves** a copy of the warrant and return of service at the location

   (**Does not** leave any copies of the affidavit)

5. **Completes** the Search Warrant Cover Sheet

6. **Assembles** a warrant packet grouping the originals together and the copies together to include:

   - Search Warrant Packet Cover Sheet

   - Affidavit (+1 copy)

   - Warrant (+1 copy)

- Return of Service (+1 copy)

- Inventory (+1 copy)

- After-Action Report (if applicable, grouped with copies)

6.185-TSK-2 Completing a Felony Search Warrant (After Hours)

When writing a felony warrant after hours, the **officer or detective**:

1. **Completes** the search warrant and affidavit using the forms in the Search Warrant Resource Center in Ingress, leaving the affidavit unsigned

2. **Obtains** the Seattle Municipal Court hotline number from Communications personnel by calling 684-8640

3. **Contacts** the on-call judge via the hotline

4. **Obtains** approval from the judge per the judge's instructions

    a. If the warrant is telephonic, **coordinates** with Communications to have the call recorded and flagged for retention

5. **Serves** the warrant

    a. During the warrant service, **completes** the inventory and return of service

6. **Leaves** a copy of the warrant and return of service at the location of the search

    (**Does not** leave any copies of the affidavit)

7. **Completes** the Search Warrant Cover Sheet

8. **Assembles** a warrant packet grouping the originals together and the copies together to include:

    - Search Warrant Packet Cover Sheet

    - Affidavit (+1 copy)

    - Warrant (+1 copy)

    - Return of Service (+1 copy)

    - Inventory (+1 copy)

- After Action Report (if applicable, grouped with copies)

6.185-TSK-3 Completing a Misdemeanor Warrant (After Hours)

When writing a misdemeanor warrant after hours, the **officer or detective**:

1. **Determines** they have probable cause to search for evidence of a misdemeanor crime (DUI, Vehicle Searches, etc.)

2. **Drafts** a search warrant and search warrant affidavit using the forms in the Search Warrant Resource Center.

3. **Obtains** approval of the draft from their sergeant

4. **Obtains** the Seattle Municipal Court hotline number from Communications personnel by calling 684-8640

5. **Contacts** the on-call judge via the hotline

6. **Emails** the completed search warrant and affidavit to judge

7. **Serves** the warrant

   - During the warrant service, **completes** the inventory and return of service

8. **Leaves** a copy of the warrant and return of service at the location of the search

   (**Does not** leave any copies of the affidavit)

9. **Completes** the Search Warrant Cover Sheet

10. **Assembles** a warrant packet grouping the originals together and the copies together to include:

    - Search Warrant Packet Cover Sheet

    - Affidavit (+1 copy)

    - Warrant (+1 copy)

    - Return of Service (+1 copy)

    - Inventory (+1 copy)

    - After Action Report (if applicable, grouped with copies)

11. **Files** the warrant with the court as outlined in 6.185-TSK-7

6.185-TSK-4 Deconflicting the Search Warrant Location

Before conducting a narcotics search warrant, the **officer or detective**:

1. **Obtains** current phone number for High-Intensity Drug Trafficking Area (HIDTA) or Western States Information Network (WSIN) from one of the following (via Communications after hours):

    - Narcotics

    - Investigation Support

    - SWAT

2. **Gives** the following information:

    - Name and organization

    - Call back number

    - Address of target location and cross street

    - Time of the operation

    - Expected duration of the operation

    - Type of drug

    - Name of any other involved agency

3. For warrants to be served outside Seattle, **contacts** the local agency having jurisdiction

6.185-TSK-5 Filing the Search Warrant (District Court)

(Removed 10/23/20)

6.185-TSK-6 Filing the Search Warrant (Superior Court)

To file the warrant after service, the **officer or detective**:

1. **Obtains** the next available sequential warrant number online via King County Ingress

2. **Writes** the warrant number on the originals and the copies

3. **Takes** the originals to the Superior Court Clerk's cashier counter located in room E609 on the 6th floor

4. **Returns** the copies of the warrant to the SPD Data Center Unit for scanning

6.185-TSK-7 Filing the Search Warrant (Seattle Municipal Court)

To file the warrant after service, the **officer or detective**:

1. **Scans** all documents related to the warrant into a .pdf file

2. **Emails** the documents to SMC_Search_Warrant_Return@seattle.gov

2a. **Includes** the Report Number in the subject line of the email

3. **Sends** the warrant packet containing originals to the Data Center in an Alert Packet

4. **Receives** confirmation email from the court for the warrant within 72 hours

6.210 – Strip Searches

Effective Date: 03/01/2022

6.210-POL

A sworn employee may strip search a person if the requirements of RCW 10.79 have been met. A sergeant will authorize the strip search based on specific facts constituting reasonable suspicion or probable cause to believe the search was necessary.

Nothing in this section is intended to preclude sworn employees from seizing and holding clothing as evidence whenever that clothing is reasonably believed to be evidence of a crime.

1. Sworn Employee Requirements for Strip Searches

Strip Search – having a person remove or arrange some or all of their clothing so as to permit an inspection of the genitals, buttocks, anus, or other undergarments of the person or breasts of a female person (RCW 10.79.070)

The person being strip searched must be in custody at a police facility or jail holding facility.

Captains may adopt section policies that authorize their personnel to conduct strip searches at locations other than precinct or jail holding facilities when transporting the subject to a precinct or jail holding facility presents safety or security concerns.

- Measures will be taken to ensure the privacy of the subject being strip searched regardless of the location of the strip search.

RCW 10.79.130 states that no person will be strip searched without a warrant unless:

- There is a reasonable suspicion to believe that a strip search is necessary to discover weapons, criminal evidence, contraband, or any other thing concealed on the body of the person to be searched that constitutes a threat to the security of a holding, detention, or local correctional facility; or

- There is probable cause to believe that a strip search is necessary to discover other criminal evidence concealed on the body of the person to be searched, but not constituting a threat to facility security; or

- There is a reasonable suspicion to believe that a strip search is necessary to discover a health condition requiring immediate medical attention.

- For this section, reasonable suspicion is deemed to be present when the person to be searched has been arrested for:

  - A violent offense as defined in RCW 9.94A.030(54); or

  - An offense involving escape, burglary, or the use of a deadly weapon; or

  - An offense involving possession of a drug or controlled substance under RCW Chapter 69.41, 69.50, or 69.52.

The determination of whether reasonable suspicion or probable cause exists to conduct a strip search will be made only after less-intrusive means have been used and will be based on the consideration of all information and circumstances known to the sergeant authorizing the strip search, including, but not limited to, the following factors:

- The nature of the offense for which the person to be searched was arrested.

- The prior criminal record of the person to be searched.

- Physically violent behavior of the person to be searched, during or after the arrest.

(see also manual section 16.200 – Interaction with Gender-Diverse Individuals)

All the factors that led to the determination of the sergeant to authorize the strip search will be articulated on the report and the Strip Search Record (Form 17.7).

2. Sworn Employees Will Assure Privacy

The search will be done in private, where the search will not be viewed by anyone other than the sworn employee conducting the strip search and the witness sworn employee. The steps taken to assure the privacy of the strip search will be documented on the Strip Search Record (Form 17.7).

To protect privacy and dignity, Body Worn Video (BWV) will not be recording when sworn employees conduct strip searches, unless BWV must be activated before the strip search has concluded, to record consistent with manual section 16.090 In Car and Body-Worn Video, should circumstances warrant (such as an assault on an officer).

(see also manual section 11.010-POL-5 In Department Facilities, Employees Will Secure Detainees in Areas Monitored by Cameras, Where Available)

(see also manual section 16.090 – In-Car and Body-Worn Video)

6.210-PRO-1 Conducting Strip Searches

Sergeant

1. **Screens** the circumstances of the arrest and **determines** if the legal criteria for a strip search has been met prior to giving authorization for the search.

Sworn Employee/Detective

2. **Conducts** less-intrusive means, such as pat-downs, metal detectors (where available), and clothing searches prior to the strip search.

3. **Explains** to the subject why they are being strip searched and give the person the opportunity to voluntarily produce the suspected item. The person will be allowed to voluntarily produce the item only if the sworn employee and sergeant believe that the item can be produced without compromising officer safety or risking destruction of evidence.

4. **Conducts** the strip search (must be conducted and witnessed by sworn employees of the same sex as the person to be searched).

Sergeant

5. The sergeant who has authorized the strip search will **witness** the strip search, unless the sergeant is a different sex as the person being searched. In that case the sergeant will assign another sworn employee of the appropriate sex to witness the search.

(see also manual section 16.200 – Interaction with Gender-Diverse Individuals)

6. The authorizing sergeant must **remain** at the location where the strip search is to take place.

Sworn Employee

7. **Completes** a Strip Search Record (Form 17.7) with the following information:

- The offense(s) for which the person was arrested.

- The specific facts constituting reasonable suspicion or probable cause to believe the search was necessary.

- The name and serial number of the sergeant authorizing the search.

- The name and serial number of the sworn employee conducting the search.

- The name(s) of all other persons present during the search.

- The time, date, and place of the search.

- Any weapons, evidence, contraband, property, or health condition discovered as the result of the search.

Sergeant

8. **Reviews** and **approves** the Strip Search Record (Form 17.7) and the report.

6.220 – Voluntary Contacts, Terry Stops, and Detentions

Effective Date: 01/01/2020

This policy applies to all sworn employees conducting voluntary contacts and/or stops/detentions based upon reasonable suspicion (Terry).

This policy does not apply to detentions based upon probable cause and community caretaking functions pursuant to RCW 71.05.153.

6.220-POL-1 Definitions

Seizure: A seizure occurs any time an officer, by means of physical force or show of authority, restricts the liberty of a person. A seizure may also occur if an officer uses words, actions, or demeanor that would make a reasonable person believe that they are not free to leave.

Voluntary Contacts: During voluntary contacts, officers will not use any words, actions, demeanor, or other show of authority that would indicate that a person is not free to leave; voluntary contacts are not seizures.

Voluntary Contacts fall under two categories:

Social Contact: A voluntary and consensual encounter between the police and a subject with the intent of engaging in casual and/or non-investigative conversation. The subject is free to leave and/or decline any of the officer's requests at any point; social contacts are not seizures.

Non-Custodial Interview: A voluntary and consensual investigatory interview that an officer conducts with a subject during which the subject is free to leave and/or decline any of the officer's requests at any point; non-custodial interviews are not seizures.

Terry Stop: A brief, minimally intrusive seizure of a subject based upon articulable reasonable suspicion in order to investigate possible criminal activity. The stop can apply to people as well as vehicles. The subject of a Terry stop is not free to leave. A Terry stop is a seizure under both the state and federal constitutions.

- A Terry stop is a detention, based on reasonable suspicion, during which an officer may develop facts to establish probable cause or dispel suspicion.

- Stops and detentions initiated under probable cause will be made pursuant to Manual Sections:

  - 6.010-Arrests;

  - 6.280-Warrant Arrests;

  - 16.230-Issuing Tickets and Traffic Contact Reports;

  - 16.110-Crisis Intervention or;

  - 15.020-Charge-By-Officer

Reasonable Suspicion: Specific, objective, articulable facts, which, taken together with rational inferences, would create a well-founded suspicion that there is a substantial possibility that a subject has engaged, is engaging or is about to engage in criminal conduct.

-The reasonableness of a Terry stop is considered in view of the totality of the circumstances, the officer's training, and experience, and what the officer knew before the stop.

- During a stop, an officer may learn new information that can lead to additional reasonable suspicion or probable cause that a crime has occurred, but that new information cannot provide the justification for the original stop.

6.220-POL-2 Conducting a Terry Stop

1. Terry Stops are Seizures Based Upon Reasonable Suspicion

This policy prohibits Terry stops when an officer lacks reasonable suspicion that a subject has been, is, or is about to engage in the commission of a crime.

Searches and seizures by officers are lawful to the extent they meet the requirements of the 4th Amendment (see Terry v. Ohio, 392 U.S. 1 (1968), and Washington Constitution Art. 1, Section 7).

2. During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Scope

Officers will articulate in their Report, the justification for the initiation, scope and duration of a Terry stop.

Actions that would indicate to a reasonable person that they are under arrest or indefinitely detained may convert a Terry stop to an arrest; however, taking any of these actions does not necessarily turn a Terry stop into an arrest.

Unless justified by the articulable reasons for the original stop, officers must have additional articulable justification for further limiting a person's freedom during a Terry stop, such as:

- Taking a subject's identification or driver license away from the immediate vicinity
- Ordering a motorist to exit a vehicle
- Putting a pedestrian up against a wall
- Directing a person to stand or remain standing, or to sit on a patrol car bumper or any other place not of their choosing
- Directing a person to lie or sit on the ground
- Applying handcuffs
- Transporting any distance away from the scene of the initial stop, including for the purpose of witness identification
- Placing a subject into a police vehicle
- Pointing a firearm at a person or occupied vehicle
- Frisking for weapons
- De minimis force

3. During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Amount of Time

Subjects may be seized for only that period of time necessary to effect the purpose of the stop. Any delays in completing the necessary actions will be objectively reasonable.

Officers may not extend a detention solely to await the arrival of a supervisor.

4. During all Terry Stops, Officers Will Take Reasonable Steps to Be Courteous and Professional

When reasonable, as early in the contact as safety permits, the officer making contact with the subject (contact officer) will inform the suspect of the following:

- The officer's name;
- The officer's rank or title;
- The fact that the officer is a Seattle Police Officer;
- The reason for the stop; and
- That the stop is being recorded, if applicable (See 16.090 – In-Car and Body Worn Video).

When releasing a person at the end of a Terry stop, officers will advise the person that they are free to leave, offer an explanation of the circumstances and reasons for the Terry stop, and provide the person a business card with the event number as a receipt. Officers will not extend a detention to explain the Terry stop or provide a receipt.

5. Officers Cannot Require Subjects to Identify Themselves or Answer Questions on a Terry Stop

During a Terry stop, officers may request identification; however, subjects are not obligated to provide identification or information upon request.

Exceptions: As listed in 6.220-POL-3 Conducting a Detention to Issue a Notice of Infraction, Issue a Citation, and Other Exceptions.

6. Officers May Conduct a Frisk of Stopped Subject(s) Only if They Have an Articulable and Reasonable Safety Concern that the Person is Armed and Presently Dangerous

The purpose and scope of a frisk is to discover weapons or other items which pose a danger to the officer or those nearby. It is not a generalized search of the entire person. The decision to conduct a frisk is based upon the totality of the circumstances and the reasonable conclusions drawn from the officer's training and experience. Generally, the frisk will be limited to a pat-down of outer clothing. Once the officer ascertains that no weapon is present after the frisk is completed, the officer's limited authority to frisk is completed (i.e., the frisk will stop).

- A weapons frisk is a limited search determined by the state and federal constitutions.

- All consent searches will be conducted and memorialized via body-worn video, in-car video or signed consent form pursuant to Manual Section 6.180.

- Officers will not frisk for weapons on a social contact or noncustodial interview.

- A frisk will not be used as a pretext to search for incriminating evidence.

- The fact that a Terry stop occurs in a high-crime area is not by itself sufficient to justify a frisk.

Frisk factors may include, but are not limited to:

- Prior knowledge that the subject carries a weapon;

- Suspicious behavior, such as failure to comply with instructions to keep hands in sight; and

- Observations, such as suspicious bulges, consistent with carrying a concealed weapon.

7. Under Washington State Law, Traffic Violations Will Not Be Used as a Pretext to Investigate Unrelated Crimes

- Pretext is stopping a suspect for an infraction to investigate criminal activity for which the officer has neither reasonable suspicion nor probable cause.

- The Washington State Constitution forbids use of pretext as a justification for a warrantless search or seizure.

- Officers will consciously, and independently determine that a traffic stop is reasonably necessary in order to address a suspected traffic infraction.

8. Supervisors Will Screen All Incidents In-Person When an Officer Places Handcuffs on a Subject

Officers will not extend a detention solely to await the arrival of a supervisor.

When un-handcuffing a subject for release, the officer will immediately notify a supervisor, inform the subject that they are free to leave and inform them that a sergeant is en route to the scene.

- If the subject declines to speak with a supervisor or wishes to leave before the supervisor arrives, the officer will attempt to offer the subject the supervisor's contact information.

- If the subject decides to wait for the supervisor, the officer will wait at the location for the supervisor to arrive.

- If the subject does not wish to remain on-scene to speak with the supervisor, the officer may arrange to meet the supervisor at another location to screen the incident.

9. When Making an Arrest, Officers May Seize Non-Arrested Companions for Articulable and Reasonable Officer Safety Concerns

Officers will only maintain the seizure of non-arrested companions based on safety concerns for as long as the objective rationale for the seizure continues to exist. The scope and nature of the seizure must be objectively reasonable based on the factors justifying the detention.

Officers will articulate objective safety concerns for the officers, the arrestee, their companions, or other persons when seizing non-arrested companions.

Factors to consider when seizing non-arrested companions include (but are not limited to):

- The type of arrest;

- The number of officers;

- The number of people present at the scene of the arrest;

- The time of day;

- The behavior of those present at the scene;

- The location of the arrest;

- The presence or suspected presence of a weapon;

- Officer knowledge of the arrestee or the companions; and/or

- Potentially affected persons.

This is not an exhaustive list. Justification to detain non-arrested companions will be made based upon the totality of the circumstances.

6.220-POL-3 Conducting a Detention to Issue a Notice of Infraction, Issue a Citation, and Other Exceptions

1. Certain Statutory Exceptions Require the Subject to Provide Identification:

- When the subject is a driver stopped for a traffic infraction investigation (RCW 46.61.021) failure to provide identification is a misdemeanor.

- When the subject is attempting to purchase liquor (RCW 66.20.180).

- When the subject is carrying a concealed pistol (RCW 9.41.050) failure to provide CPL is a civil infraction.

Officers may not transport a person to any police facility or jail for the sole purpose of identifying them unless they have probable cause for arrest.

While investigating a crime or possible crime, executing a search or arrest warrant, or issuing a citation or parks exclusion notice, officers may arrest subjects for false reporting SMC 12A.16.040(D) when subjects provide false written or oral identification.

2. Officers Can Detain Subjects to Identify Them in Order to Issue a Notice of Infraction

Under SMC 12A.02.140 and RCW 7.80.060, when an officer has probable cause to issue a Notice of Infraction for any City ordinance violation, the officer may detain the subject for a reasonable period of time to identify the subject.

When officers have probable cause to issue a Notice of Infraction, and the subject refuses to identify themselves, the officer may request that a fingerprinting kit or Mobile ID be delivered to the scene and detain the subject for a reasonable amount of time to facilitate the fingerprinting.

6.220-POL-4 Documenting a Terry Stop

1. Officers Will Document All Terry Stops

The documentation should contain all information requested in the Field Contact, but at a minimum will contain at least the following elements:

- The original, objective facts justifying the reasonable suspicion for the stop or detention;

- Any subsequent, objective facts that lengthen the original detention;

- The scope and duration of the stop or detention;

- The disposition of the stop or detention, including whether an arrest resulted;
- Whether a frisk or consensual search was conducted;
- The facts justifying the frisk or consensual search; and
- The results of the frisk or consensual search
- Demographic information pertaining to the subject, including perceived race, perceived age, and perceived gender; and
- Any complications or delays that contributed to an inability to fill out all information on the Field Contact.

Officers will clearly articulate the objective facts they rely upon in determining reasonable suspicion and probable cause.

Officers will document all Terry stops on a Field Contact. Officers will use a separate Field Contact for each person seized during a Terry stop.

- Officers are required to complete a Field Contact regardless of the outcome of the Terry stop.
- Where an officer develops probable cause for arrest during the course of the stop, a Field Contact is still required.

2. Officers Will Submit all Field Contacts Before They Leave at the End of their Shift

Exception: Field Contacts documenting Off-Duty Terry Stops that do not lead to an arrest will be submitted by the completion of the next Department work shift.

3. Officers Will Document All Other Detentions

- Social contacts are not detentions and do not require documentation per this policy.
- If the scope of the social contact evolves into a Terry stop, the officer will document the detention via a Field Contact.
- Detentions based on probable cause do not require a Field Contact but require the officer to document the stop via a Report, Infraction/Citation, Traffic Contact Report, Trespass Warning, or Parks Trespass Warning/Exclusion.

Supervisors will ensure the correct documentation of all detentions.

4. Supervisors Will Review the Documentation of Terry Stops

Absent extenuating circumstances, by the end of each shift, supervisors will review their officers' Reports and Field Contacts that document the Terry stops made during the shift to determine if they were supported by reasonable suspicion and are consistent with SPD policy, federal, and state law.

If a supervisor concludes that a Terry stop appears to be inconsistent with SPD policy, the supervisor, in consultation with their chain of command, shall address the concern and make the appropriate referral pursuant to Section 5.002. Such action may include PAS documentation and/or referral to OPA. The supervisor shall document these concerns and any actions taken on a Supplement when approving the Report or Field Contact.

- If a supervisor finds the documentation of the detention insufficient, the supervisor will return the documentation to the officer for corrections before the end of that shift.

6.250 – Use of Non-SPD Canines

Effective Date: 05/22/2009

I. Use of Non-SPD Canine Resources

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

1. The handler and dog:

    a. Have approval of the Canine Unit Supervisor, the Captain of the Metro Special Response Section, and the Assistant Chief of the Special Operations Bureau, or

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

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

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

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

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

C. Final authority for continued use, different application, or termination of the activity shall be made by the ranking or senior member of the Metro Special Response Section, or, during a SPOC activation, by the Captain or their designee of the Seattle Police Operations Center.

6.280 – Warrant Arrests and Pre-Planned Arrest Operations

Effective Date: 12/15/2020

6.280-POL

This policy applies to warrant arrests and pre-planned arrest operations.

1. Only Sworn Police Officers Will Serve Arrest Warrants

2. Defining the Types of Warrant Arrests and Pre-Planned Arrest Operations

Administrative Arrest Warrant – A warrant that is served in a police-controlled environment, (e.g., a police precinct) or is otherwise low-risk.

Dynamic Arrest Warrant – A warrant that is served where officers expect forced entry and it is unknown if persons present are armed. Though higher risk than an administrative warrant, it does not rise to the level of a high-risk warrant.

High-Risk Arrest Warrant - A warrant that is served where there are known armed persons at the location, or the location is barricaded.

High-Risk Operation – A police operation in which the circumstances indicate the potential for violence directed towards officers and/or involved persons is higher than normal.

High-Risk Police Tactics – Police tactics, which by nature, have a higher potential of injury than conventional police tactics.

3. Sergeants or Above Must Approve Arrest Warrants and Pre-Planned Arrest Operations

A sergeant or above approves administrative arrest warrant service.

A lieutenant or above approves dynamic and high-risk arrest warrant service and high-risk operations. If any high-risk factors are present, the lieutenant will consult with SWAT.

SWAT will be consulted for all pre-planned arrests outside the City of Seattle. If SWAT is unable to conduct the arrest, and it is not high-risk, then a captain or above may approve the arrest to be served outside the city.

4. Dynamic and High-Risk Warrants and Arrests Require the SWAT Risk Assessment

When evaluating a dynamic or high-risk warrant, the sergeant or above will complete the SWAT Risk Assessment (form 12.2).

5. SPD SWAT is the Designated Unit to Serve High-Risk Warrants and Conduct High-Risk Arrests

This policy does not prohibit officers from arresting violent offenders during in-progress events or on-view incidents.

6. Officers Will Verify Warrants Prior to Booking

Upon determining that a subject has an unverified warrant, officers are permitted to handcuff the subject. After verifying a warrant, the officer will transport the subject to a police facility or directly to the King County Jail (KCJ).

See 6.280-TSK-1 Officer Verifying SMC Misdemeanor Warrant Via Computer.

In the event the electronic verification system is not functioning, officers may call SPD Data Center to verify Seattle Municipal Court (SMC) warrants.

Officers may verify felony warrants via Communications or by telephoning the Data Center.

7. Officers Must Advise Arrestee of the Warrant and Bail

After placing the person under arrest, officers will advise the arrestee that:

- The arrest falls under the authority of a warrant,
- The nature of the warrant,
- The amount of bail, if any.

If at any point prior to being booked into KCJ the arrestee indicates they have the ability to post bail on a bailable warrant or charge, officers will give the arrestee an opportunity to do so.

See 6.280-TSK-2 – Officer Allowing Arrestee to Post Bail.

8. KCJ Receives a Copy of Verified Warrants

Upon arrival at KCJ, officers will confirm that the jail has received a copy of the warrant from the issuing agency.

If the warrant has not yet arrived at the jail, officers will ask Communications to contact the agency to request that they send a copy of the warrant.

Occasionally, an agency will request that the warrant be located in WACIC before they will send the warrant to the jail. Officers may resolve this by contacting the Data Center.

9. Sergeants Approve Direct Transfers of Arrestees to and from Other Agencies

A patrol sergeant makes the final decision on requests for SPD to directly transfer an arrestee to or from an outside agency.

Whenever possible, sergeants will honor requests to transfer a prisoner with an SMC warrant to Seattle Police custody.

Sergeants may decline transfers if assigning personnel would adversely impact patrol response times or officer safety.

See 6.280-PRO-1 Arranging Arrestee Transfer with an Outside Agency.

If the transferring agency takes the arrestee directly to a Seattle Police precinct, an officer will process the transfer at the precinct.

10. Officers Will Not Accept Evidence from the Outside Agency Arresting Officer

11. Officers Will Not Accept Injured or Combative Arrestees from Other Agencies

For safety, officers will take any arrestee that becomes combative directly to KCJ.

12. Officers Will Not Delay Medical Treatment for an Arrestee to Accommodate a Transfer

13. Officers Will Screen Arrestee's Pre-Existing Health Conditions

If the officer responding to a transfer discovers that the arrestee is injured, ill, or has a medical condition, the officer will contact a sergeant before accepting the transfer.

Before agreeing to the transfer, officers will contact the KCJ Nurse for arrestees who have a questionable preexisting health condition (including pregnancy).

Under RCW 70.24, information regarding sexually transmitted disease, including HIV/AIDS, may not be discussed with another person without the permission of the person with the infection.

Other contagious diseases may be discussed with those persons who have a need to know. Officers will consider patient confidentiality.

14. Warrant Arrests Require Specific Documentation

In addition to all other arrest procedure requirements, warrant arrests have specific documentation requirements.

For arrests on outside agency warrants, officers will complete an arrest report with a new SPD case number.

Out of state fugitive warrant arrests require their own case number separate from any related incident.

See 6.280-PRO-2 Documenting Out-of-State Fugitive Warrant Arrests.

For arrests solely on SPD warrants, officers will use the original case number from the warrant and complete a linked arrest report. The officers will not draw a new case number.

Arrests on SPD warrants with new charges require a new report listing both the new charges and the warrants. Officers will link this report to the warrant's original report and reference it in the narrative of the new report.

On all warrant arrests, officers will include "Warrant-Misdemeanor" or "Warrant-Felony" in the offense section of the report or supplement. Officers will also list all verified warrants on the arrestee's eSuperform.

6.280-PRO-1 Arranging Arrestee Transfer with an Outside Agency

Communications Section

1. **Obtains** arrestee's full name and date of birth, location and time of the requested transfer, and phone number of the agency or dispatch center requesting transfer.

2. **Runs** the arrestee's name and determines if the warrant is valid.

3. **Advises** the nearest patrol sector sergeant of the transfer request.

Patrol Sergeant

4. May **contact** the requesting agency by phone.

5a. If the transfer is acceptable, **advises** Communications to dispatch an appropriate number of officers for the transfer.

or

5b. If the transfer is denied, **notifies** the watch lieutenant and Communications of the denial.

Communications

6. **Dispatches** officers for the transfer.

Officer

7. **Responds** to the transfer location.

8. **Checks** for and asks the arrestee about any injuries, illness, or other medical conditions, such as pregnancy.

    - If the arrestee is injured, ill, or has a medical condition **contacts** a sergeant.

9. **Obtains** information about the circumstances of the arrest, including the transferring officer's name, and the agency's case number, if any.

10. **Transports** the arrestee to screen the arrest with a sergeant then to the precinct or KCJ.

11. **Completes** the appropriate paperwork.

6.280-PRO-2 Documenting Out-of-State Fugitive Warrant Arrests

Officer

1. **Completes** an arrest report for the warrant arrest.

2. **Completes** a second report under a separate number for any related incident/offense/arrest.

3. **Uses** the narrative of all associated incidents to reference the other related case numbers.

4. **Completes** an eSuperform for the warrant arrest under the new charge of "INV Fugitive" with the statement of probable cause to include:

    - The jurisdiction issuing the warrant,

    - Date the warrant was issued,

    - Warrant number,

    - Name of the person verifying the warrant,

    - Charges, and bond information (if known).

5. **Completes** a second eSuperform if booking the arrestee for any additional charges.

6. **Completes** an officer statement.

7. **Submits** the report(s) to a sergeant for approval and notifies the sergeant directly.

8. **Scans** and **Sends** any paper documents in an Alert Email to the Fugitive Warrant Squad.

Sergeant

9. **Reviews** the report(s).

10. **Applies** a label for the Fugitive Warrants Squad.

11. **Sends** an Alert email to the Fugitive Warrants Squad. The email will contain the report number(s).

Warrant Verifier

12. **Forwards** the NCIC hit to the Fugitive Warrants Squad and the Data Center.

6.280-TSK-1 Officer Verifying an SMC Misdemeanor Warrant Via Computer

In order to verify an outstanding SMC Misdemeanor arrest warrant using an in-car or precinct computer, the **officer**:

1. **Records** the warrant number listed on the warrant hit.

2a. **Clicks** the "SMC Orders & Warrants Verification" link on the SPD Wireless Links page.

or

2b. **Accesses** the SPD In-Web home page and

- **Clicks** on the "Warrant Verification" link located in the left margin, under the "Crime Information" category.

- **Clicks** on the link "Verify a Misdemeanor Warrant".

3. **Enters** the warrant number in the box provided and clicks "search".

4. **Reviews** the SMC Database information for the requested warrant number and also any other warrants that match the suspect's name and description.

5. **Confirms** the suspect matches the details on the warrant.

6. **Verifies** that the charge box lists an actual criminal charge for which a suspect can be arrested.

7. **Verifies** that the bail amount is greater than $0. (Warrants with a $0 bail amount indicate problem warrants which will not be verified.)

8. **Clicks** on the "View all Warrants" link to review the warrant(s).

9a. **Clicks** on the "Yes, print all warrants to King County Jail" button to verify a warrant and book the person into jail.

or

9b. **Clicks** "No, return to Warrant Search results" button.

6.280-TSK-2 Officer Allowing Arrestee to Post Bail

To give an arrestee the opportunity to post bail, the **officer**:

For SMC warrants:

1a. Between the hours of 0800-1700, **takes** persons arrested on SMC misdemeanor warrants to the Seattle Municipal Court first floor payment window.

or

1b. Between 1700-2230, **takes** persons arrested on SMC misdemeanor warrants to the bail window inside the King County Jail main entrance. (These arrestees do not go to the pre-book or booking areas.)

For other agency warrants:

1c. Between 0630-2230 **takes** persons arrested on other agency warrants to the bail window inside the main entrance of the King County Jail.

King County will accept bail on all warrants except Enumclaw, Black Diamond, and Kent. When arresting a suspect from one of these three agencies, the officer **arranges** a transfer to the agency.

Note: KCJ's bail window is not open for business between 2230-0630; officers' options during these hours are to either book or release the arrestee.

6.290 – Juvenile Investigations and Arrests

Original Effective Date: 01/01/2019
Revised Effective Date: 12/01/2023

6.290-POL

This policy applies to the investigations and arrests of juveniles.

1. Definitions

Guardian: a person designated by the court as being responsible for the child in the same manner as a parent (e.g., foster parent).

Juvenile: someone under 18 years of age not previously transferred to the jurisdiction of adult court.

When a juvenile's jurisdiction has been transferred from juvenile court to adult court, the juvenile is considered to have been declined.

2. Sworn Employees Will Exercise Reasonable Discretion when Determining the Disposition of Juveniles

When choosing between different alternatives, sworn employees will consider the following factors:

- The nature of the offense
- The age and circumstance of the offender
- The mental health of the offender
- The prior record of the offender
- The availability of community-based rehabilitation programs
- The likelihood that the choice will satisfactorily resolve the problem

3. Sworn Employees Will Use the Juvenile Miranda Language (See Manual Section 6.150 – Advising Persons of Right to Counsel and Miranda)

When taking a written suspect statement, sworn employees will use the Explanation of Rights (Form 9.28.1).

- To ensure that rights are understood, a sworn employee may ask a juvenile to explain each warning in their own words.

4. Sworn Employees Will Notify Parents of Arrest as Soon as Possible

Sworn employees will make reasonable attempts to contact the parents or guardians of arrested juveniles to advise them of the juvenile's status and location. This will be documented in the report.

- Sworn employees will document the name, date of birth, address, and telephone number of the parent/guardian contacted.

5. Parents Must be Present for Juveniles Under 12 to Waive Their Rights

A parent or guardian will be present and must waive the rights of a juvenile under the age of 12.

6. Sworn Employees Will Obtain Photographs and Fingerprints of Juvenile's Arrested for Certain Crimes

Juveniles arrested for a felony or gross misdemeanor crime will be fingerprinted and photographed prior to being taken to a juvenile detention facility (see RCW 43.43.735).

(See also manual section 7.100 – Fingerprint Evidence for fingerprinting and photographing juveniles)

7. Sworn Employees Will Obtain Statements for Juvenile Criminal Cases

Sworn employees will obtain officer, victim, and witness statements for all juvenile criminal cases. If the sworn employee cannot obtain statements, the reason will be documented in the narrative of the report.

8. Sworn Employees Will Have Juveniles Transported to Children's Hospital for Involuntary Commitments

When a sworn employee determines that a juvenile meets the criteria for an involuntary commitment, the juvenile will be transported to Children's Hospital.

(See manual section 11.020-Transportation of Detainees)

9. SPD Employees May Share Juvenile Records with Outside Juvenile Justice Agencies who are Actively Investigating the Juvenile

The department will not release juvenile records to outside agencies for any purpose other than assistance with an active investigation. Outside agencies include "juvenile justice or care agencies":

- Per RCW 13.50.010(1)(b): "juvenile justice or care agency" means any of the following: police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the oversight board for children, youth, and families, the office of the family and children's ombuds, the department of social and health services and its contracting agencies, the department of children, youth, and families and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415.

7.010 – Submitting Evidence

Effective Date: 02/09/2014

7.010-POL

This policy applies to all employees who collect and submit evidence.

1. Employees Secure Collected Evidence

Employees will place evidence into the Evidence Unit or an authorized evidence storage area before they end their shift.

Employees will not keep collected evidence for personal use.

Employees will not disclose information about collected evidence outside of the criminal justice system without approval of the Chief of Police or their designee.

Employees may refer to the Washington State Patrol Forensic Services Guide for proper evidence collection or contact the CSI Unit (phone #4-0972).

2. Employees Document Evidence Collection

Employees will document collected evidence on a Report.

Employees will create a barcode label for each individual item of evidence and attach the barcode label directly to the item or to the item's packaging.

- Evidence unit personnel will not accept an item not properly labeled or documented.

Employees may refer to the *Property & Evidence Entry Guide*.

3. Employees Follow Department Guidelines for Evidence Packaging and Submission

Employees will package and submit evidence as directed by the SPD Evidence Packaging/Submission Guide.

4. Employees May Use the Secure Precinct Drop Boxes/Evidence Room/Lockers for the Temporary Storage of Evidence

5. Some Items of Evidence Require Special Handling

See 7.040-Dangerous or Hazardous Evidence.

Employees may contact Evidence Unit (phone #4-8730) personnel during business hours (0600-1800 Mon-Fri) with questions about handling and submitting non-typical items of evidence. During Evidence Unit closures, employees may refer to the SPD Evidence Packaging/Submission Guide.

6. The Evidence Unit Will Not Accept Containers With Unknown Contents

Exception: The Evidence Unit will accept unopened containers while a search warrant is being sought to open the item.

7. Officers Submit Property Collected for Community Caretaking as Evidence

Officers collecting property, where the owner is known, and the item(s) collected is not evidence, may submit the property as evidence with a completed *Property Release Supplement*. (e.g., property from a collision victim or mental health detainee).

8. The Case Detective Determines if Evidence is Submitted for Laboratory Processing

The assigned case detective will review evidence collected and determine if laboratory processing is required.

Employees will seal all evidence submitted for laboratory processing.

7.020 – Found Property

Effective Date: 05/01/2022

7.020-POL General Policy

This policy applies to all employees submitting found property to the Evidence Unit.

1. Employees Investigate Found Property

Employees will screen found property using the criteria in RCW 63.21.050 to determine if the finder has a legal right to claim ownership of the property.

The finder may claim ownership of the property if:

- There is no reasonable suspicion that the property is evidence of a crime, and
- The property is legal for the finder to possess, and
- The property is not an immediate danger to the public, and
- The owner of the property cannot be identified.

If the owner is unknown, see 7.020-TSK-2 An Employee Completing a Found Property Investigation with No Known Owner and the Finder Wishes to Make a Claim on the Property.

If the owner is known, see 7.020-TSK-3 Completing a Found Property Investigation with a Known Owner.

2. Finder May Immediately Claim Property Valued at $100 or Less

The finder of property valued at $100.00 or less and meets the listed criteria may claim the property immediately.

If the property is valued at more than $100.00, the sworn employee will take custody of the property.

Employees will complete a report and submit the item to the Evidence Unit if the finder does not wish to claim the property. Employees will not complete a Found Property Report (Form 7.10).

3. Department Employees Cannot Claim Found Property

Sworn employees, either working for the department or for a secondary employer, will complete a report, and:

- For an unknown owner, see 7.020-TSK-1 Completing a Found Property Investigation with No Known Owner, or
- For an unknown owner and finder making a claim, see 7.020-TSK-2 Completing a Found Property Investigation with No Known Owner and the Finder Wishes to Make a Claim on the Property, or
- For a known owner, see 7.020-TSK-3 Completing a Found Property Investigation with a Known Owner.

4. Employees Document Found Narcotics

Non-sworn employees will provide the found narcotics to a sworn employee for investigation.

Sworn employees recovering found narcotics without a known suspect will complete a report and follow the Mark43 Evidence/Property Disposition Instructions (Internal Link).

5. Sworn Employees Package All Found Money in a Currency Envelope

See manual section 7.080-Money Evidence.

6. Sworn Employees May Respond to a Complaint of an Abandoned Bicycle

Communications refers community members to SDOT's General Information line at (206) 684-7623 to report abandoned bicycles.

The SDOT Street Use Complaints Investigator will locate the bicycle, record the serial number, photograph the bicycle, and attach a 72-hour removal notice.

SDOT will handle bicycles that are abandoned but not reported stolen. SDOT will contact SPD to check the bicycle for stolen.

For more information, see SDOT's Abandoned Bikes website at the following link: Abandoned Bikes

For a recovered stolen bicycle, the sworn employee will complete a report and submit the bicycle to the Evidence Unit.

7.020-TSK-1 Completing a Found Property Investigation with No Known Owner

A sworn employee investigating found property with no known owner:

1. **Completes** a report listing "Property-Found" as the incident.

2. **Determines** if property can be released to the "Evidence Supervisor for Disposal" (see manual section 7.060-TSK-1 Employee Releasing Evidence) or submitted to the Evidence Unit as found property (see manual section 7.010 – Submitting Evidence).

7.020-TSK-2 Completing a Found Property Investigation with No Known Owner and the Finder Wishes to Make a Claim on the Property

A sworn employee investigating found property with no known owner and the finder wishes to make a claim on the property:

1. **Reviews** the finder's claim on the found property using the listed criteria in 7.020-POL-1 (See manual section 7.030-POL-1 for firearms).

   - If the property is illegal to possess, **completes** a report (the item is not found property if it is illegal to possess).

2. **Completes** a Found Property Report (Form 7.10) with the finder and:

   - **Obtains** the finder's signature on the form.

   - **Explains** the "Notice to Finders" section on the back of the finders copy of the form.

   - **Gives** the finder their copy of the form.

3. **Takes** possession of the found property.

   - Property valued at $100.00 or less, the finder may take immediate custody of the property, unless the property is currency.

4. **Completes** a report listing "Property-Found" as the incident.

5. **Places** a barcode evidence label on the item and:

   - **Submits** the found property to the Evidence Unit with a copy of the Found Property Report (Form 7.10).

- **Submits** the original Found Property Report (Form 7.10) to Data and **provides** the other copy to the finder.

7.020-TSK-3 Completing a Found Property Investigation with a Known Owner

A sworn employee investigating found property with a known owner:

1. **Takes** possession of the found property.

2. **Completes** a report listing "Property-Found" as the incident.

3. **Returns** the property to the owner, if possible, or **submits** the property into the Evidence Unit.

   - **Releases** the found property directly to the owner, or **completes** and **mails** the owner a hard copy of the Evidence and Property Release Letter [Form 13.9(A)], and

     Note: A phone call does not meet the legal requirement for proper notification. The Evidence Unit does not make owner notifications.

   - **Sends** a hard copy of the Evidence and Property Release Notice [Form 13.9(A)] to Data and **attaches** a PDF copy to the report, and

     - If property is submitted to the Evidence Unit, and an Evidence and Property Release Letter [Form 13.9(A)] is mailed to the property owner, **emails** the Evidence Unit at spdevidenceunit@seattle.gov a completed Evidence/Property Release Authorization Form [Form 13.9(B)], and **attaches** a PDF copy to the report.

     - **Releases** the property to the owner in Mark43 using the Mark43 Evidence/Property Disposition Instructions (Internal Link).

7.030 – Firearms, Ammunition, and Shell Casings

Effective Date: 09/01/2015

7.030-POL

This policy applies to all employees who recover firearms, ammunition, and cartridge casings as evidence.

1. Employees Will Safely Handle Firearms

Employees will handle a firearm as if it were loaded.

- Keep the muzzle pointed in a safe direction

Employees will request assistance if they are unfamiliar with the safe handling of a firearm.

Employees may contact a Homicide/Assault Unit sergeant (phone #4-5550) or detective or the CSI Unit (phone #4-0972) for guidance on preserving DNA evidence on a firearm.

2. Employees Unload Firearms Prior to Submitting Them to the Evidence Unit

If an employee unloads the firearm, they will document the location of each round removed from the firearm (the round's order in the cylinder, magazine, clip, or ammunition feeding device or chamber) in the Report.

Employees will not submit a firearm in a sealed container

Exception: The CSI Unit will follow unit policies established with the Evidence Unit.

3. The Firearms Specialist Detective Test Fires Submitted Firearms and Enters Results into IBIS/NIBIN

The Firearms Specialist Detective will perform the following on crime gun related items entered as evidence as soon as it is practical to do so:

1. All eligible firearms are test fired, and

2. All test fires and recovered fired cartridge cases are entered into IBIS/NIBIN.

It is the case detective's responsibility to notify the Firearms Specialist Detective if other forensic testing is required before entry into IBIS/NIBIN.

4. Employees Collect Fired Cartridge Casings

Employees will collect fired cartridge casings when they reasonably believe the shell casings are associated with a crime.

Employees will describe fired cartridge casings in the narrative as "FCC" (fired cartridge casing) followed by the caliber and make. (Example: "FCC, with head stamp 9mm Speer")

5. Employees Accept Surrendered Firearms and Ammunition from the Public

Employees will accept, report and place into evidence firearms and ammunition voluntarily surrendered by the public.

Employees will contact the Arson Bomb Squad (ABS) to handle a large quantity of small arms ammunition, or any quantity of ammunition 50 caliber or larger or any ammunition that is in a deteriorated state. (For more information as to when to contact ABS, please see Manual Sections 7.040, 15.015 and 15.080).

Employees will not accept marine flares from the public.

(See 7.030-TSK-1 Employees Accepting Non-court ordered Surrendered Firearms.)

(See 15.215-Domestic Violence Firearms Surrender)

6. Members of the Public May Surrender Certain Ammunition at the SPD Range

The Range will not accept explosives, incendiary devices, or marine flares.

7. Officers Identify the Possessor of a Firearm Used in a Crime

Officers will identify and record the possessor of seized firearms used in a crime.

- The identification is recorded using the Firearm Property Form in the MRE.

- Officers may identify and record multiple possessors for multiple firearms seized.

Officers will refer to the Crime Gun Possessor MRE Entry instructions

7.030-TSK-1 Employees Accepting Non-Court Ordered Surrendered Firearms

The **employee**:

1. **Takes** possession of the firearm and **makes** the firearm safe.

2. **Verifies** the identity of the surrendering party and **obtains** facts leading to the firearm surrender.

3. **Runs** a records check to determine whether the firearm is stolen.

4. **Draws** a new Number and writes a report titled, "GUN-TURN IN-CIVIL".

5. **Completes** a Property Report listing the firearm(s).

6. **Prints** a copy of the Property Report and mails/provides it to the surrendering party before the end of shift.

7. **Submits** the firearm to the Evidence Unit.

7.040 – Dangerous or Hazardous Evidence

Effective Date: 02/09/2014

7.040-POL

This policy applies to all employees who encounter dangerous or hazardous evidence.

1. Employees Encountering Suspected Explosive Evidence Follow 15.015 – Bomb Threats & Explosive Devices

Officers will not bring .50 caliber or larger ammunition to the Evidence Unit.

- Officers will contact the Bomb Squad (phone #4-8980) for .50 caliber or larger ammunition submitted as evidence. If this type of ammunition is submitted by a member of the public for destruction, officers will contact the Evidence Unit (phone #4-8730) and the SPD Range (phone #4-7470) to secure destruction.

2. Employees Screen Suspected Dangerous or Hazardous Evidence With the Evidence Unit

Employees will contact the Evidence Unit (phone# 4-8730, 0600-1800 Mon-Fri) prior to submitting suspected dangerous or hazardous evidence during business hours. During off-hours, employees may contact Communications (phone# 4-8640) for the Evidence on-call person.

The Evidence Unit will initiate a Haz-Mat response or Bomb Threat response if an employee brings unscreened suspected dangerous or hazardous material to the Evidence Unit.

7.050 – Checking Out Evidence for Court

Effective Date: 02/09/2014

7.050-POL

This policy applies to all employees checking evidence out for court.

1. The Department Tracks Evidence Checked Out to Court

The Evidence Unit will maintain a record of evidence checked out for court. See 7.050-PRO-1 Checking Out Evidence for Court.

2. Employees Will Not Store Evidence Checked Out to Court

Employees will either leave the checked-out evidence with the requesting court or return the checked-out evidence to the Evidence Unit per 7.050-PRO-1 Checking Out Evidence for Court.

Employees will not store or retain checked-out evidence beyond the time needed to transport the evidence between the Evidence Unit and the requesting court.

3. Employees Re-Seal Opened, Formerly Sealed Items When Returning to Evidence

Employees returning opened and formerly sealed items will repackage and reseal the envelopes before submitting to the Evidence Unit.

Employees will record discrepancies in weight or amount in a Supplement report.

7.050-PRO-1-Checking Out Evidence for Court

Employee

1. **Provides** a Report Number and a **court cause number** from the subpoena to the Evidence Unit employee.

Note: The court cause number is required.

Evidence Unit Employee

2. **Retrieves** the evidence.

3. **Records** the Report Number, Cause #, and items information on the *Receipt for Evidence* (pink form 13.2.2).

   - **Gives** the requesting employee two receipt copies of the signed form.

4. **Completes** the computer transfer of item.

5. **Creates** an Evidence Continuity Record in the RMS.

6. **Gives** the item to the requesting employee.

Employee

7. **Signs** the *Receipt for Evidence* (form 13.2.2)

8. **Brings** the checked-out evidence to the requesting court.

9. **If** the checked-out evidence is left with the court or prosecuting attorney, **obtains** the signature, printed name and Washington State bar number of the requesting prosecuting attorney on the *Receipt for Evidence* (form 13.2.2).

9a. **Leaves** a copy of the signed Receipt for Evidence with the checked-out item.

9b. **Delivers** the original signed Receipt for Evidence to the Evidence Unit before ending their shift. If the Evidence Unit is closed, then **return** the "signed" slip in the "drop box" in the Evidence Unit Lobby.

Or

10. If the item is not retained by the requesting court, **returns** the checked-out item (with slip) to the Evidence Unit before ending their shift.

Or

11. If the item is returned after business hours (0600-1800), **returns** the checked-out item with a copy of the *Receipt for Evidence* (form 13.2.2) signed in the "Returned By" and then **places** the item and form in an evidence locker.

7.060 – Releasing Evidence

Effective Date: 05/01/2022

7.060-POL General Policy

This policy applies to all employees releasing property and evidence.

1. Sworn Employees Respond to Requests to Release Property and Evidence

Sworn employees will reply to requests to release property and evidence from the Evidence Unit or Data.

- If the sworn employee cannot respond to the request due to extended leave or other reason (e.g., separation), the employee's sergeant or supervisor will respond to the request.

Sworn employees receiving a criminal case decline notification will complete the disposition of evidence/property process in Mark43 to authorize items to be released to the owner or for disposal.

When applicable, sworn employees will mail the owner an Evidence/Property Release Authorization Form Letter [Form 13.9(A)] and email an Evidence/Property Release Authorization Form [Form 13.9(B)] to the Evidence Unit at spdevidenceunit@seattle.gov.

Sergeants receiving a request to review a case and authorize the disposition of evidence or property will complete the process in Mark43 or assign the responsibility to a detective or officer.

2. Sworn Employees Release Evidence No Longer Needed for Law Enforcement Purposes

Sworn employees will release property to the "Evidence Supervisor" for disposal when there is no known owner or when the owner cannot legally possess the property by following the Mark43 Evidence/Property Disposition Instructions (Internal Link).

7.060-TSK-1 Sworn Employee Releasing Evidence

When the sworn employee determines the evidence or property is no longer needed by the department, the employee:

1. **Reviews** the report.

2. **Checks** the statute of limitations - See: How to check on the statute of limitations.

3. **Checks** the case status on the King County Ingress – PAO Case Info web page for a **felony** or the Seattle Municipal Court ECF Portal web page for a **misdemeanor**.

4. **Checks** the suspect for warrants associated with the case.

5. **Directs** questions about the case to the appropriate follow-up unit supervisor.

6. **Releases** the property to the owner using the Mark43 Evidence/Property Disposition Instructions (Internal Link) and:

- **Completes** and **mails** the owner a hard copy of the Evidence and Property Release Letter [Form 13.9(A)],

- **Sends** a hardcopy to Data, and **attaches** a PDF copy to the report, and

  Note: A phone call does not meet the legal requirement for proper notification. The Evidence Unit does not make owner notifications.

- **Completes** an Evidence/Property Release Authorization Form [Form 13.9(B)], **attaches** a PDF copy to the report, and **emails** a copy to the Evidence Unit at spdevidenceunit@seattle.gov.

7. **Releases** the property to the "Evidence Supervisor for Disposal" for no known owner or owner cannot possess the property by following the Mark43 Evidence/Property Disposition Instructions (Internal Link).

7.070 – Converting Evidence for Department Use

Effective Date: 02/09/2014

7.070-POL

This policy applies to all employees converting evidence for Department use.

1. The Seattle Police Department May Convert Evidence that Meets Criteria

- The item is not needed in a judicial proceeding and;
- Where there is no owner known and/or;
- The item has been forfeited and;
- The item is for Department use as provided by RCW 63.32 and SMC 3.28.010

2. Employees Convert Evidence per 7.070-PRO-1 Converting Property/Evidence for Department Use

3. Employees Will Not Convert Televisions with Tubes and Computers

7.070-PRO-1-Converting Evidence for Department Use

Requestor

1. **Searches** *Mark43* for the desired property.
2. When a desired item is found, **emails** the Evidence Sergeant requesting verification of availability.

Evidence Sergeant

3. **Verifies** the requested item is available for conversion and reviews the completed.

4. **Emails** the requestor that the conversion can take place.

Requestor

5. **Completes** a *Property Conversion* (form 12.3a) that includes:

    - The desired item,

    - The intended use for the item, and

    - How the item will benefit the Seattle Police Department.

6. **Emails** their sergeant or non-sworn supervisor with the *Property Conversion* (form 12.3a) attached.

Sergeant or Non-Sworn Supervisor

7. **Approves** or **denies** the request.

    a. If approved, **obtains** signatures of their chain of command on the Requestor's *Property Conversion* (form 12.3a).

8. If approved by the chain of command, **notifies** the Requestor.

Requestor

9. **Conducts** and documents the investigation on the *Property Conversion Investigation* (form 12.3) and:

    a. **Verifies** the item is needed not for judicial proceeding, and

    b. **Verifies** it is not listed as a missing or stolen item, and

    c. **Verifies** the item does not have a known owner who has a legal right to have the property returned to them or has forfeited that right. (If the item is a firearm, the requestor **contacts** the Range.)

10. **Contacts** the follow-up detective, found in Versadex, to determine if the item is needed for judicial proceedings and gather any other relevant information.

11. **Attaches, prints, and emails** copies of the following items to their sergeant or non-sworn supervisor:

    - Property Conversion Investigation (form 12.3)

- Property Conversion (form 12.3a)
- Report from which the item came into SPD possession
- *Property Release Supplement* for item requested
- NCIC history
- DOL record
- RMS record showing the case has been disposed or not assigned
- WACIC history (if applicable)
- A Supplement report explaining how the investigation was completed and owner contacted
- Any other paperwork showing the item can be converted

Sergeant or Non-Sworn Supervisor

12. **Reviews** the email including the completed packet and determines whether conversion is justified, and the investigation has been completed.
13. **Emails** the completed packet through their chain of command to the Chief Administrative Officer.

Chief Administrative Officer

14. If approved, **forwards** the packet to the Quartermaster.

Quartermaster

15. **Logs** the item and attaches the Retained Property Tag to the packet.
16. **Notes** the Retained Property Tag number on the *Property Conversion* (form 12.3a).
17. **Hand delivers** the packet to the Evidence Sergeant.

Evidence Sergeant

18. **Ensures** the Retained Property Tag is affixed to the item and **signs** the *Property Conversion Investigation* (form 12.3).

Exception: If the item is a firearm or item for which a label would be impractical, the receiving unit maintains a control card for the item in lieu of affixing a Retained Property Tag.

19. **Notifies** the requestor the item is available for pickup.

Requestor

20. **Takes possession** of the item within 60 days.

Evidence Sergeant

21. **Returns** completed converted packet to the Quartermaster.

Quartermaster

22. **Enters** the item's information into the SPD tracking system.

23. **Forwards** the packet to the Chief Administrative Officer.

Chief Administrative Officer

24. **Enters** the converted property number, description, unit, and estimated value in the Summit Fixed Asset System (FAS). The FAS assigns its own unique asset identification number for each item entered.

25. **Retains** the completed packet for 5 years plus the current year for all converted items except firearms. The paperwork for converted firearms will be permanently retained.

26. **Submits** an annual report of all converted/retained property to the Mayor's Office.

27. **Sends** a copy of the completed packet to the unit captain.

7.070-TSK-1 Searching *Mark43* for a Desired Property Item

An **employee** who wishes to search Mark43 for an item he or she wishes to convert to Department use:

1. **Logs in** to *Mark43*

2. **Clicks** the Property tab

3. **Clicks** (Browse) Items

4. **Clicks** the appropriate tab

5. **Fills** in information to find the desired item (less information will yield more results.)

7.080 – Money Evidence

Original Effective Date: 10/01/2020
Revised Effective Date: 12/01/2023

7.080-POL

This policy applies to all employees entering real or counterfeit money as evidence.

1. Two (2) Sworn Employees Will Document Currency Being Submitted

Two (2) sworn employees will be present to count and verify the amount of currency being submitted.

Sworn employees equipped with BWV cameras will record the handling and counting of currency with BWV up to the point it is sealed in a currency envelope (TSK-1) or air-dry bag (TSK-2).

(See also manual section 16.090 – In-Car and Body-Worn Video)

2. Employees Package All Money Evidence in a Sealed Currency Envelope

(See 7.080-TSK-1 Employees Submitting Money Evidence)

Employees will package US currency (paper/coins) in a Currency Envelope.

Employees will package counterfeit and foreign currency in a Currency Envelope.

Employees will not place US currency, foreign currency, and counterfeit currency in the same Currency Envelope. Each type of currency is packaged in a separate Currency Envelope.

Employees packaging counterfeit currency will write "counterfeit" on the outside of the currency envelope.

Both sworn employees who counted the money will sign the Currency Envelope.

3. Employees May Submit a Victim's Money as Safekeeping

An employee may submit a victim's non-evidentiary money for safekeeping if the victim cannot retain their money.

Employees will complete and mail an Evidence and Property Release Letter (form 13.9A) and an Evidence and Property Release Authorization (form 13.9B) listing the owner and marked "Release to Owner".

4. Evidence Unit Employees Deposit U.S. Currency Submitted as Evidence into a Bank Account 90 Days After Submission

Exception: Employees may send the Evidence Unit an email requesting that the currency is retained by the Evidence Unit and not placed in the bank. Employees will include the report number and justification in the email for retaining the currency in the Evidence Unit.

Exception: The Evidence Unit will automatically retain:

- Money that is physical evidence (Evidence Money Retention form 13.12)
- Counterfeit money
- Money requiring laboratory examination
- Foreign money (including Canadian)
- Money known or suspected to be bio-hazardous
- Money with collectible or sentimental value, including any coin or paper money valued beyond face value: Including U.S. gold coins, silver coins minted in 1965 or earlier, paper money printed before 1964.
- "Marked" buy money

5. Employees Will Dry Wet Money Before Placing the Money in a Currency Envelope

(See 7.080-TSK-2 Employee Submitting Wet Money for Air-Drying)

7.080-TSK-1 Employee Submitting Money Evidence

1. **Completes** the required information on the Currency Envelope.
2. **Counts** the currency with another sworn employee.
3. **Places** the currency in the Currency Envelope.
4. **Signs** the Currency Envelope, has the witnessing sworn employee sign the Currency Envelope.
5. **Records** the currency envelope number in the cross-reference field on the security detail page of the item in the property report.

6. **Lists** the witnessing sworn employee's name/serial in the narrative.

7. **Submits** the Currency Envelope to the Evidence Unit.

7.080-TSK-2 Employee Submitting Wet Money for Air-Drying

1. **Uses** protective gloves and a mouth/face shield.

2. **Places** the money in an air-dry bag.

3. **Places** a completed "evidence seal" on the paper edge of the air-dry bag, not the fabric portion, and initials the seal.

4. If there is a biological contamination on the money, **places** a red biohazard sticker on the paper edge of the air-dry bag.

5. **Writes** the report number and value of the money on the paper edge of the air-dry bag.

6. **Paper clips** a completed Currency Envelope to the outside of the air-dry bag.

7. **Submits** the air-dry bag to the Evidence Unit.

    - If submitted after business hours, (0600-1800 Mon-Fri), **places** air-dry bag in the bio-hazard locker in the Evidence Unit.

7.090 – Photographic Evidence

Effective Date: 11/01/2021

This manual section applies to photos and videos created and received by employees in the course of their duties.

This manual section does not apply to in-car and body-worn video, holding cell and security video, or recorded statements.

This manual section is divided into the following policies:

POL-1 General Photo and Video Evidence

POL-2 Photos and Videos Created by Employees

POL-3 Photos and Videos Received from Outside the Department

POL-4 Access and Use of Photo and Video Evidence

7.090-POL-1 General Photo and Video Evidence

This policy outlines general requirements regarding photo and video evidence.

1. Employees Will Store Digital Photo and Video Evidence in Evidence.com

Evidence.com is the standard storage location for digital photo and video evidence. Employees will upload photo and video evidence into Evidence.com unless a technical issue prevents upload.

Exception: The Latent Print Unit may continue to store images in the Digital Evidence Management System (DEMS) until fully transitioned to Evidence.com.

2. All Photos and Video Require an Event Number

Employees will add the event number and category to all photos and videos uploaded.

3. Employees Will Verify Photo and Video Uploads

Employees will visually verify the successful upload of photos and videos into Evidence.com.

7.090-POL-2 Photos and Videos Created by Employees

This policy applies to photos and videos created by department employees in the course of their duties.

1. Employees Will Not Create or Store Photo or Video Evidence on Personal Devices

2. Employees Will Use Department-Issued Equipment to Capture Photo and Video Evidence

The Photo Unit will evaluate department devices to ensure they produce still images that meet evidentiary standards.

3. Employees Will Use Axon Capture to Take Evidentiary Photos on Issued Smartphones

Employees will use the Axon Capture mobile application to gather evidentiary photos on department smartphones.

> **Exception**: Employees may take photos or video using the phone's native camera application or a legacy department camera only if exigent circumstances prevent the use of Axon Capture. The employee will contact Seattle IT as soon as feasible to resolve access issues with Axon Capture.

4. Employees May Use Digital Single-Lens Reflex (DSLR) Cameras

DSLR cameras take higher resolution images which may be better suited for documenting some forensic evidence such as:

- Type III use of force injuries
- Latent fingerprints
- Tire tread impressions
- Footwear impressions
- Tool marks

Not all employees have received training and have been assigned DSLR cameras. If a DSLR camera is not available on scene, a

responding sergeant or detective may contact on-duty CSI or Photo Unit personnel for assistance.

If no on-duty personnel with a DSLR are available, employees may use Axon Capture.

5. Employees Will Not Alter Original Photos or Videos

Employees will not alter original photos or videos before upload to Evidence.com for storage.

Employees may only manually delete original photos and videos from a department device after confirming successful upload.

7.090-POL-3 Photos and Videos Received from Outside the Department

This policy applies to photo and video evidence received from entities outside the department such as victims, witnesses, businesses, and outside agencies.

1. Employees May Accept Photos and Videos in Digital or Physical Form

Employees may accept photos and videos from outside the department in the following ways:

- Employees may use Axon Citizen to send a link to upload photos and videos directly to Evidence.com. See 7.090 TSK-3.
- Employees may upload photos and videos received via link or email attachment into Evidence.com. See 7.090 TSK-4.
- Employees may receive photo or video files on physical media such as a USB drive, CD/DVD, etc. In this case, employees may use the import features of Evidence.com to upload the files. Once the files are uploaded, employees will submit the physical media, containing the original files, into evidence. See 7.090 TSK-4.

7.090-POL-4 Access and Use of Photo and Video Evidence

This policy applies to all employees when accessing stored photo and video evidence.

1. Employees Will Only Access and View Photo and Video Evidence for Official Business

Employees will only view photos and video for official business and note their purpose for viewing in Evidence.com.

Employees will refer members of the public who wish to view photo or video evidence to file a public disclosure request.

2. Employees May Create Temporary Working Copies of Photos and Video After Upload

Employees will not alter original photos or video.

When necessary, basic enhancements using the tools and features within Evidence.com can be made to working copies to enhance a photo or video's brightness, contrast, cropping, trimming, or rotation.

Evidentiary digital image or video processing techniques performed outside of Evidence.com for forensic or courtroom or public presentation purposes will be documented. The results will be presented as a processed version(s) and stored in Evidence.com.

Employees may contact the Photo/Video Units for assistance.

3. The Photo/Video Units Control Restriction, Retention, and Disposition of Photos and Video

To restrict access to photo or video evidence, the lead investigator or a supervisor from the investigating unit will email a Photo/Video Unit Supervisor to provide the report number and a list of employees who may access the restricted digital evidence.

7.090-TSK-1 Submitting Photographic Evidence Via Axon Capture on Evidence.com

When submitting photos to Evidence.com via Axon Capture, the **employee**:

1. **Opens** the Axon Capture mobile application on a department-issued smartphone.
2. **Captures** photographs.
3. **Uses** Axon Capture to tag and associate the report number using YYYY-###### format.
4. **Assigns** appropriate category to photographs.
5. **Verifies** photographs are successfully uploaded to Evidence.com.

6. **Documents** in the report that photographs were taken with Axon Capture and uploaded into Evidence.com.

7.090-TSK-2 Employees Troubleshooting When Axon Capture Fails to Upload Images

When Axon Capture fails to upload images, the **employee**:

1. **Checks** that the smartphone has a cellular signal or is connected to secure Wi-Fi.

2. **Verifies** that Axon Capture is logged into seattlepd.evidence.com.

3. **Uses** City email address (e.g., john.doe@seattle.gov) and password to log in, if necessary.

4. **Notifies** the Photo Unit if Axon Capture upload process continues to fail.

7.090-TSK-3 Sending Upload Submission Links Via Axon Citizen

When sending an upload submission link via the Citizen option in Axon Capture, the **employee**:

1. **Opens** the Axon Capture mobile application on a department-issued smartphone.

2. **Clicks** on Citizen.

3. **Enters** the report number using YYYY-###### format in the ID section.

4. **Assigns** appropriate category to photographs.

5. **Obtains** the community member's cellular phone or email address.

6. **Enters** the cellular phone or email address into Citizen.

7. **Enters** the first and last name of the community member.

8. **Clicks** "Send" to generate and send the upload link.

9. **Documents** in the report that an Axon Citizen upload submission link was sent to the community member.

7.090-TSK-4 Submitting Photos and Video into Evidence.com from Cameras, Link, Email Attachment, or Other Media

When submitting photos and video evidence via DSLR, legacy cameras, external link, email attachment or other media into Evidence.com the **employee**:

1. **Connects** device to the USB port of a computer (if applicable).
2. **Logs** in to Evidence.com.
3. **Clicks** on 'Evidence' in the upper left-hand corner.
4. **Clicks** on 'Import Evidence'.
5. **Clicks** on 'Drag and Drop' and chooses files to upload.
6. **Adds** Case Number information (if case number is unknown use NOCASENUMBER).
7. **Clicks** on 'Edit all IDs' and adds the case number using YYYY-123456 format (no padded zeros). If no case number exists, adds 'NOCASENUMBER' as the ID.
8. **Clicks** 'Edit all Categories' and selects the appropriate category from the drop-down menu.
9. **Ensures** that the Title, ID, and Category have been selected for all files.
10. **Clicks** Upload.
11. **Confirms** that each file says 'UPLOAD COMPLETE' in the status column. Note: All digital media clips must be complete before leaving the page.
12. **Returns** to Evidence.com once the files have completed uploading.
13. **Reviews** uploaded content to ensure completion.
14. **Documents** in the report that photos and video evidence via DSLR, legacy cameras, or external share link or email attachment received into Evidence.com were uploaded into Evidence.com.
15. **Notifies** the Photo or Video Unit by phone or email if photos and video evidence cannot be uploaded to Evidence.com.

7.090-TSK-5 Submitting Photo and Video into Evidence.com When Upload from Other Media is Not Successful

When an employee is unable to upload photo or video files from other media into Evidence.com, the **employee**:

1. **Removes** the media card from the device, if applicable.
2. **Attempts** to contact the Photo/Video Unit to coordinate a resolution.
3. **Keeps** the media card in a safe place suitable for evidence storage.
4. **Documents** in the report that photo and/or video evidence was created but not submitted through Evidence.com due to a malfunction.

7.100 – Fingerprint Evidence

Original Effective Date: 09/20/2018
Online Manual Date: 05/07/2019
Revised Effective Date: 12/01/2023

This policy applies to all employees who locate, lift, and process fingerprint evidence.

7.100-POL

1. Employees May Refer to the Washington State Patrol Forensic Services Guide for Guidance on Fingerprint Evidence

2. Employees Will Attempt to Locate Latent Prints at Crime Scenes

Employees will document their attempt to locate latent prints in the report.

Employees will wear gloves when processing, retrieving, and packaging fingerprint evidence.

3. Sergeants and Detectives May Request a Latent Print Examiner Respond to a Crime Scene

A sergeant or detective may contact the Latent Print Unit at (206) 684-5510 directly during normal business hours or through Communications after hours.

4. Sworn Employees May Request Assistance from Identification Unit Personnel for Printing Suspects

Sworn employees may contact the Identification Unit at (206) 684-5510 (0730-1530 hrs. M-F) for assistance in obtaining identification for a suspect in custody. Outside of business hours, sworn employees should radio for a Mobile ID Unit.

Exception: Juveniles will only be fingerprinted for gross misdemeanor and felony offenses (see manual section 6.290 – Juvenile Investigations and Arrests).

Two (2) sworn employees will transport and stand by with the suspect as the suspect is being fingerprinted.

(See 7.100-PRO-1 Fingerprinting Suspects)

7.100-PRO-1 Fingerprinting Suspects

Sworn Employee

1. **Calls** the Identification Unit at (206) 684-5510 (0730-1530 hrs. M-F) to screen the request.

Identification Technician

2. **Directs** the sworn employees to transport the suspect to the 5th floor of police headquarters.

3. **Takes** the suspect's fingerprints.

4. **Searches** the King County Regional database.

   - If there is no hit in the King County Regional database, **searches** the Western Identification Network database, and if no hit there, **faxes** the prints to the FBI.

Sworn Employee

5. **Provides** a contact phone number.

Identification Technician

6. **Provides** the sworn employee with the results.

7.110 – Recorded Statements

Original Effective Date: 11/01/2021
Revised Effective Date: 07/15/2023

7.110-POL

This policy applies to all employees in the creation and preservation of audio recorded statements.

This policy does not apply to technologies governed by the issuance of a search warrant (see manual section 6.185 – Search Warrants).

Sworn employees trained in the use the Axon Capture may use this mobile application on department-issued smartphones to create and preserve audio statements. Sworn employees will upload audio recorded statements into Evidence.com.

This policy does not apply to in-car and body-worn video (see manual section 16.090 – In-Car and Body-Worn Video).

1. Definitions

Custodial Interrogation: Questioning or other actions or words which are reasonably likely to obtain an incriminating response from a subject when a reasonable person in the same circumstances would consider themselves in custody.

Place of Detention: A fixed location under the control of law enforcement such as a patrol car and, for juveniles, schools.

2. Sworn Employees May Take Recorded Statements

Sworn employees may take recorded statements from people involved in an investigation in accordance with RCW 9.73 and manual section 6.060 – Collection of Information for Law Enforcement Purposes.

3. Sworn Employees Will Record Certain Statements

Per RCW 10.122.030, sworn employees are required to record custodial interrogations of juveniles and custodial interrogations related to felonies.

Exceptions:

- The safety of the individual would be compromised, or to protect the individual's identity (RCW 10.122.090).

- When exigent circumstances make recording the custodial interrogation not feasible. Sworn employees will record an explanation of the circumstances before conducting the interrogation, if feasible, or as soon as practicable afterward (RCW 10.122.150).

- The individual being interrogated indicates that they will not participate, or not continue to participate, in the interrogation if it is recorded. If feasible, the agreement to participate without recording must be recorded electronically. Sworn employees may not encourage an individual to request that a recording not be made (RCW 10.122.160).

- The sworn employee has a reasonable belief that recording the custodial interrogation is not required. The sworn employee has no knowledge of facts or circumstances that would lead them to reasonably to believe that the subject being interrogated may have committed an act requiring recording (RCW 10.122.080).

- If the electronic recording equipment fails, despite reasonable maintenance, and timely repair or replacement. If both audio and video recording are required but there is a technical problem with one system, then the recording may be solely audio or video recorded (RCW 10.122.100).

- The custodial interrogation occurs in another state in compliance with that state's law, unless the interrogation was conducted with the intent to avoid the electronic recording requirement (RCW 10.122.070).

The entirety of the custodial interrogation must be electronically recorded, including giving required warnings, the advice of rights, and the individual's waiver of rights.

A custodial interrogation at a jail, police, or sheriff's station, holding cell, or correctional or detention facility must be recorded by audio and video means.

A custodial interrogation at any other place of detention must be recorded by audio means at a minimum.

A sworn employee conducting a custodial interrogation outside a jail, police, or sheriff's station, holding cell, correctional or detention facility or other place of detention will prepare a report as soon as practicable explaining the decision to conduct the interrogation at that location and summarizing the custodial interrogation process and the subject's statements.

The recording requirement does not apply to spontaneous statements made outside the course of a custodial interrogation, or a statement made in response to a question asked routinely during the processing of the individual's arrest.

If a sworn employee fails to record a custodial interrogation in its entirety, they will document as soon as practicable explaining the reason for non-compliance and summarizing the custodial interrogation process and the subject's statements.

4. Sworn Employees Will Use Axon Capture or Digital Audio Recorders to Record Audio Statements

Sworn employees will use Axon Capture installed on department-issued smart phones or digital audio recorders as the primary recording devices for audio statements.

Audio statements captured with Axon Capture will be tagged with case information and uploaded to Evidence.com (see 7.110 TSK-2).

Audio statements recorded with digital audio recorders will be tagged with case information and uploaded to Evidence.com via Axon Upload XT or the import feature in Evidence.com (see 7.110 TSK-3).

Exception: Sworn employees who have been issued a body-worn camera, and who have completed body-worn video training, may utilize body-worn video to record statements in exigent circumstances when Axon Capture and digital audio recorders are unavailable. The exigency will be documented in the report.

Exception: Sworn employees who have completed in-car video training may use the system to take recorded video statements of people placed in the rear passenger seat. Sworn employees will not use the in-car video system to record statements outside of the vehicle.

If statements are collected via one of the above exceptions, sworn employees will tag the video with the related report number, document in the report that the statement was collected via in-car or body-worn camera and bookmark the time within the video when the recorded statement began.

5. Once Audio Files Have Been Uploaded into Evidence.com, Employees May Temporarily Store Working Copies on a Department Computer

Once the recorded statement is entered into the appropriate storage system, it may be temporarily stored on a department computer to meet an operational need. Once the statement is no longer needed, the employee must remove the statement from the department computer.

6. Employees May Accept Audio Evidence in Digital or Physical Form

Employees may accept audio from outside the department in the following ways:

- Employees may use Axon Citizen to send a link to upload audio files directly to Evidence.com (see 7.110-TSK-5).

- Employees may upload audio clips received via link or email attachment into Evidence.com.

- Employees may receive audio files on physical media such as a USB drive, CD/DVD, etc. In this case, employees may use the import features of Evidence.com or Axon Upload XT to upload the files. Once the files are uploaded, employees will submit the physical media, containing the original files, into evidence.

7. Employees Will Not Create or Store Audio Recorded Evidence on Personally Owned Devices

Use of personal devices to record audio statements or sensitive material is strictly prohibited.

Exception: In case of exigent circumstances, a sworn employee may use a privately-owned device to capture a recorded statement.

Employees are reminded that public disclosure laws may apply to personally owned devices when utilized for official department business and correspondence (see manual section 12.040 – Department-Owner Computers, Devices, and Software).

All evidence captured on sworn employee personal devices must follow evidentiary guidelines set forth in this policy.

If a recorded statement is captured by a sworn employee on a privately-owned device, the sworn employee will not download the media card onto a department computer or other device (see 7.110-PRO 1).

8. Sworn Employees Will Include Specific Information in the Recorded Statement

Statutes and best practices require sworn employees to include certain elements in recorded statements. Refer to 7.110-TSK-1 for specific language that sworn employees must include in the recording.

9. Sworn Employees Will Upload Audio Recorded Statements to Evidence.com

Exception: If Axon Capture is not functioning or rejects the audio recorded statement (see 7.110-TSK-4).

Exception: If the recorded statement is captured using a privately-owned device (see 7.110-PRO-1).

10. Sworn Employees Document in the Appropriate Report that an Audio Statement Was Created and Indicate the Device Used to Create the Statement (e.g., Axon Capture, Digital Recorder, Body Worn, In-Car Video)

11. Sworn Employees Will Make Reasonable Efforts to Avoid Inadvertently Capturing Conversations and Utterances Unrelated to the Specific Investigation on Audio Recordings

12. The Photo/Video Units Control Restriction, Retention, and Disposition of Audio Statements

To restrict access to audio evidence, the lead investigator or a supervisor from the investigating unit will email a Photo/Video Unit supervisor to provide the report number and a list of employees who may access the restricted digital evidence.

7.110-PRO-1 Submitting Audio Recorded Evidence when Captured by a Sworn Employee Using a Non-Department Owned Device

Sworn Employee

1. **Documents** in the report that a non-department device was used and the reason for the use and exigent circumstances in a report, statement, or supplement.

2. **Responds** to the Video Unit in person with the device.

Photo or Video Unit

3. **Transfers** the audio recordings captured on the device to Evidence.com.

4. **Returns** the device to the submitting employee.

7.110-TSK-1 Taking an Audio Recorded Statement

When taking an audio recorded statement, the **sworn employee**:

1. **States** at the beginning of the recording:

   - Sworn employee's name and includes, "of the Seattle Police Department"

- Incident number or report number
- Date and time of the recording
- The name of the interviewee
- The name of all persons present during the interview

2. **Asks** the person to respond to the question, "Do I have permission to record this statement?"

3. **Gives** Miranda warning when required. Ends questioning if attorney is requested.

4. **Asks** the person to state their full name.

5. **Conducts** the interview.

6. **Asks**, for DV statements only, "Do you declare under penalty of perjury under the laws of the State of Washington that what you have stated in this statement is true and correct?"

7. After the interview, if the person is a victim, witness, or complainant, **asks** the person:

   - "Do you wish to have your personal information Disclosed or Not Disclosed?"

8. **Announces** the end of the recording with the date and time.

9. **Uploads** the audio statement to Evidence.com (see 7.110-TSK-2 and TSK-3).

10. **Documents** the recorded statement in the appropriate report.

7.110-TSK-2 Submitting Audio Recorded Evidence Via Axon Capture on Evidence.com

When submitting audio recordings to Evidence.com, a **sworn employee**:

1. **Opens** the Axon Capture mobile application on a department-issued smartphone.

2. **Captures** the audio recording.

3. **Uses** Axon Capture to tag and associate the case number using YYYY-123456 format (no padded zeros).

4. **Assigns** appropriate crime offense category to the statement.

5. **Verifies** audio recordings are successfully uploaded to Evidence.com via Axon Capture.

6. **Documents** in the report that audio recordings were taken with Axon Capture and uploaded into Evidence.com.

7.110-TSK-3 Submitting Audio Recorded Evidence Via Handheld Digital Recorder on Evidence.com

When submitting audio recordings to Evidence.com via a handheld digital recorder, the sworn **employee**:

1. **Connects** the handheld digital audio recorder to the USB port of a computer.

2. **Logs** in to Evidence.com.

3. **Clicks** on "Evidence" in the upper left-hand corner.

4. **Clicks** on "Import Evidence".

5. **Clicks** on "Drag and Drop" and chooses files to upload.

6. **Adds** Case Number information (if case number is unknown use NOCASENUMBER).

7. **Clicks** on "Edit all IDs" and adds the case number using YYYY-123456 format (no padded zeros). If no case number exists, adds "NOCASENUMBER" as the ID.

8. **Clicks** "Edit all Categories" and selects the appropriate category from the drop-down menu.

9. **Ensures** that the Title, ID, and Category have been selected for all files.

10 **Clicks** Upload.

11. **Confirms** that each file says "UPLOAD COMPLETE" in the status column. Note: All digital media clips must be complete before leaving the page.

12. **Returns** to Evidence.com once the files have completed uploading.

13. **Documents** in the report that audio recordings were taken with a handheld audio recorder and uploaded into Evidence.com.

14. **Notifies** the Photo or Video Unit by phone or email if audio recordings cannot be uploaded to Evidence.com.

7.110-TSK-4 Sworn Employees Handling Audio Recorded Evidence When Axon Capture Fails to Upload Audio Recordings

When Axon Capture fails to upload audio recordings to Evidence.com, the sworn **employee**:

1. **Checks** smartphone and ensures device has a cellular signal or is connected to secure Wi-Fi.
2. **Ensures** Axon Capture is logged into seattlepd.evidence.com.
3. **Uses** city email address (e.g., john.doe@seattle.gov) and password to log in.
4. **Notifies** the Video Unit by phone or email (SPD_Video@seattle.gov) if the Axon Capture upload process continues to fail.

7.110-TSK-5 Sending Axon Citizen Upload Submission Links Via Axon Capture

When collecting digital photos and videos evidence from outside the department, the **sworn employee**:

1. **Opens** the Axon Capture mobile application on a department-issued smartphone.
2. **Clicks** on Citizen.
3. **Enters** the report number using YYYY-###### format in the ID section.
4. **Assigns** appropriate category.
5. **Obtains** the community member's cellular phone or email address.
6. **Enters** the cellular phone or email address into Citizen.
7. **Enters** the first and last name of the community member.
8. **Clicks** Send to generate and send the upload link.
9. **Documents** in the report that an Axon Citizen upload submission link was sent to the community member.

7.120 – Narcotics Evidence

Effective Date: 02/09/2014

7.120-POL

This policy applies to all sworn employees submitting narcotics evidence.

1. Sworn Employees Package Evidence under the Evidence Packaging and Submission Guide

2. Sworn Employees Refer to the Guide to Estimating Drug Net Weights When Packaging Narcotics Evidence

Sworn employees will record the estimated weight of packaging material in the General Offense Report and Certification of Probable Cause.

If the sworn employee places the narcotics in additional packaging, the narcotics are weighed before being placed in additional packaging.

If the sworn employee removes the narcotics from the original packaging and the packaging is not in the narcotics envelope, the narcotics is weighed without the packaging.

3. Employees Investigate Found Narcotics and Found Narcotics Paraphernalia

Employees recovering found narcotics without a known suspect will complete a Report and complete a *Property Release Supplement* then submit the narcotics to the Evidence Unit.

7.130 – Narcotics Training Aid and Investigative Use Drug Property Release

Effective Date: 06/01/2021

7.130-POL

1. The Department Does Not Release Narcotics to Outside Agencies for Use as Training Aids

2. SPD Narcotics Detection Canine Handlers and Detectives May Check Out Narcotics for Canine Training or Investigative Use

Handlers and detectives may check out narcotics with written approval from the Narcotics Lieutenant for each checkout request.

Before checkout, SPD Evidence will:

- Verify the narcotics item is no longer needed as evidence

- Verify the narcotic item is eligible for destruction

Before acquiring any new Narcotics Training Aids (NTAs) or reserve narcotics, the Audit, Policy & Research Section (APRS) will inspect NTA inventory to verify all in-service and reserve NTAs are accounted for.

(See 7.130-PRO-1 Checkout of NTAs and Investigative Use Drugs)

3. Handlers Will Secure All Investigative Use Drugs and Narcotics Training Aids (NTAs)

The Narcotics Section will store investigative use drugs and NTAs in their unit safe when not in use. Only the unit sergeant and lieutenant will have access to this safe.

Exception: NTAs assigned to an individual handler may be secured in a portable lock box within an alarmed vehicle.

The Narcotics Section will maintain the Release of Evidence (form 13.9A) in the unit safe until the drugs are disposed of.

4. Handlers Maintain NTAs in the Condition Established During Acquisition

Handlers will maintain NTAs in the original sealed narcotics envelope. The handler will report broken seals to the Narcotics Sergeant upon discovery and APRS during the quarterly NTA audit.

APRS will maintain an inventory log of all NTAs. APRS will maintain a master inventory log documenting custody of:

- All reserve NTAs and investigative use drug reserves
- All NTAs logged out to handlers
- All other NTAs or investigative use drugs otherwise logged out to the Narcotics Section

APRS will provide copies of the logs to the Narcotics Section during quarterly audits.

5. Handlers May Only Modify NTAs During Audits

Handlers may transfer, reassign, or create new NTAs from reserve narcotics and/or narcotics acquired through evidence in the presence of:

- The Narcotics Canine Handler
- The Narcotics Sergeant
- A member of APRS

6. Handlers Store and Record NTAs Rotated Out of Service

APRS will account for all NTAs rotated out of service and perform a field test on 10% of these NTAs.

After field testing, the NTAs will be sealed in the Narcotics Unit safe and destroyed during the next scheduled drug burn. The Narcotics Section will keep records of all NTAs rotated out of service.

7. Handlers and Detectives Document any Lost, Stolen, or Destroyed Narcotics

The handler, through the chain of command, will send a memo to the Homeland Security and Metro Special Response Section Captain and APRS Captain if training narcotics are lost, stolen, or destroyed.

The memo will contain:

- Description of the narcotics

- Description of how the narcotics were lost, stolen, or destroyed
- Efforts to find the narcotics
- Report number if a report was completed

7.130-PRO-1 Checkout of Narcotics Training Aids (NTAs) and Investigative Use Drugs

Narcotics Canine Handler or Detective

1. **Obtains** written approval from the Narcotics Lieutenant to acquire new NTAs
2. **Contacts** the Evidence Unit and selects narcotics.

Chief Evidence Warehouser

3. **Assists** the canine handler or detective in picking narcotics for conversion to NTAs/investigative use drugs.

Narcotics Sergeant

4. **Contacts** APRS Audit Sergeant to arrange a date to acquire the narcotics from the Evidence Unit.
5. **Verifies** the appropriate personnel are available for the acquisition date, to include:
    - Chief Evidence Warehouser
    - Narcotics Canine Handler or Detective
    - Narcotics Sergeant
    - APRS Audit Detective and/or Sergeant

APRS

6. **Monitors** the narcotics acquisition.

7.140 – Firearm Training Aid and Investigative Use

Effective Date: 02/09/2014

7.140-POL

This policy applies to officers using firearms to train Department canines.

1. Canine Officers Assigned a Canine May Check out Specific Evidence Firearms for Training

Canine officers assigned a bomb detection or generalist canine may check out a firearm with written approval, through their chain of command, from the Homeland Security and Metro Special Response Section Captain.

The sergeant of the requesting handler will maintain a record of the firearms used as training aids. The record will include:

- Associated Report Number
- Weapon make/model/serial number
- Date obtained and date returned to the Evidence Unit

Canine Officers may check out a firearm from the Evidence Unit for 90 days.

(See 7.140-PRO-1 Checkout of Firearms for Canine Training)

2. The Evidence Unit Releases Firearms for Training That Are Scheduled for Destruction

The Evidence Unit will destroy the training firearms when returned by the canine handler.

3. The Range Unit Will Make Canine Training Firearms Incapable of Live Fire

The Range Unit will test fire the canine training firearms and then make the firearm incapable of live fire. The firearm is returned to the Evidence Unit in the altered condition.

4. Canine Handlers Will Secure Training Firearms

The canine officer is responsible for securely storing training firearms.

5. Canine Officers Complete a Memorandum For any Lost, Stolen, or Destroyed Firearm

The handler, through their chain of command, will send a memo to the Homeland Security and Metro Special Response Section Captain and the Compliance Section Captain if a training firearm is lost, stolen, or destroyed.

The memo will contain:

- Description of the firearm
- Description of how the firearm was lost, stolen, or destroyed
- Efforts to find the firearm
- Report Number if a Report completed

7.140-PRO-1 Checkout of Firearms for Canine Training

Canine Handler

1. **Obtains** written approval through their chain of command from the Homeland Security and Metro Special Response Section Captain to acquire training firearms.
2. **Contacts** the Evidence Unit and arranges to select firearms.

Senior Evidence Warehouser

3. **Assists** the canine handler in selecting firearms for conversion to training aids.
4. **Emails** the Range Unit a list of selected firearms.

Range Unit

5. **Selects** firearms from the emailed list that can be modified for training.

6. **Emails** the Canine Handler and the Evidence Unit a list of selected firearms.

Canine Handler

7. **Completes** a *Receipt for Evidence* (form 13.2.2) for each firearm checked out of the Evidence Unit.

8. **Forwards** a copy of the *Receipt for Evidence* (form 13.2.2) to the Arson/Bomb Lieutenant.

9. **Transports** the selected firearms to the Range Unit.

Range Unit

10. **Inspects** and **tests fires** the firearm.

11. **Makes** the firearm incapable of live fire.

12. **Contacts** the Canine handler when the firearm is ready.

Canine Handler

13. **Collects** the firearm from the Range Unit.

14. **Returns** the firearm to the Evidence Unit after 90 days.

7.150 – Non-Detainee Property for Safekeeping

Effective Date: 09/17/2014

7.150-POL

This policy applies to all employees who submit items to the Evidence Unit for safekeeping that is not detainee property.

1. Officers May Submit Non-Detainee Property to the Evidence Unit for Safekeeping (SKO)

The Evidence Unit will accept non-evidentiary items as safekeeping when the owner of the property is known but is unable to retain the property (e.g., crime or accident victim).

Note: This is non-evidentiary property that is not found property. Also see 7.020-Found Property.

2. Officers Use the *SKO Tag* (form 12.8) When Submitting Property for Safekeeping

See 7.150-TSK-1 Officer Submitting Property to the Evidence Unit for Safekeeping

If an officer submits property for safekeeping and an *SKO Tag* is not completed, the officer is required to complete a *Property Release Supplement* for the owner to recover their property.

3. Officers Submit SKO Firearms as Evidence

The Evidence Unit will process SKO firearms as an item of evidence. Officers will complete a *Property Release Supplement* releasing the firearm to the owner at the time the firearm is submitted (Also see 15.215-Domestic Violence Firearms).

- The Evidence Unit (through the Public Request Unit) will complete a background check prior to releasing firearms.

Exception: When the firearm is released to another Law Enforcement Agency, any background check that is performed is done at the discretion of the outside agency.

- Officers will inform the property owner to contact the Evidence Unit prior to showing up so that background information can be obtained.

- The background check takes 3-5 business days.

- Once the owner is notified, they have 5 business days to pick up the firearm or the background process must start over.

4. Officers Discard Perishable Property

Officers will itemize perishable items in the Report and then discard the items.

Note: Officers may photograph items before they are discarded.

5. Officers May Screen SKO Items With the Evidence Unit

Officers may contact the Evidence Unit directly or through Communications with questions about SKO that may present a biohazard.

Note: Officers place SKO items into the red bio-hazard bags that may present a health risk (e.g., lice, blood, or other biohazard).

7.150-TSK-1 Officer Submitting Property to the Evidence Unit for Safekeeping

1. **Inventories** property with a witness officer present.

2. **Photographs** SKO property and loads the image into DEMS.

3. **Completes** a *SKO Tag* (form 12.8) for items going to the Evidence Unit. Each box, bag, or backpack requires a separate SKO tag.

4. **Detaches** the top copy of the *SKO Tag* and gives it to the owner.

5. **Completes** a Property Report listing SKO items.

6. **Places** a barcode evidence label on the back of the second copy of the *SKO Tag.*

7. **Attaches** the second copy of the *SKO Tag* to the SKO item and **submits** the item to the Evidence Unit.

7.160 – Evidentiary Blood Draw Program

Effective Date: 06/11/2024

7.160-POL

This policy applies to sworn employees who have volunteered to participate in the Seattle Police Department's (SPD) Blood Draw Program.

This policy establishes the protocols for the performance of sworn employees trained in phlebotomy (hereafter referred to as SPD Phlebotomists) to ensure that a uniform approach is utilized in the execution of all blood draws.

1. Evidentiary Blood Draw Program

All SPD Phlebotomists will be SPD EMTs and have successfully completed a department approved blood draw certification program.

SPD Phlebotomists will attend an annual recertification training. SPD Phlebotomists will perform a minimum of 12 total (either in the field or in a training environment) blood draws annually to retain their position as an SPD Phlebotomist.

SPD Phlebotomists will only perform blood draws at locations approved by the department for such purposes. SPD Phlebotomists will only perform a blood draw once a warrant has been obtained for the subject's blood.

> **Exception:** Warrantless blood draws may be conducted in accordance with 15.280 - DUI Investigations #10.

SPD Phlebotomists will document all blood draws conducted for law enforcement related purposes. That documentation will include the lot number and expiration date of the blood kit used. SPD phlebotomists will complete a Phlebotomy Blood Draw Report in REDCap in addition to a supplemental to the original report.

No force will be used to conduct any evidentiary blood draws performed by an SPD Phlebotomist.

If the first attempt to draw blood is unsuccessful, an SPD Phlebotomist may perform a second attempt. The SPD Phlebotomist must document why the second attempt was necessary in the Phlebotomy Blood Draw Report.

2. The Evidentiary Blood Draw Program Coordinator

The EMS Coordinator is the Evidentiary Blood Draw Coordinator (EBDC) and will be referred to as such throughout this policy. The EBDC oversees the Evidentiary Blood Draw Program. This person should be a qualified phlebotomist as defined in these standards.

If the coordinator is not a phlebotomist, the coordinator will designate a phlebotomist or other qualified person for the purposes of review of reports or other necessary duties. The EBDC is responsible for maintaining a roster of current SPD Phlebotomists and ensuring that SPD Phlebotomists are up to date with required training and annual blood draws.

The EBDC will ensure that a written record of training blood draws is maintained.

7.160-PRO-1 Evidentiary Blood Draw

When an officer has probable cause to arrest a subject for DUI and they refuse the breath test, or results of a breath test are inconsistent with the impairment observed, or the investigation suggests an unknown substance is the cause of impairment, or is contributing to the impairment.

Sworn employees may seek a search warrant for blood without offering or administering a breath test.

Officer

1. **Makes** an arrest.
2. **Suspects** the presence of an intoxicant other than alcohol or the suspect refuses a breathalyzer.
2. **Obtains** a search warrant for the suspect's blood.
3. **Requests** an SPD Phlebotomist respond to their location.

SPD Phlebotomist

1. **Responds** or **coordinates** response to blood draw site.
2. **Verifies** search warrant and notifies supervisor of a draw.
3. **Asks** blood draw screening questions.
4. **Draws** blood using SPD blood draw kit.
5. **Completes** Phlebotomy Draw Report in REDCap.
6. **Completes** Blood Draw supplemental to original report.

- With required Lot number of the blood kit.

- Expiration date of the blood kit.

8.000 - Use of Force Core Principles

Effective Date: 04/15/21

This section outlines the Seattle Police Department's core principles relating to the use of force. These general core principles provide the foundation for the more specific policies governing the application, reporting, investigation, and review of force. The Department recognizes that officers will face unique and challenging circumstances not specifically addressed in this policy. Officers are expected to apply these core principles reasonably in unanticipated situations.

It is the policy of the Seattle Police Department that officers hold the highest regard for the dignity and liberty of all persons. The Department respects the sanctity of every human life, and the application of deadly force is a measure to be employed in the most extreme circumstances where lesser means of force have failed or could not be reasonably considered.

The Seattle Police Department is committed to protecting people, their property and rights while providing the best in public safety and service. The proper use of force is essential for ensuring impartial policing and for building trust in the community. While there are circumstances where individuals will not comply with the law unless compelled or controlled by police officers through the use of force, officers must remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority.

The Department seeks to manage use of force by officers beyond the Graham v. Connor (1989) standard and its minimum requirements by establishing further parameters for the application of force and to offer explicit direction to officers. Sound judgment, the appropriate exercise of discretion, and the adherence to Department policy will always be the foundation of officer decision-making in the broad range of possible use of force situations.

8.000 - POL

Seattle Police Manual

1. Every Member of the Seattle Police Department is Committed to Upholding the Constitution, Laws of the United States, Laws of the State of Washington, and Defending the Civil Rights and Dignity of All Individuals, While Protecting All Human Life and Property and Maintaining Civil Order

It is the policy of the Seattle Police Department to accomplish the police mission with the cooperation of the public and as effectively as possible, and with minimal reliance upon the use of physical force.

The community expects and the Seattle Police Department requires that officers use only the force necessary to perform their duties and that such force be proportional to the threat or resistance of the subject under the circumstances.

An officer's commitment to public safety includes the welfare of members of the public, the officer, and fellow officers, with an emphasis on respect, professionalism, and protection of human life, even when force is necessary.

Officers who violate those values by using objectively unreasonable force degrade the confidence of the community, violate the rights of individuals upon whom unreasonable force is used, and may expose the Department and fellow officers to legal and physical hazards.

Conversely, officers who fail to use timely and adequate force when it is necessary may endanger themselves, the community, and fellow officers.

2. When Safe, Under the Totality of the Circumstances, and Time and Circumstances Permit, Officers Will Use De-Escalation Tactics to Reduce the Need for Force

Additional guidance on how to reduce the need to use force may be found in 8.100.

3. Sometimes the Use of Force Is Unavoidable, and an Officer Must Exercise Physical Control of a Violent, Assaultive, or Resistive Individual to Make an Arrest, or to Protect Members of the Public and Officers from Risk of Harm

In doing so:

- Officers will recognize that their conduct prior to the use of force, including the display of a weapon, may be a factor which can influence the level of force necessary in a given situation.

Additional guidance on how to reduce the need to use force may be found in 8.100.

- Officers will take reasonable care that their actions do not precipitate an unnecessary, unreasonable, or disproportionate use of force, by placing themselves or others in jeopardy.

- Officers will continually assess the situation and changing circumstances and modulate the use-of-force appropriately.

4. An Officer Will Use Only Force That Is Objectively Reasonable, Necessary, and Proportional to the Threat or Resistance of a Subject

Definitions of objectively reasonable, necessary, and proportional may be found in 8.050.

Guidance on when force is authorized may be found in 8.200.

5. Each Officer Is Responsible for Explaining and Articulating the Specific Facts, and Reasonable Inferences From Those Facts, Which Justify the Officer's Use Of Force

The officer's justification will be reviewed to determine whether or not the force used was in or out of policy.

Failure to adequately document and explain the facts, circumstances, and inferences when reporting force may lead to the conclusion that the force used was out of policy.

Additional guidance on reporting force may be found in 8.400.

6. The Department Is Committed to Upholding Lawful, Professional, and Ethical Standards Through Assertive Leadership and Supervision Before, During, and After Every Force Incident

The Seattle Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous standards and transparent oversight systems to ensure accountability to the community in order to maintain their trust.

This includes:

- Force prevention efforts,
- Effective tactics, and
- Objective review and analysis of all incidents of reportable force

Additional guidance on the Department's review of force may be found in 8.500.

7. A Strong Partnership Between the Department and the Community Is Essential for Effective Law Enforcement and Public Safety

Uses of force, even if lawful and proper, can have a damaging effect on the public's perception of the Department and the Department's relationship with the community.

Both the Department and individual officers need to be aware of the negative effects of use-of-force incidents and be empowered to take appropriate action to mitigate these effects, such as:

- Explaining actions to subjects or members of the public, when feasible
- Offering reasonable aid to those affected by a use-of-force
- Treating subjects, witnesses, and bystanders with professionalism and courtesy
- Department follow-up with neighbors or family to explain police actions and hear concerns and feedback
- Department follow-up with the involved officer(s) and support, as needed, throughout the process

8.050 - Use of Force Definitions

Effective Date: 04/15/21

An Officer Will Use Only Force That Is Objectively Reasonable, Necessary, and Proportional to the Threat or Resistance of a Subject:

Objectively Reasonable: The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.

The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic, and rapidly evolving—about the amount of force that is necessary in a particular situation.

The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Factors to be considered in determining the objective reasonableness of force include, but are not limited to:

- The seriousness of the crime or suspected offense;
- The level of threat or resistance presented by the subject;
- Whether the subject was posing an immediate threat to officers or a danger to the community;
- The potential for injury to members of the public, officers or subjects;
- The risk or apparent attempt by the subject to escape and the government interest in preventing the escape;
- The conduct of the subject being confronted (as reasonably perceived by the officer at the time);

- The time available to an officer to make a decision;
- The availability of other resources;
- The training and experience of the officer;
- The proximity or access of weapons to the subject;
- Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus subjects;
- The environmental factors and/or other exigent circumstances; and
- Whether the subject has any perceived physical disability;

Necessary: "Necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended. See RCW 9A.16.010 – Definitions. Necessity is based on the totality of the circumstances known by the officer at the time of the use of force.

Proportional: To be proportional, the level of force applied must reflect the totality of circumstances surrounding the situation at hand, including the nature and immediacy of any threats posed to officers and others. Officers must rely on training, experience, and assessment of the situation to decide an appropriate level of force to be applied. Reasonable and sound judgment will dictate the force option to be employed.

Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional, objectively reasonable, and necessary to counter it.

Types of Force:

Force: Any physical coercion by an officer in performance of official duties, including the following types of force:

De Minimis Force: Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury.

For more guidance on what constitutes de minimis force see 8.400.

Includes:

- Use of control holds or joint manipulation techniques in a manner that does not cause any pain.

- Using hands or equipment to stop, push back, separate, or escort a person without causing any pain, or in a manner that would reasonably cause any pain.

- Deployment of stationary tire deflation device resulting in no vehicle contact.

Handcuff Discomfort: discomfort or minor transient pain caused solely by wearing handcuffs after they have been properly applied.

Type I – Force that causes transitory pain or the complaint of transitory pain

Other examples include:

- Use of a hobble restraint

- Deployment of stationary tire deflation device with confirmed contact and deflation of tires

- Deployment of a blast ball away from people (bang-out), or

- Pointing a firearm at a person

  Simply displaying a weapon is not reportable force, nor is holding a firearm without aiming at a person, as with the sul and low ready positions, where the muzzle of the firearm is not pointed at any part of a person's body.

For further guidance, see 8.300 and 8.400.

Type II – Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm.

The use of any of the following weapons or instruments is a Type II:

- TASER

- OC spray
- Impact weapon
- Deployment of a canine

For further guidance, see 8.400.

Type III – Force that causes or is reasonably expected to cause, great bodily harm, substantial bodily harm, loss of consciousness, or death.

The use of impact weapon strikes to the head is a Type III.

For further guidance, see 8.400.

Deadly Force: The application of force through the use of firearms or any other means reasonably likely to cause death, great bodily harm. For further guidance, see 8.400.

When reasonably likely to cause death or Great Bodily Harm, Deadly Force includes:

- Shooting a firearm at a person
- Hard strike to a person's head, neck, or throat with an impact weapon
- Striking a person's head into a hard, fixed object (examples include but are not limited to concrete objects or surfaces, or solid metal structures such as bars or guardrails).

Additional guidance on reporting force may be found in 8.400.

Reportable Force: All uses of force other than de minimis are reportable. Reportable force includes the intentional pointing of a firearm at a subject, Type I, Type II, Type III, and force used in Crowd Management as described in 14.090.

Use of Force: See "Force."

Medical Procedure: Medical interventions and life-saving techniques. Such efforts are not considered force.

De-Escalation:

De-escalation: Taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options,

and resources are available to resolve the situation. The goal of de-escalation is to gain the voluntary compliance of subjects, when feasible, and thereby reduce or eliminate the necessity to use physical force. See 8.100 for further guidance.

De-escalation Techniques: Actions used by officers, when safe and feasible without compromising law-enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from a subject. See 8.100 for examples of de-escalation tactics and techniques.

Pattern Interrupt: A de-escalation technique utilized to intentionally disrupt or alter an individual's behavioral state or habit sequences. The intent is to create a momentary break in an unresourceful pattern of behavior; resulting in a more focused and productive engagement by the subject. Pattern Interrupt is based in Neuro Linguistic Programming and can be a successful tool in altering an individual's mental, emotional, or behavioral state.

Injury Classifications:

Physical or Bodily Injury (also "Injury"): Physical pain or injury, illness, or an impairment of physical condition greater than transitory pain but less than great or substantial bodily harm. (SMC 12A.02.150, RCW 9A.04.110)

Substantial Bodily Harm (RCW 9A.04.110): Bodily injury which involves:

- Temporary but substantial disfigurement
- Temporary but substantial loss or impairment of the function of any bodily part or organ
- Fracture of any bodily part

Great Bodily Harm (RCW 9A.04.110): *Synonymous with Serious Physical Injury*

Bodily injury which either:

- Creates a probability of death
- Causes significant serious permanent disfigurement

- Causes a significant permanent loss or impairment of the function of any bodily part or organ

Force Investigation Terms:

FIT (Force Investigation Team): The Department personnel tasked with conducting Type III use-of-force investigations, to include investigations of officer-involved shootings.

Involved Officer: An "Involved Officer" in regard to this policy chapter, is a sworn officer of any rank or assignment who uses reportable force as defined by Department Policy either on-duty or off-duty.

Public Safety Statement (PSS): A "Public Safety Statement" is a compelled statement in which a supervisor (typically a Sergeant or Acting Sergeant) orders an "Involved Officer" to answer standardized questions directly related to an "Involved Officer's" use of force. The cards with the standardized questions that officers use to take the statement are also called a PSS.

The Seattle Police Department utilizes two different Public Safety Statements:

- Public Safety Statement Officer Involved Shooting Card

- Use of Force Public Safety Statement Card

Witness Officer: A "Witness Officer" in regard to this policy chapter, is a sworn officer of any rank or assignment who witnesses an officer's use of force, but who does not use reportable force himself/herself.

Head and Neck:

Head Control: A trained technique utilized to control the movement of a subject's head or neck that does not involve a neck or carotid restraint or obstruction of the airway.

Neck Restraint (Prohibited): Any technique involving the use of an arm or other firm object to attempt to control or disable a subject by applying pressure against the windpipe, or the frontal area of the neck with the purpose or intent or effect of controlling a subject's movement or rendering a subject unconscious by blocking the passage of air through the windpipe.

Carotid Restraint (Prohibited): Any technique which is applied in an effort to control or disable a subject by applying pressure to the carotid artery, the jugular vein, or the sides of the neck with the purpose or intent or effect of controlling a subject's movement or rendering a subject unconscious by constricting the flow of blood to and from the brain.

Canine Terms:

For terms specifically related to canine operations see 16.300 Patrol Canines.

Vehicle Tactics:

PIT (Pursuit Intervention Technique): A controlled and trained forced rotational stop of a non-compliant suspect vehicle used to reduce the risks in bringing a pursuit to a conclusion. PIT is always a use of force.

Ramming: The intentional use of a vehicle to strike another vehicle for the purpose of interrupting or incapacitating that vehicle. Ramming is always a use of force.

Roadblock: The intentional positioning of a police vehicle to obstruct the flow of traffic. A roadblock used on a fleeing or eluding vehicle is considered a use of force – the classification of force depends on the totality of the circumstances. Roadblocks used as force require approval of a lieutenant or above. Approval will be based on the severity of the crime and potential harm to occupants of the vehicle and the public.

Vehicle-to-Vehicle Contact: Contact between vehicles designed to guide or prevent movement of a vehicle, but without significant impact (ramming) and not reasonably likely to cause injury.

Stationary Tire Deflation Device: A small, tire deflation device designed to be placed under the tire of a stationary vehicle to avoid flight.

Weapons:

Approved Weapon: A tool used to apply force that is both specified and authorized by the Department.

Approved Use of a Weapon: Use of an approved weapon by an officer who has been properly trained in the use of that weapon.

Impact Weapon: Any object, whether a tool or fixed object (such as a hard surface), that is used to interrupt or incapacitate a subject and is capable of causing serious physical injury.

Improvised Weapon: Any object, other than those approved and trained by the Department, used in a force application

Less-Lethal Weapons: Devices designed and intended to apply force not intended nor likely to cause the death of the subject or Great Bodily Harm. For the intended purpose of Less Lethal Weapons see 8.300. Examples include: TASER, impact weapons, OC spray, blast balls.

Spark Display: A non-contact demonstration of a TASER's arcing ability to discharge electricity.

8.100 - De-Escalation

Effective Date: 04/15/21

De-escalation may take the form of scene management, team tactics, and/or individual engagement. Even when individual engagement is not feasible, de-escalation techniques including scene management and team tactics that utilize time, distance, and shielding, will still be used unless doing so would create undue risk of harm to any person due to the exigency/threat of a situation.

De-escalation tactics and techniques are actions used by officers, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance. See definition of de-escalation in 8.050.

The overall goal of this policy is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all persons involved. De-escalation is reviewed and evaluated under the totality of the circumstances present at the time of the incident.

1. When Safe, Feasible, and Without Compromising Law Enforcement Priorities, Officers Will Use De-Escalation Tactics in Order to Reduce the Need for Force

(a). Officers will conduct a threat assessment so as not to precipitate an unnecessary, unreasonable, or disproportionate use of force by placing themselves or others in undue jeopardy.

(b). Team approaches to de-escalation are encouraged and will consider officer training and skill level, number of officers, and whether any officer has successfully established rapport with the subject. Where officers use a team approach to de-escalation, each individual officer's obligation to de-escalate will be satisfied as long as the officer's actions complement the overall approach.

(c). Selection of de-escalation options will be guided by the totality of the circumstances with the goal of attaining voluntary compliance; considerations include:

Communication

Using communication intended to gain voluntary compliance, such as:

- Verbal persuasion

- Advisements and warnings (including TASER spark display to explain/warn prior to TASER application), given in a calm and explanatory manner.

  Exception: Warnings given as a threat of force are not considered part of de-escalation.

- Clear instructions

- Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) to calm an agitated subject and promote rational decision making

- Avoiding language that could escalate the incident. Taunts and insults are prohibited.

- Use of pattern interrupts, when appropriate

- Consideration of whether any lack of compliance is a deliberate attempt to resist rather than a perceived physical or psychological inability to comply based on factors including, but not limited to:

- Medical conditions

- Mental impairment

- Developmental disability

- Physical limitation

- Language barrier

- Drug interaction

- Behavioral crisis

- Fear or anxiety

Time

Attempt to slow down or stabilize the situation so that more time, options, and resources are available for incident resolution.

- Scene stabilization assists in transitioning incidents from dynamic to static by limiting access to unsecured areas, limiting mobility, and preventing the introduction of non-involved community members

- Avoiding or minimizing physical confrontation, unless necessary (for example, to protect someone, or stop dangerous behavior)

- Calling extra resources or officers to assist, such as CIT or Less-Lethal trained officers

Distance

Maximizing tactical advantage by increasing distance to allow for greater reaction time.

Shielding

Utilizing cover and concealment for tactical advantage, such as:

- Placing barriers between an uncooperative subject and officers

- Using natural barriers in the immediate environment

Seattle Police Department Manual

8.200 - Using Force

Effective Date: 04/15/21

1. Use of Force: When Authorized

An officer will use only the force objectively reasonable, necessary, and proportional to effectively bring an incident or person under control, while protecting the life and safety of all persons.

In other words, officers will only use objectively reasonable force, proportional to the threat or urgency of the situation, when necessary, to achieve a law-enforcement objective. The force used must comply with federal and state law and Seattle Police Department policies, and rules for specific weapons and tools. See 8.300 - Use of Force Weapons and Tools. Once it is safe to do so and the threat has ended, the force must stop.

Use of Force Core Principles

Objectively Reasonable defined

Necessary defined

Proportional defined

2. Use of Force: When Prohibited

- Officers are prohibited from using neck and carotid restraints in all circumstances, including any action that involves kneeling on a subject's neck. Officers are further prohibited from intentionally placing a knee on a prone subject's neck while taking them into custody.

- Officers will not use force to punish or retaliate.

- Officers will not use force on restrained persons except where reasonable, necessary and proportional to protect an officer, the subject, or member of the public from physical injury.

  Exception: Officers may use objectively reasonable, necessary and proportional force to get subjects into or out of a law enforcement vehicle only after reasonable attempts to gain voluntary compliance have failed. When

feasible, officers will obtain supervisor approval prior to using force to remove a subject from a Department vehicle.

The investigating supervisor will consult with FIT regarding the classification of force used on restrained subjects when such force is not easily identifiable as de minimis or Type I.

- Officers will not use force against individuals who only verbally confront them unless the vocalization impedes a legitimate law enforcement function (See 5.160 – Observation of Officers).

- Officers will not use force to stop a subject from swallowing a substance that is already in their mouth; however:

- Officers may use reasonable force, not including hands to the neck or insertion of any objects or hands into a subject's mouth, to **prevent** a suspect from putting a substance in their mouth.

- In the event that an officer reasonably believes that a suspect has ingested a harmful substance, officers will summon medical assistance as soon as feasible.

- Officers may not use force to extract a substance or item from inside the body of a suspect.

  Exception: This prohibition does not apply when force is necessary to facilitate a forensic blood draw. In that situation, officers will document any use of reportable force.

- Officers may not use any tire deflation device on any moving vehicle.

3. Officers Will Assess and Modulate the Use Of Force as Resistance Changes

For example, as resistance decreases, the use of force will decrease.

4. Use of Deadly Force

Deadly force may only be used in circumstances where a threat of death or serious physical injury to the officer or others is imminent. A danger is imminent when an objectively reasonable officer would believe that:

- A suspect is acting or threatening to cause death or serious physical injury to the officer or others; and

- The suspect has the means or instrumentalities to do so; and

- The suspect has the opportunity and ability to use the means or instrumentalities to cause death or serious physical injury.

See also 8.050 – Deadly Force

When Feasible, Officers will Issue a Verbal Warning to the Subject and Fellow Officers Prior to Discharging a Firearm

Officers will issue a verbal warning to the subject, other officers, and other individuals present, that a firearm will be discharged and defer discharging the firearm a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings may come from any officer involved in the incident when employing a team tactics approach.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document his/her reason for believing his/her safety would have been compromised in his/her use of force statement.

5. Deadly Force May Be Used to Prevent the Escape of a Fleeing Suspect Only When an Objectively Reasonable Officer Would Believe That it is Necessary and That There is Probable Cause That:

- The suspect has committed or is in the process of committing a felony involving the infliction or threatened infliction of serious physical injury or death; and

- The escape of the suspect would pose an imminent danger of death or serious physical injury to the officer or to another person unless the suspect is apprehended without delay; and

- The officer has given a verbal warning to the suspect, if time, safety, and circumstances permit.

6. Recognizing the Urgency of Providing Medical Aid and the Importance of Preserving Human Life, Following a Use of Force, Officers Will Evaluate the Subject for Injuries, Request Medical Aid if Needed or if Requested By Anyone, and Render Appropriate Medical Aid Within Their Training as Soon as Reasonably Possible

When safe and feasible, officers will request a medical aid response for any apparent injury, complaint of injury, or sign of medical distress for subjects and others even if the aid is declined. Officers will closely monitor subjects taken into custody.

After requesting a medical aid response, officers will render aid within the scope of their training unless aid is declined. EMT officers will be given priority to render care, when feasible. Consent will be assumed for unconscious subjects or subjects incapable of providing consent.

> **Exception**: A call for medical aid is not required for apparent injuries that can be treated by basic first aid (e.g. minor cuts and abrasions).

Absent exigent circumstances, prone subjects will be placed on their side in the recovery position or assisted to an upright position as soon as safe and feasible. Officers will not restrain subjects who are in custody and under control in a manner that restricts the subject's ability to breathe.

In any use of force encounter, upon hearing a subject state that they cannot breathe, officers will summon medical aid and report to SFD that the subject advised an inability to breathe (in addition to any injury).

7. Officers Will Automatically Request Medical Aid in Certain Situations

Every Type III use of force.

Every canine bite as a use of force.

Every use of force encounter in which a subject mentions difficulty breathing.

The following less-lethal incidents:

- TASER applications
- 40 mm LL Launcher applications
- OC applications

After any use of force greater than Type I force on subjects who are reasonably believed or known to be:

- Pregnant
- Pre-adolescent children
- Elderly
- Physically frail or disabled

This policy presupposes that the subject on which force was used remains in the officer's control. It does not apply to when the subject has left the scene.

Seattle Police Department Manual

8.300 - Use of Force Tools

Effective Date: 04/15/21

This policy addresses the use and deployment of all force weapons and tools that are available to sworn Department employees. The following force options are governed by this policy:

- Patrol Canine
- TASER /Conducted Electrical Weapons
- Impact weapons
- Oleoresin Capsicum (OC) spray
- Vehicle-related force tactics
- Specialty unit weaponry
- Hobble restraint
- Blast balls
- 40 mm Less Lethal Launcher
- Pepperball Launcher
- Stationary Tire Deflation Device
- Firearms

The Intended Purpose of Less-Lethal Weapons

Less-lethal weapons are used to interrupt a subject's threatening behavior so that officers may take physical control of the subject with less risk of injury to the subject or officer than posed by greater force applications. Less-lethal weapons alone cannot be expected to render a subject harmless.

Support officers will be prepared to take immediate action to exploit the brief opportunity created by the less-lethal weapon and take control of the subject if safe to do so.

1. Officers Will Only Carry and Use Weapons That Have Been Approved by the Department and That the Officer has Been Properly Trained to Use; Use of Improvised Weapons May Be Permissible Under Exigent Circumstances

The use of Improvised Weapons, defined in 8.050, will be subject to the same standards as approved weapons set forth in 8.200.

2. Uniformed Officers Are Required to Carry at Least One Less Lethal Weapon

Uniformed officers who have been issued a TASER will carry it.

3. Sergeants and Lieutenants Will Ensure That Each Officer in Their Command is Trained on the Weapons They Carry

4. Officers Are Prohibited From Using Less-Lethal Weapons as a Form of Punishment or for Retaliation

5. Officers Shall Not Use Less-Lethal Weapons to Prod or Jab Individuals, to Awaken Unconscious or Intoxicated Individuals, or to Prevent the Destruction of Evidence

Reasonable efforts to awaken or assess unconscious/unresponsive individuals without Less-Lethal Weapons, including trained pain stimuli, are considered a medical procedure, defined in 8.050, and not force.

6. Officers Will Consider Risks to the Subject and Third Parties When Determining Whether to Deploy any Less-Lethal Weapons

Officers may only use less-lethal force on subjects who are visibly pregnant, elderly, apparently pre-adolescent, or visibly frail when there is an exigency or an immediate threat to any person.

7. Use of Less-Lethal Weapons in the Following Circumstances is Only Permitted in Situations Where There is an Imminent Risk of Death or Great Bodily Harm to Any Person

- When the subject is in an elevated position where a fall is likely to cause substantial bodily harm or death

- When the subject is in a location where the subject could drown

- When the subject is operating a motor vehicle or motorcycle and the engine is running or is on a bicycle or scooter in-motion

8. The Application of Less Lethal Weapons on a Restrained Person Is Prohibited

Application is only allowed where reasonable, necessary, and proportional to protect an officer or member of the public from imminent physical injury.

For subjects contained within a police vehicle, officers handle the situation per Section 8.200.

9. When Feasible, Officers Will Issue a Verbal Warning to the Subject and Fellow Officers Prior to the Use of Any Less-Lethal Weapon

Prior to using any less lethal weapon, officers will issue a verbal warning to the subject, other officers, and other individuals present, that the weapon will be used and will defer using the less-lethal weapon a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings will include specifying the weapon to be used.

When employing a team tactics approach, verbal warnings may come from any officer involved in the incident.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document his/her reason for believing his/her safety would have been compromised in his/her use of force statement.

8.300–POL–1 Use of Force – Use of Patrol Canines

1. The Prompt and Proper Utilization of a Trained Canine Team Can Be a Valuable Resource in Law Enforcement

- When properly used with strict handler control, a canine team increases the degree of safety to persons within a contained search area, enhances individual officer safety, increases the likelihood of subject apprehension, and may reduce the amount of time necessary to conduct a search.

- At the same time, handlers will make all reasonable efforts to avoid unnecessary and unnecessarily injurious bites.

- All canine uses of force will be objectively reasonable, necessary, and proportional.

2. The Following Terms are Defined According to this Policy:

Canine Apprehension: When the canine is deployed and has a clear and defined role in the capture or surrender of a person. A surrender is based on statements or actions made by the individual during or after the arrest. The mere presence of the canine at the scene of an arrest, where the canine had no active role in the arrest, is not a canine apprehension.

Canine Bite: Physical contact, initiated by the canine, between the canine's teeth and a person or animal. This contact does not need to result in broken or punctured skin to be a bite.

Canine Bite Ratio: The number of canine apprehensions accomplished by means of a canine bite divided by the total number of canine apprehensions (both with and without a bite).

Non-Tactical Use of Canine: The use of a canine to find evidence or articles or to conduct an evidentiary confirmation track. See Manual Section 16.300-Patrol Canines for further guidance.

On Lead: Deployment of a canine with a leash attached to the collar or harness and the handler has positive control of the leash.

Off Lead: Deployment of a canine with no leash attached or when a leash is attached, and the handler does not have positive control of the leash.

Canine Deployment: Use of a canine on- or off-lead to search for a subject, to apprehend a subject, or for officer safety.

Canine Handler or Canine Officer: A sworn member of the Department who has been trained by the requirements of the Department's canine program.

Canine Team: The combination of a Canine Handler and that Handler's assigned police dog working in tandem.

Direct Apprehension: When a handler commands their dog to bite and hold an individual that the handler has in sight.

Canine Search—Use of a canine to search for a subject. There are two types of Canine Searches:

- **Tracking Search**: A handler deploys a dog to locate a subject who has fled a crime scene. Done on and off lead.

- **Contained Search**: Search for a subject in a contained area, i.e. Building or fenced lot, where a subject is reasonably expected to be hiding. Done on and off lead.

Canine Use of Force: Canine bite or injury caused by physical contact between a canine and a subject that occurs:

- During a Canine Search, or

- During a Direct Apprehension.

Accidental Canine Bite or Injury: Canine bite or injury caused by physical contact with a canine that occurs:

-When the handler has given no command to search or apprehend; or

-When the handler gives the command to search or apprehend a subject, but the canine engages the wrong person.

- See 16.300-Patrol Canines for more information

Containment—The establishment of a visual perimeter intended to curtail a subject's escape from a defined search area or structure. Containment requires at least two officers positioned at diagonally opposite corners of the search area but is far more effective with at least four officers.

Evidentiary Confirmation Track – A track to establish an evidentiary link between a crime scene or place where a suspect was last seen and where a possible suspect is being detained by officers. A canine use of force is not anticipated as the subject in question is under control of officers and will not be physically contacted by the police dog.

Evidentiary Confirmation tracks may be used only for one of the crimes listed in 8.300-POL-1(3).

Surrender: Statements or actions made by the subject during or after the arrest evidencing compliance.

3. Canine Deployments Will Be Limited to the Following Situations Where Probable Cause or a Valid Arrest Warrant Exists for Any of the Below Listed Crimes:

Felony Crimes:

- Completed burglary offenses, not including trespass with non-violent secondary crime
- Robbery, not including thefts that are accompanied by low level assaults
- Homicide
- Serious assault
- Kidnapping
- Arson with threat of harm to people
- Domestic violence felony crimes
- Serious sexual assault
- Drive by shooting, not including unlawful discharge of a firearm

Misdemeanor Crimes:

- Domestic Violence Assault
- Domestic Violence Order Violations that are subject to mandatory arrest—violations will involve the subject's physical presence at the victim's location or a threat of harm

Approval by a supervisor is needed for all other crimes where there is a reasonable belief that the subject is armed with a firearm or weapon capable of causing substantial bodily harm, great bodily harm or death; or the subject poses an imminent threat of harm to the public.

4. Canine Deployments are prohibited for the following:

-Administrative warrants, e.g. Department of Corrections warrants, absent a new offense as outlined in 8.300-POL-1(3)

- To apprehend anyone suspected to be under the influence of drugs or alcohol or who appears to be in behavioral crisis absent an offense as outlined in 8.300-POL-1(3).

- Demonstration management and or crowd control situations.

5. Canine Handlers Will Obtain a Briefing of the Incident Prior to Deploying Their Canine

Canine officers may gather information from on-scene officers in-person, by phone or via police radio or MDT while en route to the call.

A briefing will include, if applicable:

- A description of the facts and circumstances that establish probable cause to apprehend the subject or reasonable suspicion to detain the subject;

- A detailed description of the wanted subject, if available;

- The subject's actual or perceived age (i.e. whether the subject is or may be a juvenile). The subject’s perceived age will be determined by gathering as much information as possible from officers and/or witnesses who observed the subject’s physical characteristics height, weight, etc.);

- Behavior or information indicating whether the subject poses imminent threat or violence to others;

- The severity of the crime;

- Whether the subject is known or believed to be armed;

- Whether there is reason to believe the subject may not speak or understand English or may have a hearing impairment;

- Known potential danger to the public and/or other officers at the scene if the canine is released;

- The degree of resistance or threatened resistance communicated or shown by the subject;

- The potential for escape or flight if the canine is not utilized;

- The level of pedestrian foot traffic; and

- Whether the area perimeter is secure.

Canine officers will coordinate with on scene officers and develop a plan as to how they will safely track (i.e. cover officer, shutting down vehicle traffic, etc.) as well as an arrest plan if a subject is located unless exigent circumstances exist.

6. Off-Lead Canine Searches May be Suitable Under Certain Circumstances:

- Off lead deployment may be appropriate for searches of commercial buildings where there is the possibility of subjects hiding inside, including attics, basements, and crawl spaces.

- Off-lead deployment may be appropriate for searches of shopping centers, malls or other large structures where staffing commitments and search time will be extensive.

- Off-lead deployment at a school building may be appropriate if the subjects are adults and the incident involves significant theft, such as computers and other valuable equipment.

- Canine searches of residences are discouraged whenever there is risk of a bite to innocent persons. Before conducting a search of a residence, the handler will make every effort to ensure the safety of any residents that might be present.

- Residential searches will be conducted on short lead unless the handler can determine that there are no residents at home. This can be done through contacts with victims, witnesses, neighbors, responsible parties, and officers on the scene.

- The presence of uncontained animals in a residence to be searched will normally preclude the use of canines unless the animals can be removed or contained. In cases where it can be done safely, an on-lead search can be done in the presence of uncontained animals.

7. A Canine Team is Viewed as a Single Officer Unit and Will Perform Under that Premise When Making Decisions Regarding Contact of Subjects. A Canine Handler May Use a Canine for Officer Safety

Use of a canine may be reasonable to provide additional safety for officers when needed.

The canine will not be used solely for intimidation or coercion.

8. Canine Officers May Use Direct Apprehension to Physically Apprehend a Subject

Direct apprehension will be used only when the canine officer has probable cause that the subject has committed one of the crimes listed in 8.300-POL-1(3), or there is a valid arrest warrant for the subject for one of the crimes listed in 8.300-POL-1(3) and

-The canine officer reasonably believes that the subject poses an imminent threat of harm to the officers or others; or

- The subject is trying to escape, such as by immediate flight.

A direct apprehension will not be used to apprehend a subject fleeing from the scene of a Burglary 2nd Degree offense or wanted solely for a Burglary 2nd Degree offense, unless the canine officer reasonably believes that the subject poses an imminent threat of harm to the officers or others.

9. Canines Will Not Be Used to Apprehend Subjects Perceived to Be Juveniles Except for the Crimes Listed in 8.300-POL-1(3)

In the case of known or possible juvenile subjects, special consideration will be given to the subject's age and propensity for violence, and officers will explore alternatives to the deployment of a canine.

10. Police Canines Will Not Be Used as a Pain Compliance Technique

11. Canine Deployment Announcements for Canine Searches

- Prior to a deploying a canine, a verbal announcement will be made and repeated attempts to notify persons within the area of the intent to utilize a canine team and to afford subjects the opportunity to surrender to the police. The announcement will say that there are police officers in the area and that a trained police canine will be released and may bite individuals who do not surrender.

Exception: A verbal announcement is not required if giving the warning would compromise the safety of the canine officer or others. In such circumstances, the canine officer will document his/her reason(s) for believing his/her safety would have been compromised in his/her use of force statement and or canine deployment record.

- When feasible, the announcement will be given by patrol car PA system or amplified by other means.

- The announcement will be clear, loud and audible to all individuals who may be affected by the operation**.** Where there is a reasonable belief that the subject speaks a language other than English, an officer or other individual fluent in that language will be summoned to the scene if available and the exigency of the situation permits.

- A reasonable amount of time will be allowed between announcement and deployment for the subject to respond and others to seek safety.

- Officers assigned to containment will confirm hearing the canine announcements prior to initiating a search.

- A verbal warning will be repeated as the search proceeds and the canine team reaches a different floor, or parts of the building or other area where the initial announcement may not have been heard.

- If feasible, other officers will be in a location opposite from where the announcements are made to verify that it can be heard.

12. Canine Deployment Announcements for Direct Apprehension

Prior to a deploying a canine for a direct apprehension, a verbal announcement will be made in an effort to generate compliance, when feasible.

The announcement will include the officer's authority (Police K-9), a request for the subject to surrender and the consequence for not surrendering (the police dog may bite the subject).

Exception: A verbal announcement is not required if giving the warning would compromise the safety of the canine officer or others. In such circumstances, the canine officer will document his/her reason(s) for believing his/her safety would have been compromised in his/her use of force statement and or canine deployment record.

13. When Feasible, Canine Officers Will Attempt Alternative Tactics Prior to a Direct Apprehension

When the location of a subject in hiding has been determined, handlers will not command the canine to do a direct apprehension if alternative tactics are safe and feasible. Such alternatives may include: identifying as a police officer, ordering the subject to come out of hiding and warning that a police dog will be released and they may be bitten if they do not voluntarily comply, and then waiting a reasonable amount of time for them to comply, or using a lower level of force.

14. When Safe and Feasible, Canine Handlers Will Make All Reasonable Efforts to Keep the Police Canine in Sight

Canine handlers will remain within a working distance of their police dog to ensure they can read their canine's body language and that the police canine obeys verbal commands.

15. Releasing the Bite

- Should a bite occur, the handler will, as rapidly as possible, determine if the subject is armed and call off the dog at the "first possible moment" the canine can be safely released.

- When deciding to order the dog to release, particular attention will be given to the perceived threat or actual resistance presented by the subject. Handlers will continue to factor into their call-off decision that the average person will struggle if being seized or confronted by a canine. This struggling, alone, will not be cause for not calling off the canine.

16. After a Canine Use of Force or Accidental Canine Bite or Injury, Officers Will Render Appropriate Medical Aid Within Their Training as Soon as Reasonably Possible

See 8.200 (7)

17. The Canine Will Be Secured as Soon as it Becomes Safe and Feasible

At a minimum, the canine will be secured once the subject has been apprehended and no longer reasonably presents a threat, or risk of escape.

Exception: Canines may remain unsecured if there are additional outstanding subjects, the canine is needed to conduct an evidentiary confirmation track or find evidence, or the canine presence assists in the protection of officers or others.

18. Whenever a Canine is Deployed, Whether Force is Used or Not, the Canine Handler Will Document the Deployment

Canine Deployment records are maintained by the Canine Unit.

19. A Canine Use of Force Will Be Reported, Investigated, and Reviewed Consistent with Sections 8.400 and 8.500

See 8.400 and 8.500 for guidance.

- Each canine bite or injury will be separately documented in the use of force report.
- The handler will document, in their use of force report, the duration and reason for the duration of the canine's bite on the subject.

20. An Accidental Canine Bite or Injury is Not a Use of Force, But It Will Be Reported Separately per 16.300-PRO-1 Accidental Canine Bite or Injury

In the event of an accidental canine bite or injury, canine handlers will follow accidental injury procedures, not use of force reporting procedures. The supervisor will screen the incident with FIT.

8.300-POL-2 Use of Force – TASER / Conducted Electrical Weapons

A TASER in probe deployment is designed to stimulate a portion of the nervous system with sufficient pulsed electrical energy to bring about uncontrolled muscle contractions which override an individual's voluntary motor function. Drive stun mode occurs when the TASER makes direct contact with the subject's body and does not override an individual's motor responses. It is intended to cause significant pain. Use of the TASER in probe deployment is preferred in some circumstances over use in drive stun mode, which can only be used at close range and may cause marks and scarring.

1. Education & Training Section (ETS) Manages the TASER Program

ETS will maintain the TASER operator's manual.

2. ETS Will Train Operators Annually

Only officers who have been trained are allowed to use TASERs.

3. Uniformed Officers Who Have Been Trained to Carry a TASER and Have Been Issued One Must Carry It During Their Shift

Officers must carry their TASER in a holster on their support side.

4. Officers May Use TASERs in the Following Circumstances:

- When a subject causes an immediate threat of harm to any person;

or

- When public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is:

  (1) likely to cause injury to the officer or subject; and

  (2) if hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of TASER.

In the above circumstances, the force must be objectively reasonable, necessary and proportional.

When a TASER is used against a subject, either in probe or drive stun mode, it will be for one standard discharge cycle of five seconds or less and the officer using the TASER must reassess the situation. Only the minimum number of five second cycles necessary to place the subject in custody will be used.

Officers will assume that if they have used a TASER three times against a subject, but the subject continues to actively resist or aggress, the TASER may not be effective against that person; the officer will reassess and consider other options, if feasible.

Officers will not deploy multiple TASERs at the same subject, unless the first deployed device fails.

When using TASER in the drive stun mode, officers will wait a reasonable amount of time between applications to discern if compliance has been gained.

5. TASERs Will Not Be Used In any Environment Where an Officer Knows That a Potentially Flammable, Volatile, or Explosive Material is Present

Officers aware of environmental hazards will alert fellow officers as soon as possible.

6. Arcing a TASER, Creating an Audible Sound and Visual Spark Display When Conducting a Verbal Warning, is not Reportable Force

7. The Preferred Targets for TASER are Areas That do not Include the Chest, Head, Neck, and Genitals

8. As With the Initial TASER Application, Each Subsequent Application of a TASER Must Be Individually Justified

Officers are required to report the use of a TASER, regardless of whether or not the use of the TASER was an effective application.

9. Officers Will Summon Medical Aid as Soon as Feasible, Whenever a Subject Has Sustained a TASER Application

a. Officers Will Not Remove TASER Probes and Barbs That are Embedded in Flesh

TASER probes and barbs that are embedded in flesh will only be removed by fire department personnel or healthcare professionals, absent exigent circumstances. Probes embedded in clothing may be removed by an officer. Officers will collect and submit into evidence all primary components of the TASER cartridge: probes, wires, and cartridge.

10. Officers Will Monitor All Subjects Who Have Sustained a TASER Application While They Are in Police Custody

11. When Restraining a Subject That Has Been Struck With a TASER, Officers Will Use a Technique That Does Not Impair Respiration

Once a subject is under control, officers will place him or her in a recovery position until such time as medical aid arrives.

12. TASERs May Be Used to Stop a Dangerous Animal

13. ETS Will Conduct TASER Inspections on an Annual Basis to Ensure That All TASERs are Operable, to Conduct Information Downloads, and Perform Any Necessary Maintenance or Repairs

When feasible and consistent with TASER training, officers will perform a spark test at the start of their shift, to determine the functionality and battery capacity of the TASER. If the battery is low, officers will get a new battery from a precinct stationmaster, a precinct sergeant, or the quartermaster.

Officers will notify their chain of command up to the level of captain about any operational concerns about their TASER.

14. Officers Deciding to No Longer Carry Their TASER Will Notify Their Chain of Command and Return Their TASER to the Quartermaster or Stationmaster

Officers will notify a supervisor, in person, that they have decided to no longer carry a TASER, and will specify which less lethal weapon they will deploy with.

Additionally, officers will notify their chain of command and the Department TASER coordinator, via email, prior to deployment without their TASER.

8.300–POL–3 Use of Force – Impact Weapon

See 8.050 for definition of Impact Weapon.

This policy applies to the use of Department-approved impact weapons and improvised impact weapons, by all sworn Department employees.

Using a bicycle to forcefully strike a subject is a reportable use of force governed by this policy and 8.500-POL-6.

Using a long baton as part of a coordinated crowd control movement during a crowd management event is governed by 8.500-POL-6.

1. Education & Training Section (ETS) Will Train Officers on Department-Approved Impact Weapons Every Two Years

Officers will be trained to use Department-approved impact weapons before being authorized to carry these weapons.

2. Officers Will Not Use Impact Weapons on Subjects Who Are Restrained and Under Control, or Complying With Police Direction

3. An Intentional Hard Strike to the Head With Any Impact Weapon Is Prohibited Unless Deadly Force is Justified

All hard strikes to the head must be screened with FIT, even if they were mistaken or unintentional.

4. Officers Will Not Target the Head, Throat, Neck, Spine, Genitals, or Kidneys with Any Impact Weapon, Except in Exigent Circumstances

All strikes to these areas must be screened with FIT, even if they were mistaken or unintentional.

5. Officers Will Not Use Flashlights as Impact Weapons, Except in Exigent Circumstances

The use of improvised weapons, such as flashlights, may present a greater risk of injury than batons. Use of another object in place of the baton, including flashlights, is prohibited unless there is an immediate need to strike and an officer is precluded from using or cannot feasibly use the TASER, baton, or OC spray.

The failure to carry a baton, in and of itself, does not justify the regular use of a flashlight as an impact weapon. Routine reliance on flashlights as an impact weapon is prohibited.

6. Officers Must Justify Each Separate Impact Weapon Application in Their Use-of-Force Report

Officers are required to report each use of an impact weapon, regardless of whether a subject is struck.

8.300–POL–4 Use of Force – Oleoresin Capsicum (OC) Spray

This policy applies to the use of OC spray by all sworn Department employees.

Oleoresin Capsicum spray (OC spray) is an inflammatory agent that causes an intense burning sensation of the skin, eyes, and mucous membranes. A one second burst applied directly to the face (direct exposure), even with glasses, will usually result in the immediate closing of the eyes. The individual's eyes will likely close, tear, and swell as a result. When inhaled, the respiratory tract will likely become inflamed and temporarily restrict breathing to short, shallow breaths. The individual may experience choking, gagging, gasping for breath, or, on rare occasion, unconsciousness. The individual may experience nausea, lung pain, or temporarily impaired thought processes. The individual may become disoriented or lose his or her balance.

OC spray may reduce or eliminate the need for substantial physical force to make an arrest or gain custody. It may reduce the potential for injuries to officers and subjects.

1. Education & Training Section (ETS) Will Train Officers in the Use of OC Spray Every Two Years

The OC spray policy and training will incorporate the evolving guidance contained within the SPD Post-Basic Law Enforcement Academy course on less-lethal force as well as guidance from the medical community.

2. Officers Will Only Use Department-Issued or Approved OC Spray

Officers will periodically check the manufacturer's date on their issued OC Spray container and if beyond five years, exchange for a new container from the stationmaster or quartermaster.

3. Officers Will Use OC Spray, Including in Crowd Management Events, Only When Such Force is Objectively Reasonable, Necessary, and Proportional

See 8.050 for definition and explanation of "objectively reasonable," "necessary," and "proportional" force.

a. OC Spray May Be Used Against a Dangerous Animal to Deter an Attack or to Prevent Injury to Persons Present

4. Officers Must Justify Each Separate Application of OC Spray

After the initial application of OC spray, each subsequent spray must also be reasonable, and the employee will reevaluate the situation accordingly.

5. Where Multiple Persons are Present, Officers Will Direct OC Only Towards the Person(s) Posing a Specific Threat of Harm to Officers or Others or Engaging in Acts of Violence or Significant Property Destruction

a. Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons

6. Officers are Required to Report the Use of OC Spray, Regardless of the Effect, as Well as the Decontamination Procedures That Followed

7. Officers Will Assist Exposed Subjects with Decontamination and Medical Aid, As Soon as Reasonably Possible

If the subject was exposed in a confined space, officers will remove the subject as soon as feasible from the contaminated area and expose the individual to fresh air.

Officers will request medical response or assistance for subjects exposed to OC spray when requested by the subject, when the subject complains of continued effects after having been decontaminated, or the subject indicates that they have a pre-existing condition (such as asthma, emphysema, bronchitis, or heart ailment) that may be aggravated by OC spray.

Officers will monitor exposed subjects for changes in their condition while in police custody and request medical evaluation as needed or as requested.

8. The Department Will Maintain Written Documentation of the Number of OC Spray Canisters Annually Distributed to Each Employee

8.300–POL–5 Use of Force – Vehicle-Related Force Tactics

See hyperlinks below for vehicle tactics definitions in 8.050:

PIT (Pursuit Intervention Technique)

Ramming

Roadblock

Vehicle-to-Vehicle Contact

1. Only Officers Trained in the Use of PIT and Stationary Tire Deflation Devices are Permitted to Use Them

Officers who have completed training in the use of PIT and stationary tire deflation devices are permitted to use these tactics, regardless of their unit of assignment.

Officers will not use stationary tire deflation devices on moving vehicles.

Ramming is an untrained tactic permitted only in exigent circumstances.

2. Vehicle-Related Force Tactics May Be Considered Deadly Force, Depending on the Situation

See 8.200(5).

3. Officers Will Consider Secondary Risks to the Subject and Other Persons When Determining Whether to Deploy Vehicle-Related Force Tactics

Secondary risks to pedestrians and other vehicles include, but are not limited to, the dangers presented by a spun-out vehicle and loose tires on the road, as well as air bag deployment.

4. Officers Will Report the Use of PIT, Ramming, Stationary Tire Deflation Devices, and Certain Roadblocks as a Use-of-Force

- Deployment of stationary tire deflation devices but no contact is made, is de minimus and not reported.
- Deployment of stationary tire deflation devices where contact is made with a stationary vehicle, is reported as a Type I.
- Deployment of stationary tire deflation devices causing injury less than Type III, is reported as a Type II.
- Deployment of stationary tire deflation devices causing injury greater than a Type II, is reported as a Type III.
- The use of stationary tire deflation devices against a motorcycle is considered deadly force.

- Using a police vehicle for containment is not reported as a use of force.

- Not all roadblocks are reported as force. See 8.050 for definition of roadblocks for further guidance.

5. See 8.300-POL-12 for Guidance on Discharging a Firearm at or From a Moving Vehicle

8.300–POL–6 Use of Force – Specialty Unit Weaponry

1. The Assistant Chief for Special Operations Oversees all Specialty Unit Weaponry

2. Specialty Units That Utilize Unique Weaponry Will Maintain Unit Manuals and Training Records Which Contain an Inventory and Specific Guidance for Each Weapon

Per Manual Section 12.070, unit manuals have the force of Department policy.

3. Officers in Specialty Units Will Use Their Weaponry in a Manner That is Objectively Reasonable, Necessary, and Proportional

See 8.050 for definition and explanation of "objectively reasonable," "necessary," and "proportional" force.

The fact that a weapon is part of the specialty unit weaponry does not exempt it from the policy requirements of this Manual. The same principles stated in 8.000 and 8.200 apply fully.

4. ETS Will Maintain Specialty Unit Training Records

Specialty units will submit their training records to ETS when completed.

8.300–POL–7 Use of Force – Hobble Restraint

A hobble restraint is a strap designed to restrain a subject's feet.

1. Officers May Use the Hobble Restraint to Control Violently Combative Subjects

2. The Hobble Restraint May Not be Connected to Handcuffs or Other Restraints (i.e., "hog tie")

3. Once the Hobble is Applied, Officers Must Place Subjects in Either in an Upright Seated Position, or on Their Side and Not Face Down, Including During Transport

4. Officers Must Closely Monitor Subjects Who Have Been Placed in the Hobble Restraint

5. Officers Will Report any Use of the Hobble Restraint as a Type I Use of Force

8.300–POL–9 Use of Force – Blast Balls

This policy applies to the use of blast balls for crowd control.

1. Only Officers Who Have Completed Department Blast Ball Training are Permitted to Deploy Blast Balls

2. Officers Will Only Use Department-Issued Blast Balls

3. Officers May Use Blast Balls Only When Such Force is Objectively Reasonable, Necessary, and Proportional to Protect Against a Specific Imminent Threat of Harm to Officers or Identifiable Others or to Respond to Specific Acts of Violence or Destruction of Property

4. When Feasible, Officers Will Direct Blast Balls Toward an Open Space Near the Person(s) Engaged in the Threats of Harm or Acts of Violence or Property Destruction

Officers will avoid directing blast balls towards persons who are not posing a risk to public safety or property.

Absent a threat of serious imminent physical harm, officers will avoid deploying a blast ball in a manner that would have significant likelihood of striking a person directly.

Officers Will Not Deploy Blast Balls Until a Warning Has Been Issued to the Crowd, the Crowd Has Been Given a Reasonable Amount of Time to Comply, and a Supervisor Has Authorized the Deployment

Exception: Officers may make individual decisions to deploy blast balls if reasonable and necessary to address an imminent risk of harm to a person or significant property damage.

In the case of a dispersal order, the requirement to give a verbal warning is considered satisfied by the issuance of the dispersal order.

The preferred method of blast ball deployment is low deployment ("bowling style"). Officers may use a high deployment ("overhand throw") when the need for a farther deployment or the need to get around an obstruction outweighs the risk created by the separating sub-munition. Officers must document their deployment method and the reasoning for using such in their use-of-force report. Such deployments will be highly scrutinized.

5. Officers Must Justify Each Separate Blast Ball Deployment

After the initial blast ball deployment, each subsequent deployment must be reasonable, and the employee will re-evaluate the situation accordingly.

6. Officers Are Required to Report the Use of Blast Balls, Regardless of Whether a Subject is Struck

The deployment of blast balls in a crowd control situation causing less than Type III injury is reported and investigated as Type II force (See 8.400).

Exception: The deployment of blast balls away from people (i.e. a "bang out") that does not result in any injury or complaint of pain is reported and investigated as Type I force (See 8.400).

7. As Soon As Reasonably Possible, Officers Will Request and/or Render Medical Aid for Subjects Who Appear to Have Been Injured by a Blast Ball Deployment or Who Complain of Pain or Injury Resulting From a Blast Ball Deployment

8. The Department Will Maintain Written Documentation of the Number of Blast Balls Annually Distributed to, and Utilized by, Each Employee

8.300–POL-10 Use of Force– 40 mm Less Lethal Launcher

40 mm Less Lethal (LL) Launchers are designed to temporarily interrupt the behavior of a dangerous subject, so that officers can take enforcement action with less danger of injury or death to themselves and others. The extended standoff distance that the 40 mm LL Launcher may decrease officers' exposure and may provide additional time to bring the situation to a safe resolution.

1. Education and Training Section (ETS) Manages the 40 mm LL Launcher Program

ETS maintains the 40 mm LL Launcher operator's manual.

2. The Firearms Training Squad (FTS) Will Maintain Inventory Records for 40 mm LL Launchers

3. ETS Trains 40 mm LL Launcher Operators Annually

> **Exception**: SWAT officers receive annual specialized unit training. The SWAT commander will forward training rosters to ETS within seven days of completion.

Only officers who have been trained with the Seattle Police Department are allowed to use the 40 mm Less Lethal Launcher.

Officers may only use 40 mm LL Impact Munitions (LLIM) in a manner consistent with the Seattle Police Use of Force Policy and training provided by the Department.

4. Officers Who Have Been Trained and Issued a 40 mm LL Launcher Will Deploy with It During Their Shift

Officers deploying with a 40 mm LL Launcher will deploy with a primary less lethal device in accordance with 8.300(2).

5. Officers Deciding to Withdraw from the 40 mm LL Launcher Program Will Notify their Chain of Command and Return the 40 mm LL Launcher to the Range Armorer as Soon as Practicable

Officers will notify a supervisor, in person, that they have decided to no longer carry their 40 mm LL Launcher.

Additionally, officers will document the decision to no longer carry a 40 mm LL Launcher by emailing their chain of command

and the Department 40 mm LL Launcher coordinator prior to deployment without their assigned launcher.

6. If the 40 mm LL Launcher Requires Inspection and/or Repairs, the Officer Will Notify their Supervisor and take the 40 mm LL Launcher Out of Service

Officers will email their supervisor, the 40 MM LL Launcher coordinator and the 40MM LL Launcher Armorer prior to deployment without their 40 mm LL Launcher.

7. Officers Will Only Use a 40 mm LL Launcher When Objectively Reasonable, Necessary, and Proportional

See 8.050 for definition and explanation of "objectively reasonable," "necessary," and "proportional" force.

Officers may use a 40 mm LL Launcher in the following circumstances:

- When a subject poses an immediate threat of harm to any person; or

- When public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is:

  (1) likely to cause injury to the officer; or

  (2) if hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of the 40 mm Less Lethal Impact Munition (LLIM).

Officers will consider Department training regarding deployment distances and target areas. Each situation must be evaluated on the totality of the circumstances at the time of the deployment.

8. Officers Will Consider the Risk of the 40 mm LLIM Round Causing Serious Harm When Determining Whether to Deploy

9. Officers Will Not Target a Subject's Head, Neck, or Genitals

Officers will not target the head or neck unless deadly force is justified.

10. Preferred Target Areas for 40 mm LL Launchers Are:

- Buttocks
- Thigh area
- Calf
- Large muscle groups

Officers will collect and submit into evidence all primary components of the expended 40mm round to include the sponge nose cone with the rifling ring, and the casing. If collection is not feasible, officers document their search efforts in their report.

11. Only Munitions Purchased, Authorized and Issued by the Seattle Police Department May Be Used by Officers

Officers deploying 40 mm LL Launchers are responsible for ensuring the proper munitions are loaded. Officers will inspect each 40 mm LLIM round prior to loading it into the launcher to ensure munitions adhere with this policy.

12. Officers will Securely Store 40 mm LL Launchers

While on duty, 40 mm LL Launchers will be secured in patrol vehicles when not in use.

When not on duty, officers will store 40 mm LL Launchers in a secure Department locker.

13. Only SWAT Officers Will Deploy 40 mm LL Launchers During Crowd Management Events

Exception: Upon approval by the Chief of Police, officers who are trained in the use of the 40mm launcher may deploy with this weapon in crowd management events.

14. Officers Must Justify Each Separate 40 mm LL Launcher Use in Their Use-of-Force Statement

15. Officers Are Required to Report the Use of 40 mm LL Launcher as Force, Regardless of Whether a Subject is Struck

See 8.400-POL-1(3).

Officers will also be prepared to employ other means to control the individual — including, if necessary, other force options

consistent with Department policy—if the individual does not respond sufficiently to the LLIM and cannot otherwise be subdued.

16. Officers Will Summon Medical Aid as Soon as Feasible, Whenever a Subject Has Been Struck by a 40mm LL Launcher Round

17. The Firearms Training Section (FTS) Will Inspect 40mm LL Launchers on an Annual Basis to Ensure That All Are Operable and Perform any Necessary Maintenance or Repairs

Exception: SWAT officers will inspect the 40 mm LL Launchers assigned to their unit on an annual basis.

8.300–POL–11 Use of Force – Pepperball Launcher

This policy applies to the use of pepperball launchers as a less-lethal weapon by officers for crowd control. See 14.090.

1. The Firearms Training Squad (FTS) Will Maintain Inventory Records for Pepperball Launchers

2. SWAT Trains Pepperball Launcher Operators Annually

The SWAT commander will forward training rosters to ETS within seven days of completion.

3. Only Officers Who Have Completed Department Pepperball Training are Permitted to Use Pepperball Launchers

4. Officers Will Only Use Department-Issued Pepperballs and Pepperball Launchers

5. Officers May Use Pepperballs Only When Such Force is Objectively Reasonable, Necessary, and Proportional to Protect Against a Specific Imminent Threat of Harm to Officers or Identifiable Others or to Respond to Specific Acts of Violence or Destruction of Property

Where multiple persons are present, officers will direct pepperballs towards the person(s) posing a specific threat of harm to officers or others or are engaging in acts of violence or significant property destruction.

a. Officers deploying pepperballs will attempt to avoid or minimize incidental exposure to non-involved persons.

When directed towards a subject, the preferred target area for the pepperball is the area below the waist, including the buttock, front of the legs, thighs, or sides of the legs.

Officers will not target the head, neck, or genitals.

When used for area denial purposes, preferred targets are hard surfaces such as streets or walls.

Officers will follow Department training regarding deployment distances and target areas. Each situation will be evaluated on the totality of the circumstances at the time of the deployment.

6. Officers are Required to Report the Use of Pepperballs Regardless of the Effect, as Well as Decontamination Procedures that Followed

7. Officers must Justify Each Separate Volley of a Pepperball Deployment

After the initial volley of pepperball deployment, each subsequent deployment must be reasonable, and the employee will re-evaluate the situation accordingly.

8. Officers are Required to Report the Use of Pepperballs, Regardless of Whether a Subject is Struck

The deployment of pepperballs causing less than Type III injuries is reported and investigated as Type II force, even if no injury or complaint of pain or injury is reported. (See 8.400)

9. As Soon As Reasonably Possible, Officers Will Request and/or Render Medical Aid for Subjects Who Appear to Have Been Injured by a Pepperball Deployment or Who Complain of Pain or Injury Resulting From Pepperball Deployment

8.300–POL-12 Use of Force - Firearms

1. Officers Will Only Discharge Firearms in Situations Where Deadly Force is Permitted

See 8.000 and 8.050 definition of deadly force for further guidance.

Firearms May Be Used:

a. Against a dangerous animal to deter an attack or to prevent injury to persons present; or

b. To euthanize a critically injured animal.

2. Officers Will Only Carry and Use Department-Approved Firearms, Except in Exigent Circumstances

3. Officers Will Pass an Annual Firearms Qualification

All officers are required to qualify with their on-duty, back-up/off-duty firearms as directed by the Education & Training Section Captain. See 9.065.

4. Officers Will Not Use Firearms as Impact Weapons, Except When a Subject is Attempting to Take the Firearm or Lethal Force Is Permitted

5. An Officer May Draw their Firearm in the Line of Duty When the Officer Reasonably Believes It May Be Necessary for His or Her Own Safety or for the Safety of Others

When an officer determines that the threat is over, the officer will holster his or her firearm, when feasible.

Unnecessarily or prematurely drawing their firearm may limit an officer's alternatives in controlling a situation, may create unnecessary anxiety on the part of the public, and may result in an unwarranted or unintentional discharge of the firearm.

Officers will not draw their firearm unless the circumstances surrounding the incident create a reasonable belief that it may be necessary to use the firearm in conformance with policy on the use of firearms.

6. Officers Will Not Fire Warning Shots

7. When Feasible, Officers Will Issue a Verbal Warning to the Subject and Fellow Officers Prior to Discharging a Firearm

Officers will issue a verbal warning to the subject, other officers, and other individuals present, that a firearm will be discharged and defer discharging the firearm a reasonable amount of time to allow the subject to comply with the warning.

Verbal warnings may come from any officer involved in the incident when employing a team tactics approach.

Exception: A verbal warning is not required if giving the warning would compromise the safety of the officer or others. In such circumstances, only the deploying officer will document his/her reason for believing his/her safety would have been compromised in his/her use of force statement.

8. Officers Will Not Fire at or From a Moving Vehicle

Firearms will not be discharged at a moving vehicle unless a person in the vehicle is immediately threatening the life of the officer or another person with deadly force by means other than the vehicle. The moving vehicle itself will not presumptively constitute a threat that justifies an officer's use of deadly force.

An officer threatened by an oncoming vehicle will, if feasible, move out of its path instead of discharging a firearm at it or any of its occupants.

Officers will not discharge a firearm from a moving vehicle unless a person is immediately threatening the officer or another person with deadly force.

Exception:-The Department acknowledges that this policy does not cover every situation that may arise. Any deviations from the provisions of this policy will be examined rigorously and critically reviewed on a case-by-case basis. The involved officers must be able to articulate clearly the reasons for the use of deadly force, including whether the officer's life or the lives of others were in immediate peril and if there was no reasonable alternative.

9. Pointing a Firearm at a Person is Type I Reportable Force

Officers will document all incidents where they point a firearm at a person. See 8.400.

Unholstering or displaying a firearm – including in a sul or low-ready position – without pointing it at a person is not reportable force.

10. All Firearms Discharges are Investigated and Reviewed

Intentional discharges (including discharges against people and against animals) and unintentional discharges are investigated by FIT and reviewed by the Force Review Board.

Exception: This does not apply to discharges during legal recreational shooting, hunting, military activity, or on the range when the discharge is down range, and the range master or lead firearms instructor determines no investigation is required.

Seattle Police Department Manual

8.310 - OC Spray Chain of Custody

Effective Date: 09/01/15

8.310-POL

This policy applies to the storage, tracking, and accountability of Oleoresin Capsicum (OC) spray through the various channels of custody throughout the Seattle Police Department. This policy does not cover the tracking of OC spray following its use in a force incident, which is covered in POL 8.400.

1. The Quartermaster (QM) Shall Maintain The Department OC Supply

QM shall maintain an adequate supply of MK-3, MK-4, MK-9, MK-21, and MK- 46 spray units.

QM will also maintain a register of serial numbers for each unit of OC spray.

2. Stationmasters Shall Control OC Spray Units at the Precinct/Section Level

The stationmaster shall control the stock of all types of OC Spray at the precinct level.

Only the stationmaster/designee can issue MK-3, MK-4, and MK-9 OC Spray from precinct supplies.

Each precinct shall have a procedure to obtain OC Spray during non- business hours.

See 8.310-TSK-1 Issuing MK-3, MK-4, and MK-9 OC Spray to Officers.

3. Non-Precinct Personnel Shall Obtain OC Spray Directly from the Quartermaster

4. Precinct Operation Lieutenants Are Responsible For MK-21 and MK-46 OC Spray Issued to Them

MK-21 and larger OC Spray Units will be stored in a secured, centralized location.

When officers are issued these units for various reasons, they will fill out the logout and login time for the item on the Less Lethal Deployment Log Sheet (form 1.80)

Operations Lieutenants are responsible for monthly checks of the log sheet to verify accuracy and completeness.

See 8.310-PRO-1 Checking Out MK-21 and Larger OC Spray Units

5. Officers Are Responsible For MK-3, MK-4, and MK-9 OC Spray Issued to Them

Stationmasters shall record the serial number from each MK-3, MK-4, or MK- 9 spray when issued to an individual officer.

Officers are responsible for reporting lost or stolen OC spray to their supervisors.

6. The Audit, Policy, and Research Section Shall Conduct Audits of OC Spray Registers

8.310-PRO-1 Checking Out MK-21 and Larger OC Spray Units

Officer

1. **Requests** to check out OC Spray unit from a Lieutenant or above.

Lieutenant

2. **Issues** the approved OC Spray unit to the officer.

Officer

3. **Records** the logout of the unit on the Less Lethal Deployment Log Sheet (form 1.80).
4. **Utilizes** the OC Spray in accordance with Department policy, as needed.
5. **Returns** the OC Spray after use.

6. **Records** return of the OC Spray on the same line previously logged out on the Less Lethal Deployment Log Sheet (form 1.80)

    - If the OC Spray canister was depleted, **notes** on the log sheet and notifies Lieutenant.

Lieutenant

7. **Verifies** the OC Spray was returned or depleted in the respective use of force report.

8.310-TSK-1 The stationmaster when issuing MK-3, MK-4, and MK-9 OC spray to officers

1. **Obtains** a lot of MK-3, MK-4, or MK-9 OC Spray Units and stores in secured area of the precinct.

2. **Receives** request for OC Spray from an officer.

3. **Records** the serial number from the OC Spray canister on the OC Spray Issuance Record (form 1.85), as well as the officers name and serial number.

4. **Issues** OC canister to the officer.

Seattle Police Department Manual

8.400 - Use of Force Reporting and Investigation

Effective Date: 04/15/21

8.400-POL-1 Use of Force Reporting and Investigation

The Seattle Police Department recognizes the magnitude of the responsibility that comes with the constitutional authority to use force. This responsibility includes maintaining vigorous and transparent oversight systems to ensure accountability to the community and maintain their trust. In order to ensure transparency and accountability, officers must clearly and reliably report and thoroughly document each time they use force defined as Type I, II, or III.

All uses of force are reportable except de minimis force.

Handcuff discomfort is reported and tracked, not as a use of force, but as "handcuff discomfort."

Supervisors must clearly and reliably document the steps they have taken to investigate and review the actions of the officer and any additional steps taken or recommendations for further review and action.

The requirements for reporting, investigating, and reviewing use-of-force incidents are separated into three types, based on the nature of the incident. (For deaths, see 15.055.) The goal is to focus police resources on the most serious cases, while also requiring that all reportable uses of force are reported and not under-classified. The categorization of use-of-force investigations is based on the following factors: degree of injury caused, potential of the technique or weapon to cause injury, degree of pain experienced, degree of disability experienced by the subject, complaint by the subject, degree of restraint of the subject, impairment of the functioning of any organ, duration of the force, and physical vulnerability of the subject. An investigation may result in an incident being re-classified, when appropriate.

Officers will thoroughly document all reportable uses of force to the best of their ability, including a description of each force application.

The Department recognizes the inherent limitations on perception and recall following tense and rapidly evolving circumstances.

Force	**Threshold**	**Examples**
De Minimis Physical interaction meant to separate, guide, and/or control without the use of control techniques that are intended to or are reasonably likely to cause any pain or injury.	Physical interaction meant to separate, guide, and/or control that is not reasonably likely to cause pain or injury Use of stationary tire deflation device resulting in no physical contact or deflation of tires	Using hands or equipment to stop, push back, separate or escort, and the use of compliance holds without the use of sufficient force to cause pain Application of a spit sock
Type I Force that causes transitory pain or the complaint of transitory pain.	Transitory Pain Pointing of a firearm at a subject Deployment of a blast ball away from people (i.e. a "bang out") NFDD (Noise Flash Diversion Device) away from people Complaint of pain during the application of handcuffs Use of a hobble restraint Use of 40 mm LL Launcher away from people Use of stationary tire deflation device with confirmed contact and deflation of tires	Controlled placement/takedown that results in a complaint of pain or causes/is likely to cause transitory pain or disorientation Strike with sufficient force to cause pain or complaint of pain Open hand technique with sufficient force to cause complaint or indication of pain Improper application of handcuffs, causing pain

Force	Threshold	Examples
Type II Force that causes or is reasonably expected to cause physical injury greater than transitory pain but less than great or substantial bodily harm	Physical Injury (greater than transitory pain) Reasonably expected to cause physical injury Complaint of injury Use of TASER Use of OC Spray Use of Impact Weapon causing less than a Type III injury Canine physical contact with less than Type III injury or complaint of less than a Type III injury Vehicle-Related Force Tactics causing less than Type III Injury Use of stationary tire deflation device with confirmed contact and deflation of tires resulting in injury less than Type III injury Pursuit Intervention Technique (PIT) Deployment of a blast ball toward people causing less than Type III injury Deployment of a 40 mm LL at a person causing less than Type III Injury	Abrasion Bruising Laceration Takedown that causes injury or is reasonably expected to cause injury Punch or kick with less than Type III injury Punch or kick to the groin with less than Type III injury Unintentional injury caused by "bang out" of a blast ball Abrasion, laceration, or bruising caused by handcuffs or handcuffing Minor joint dislocation (screen with FIT) Chipped, broken, or lost tooth (screen with FIT)

Force	Threshold	Examples
	Deployment of a Pepperball LL at a person causing less than Type III Injury NFDD (Noise Flash Diversion Device) toward people causing less than Type III Injury	
Type III Force that causes or is reasonably expected to cause great bodily harm, substantial bodily harm, loss of consciousness, or death	Great Bodily Harm Substantial Bodily Harm Deadly Force Criminal Conduct by Officer(s) related to the use of force Serious Policy Violation related to the use-of-force (See 5.002) Discharging a firearm at a person. See 8.300-POL-12 Use of stationary tire deflation device on a vehicle causing injury greater than Type II or use of stationary tire deflation device against a motorcycle. See 8.300-POL-5(4) Impact weapon strike to the head, neck, throat, spine, or genitals. See 8.300-POL-3 Striking a person's head into a hard, fixed object (examples include, but are not limited to concrete objects or surfaces, or	Broken bone Potentially serious head injury Serious joint dislocation. Loss of Consciousness Permanent disfigurement or loss of the function of any bodily part of organ Incidents where the suspect is admitted to the hospital as a result of the force

Force	Threshold	Examples
	solid metal structures such as bars or guardrails). Canine physical contact resulting in greater than Type II injury Vehicle-related force tactics resulting in or reasonably likely to cause Type III injury See 8.300-POL-5.	

1. Officers Will Document in a Use-of-Force Report All Uses of Force Except De Minimis Force

2. Officers Will Report the Complaint of Handcuff Discomfort Resulting Solely from the Wearing of Properly Applied Handcuffs to a Supervisor

3. Officers, Including Witness Officers, Will Verbally Notify a Supervisor Following Any Use of Reportable Force, As Soon As Feasible

a. Officers who use reportable force while on duty will call for an on-duty SPD sergeant

- Known inadvertent contact with a subject's neck during the application of a head control tactic, or other control technique which results in momentary contact with the neck of a subject without the risk or intention of restricting the flow of blood or oxygen is not a neck or carotid restraint but must be screened with a supervisor.

b. Officers who use reportable force while working for a secondary employer will call for an on-duty sergeant unless an SPD sergeant is assigned or working the same off-duty detail

c. Officers who discharge a firearm at a person while off duty, except during military activity, will call and request to be contacted by an on-duty lieutenant

d. Officers who use reportable force while exercising police authority in all other circumstances will call and request to be contacted by an on-duty lieutenant

e. When an officer is involved in an incident in another precinct while working off-duty, a sergeant in that precinct (or a sergeant assigned to the same off-duty detail, when there is one) will conduct the investigation and then submit it to the involved officer's chain of command for approval.

f. Animal shootings and unintentional discharges not resulting in injury are not considered force, but require the same notifications and are investigated as any firearm discharge

4. The Sergeant Will Review the Incident and Do One of the Following:

- Classify the investigation as handcuff discomfort, Type I, or Type II as appropriate.
- Screen the following with FIT:
- Any contact with the neck, causing or reasonably likely to cause injury or loss of consciousness
- Joint dislocation
- Chipped, broken, or lost tooth
- Accidental canine bite
- Call the on-call FIT representative via Communications and screen a Type III response by the FIT

5. The FIT Unit Supervisor or Commander, When Contacted by a Sergeant, Will Either Initiate a Type III Investigation or Suggest Another Type of Investigation

6. When Multiple Officers are Involved in a Use-of-Force Incident, the Entire Incident Will be Reviewed at the Highest Level Reached by any Single Officer During the Incident

If one officer uses Type I force while another officer uses Type II force in the same incident, the first officer will complete a Type I report and the second officer will complete a Type II report. The entire incident will be reviewed as a Type II.

7. Sergeants May Request a Higher Level of Investigation for a Given Force Incident

Factors to consider when determining whether a higher level of investigation is appropriate include, but are not limited to, the following:

- The nature of the resistance encountered
- Force used against a handcuffed, or otherwise restrained, under- control, or in-custody subject
- Force used against a pregnant or vulnerable subject (e.g., age or infirmity)
- Incidents resulting from faulty information or unintentional error
- When it is unclear whether the officer's actions were consistent with policy or law

8. Except as Provided in 8.500-POL-6, No Supervisor Who Ordered, Used, or Participated in Reportable Force, or Participated in the Tactical Planning That Led to the Use of Reportable Force, Will Conduct the Investigation of the Incident, Unless it is Impractical Under the Circumstances

When a sergeant orders, uses, or participates in reportable force or the tactical planning leading up to the reportable force, a lieutenant will determine who will conduct the investigation.

When a lieutenant or captain orders, uses, or participates in reportable force or the tactical planning leading up to the reportable force (to include authorizing entry into a constitutionally protected space), a higher-ranking officer in the chain of command will determine who will review the investigation.

All officers, sergeants, lieutenants, and captains who participate in the tactical planning leading up to a reportable use of force must complete a witness statement, unless they are otherwise required to complete an involved officer statement. Such individuals may also be required to submit to an investigative interview.

9. Officers are Required to Report the Use of OC Spray, 40 mm LL Launchers, Pepperball LL Launchers, TASERs, Impact Weapons and Patrol Munitions, Regardless of the Effect

Reporting is required whether or not the subject is struck, affected, or taken into custody.

10. Once a Subject is Free to Leave, Officers Will Not Detain for Screening Purposes

11. Whenever the Department Investigates the Discharge of a Firearm by an Officer, the Firearm Must be Inspected by Range Staff Prior to Being Returned to the Involved Officer

The range staff will verify:

- The firearm is approved by the Department for use by the officer
- The ammunition is approved by the Department for use by the officer. Neither the firearm nor the ammunition has been modified to be out of compliance with Department policy
- Provide to the FIT a memorandum identifying:
- The firearm evaluated
- The name and serial number of the officer to whom it is assigned
- The type of tests performed on the firearm
- The results of those tests
- The individual who conducted the test.
- Conclusion whether the firearm is functioning properly
- Any malfunctions discovered with the firearm
- Any other information relevant to the functioning of the firearm inspected

8.400-POL-2 Use of Force – Handcuff Discomfort Screening

1. Officers Will Report Complaints of Handcuff Discomfort to a Supervisor

Officers will report complaints of handcuff discomfort to a supervisor, including what steps the officer took to ensure proper fit and address the complaint of discomfort.

Additional guidance on how to report handcuff discomfort may be found here. 8.400-TSK-1.

2. Sergeants Will Screen Complaints of Handcuff Discomfort

Sergeants screen complaints of handcuff discomfort in-person with the involved officer and the subject, unless impractical, prior to the subject being released.

Officers may not extend a detention solely to await the arrival of a supervisor.

A supervisor will inspect the subject to confirm there is no visible injury.

Sergeants complete a Handcuff Discomfort Report in Blue Team, using the Handcuff Discomfort Template. Sergeants will give a brief summary of their screening in the comments section including:

- That the subject complained of discomfort from the handcuffs,
- What steps the officer took to ensure proper fit and address the complaint of discomfort, and
- Whether any injury was apparent.
- If a complaint of pain is from application of handcuffs (improperly applied or forcefully applied), the sergeant will investigate the force as a Type I.
- If there is visible injury, the sergeant will investigate the force as a Type II or Type III, as appropriate.

No ICV or other video review is required of the sergeant or chain of command unless reasonably necessary to determine the cause of the handcuff discomfort.

8.400-POL-3 Use of Force – Type I Investigations

1. Sergeants Must Screen Uses of Reportable Force In-Person with the Involved Officer and the Subject, Unless Impractical, Prior to the Subject Being Booked or Released

If the subject is free to leave, the detention will not be extended to facilitate the screening process; however, the subject may choose to remain at the scene to speak with the sergeant. See 8.400–TSK–3, Involved Officers' Responsibilities During a Type I Investigation.

If there is any uncertainty or concern about the reason or immediately respond to the scene, unless impractical in the circumstances.

2. Officers Will Document All Uses of Reportable Force

In Type I use-of-force cases, it will be sufficient to complete the form in Blue Team and write a brief narrative entry describing what occurred using the Type I statement template in Word.

Additional guidance on how to report Type I force may be found here. See 8.400-TSK-3.

Witness officer statements are not required for a Type I use-of-force.

The investigating supervisor will review the documentation as soon as practicable and will direct the officer to provide more information, if needed.

When the sergeant requests revisions from the involved officer, he or she must detail the requested revisions in Blue Team.

Sergeants will give a brief summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type I investigation template in Word.

No ICV or other video review is required of the sergeant or chain of command.

Additional guidance on how to investigate Type I force may be found here. See 8.400-TSK-4.

8.400-POL-4 Use of Force – Type II Investigations

1. In Conducting a Type II Investigation, a Sergeant Will Respond to the Scene and Thoroughly Investigate the Event, Unless Officer or Public Safety Will be Compromised as a Result

See 8.400–TSK–8 Responsibilities of the Sergeant During a Type II Investigation.

The sergeant retains the discretion to refer any use of force to FIT for their determination of whether to take investigatory responsibility over the matter.

2. The Sergeant Will Conduct the Investigation as an Impartial Factfinder and Will Not Reach Findings About Whether the Force was Within Policy or Law

3. The Sergeant Will Make Appropriate Notifications When They Believe that Criminal Conduct or a Policy Violation May Have Occurred

When a sergeant believes that there may have been criminal conduct or a serious policy violation, the sergeant will consult with an on-duty captain or lieutenant, as feasible, and ensure that FIT, OPA, and the officer's chain of command are notified, as prescribed by 5.001 and 5.002.

If not already identified and the OPA referral has not been made by the investigating sergeant, upon identifying a policy violation, the captain or lieutenant will make the proper notifications/referrals as prescribed by 5.002.

The captain or lieutenant will notify the command staff and OPA if information is obtained at any step in the investigation that suggests criminal conduct.

If the situation warrants, a lieutenant or captain may relieve the officer from duty for up to 24 hours pursuant to 5.001.

4. Sergeants Will Complete Their Investigation Within the Timeline Established by the Captain, Consistent With the 30-Day Investigation Period

See 8.500-POL-2(4).

When the sergeant requests revisions from the involved officer, the officer must detail the requested revisions in Blue Team.

Sergeants will summarize their investigation of the incident using the supervisor Type II investigation template in Word.

a. Each Reviewer in the Chain Will Review the Report Within a Reasonable Period of Time to Ensure it is Thorough and Complete

Every reviewer in the chain of command is responsible to ensure the accuracy and completeness of the use-of-force investigation completed by the sergeant. Lieutenants and captains will assess the quality of the sergeant's investigation and document their own review in the comments section in Blue Team using the appropriate Type II templates in Word. The lieutenant's and captain's review will include a clear explanation of their reasoning documenting why the approval or disapproval of the force is warranted.

If any investigative deficiencies exist, the reviewer will initiate corrective action where appropriate.

- When it appears to a reviewer that there is additional relevant and material evidence that may assist in resolving inconsistencies or improving the reliability or credibility of the findings, that supervisor will ensure that additional investigation is completed.

- When it appears to a reviewer that the findings are not supported by a preponderance of the evidence, that reviewer will consult with the investigating supervisor and previous reviewers to clarify the discrepancy, and document any modifications, including the specific evidence or analysis supporting the modification.

When a reviewer requests revisions from a previous reviewer or the investigating sergeant, he or she must detail the requested revisions in Blue Team.

5. An Investigation May Be Re-Assigned

At the discretion of the officer's chain of command, or OPA in the case of a policy violation that has been referred to it, a use-of-force investigation may be assigned or re- assigned to FIT or to another supervisor, either within or outside of the precinct in which the incident occurred or may be returned to the unit for further investigation or analysis.

6. Where, After Investigation, a Use-of-Force is Found to be Out of Policy, or the Investigation of the Incident is Lacking, the Chief or Designee Will Direct and Ensure Appropriate Corrective Action, if Warranted, Including Referral to OPA

7. When the Use-of-Force Indicates Policy, Training, Tactical or Equipment Concerns, the Chief or Designee Will Ensure That Necessary Training is Delivered and That Policy, Tactical or Equipment Concerns are Resolved

8. After the Captain has Reviewed the Use-of-Force Packet and Finds the Investigation Complete and Supported by the Evidence, the Captain Will Forward the Investigation File to the Force Review Unit

8.400-POL-5 Use of Force – Type III Investigations

1. The Force Investigations Team (FIT) Will Conduct All Type III Investigations, With Assistance from the On-Scene Sergeant

FIT will conduct all investigations in accordance with the FIT Manual.

2. FIT Responses Will Be Tailored to the Circumstances, But Will Normally Include One to Six FIT Detectives, the FIT Sergeant, the FIT Captain, and an OPA Representative

3. At Least One Member of the FIT Will be Available at All Times to Evaluate Potential Referrals from SPD Sergeants

4. The FIT Captain Will Staff the FIT with Employees Who Have the Appropriate Expertise and Investigative Skills

FIT will be staffed with individuals with appropriate expertise and investigative skills to ensure that uses of force that are contrary to law or policy are identified and appropriately resolved; and that its investigations allow the Force Review Board to identify trends or patterns of policy, training, equipment, or tactical deficiencies, or positive lessons related to the use-of-force.

5. An Office of Police Accountability (OPA) Representative Will Have Certain Responsibilities During a Type III Investigation

The OPA representative will not have investigative roles at the scene of a use-of-force but will attempt to identify any policy violations.

See 8.400–TSK–21 Role of the Office of Police Accountability (OPA) Representative During a Type III Investigation and OPA Manual.

6. FIT Personnel Will Take Control of the Use-of-Force Investigation Upon Their Arrival

See 8.400–TSK–18, Responsibilities of the FIT Captain During a Type III Investigation (Not a Firearms Discharge), 8.400–TSK–19, Responsibilities of the FIT Captain During a Type III Investigation (Firearms Discharge), 8.400–TSK–16, Responsibilities of the FIT Unit Sergeant During a Type III Investigation (Not a Firearms Discharge) and 8.400–TSK–17, Responsibilities of the FIT Unit Sergeant During a Type III Investigation (Firearms Discharge). Once FIT has Assumed Control of the Scene, the Patrol Sergeant Will Work at the Direction of the FIT Commander

See 8.400-TSK-11 Responsibilities of the Patrol Sergeant During a Type III Investigation (Not a Firearms Discharge) and 8.400-TSK-12 Responsibilities of the Patrol Sergeant During a Type III Investigation (Firearms Discharge).

7. For Type III Investigations, All Involved Officers Will Provide a Recorded Statement as Directed by the FIT Captain

8. Within 60 Days (90 Days for Firearm Discharge Cases), the FIT Captain Will Present the Completed Investigation to the Assistant Chief of the Professional Standards Bureau for Review and Referral to the FRB Calendar within One Week

9. Witness Officers Who had Significant Involvement in any Lethal Force Incident Will Not Return to Work for at Least 24 Hours and May Be Required to See a Department-Approved Mental Health Professional for a Post-Incident Debrief

The on-scene FIT commander, in consultation with involved officers' Bureau Commander, and Peer Support, will determine which witness officers had significant involvement in a lethal force incident.

Examples of significant involvement include, but are not limited to:

- Serving as a cover officer
- Administering any medical aid to the suspect or a victim

- Being the victim of violence from the suspect

- Using any reportable force during the incident immediately prior to the firearms discharge

All witness officers identified as having had significant involvement in a lethal force incident will not return to work for at least 24 hours. This leave will take the form of release time unless the officer has regular furlough the following day.

The witness officer's bureau chief may authorize up to four days release time for officers having had significant involvement in a lethal force incident and may require such officer to see a Department-approved mental health professional for post-incident debrief. The bureau chief will consider any requests for release time by such officers.

If desired, witness officers who witnessed any portion of a lethal force incident may contact a Department-approved mental health professional for a psychological post-incident debrief. (Department-approved mental health professionals are specially trained in debriefing law enforcement incidents).

- The Department will provide for as many visits as the mental health professional recommends with an additional visit provided six months after the incident.

- The witness officer may bring a family member along at no extra charge to any or all covered visits.

10. The FIT Captain Will Notify the Assistant Chief of Professional Standards if Information is Obtained at any Stage of the Investigation That Suggests Either a Serious Policy Violation or Criminal Conduct

The assigned FIT investigator will continue to complete the use-of- force investigation.

a. The FIT Captain Will Take the Following Actions When Possible Criminal Conduct is Revealed:

- Refer the investigation to OPA

- If OPA agrees that a criminal investigation is appropriate, they will refer the investigation to the Homicide Unit or another investigative body for assignment to an uninvolved sergeant for bifurcated criminal and administrative investigations using a "clean team" and "exposed team" approach.

- Screen all information through a case master, who will see to it that no information that would compromise the criminal investigation is passed on to the sergeant who is supervising the criminal investigation.

- Consult with a representative of the King County Prosecutor's Office or the City Attorney's Office when necessary.

- The criminal investigation will have priority access to witnesses and evidence.

b. The FIT Captain Will Take the Following Actions When a Policy Violation is Discovered:

- Advise the OPA director and refer the policy violation investigation to the OPA, when required by 5.002.

- Advise the officer's captain and refer the policy violation investigation to the officer's chain of command, when required by 5.003.

11. The FIT Captain May Re-Classify a Use-of-Force Incident

The FIT sergeant and FIT lieutenant may recommend re-classification.

This policy recognizes that a Type III investigation may be initiated for an incident where an officer did not use Type III force. For example, a Type III investigation will be completed when it appears that an officer's actions caused a subject to break a bone. However, the investigation may yield that the subject's bone was broken prior to the incident, and that the involved officer used force that would otherwise be investigated as a Type I. Once an investigation is completed, the captain may re-classify each involved officer's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

8.400-TSK-1 Use of Force - Officer's Responsibilities During a Handcuff Discomfort Screening

1. **Receives** a complaint of discomfort from handcuffs

2. **Inspects** the handcuffs as soon as practicable.

    - **Ensures** proper handcuff placement

- **Ensures** handcuffs are properly gauged and double locked

3. **Inspects** the wrists of the subject for any visible injury

   - Slight indentation and temporary discoloration of skin from the handcuffs does not constitute injury

4. **Notifies** the screening sergeant of the report of discomfort and the outcome of their inspection of the handcuffs

8.400-TSK-2 Use of Force - Sergeant's Responsibilities During a Handcuff Discomfort Screening

1. **Inspects** the wrists of the subject

   - Slight indentation and temporary discoloration of skin from the handcuffs does not constitute injury

2. **Determines** whether the handcuffs were applied properly at the time of arrest and if the discomfort appears to have been a result of improper application vs discomfort from wearing the handcuffs

3. If complaint of discomfort was caused by properly applied handcuffs, **documents** the inspection of the handcuffs and **continues the Handcuff Discomfort Review**

4. **Follows** screening guidelines set forth in 8.400-POL-2. If inspection of the handcuffs reveals Type I, Type II, or Type III investigation is required**, proceeds** accordingly

5. **Forwards** the completed report to FRU for tracking

8.400-TSK-3 Use of Force – Involved Officers' Responsibilities During a Type I Investigation

Upon being involved in a use-of-force that will be investigated at Type I, the **involved officer** (See 8.050 for definition of involved officer):

1. **Notifies** an on-duty sergeant

2. **Uploads** and **flags** ICV and BWV with the incident number before going off shift

3. **Documents** the incident, as appropriate

4. **Completes** a Type I Use-of-Force Report in Blue Team by the conclusion of the current shift, unless the sergeant approves an extension

   The report will include the following elements (see the officer Type I statement template in Word):

   - Brief summary of the incident

   - Description of the Type I force

   - Why the force was necessary

   - Who screened the incident

   - Where the screening occurred

   - Anything else noteworthy

8.400-TSK-4 Use of Force – Responsibilities of the Sergeant During a Type I Investigation

When conducting a Type I investigation, the **sergeant**:

1. **Screens** the incident in-person with the involved officer when feasible. The sergeant will document the reason an in-person screening did not occur.

   - If there is any uncertainty or concern about the reason or nature of the force used, or the existence of any injury, the sergeant will immediately respond to the scene, unless impractical in the circumstances.

   - If the sergeant responds to a scene in which there is an allegation of injury or pain, the sergeant will **photograph** the bodily area at issue and take an overall photo of the subject.

   - When a subject is not in custody, the sergeant will request permission before taking photographs.

   - When a subject is in custody, the sergeant will take photographs unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail.

2. **Determines** if the use-of-force is appropriately classified as a Type I incident.

- If unable to make that determination, the sergeant will consult with a lieutenant or FIT to assist in the determination.

3. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

   - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will ensure that OPA is contacted and consult the FIT team regarding reclassification of the incident as Type II or Type III.

4. **Addresses** any concerns with the involved officer and initiates corrective action, as necessary

5. **Directs** the involved officer to complete a Type I Use-of-Force Report in Blue Team using the involved officer Type I statement template in Word.

6. **Reviews** the Blue Team entry, related documentation, including Reports and Supplements and directs the officer to supply more information, if needed

7. **Orders** the officer to provide additional information or clarification if the Blue Team entry is unclear

8. **Completes** a brief summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type I investigation template in Word.

9. **Forwards** the Blue Team entry to the lieutenant

8.400-TSK-5 Use of Force – Involved Officers' Responsibilities During a Type II Investigation

Upon being involved in a use-of-force that will be investigated at Type II the **involved officer** (See 8.050 for definition of involved officer):

1. **Requests** medical attention for any injured persons

2. **Notifies** an on-duty sergeant

3. **Reviews** the incident with the sergeant, unless unreasonable under the circumstances

4. **Uploads** and flags in-car video (ICV) and body-worn video (BWV) with the incident number before going off shift

5. **Completes** Report and Supplements, as appropriate

6. **Completes** a Type II Use-of-Force Report in Blue Team by the conclusion of the current shift, unless exigent circumstances require an extension

The statement will include the following elements (see the officer Type II statement template in Word):

- The name and serial number of the officer who used force

- The names of other officers, whether or not they used force, and identified witnesses present

- A detailed description of the circumstances, and the valid law enforcement objective, that led up to the contact with the subject

- A detailed description of the words, actions or behaviors of the subject that precipitated the need for force

- A detailed description of any force and non-force actions used, how those actions furthered the intended law enforcement objective, and the observed results

- A detailed description of any force clearly observed being used by other officers during this incident

- A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided

- The name and serial number of the sergeant who screened the incident

8.400-TSK-6 Use of Force – Responsibilities of Witness Officers During a Type II or Type III Investigation (Not a Firearms Discharge)

A **witness officer** (See 8.050 for definition of witness officer):

1. **Protects** the scene and related evidence

2. **Stands by at the scene** until released by the sergeant (for a Type II investigation) or the FIT supervisor (for a Type III investigation)

3. **Uploads** and **flags** ICV and BWV with the incident number before going off shift

4. **Provides** a Use-of-Force Witness Officer Statement (form 24.5), as directed by the sergeant (for a Type II investigation) or a written or audio recorded statement as directed by the FIT supervisor (for a Type III investigation). If a witness officer is aware that reportable force was used but not reported, the witness officer will provide the witness statement to his or her supervisor.

8.400-TSK-7 Use of Force – Responsibilities of Witness Officers During a Type III Investigation (Firearms Discharge)

A **witness officer** (See 8.050 for definition of involved officer):

1. **Protects** the scene and related evidence

2. **Answers** questions posed by a supervisor without being compelled

3. **Conducts** a scene walkthrough and briefings with the FIT detective if directed

4. **Remains** at the scene until directed to respond to the FIT office by FIT personnel

5. **Completes** a written or audio recorded statement prior to the end of shift, as directed by FIT personnel

6. If desired, witness officers who witnessed any portion of the firearms discharge may **contact** a Department-approved mental health professional for a psychological post-incident debrief (Department-approved mental health professionals are specially-trained in debriefing law enforcement incidents)

   - The Department will provide for as many visits as the mental health provider recommends, with an additional visit provided six months after the incident.

   - The witness officer may bring a family member along at no extra charge to any or all covered visits.

8.400-TSK-8 Use of Force – Responsibilities of The Sergeant During a Type II Investigation

When conducting a Type II investigation, the **sergeant**:

1. **Responds** to the scene

2. **Examines** the subject of the force for injury

   - When feasible, the sergeant will **assess** the subject's injuries and **determine** whether the subject's injuries are consistent with the force reported by the officer(s).

3. **Interviews** the subject for complaints of injury

   - The sergeant will record the interview, either with a digital recorder (**preferred**) or BWV if a digital recorder is not available. See 7.110-Recorded Statements and 16.090 In-Car Video and Body-Worn Video

4. **Confirms** that appropriate medical aid is offered to any injured party

5. **Obtains** basic information and determines if the incident requires screening with the FIT supervisor

6. **Identifies** and **secures** evidence to enable him or her to summarize the use of force and the facts and circumstances surrounding it, including:

   - Physical evidence

   - Audio and video recordings

   - Photographs- Documentation of the presence or absence of injuries

7. **Attempts** to locate relevant civilian witnesses and **arranges** for witnesses to be interviewed

   - If the investigating sergeant delegates witness interviews, he or she will have other sergeants conduct witness interviews, whenever possible. If none are available, the sergeant will select officers that have been trained in conducting use-of-force witness interviews.

   - An officer who was involved in, or witnessed, the use of force will not conduct witness interviews.

   - If witnesses do not want to be interviewed, the sergeant will record their contact information.

- Where practicable and warranted in the circumstances, the sergeant will arrange for all interviews with civilian witnesses to be audio recorded. Civilian witnesses will be interviewed separately, unless unreasonable under the circumstances.

- Interviews of the subject, or the subject's refusal to be interviewed, will be audio recorded via digital audio recording (**preferred**) or via BWV, if feasible.

- **Documents** all efforts to locate and interview civilian witnesses;

- If no civilian witnesses were located, **documents** that none were found.

8. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force

9. **Reviews** the incident with each involved officer separately, unless unreasonable under the circumstances

    - When unreasonable, **documents** the circumstances in the investigative summary

10. **Directs** the involved officer(s) to complete a *Type II Use-of-Force Report* in Blue Team and the witness officer(s) to complete a Use-of-Force Witness Officer Statement (form 24.5)

    Exception: Whenever there is an indication of possible criminal conduct by an officer, the officer will not be compelled to provide a statement. In such instance, the sergeant will screen with FIT/refer to OPA.

11. **Canvasses** the area for privately-owned video that may have captured the incident, and attempts to obtain copies voluntarily

    - If the owner of the video refuses or the video is unavailable, **documents** the location and/or owner

    - If no privately-owned video is discovered, **documents** that none was found

    - **Documents** all efforts to obtain private video

12. **Photographs** the following:

- The location where the incident occurred, to document damage and to make sure that relevant evidence is collected

- Any officer injuries or areas of complained injury, and any damaged government or private property

- When a subject is not in custody, **asks** for permission to photograph injuries

- When a subject is in custody, **photographs** the subject unless the subject refuses and safety dictates, after voluntary and non-coercive attempts fail

- **Takes** a minimum of three photos, per subject:

    - Overall photo of the subject

    - Photo of the general area of the injury (arm, neck, etc.)

    - Close-up photo of the injury

- **Uploads** photos to DEMS or Evidence.com as appropriate for the camera used

- **Documents** refusal, as appropriate

13. **Reviews** the officer's Blue Team entry to make sure the account is full and accurate

    - **Verifies** that the officer has thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

    - If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will ensure that OPA is contacted and consult the FIT team regarding reclassification of the incident as Type III.

15. **Advises** his or her lieutenant of the incident by the end of the shift during which the incident occurred

16. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift

- If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

- When an administrative lieutenant is not utilized, the sergeant **reviews and bookmarks** any and all relevant and material ICV, BWV, private video, and/or holding cell video related to the incident.

- When an administrative lieutenant is utilized, the sergeant may, but is not required to review any video during the course of his or her investigation.

17. If a TASER was deployed, **arranges for** the TASER data to be downloaded and confirms that data analysis is included in the Use-of-Force Report

18. **Attaches** primary supporting documents (witness statements, etc.) to the Blue Team entry

19. **Provides** an appropriate summary of their investigation of the incident in the comments section in Blue Team using the supervisor Type II investigation template in Word.

    - The Use-of-Force Report will include a narrative description of the incident. The narrative will summarize the force used by the officers and the subject, injuries sustained by the subject and the officer, and will describe the sequence of events. Additionally, it will document the supervisor's actions in reviewing or screening the incident.

    - The Use-of-Force Report will include documentation of all evidence that was gathered, including physical evidence; photographs; and names, phone numbers, addresses and summaries of statements by all civilian witnesses to the incident.

    - In situations where there are no known witnesses, the Use-of-Force Report will specifically state this fact.

    - In situations in which witnesses were present but the author of the report did not determine the identification, phone number or address of those witnesses, the Use-of-Force Report will state the reasons why.

    - The Use-of-Force Report will include the names of all other SPD employees witnessing the use-of-force and summaries of their statements.

- The Use-of-Force Report will include the sergeant's evaluation of the evidence, including any material inconsistencies that the sergeant perceives in the evidence or statements.

20. **Forwards** a completed Blue Team entry along the chain of command, consistent with the timeline established by the section captain

21. Reviews and approves all associated Reports and Supplements

    Exception: Another sergeant may review the documentation if it is impractical for the initial sergeant to do so. The screening sergeant will locate an alternate to perform the review and will inform the reporting officer of the change.

22. **Forwards** the investigation to the next reviewer

    - The sergeant forwards the investigation to the administrative lieutenant when one is being utilized.

    - The sergeant forwards the investigation to the unit lieutenant when an administrative lieutenant is not being utilized.

8.400-TSK-9 Use of Force – Involved Officer's Responsibilities During a Type III Investigation (Not a Firearms Discharge)

Upon being involved in a use-of-force that will be investigated at Type III and does not involve the discharge of a firearm (great bodily harm, substantial bodily harm, deadly force, loss of consciousness, neck restraints, carotid restraints, criminal conduct by officers, a serious policy violation by officers, use of stop sticks against a motorcycle), the **involved officer** (See 8.050 for definition of involved officer):

1. **Requests** medical attention for any injured persons

2. **Notifies** an on-duty sergeant for a response

3. **Answers** questions posed by the first arriving sergeant from the Use of Force Public Safety Statement Card (Form 24.3), when directed

4. **Stands by** at the scene until the arrival of the FIT Unit sergeant or the FIT Captain

Exception: When the officer has sustained an injury that requires treatment, biohazard exposure or when there are hazardous conditions at the scene

5. **Participates** in an audio- recorded Type III Use-of-Force interview with the case sergeant and detectives, if requested to do so, by the conclusion of the current shift, unless exigent circumstances require an extension

   The interview will include the following elements:

   - The name and serial number of the officer who used force

   - The names of other officers or identified witnesses present

   - A detailed description of the circumstances that led up to the contact with the subject

   - A detailed description of the words, actions or behaviors of the subject that precipitated the need for force

   - A detailed description of any force and non-force actions used to achieve the law enforcement objective, and the observed results

   - A detailed description of any force clearly observed being used by other officers during this incident

   - A detailed description of any apparent injury to the subject, any complaint of injury, or the lack of injury, including information regarding any medical aid or medical evaluation provided

   - The name and serial number of the sergeant who screened the incident

8.400-TSK-10 Use of Force – Involved Officer's Responsibilities During a Type III Investigation (Firearms Discharge)

Upon being involved in a firearms discharge, and after the scene is secure, the **involved officer** (See 8.050 for definition of involved officer):

1. **Notifies** his or her sergeant

   If off-duty, **calls** Communications to request that an on-duty SPD lieutenant be notified

2. **Preserves** the condition of his or her discharged weapon

3. **Answers** questions posed by the first arriving sergeant from the Public Safety Officer Involved Shooting Card (Form 18.5), when directed

4. **Remains** at the scene until the FIT Sergeant or Captain arrives.

   Exception: When the officer has sustained an injury that requires treatment, biohazard exposure or when there are hazardous conditions at the scene.

5. **Responds** to the FIT office, when directed

6. **Relinquishes** his or her discharged weapon, when directed by FIT personnel

7. **Conducts** a scene walk-through, if directed

   This can occur at any time during the investigation and will be preceded by reasonable notice to the officer. The officer has the option of bargaining unit and legal representation at this walk-through.

8. **Provides** an audio- recorded statement

   An audio-recorded statement will be provided by the involved officer as soon as practicable, taking into account the totality of the circumstances, including, but not limited to, the psychological, physiological, and medical condition of the officer, and the complexity of the scene processing.

9. **Completes** a Firearms Discharge Blue Team entry and a Use-of-Force Blue Team entry, at the direction of a FIT supervisor

10. **Contacts** an SPD Firearms Training Unit sergeant to arrange for a function test of the replacement firearm

    - This will occur when practical.

    - When the involved officer is notified that the involved firearm has been cleared to be released from the Quartermaster Unit for duty purposes, he or she will function test the weapon at the SPD Range prior to deploying it again for field duty.

11. **Selects** a mental health professional from the list of Department-approved providers and schedules a post-incident appointment within 72 hours of the incident

    - This visit must occur before the officer returns to work.

    - The Department will provide for as many visits as the mental health professional recommends with an additional visit provided six months after the incident.

    - The involved officer may bring a family member along at no extra charge to any or all covered visits.

8.400-TSK-11 Use of Force – Responsibilities of the Sergeant During a Type III Investigation (Not a Firearms Discharge)

The **sergeant**:

1. **Responds** to the scene

2. **Confirms** that appropriate medical aid is rendered to any injured party

    - If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges for** hospital guard, if necessary

3. **Notifies** an on-duty watch lieutenant of the incident

    a. **Maintains** control of the scene until the lieutenant arrives

    b. **Briefs** the lieutenant

4. Obtains basic information and determines if the incident requires screening with the FIT sergeant

5. This may include completing a Use-of-Force Public Safety Statement Card (form 24.3). If necessary, the sergeant may administratively order any officer to immediately provide public safety information to secure the scene and pursue subjects.

6. **Ensures** the scene is contained

7. **Supports** the involved officer

    a. **Does not isolate** the involved officer

b. **Does not allow** the involved officer to talk to other personnel about the incident

c. **Confirms** that the involved officer has access to the following:

- Food and drink
- Restroom facilities
- Telephone
- Representative from his or her collective bargaining unit

d. **Does not allow** the involved officer to sit in the back seat of a police vehicle

e. **Avoids** making the involved officer feel like a suspect

f. **Assigns an officer** to standby with the involved officer, if appropriate

8. **Attempts** to locate and identify civilian witnesses and request that they stand by to be interviewed by FIT personnel

- If witnesses do not want to be interviewed, the sergeant will record their contact information.

9. **Turns** the scene over to the arriving FIT personnel

10. **Gives** any Use-of-Force Public Safety Cards to the FIT Unit sergeant or FIT Captain upon their arrival

11. **Complies** with directions from the FIT Captain

12. **Assigns** an officer to complete the Report and Supplements

13. **Confirms** that all officers who responded to the incident upload their ICV and BWV by the conclusion of their shift

- If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

a. If it appears that a serious policy violation may have been involved with the use-of-force, the sergeant will **ensure** that OPA is contacted.

b. **Advises** the FIT Sergeant of any other concerns noted.

8.400-TSK-12 Use of Force – Responsibilities of the Sergeant During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **patrol sergeant**:

1. **Responds** to the scene

2. **Advises** communications of his or her assumption of command

3. **Confirms** that the necessary medical aid requests have been made

4. **Completes** a Public Safety Statement Officer Involved Shooting Card (form 18.5) for the involved officer, if feasible.

5. Immediately **broadcasts** the information obtained from the Public Safety Statement Card to enhance public safety and assist with the capture of outstanding suspects.

6. **Initiates** Incident Command System (ICS)

7. **Attempts** to locate and identify civilian witnesses and **requests** they stand by to be interviewed by FIT personnel

   - If witnesses do not want to be interviewed, the sergeant records their contact information.

8. If the subject is transported to a hospital, **verifies** that the subject has been identified and **arranges** for hospital guard

9. **Notifies** an on-duty lieutenant

10. **Maintains** control of the scene until the lieutenant arrives

11. Upon the arrival of the lieutenant, **relinquishes** command of the scene, after an in-person briefing

    - **Coordinates** with the lieutenant to make sure that, at a minimum, notification is made to the captain in whose precinct the incident occurred and the section captain for the involved officer(s)

12. **Requests** the response of the FIT

13. **Relieves** the involved officer of any scene-related duties

    - If it becomes unsafe for the involved officer(s) to remain at the scene (an injury requiring medical attention or an unruly crowd, etc.) the patrol supervisor arranges for the involved officer to be transported to a hospital or to the FIT office, as appropriate

14. **Assigns** an officer to standby and accompany the involved officer

    a. If there are multiple involved officers, **assigns** an officer to each

    b. The officer(s) assigned to the involved officer(s) will not be witness officer(s) nor union representative(s)

15. **Confirms** that the involved officers understand they are not to change the condition of their weapon or appearance of their uniform, except at the direction of the FIT.

    Exceptions to the uniform requirement include but are not limited to an officer's uniform being contaminated with bio-hazard material

16. **Supports** the involved officer

    a. **Confirms** that the involved officer has access to a representative from his or her collective bargaining unit

    b. **Confirms** that the involved officer has access to food and drink, restroom facilities, and a telephone

    c. **Does not allow** the involved officer to talk to other personnel about the incident

    d. **Does not seat** the involved officer in the back seat of a police vehicle

    e. **Avoids** any action that may make the involved officer feel like a suspect

17. **Remains** at the scene to coordinate scene security

18. **Gives** the Public Safety Statement Card(s) to the FIT sergeant or FIT Captain upon arrival

19. **Confirms** that the necessary Reports and Supplements have been completed and approved/delivered before involved personnel go off shift

20. **Confirms** that all officers who responded to the incident upload their ICV and BWV before going off shift

    - If any video appears to be missing, calls Seattle ITD immediately to request a review of the fail-safe.

21. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

    a. If it appears that a serious policy violation or criminal conduct may have been involved with the firearms discharge, the sergeant will **contact** the OPA representative on-scene

    b. **Advises** the FIT Sergeant of any other concerns noted.

8.400-TSK-13 Use of Force – Responsibilities of the Watch Lieutenant During a Type III Investigation (Not a Firearms Discharge)

Upon notification of a Type III investigation the **watch lieutenant**:

1. **Responds** to the scene

2. **Advises** dispatch that he or she has assumed command

3. **Confirms** that the involved officer's bargaining unit is made aware of the incident

4. **Notifies** a CISM representative of the incident, if appropriate

5. **Ensures** that the Use of Force Public Safety Statement Card (Form 24.3) has been read and questions have been answered

6. **Relinquishes** control of the inner perimeter of the scene to the FIT sergeant or FIT Captain upon their arrival

7. **Maintains** control of the outer perimeter until the scene is cleared by the FIT

8. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

    a. If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the lieutenant will **ensure** that OPA is contacted.

b. **Advises** the FIT Lieutenant or FIT Captain of any other concerns noted.

8.400-TSK-14 Use of Force – Responsibilities of the Lieutenant or Captain During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **on-scene Lieutenant or Captain**:

1. **Responds** to the scene

   - If the discharge occurred in another jurisdiction, responds to the location if it is within a reasonable distance

2. **Advises** communications of his or her arrival and assumption of command

3. **Confirms** that Incident Command has been established and the proper duties have been delegated

4. **Ensures** that the correct Public Safety Statement Officer Involved Shooting Card (Form 18.5) has been read and questions have been answered.

5. **Provides** the appropriate level of command and command structure to achieve scene preservation and crime scene integrity

6. **Maintains** command of the scene until the FIT sergeant or Captain arrives.

7. Upon arrival of the FIT sergeant or captain, **relinquishes** the inner perimeter of the scene

8. **Confirms** that all officers directly involved in the firearms discharge respond to the FIT office, when directed to do so by the FIT sergeant or captain

9. **Confirms** the involved officers are accompanied by other officers, if appropriate

10. **Notifies** the duty captain

11. **Confirms** that a representative of the appropriate collective bargaining unit is notified of the incident

12. If appropriate, **assists** with coordinating a Crisis Management Briefing for officers who are not involved officers in the firearms discharge, as recommended by the CISM team leader

13. **Coordinates** with the FIT Captain to make sure that all existing reports, documents, and officer statements are immediately routed to the FIT

14. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

    a. If it appears that a serious policy violation or potential criminal conduct may have been involved with the firearms discharge, **contacts** the OPA representative on-scene

    b. **Advises** the FIT Lieutenant or FIT Captain of any other concerns noted.

8.400-TSK-15 Use of Force – Responsibilities of the FIT Case Detective During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT case detective**:

1. **Responds** to the scene

2. **Arranges** for a canvass for any witnesses and privately-owned video

3. **Determines** if there is an immediate need for any ICV (in-car video,) BWV (body-worn video) or HCV (holding cell video) download

4. **Participates** in the compelled in-person interview of the involved officer(s)

5. **Participates** in any interview or statement review of the witness officers

6. **Takes custody** of the weapon used by the involved officer in the condition it was in after being fired and performs a round count

7. **Confirms** the involved officer's firearm is placed into Evidence

8.400-TSK-16 Use of Force – Responsibilities of the FIT Unit Sergeant During a Type III Investigation (Not a Firearms Discharge)

During a Type III investigation, the **FIT Unit sergeant**:

1. **Confirms** that the scene is photographed and processed either by FIT detectives or CSI detectives

2. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift

   - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

3. **Reviews** CAD to make sure that all officers at the scene are contacted to determine if they used or observed force

4. **Arranges** for all involved officers to provide an audio-recorded use-of-force statement as directed by the FIT Captain

   - The FIT Captain **directs** officers who used Type I or Type II force to complete Blue Team entry or provide an audio recorded statement.

   - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force to the best of their abilities, including a description of each force application

   Exception: If information suggests possible criminal conduct by an officer, that officer will not be compelled to provide a use-of-force statement or a recorded interview prior to the conclusion of any criminal investigation.

5. **Arranges** for all witness officers to provide a statement

6. **Oversees** the FIT investigation, per the FIT manual

   - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, FIT supervisor will **contact** OPA.

8.400-TSK-17 Use of Force – Responsibilities of the FIT Unit Sergeant During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT sergeant**:

1. **Responds** to the scene

2. **Arranges** for documentation of the scene and evidence collection by Crime Scene Investigation personnel

3. **Coordinates** with the on-scene sergeant to make sure that Offense Reports and Supplements are immediately approved

    - If any video appears to be missing, **calls** Seattle ITD immediately to request a review of the fail-safe.

4. **Confirms** that ICV and BWV from involved officers is uploaded prior to them going off shift

5. **Reviews** CAD to make sure that all officers at the scene provide statements

    - **Verifies** that the officers who have provided statements have thoroughly documented all reportable uses of force

6. **Verifies** the involved officer is placed in a conference / soft interview room at the FIT office

7. **Participates** in the compelled in-person interview of the involved officer(s)

8. **Completes** and provides all involved officers with an Officer Involved Shooting Post-Incident Checklist. Supervises the investigation of the incident, per the FIT manual

    - If a FIT investigation, at any point, reveals that the force used involves potential criminal conduct or a serious policy violation, on the part of the officer, the FIT supervisor will **contact** OPA.

8.400-TSK-18 Use of Force – Responsibilities of the FIT Captain During a Type III Investigation (Not a Firearms Discharge)

Upon notification of a Type III investigation, the **FIT Captain**:

1. **Assumes** control of the inner perimeter of the scene

2. **Compels** officers who used force to provide an in-person interview if necessary and consistent with the requirements of the FIT Manual

3. **Arranges** for an OPA representative and a Training Section representative to respond to the investigation, and **notifies** the Office of Inspector General of the incident

4. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, as well as the FIT Unit chain of command

5. **Monitors** the investigation

6. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

    - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will **ensure** that OPA is contacted.

7. **Presents** the complete investigation to the Force Review Board

8. **Conducts** any briefings or presentations to Command Staff regarding the incident

8.400-TSK-19 Use of Force – Responsibilities of the FIT Captain During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **FIT Captain**:

1. **Responds** to the scene

2. **Assumes** control of the inner perimeter of the scene

3. **Contacts** the Critical Incident Stress Management team leader to coordinate a response from a CISM team member

4. **Arranges** for an OPA representative and a Training Section representative to respond to the investigation, and **notifies** the Office of Inspector General of the incident

5. **Completes** a Use-of-Force Major Incident Summary and **routes** it to the involved officers' chain of command and the command staff, and the FIT Unit chain of command

6. **Monitors** the investigation

7. **Evaluates** the incident for any concerns (tactical, threat assessment, etc.)

   - If it appears that the force used involves potential criminal conduct or a serious policy violation on the part of the officer, the captain will **ensure** that OPA is contacted.

8. **Presents** the complete investigation to the Force Review Board

   - **Ensures** the involved officers are provided a CISM Lethal Force Incident booklet

9. **Ensures** the officer has access to

   - Food and drink

   - Restroom facilities

   - Telephone

   - Bargaining unit representative

   - Legal representative

10. **Provides** the involved officer(s) with a copy of the Police Officers Bill of Rights during their in-person interview and **compels** their participation, consistent with the requirements of the FIT manual.

11. Coordinates with CSI who will **Provide** the involved officer(s) with a replacement weapon

    a. This will normally occur at the scene if the involved officer is still on scene when FIT arrives, and otherwise will occur at the FIT office

    b. No immediate replacement will be provided for a Department-issued long gun

12. **Maintains** overall responsibility for the investigation

13. **Facilitates** return to work plan for involved officer.

    a. **Notifies** the Involved officer's captain when the involved officer has been approved through their post-incident debriefing to return to work.

b. Together with the involved officer's captain, **briefs** Chief of Police and command staff at next scheduled command staff meeting for a decision regarding return to work.

8.400-TSK-20 Use of Force – Responsibilities of the Duty Captain During a Type III Investigation (Firearms Discharge)

During the investigation of a firearms discharge, the **duty captain**:

1. **Verifies** the following notifications are made:

   - Section captain of the involved officer(s)

   - Assistant Chief of the involved officer(s)' bureau

   - Office of the Chief

   - Public Affairs Unit

8.400-TSK-21 Use of Force – Role of the Office of Police Accountability (OPA) Representative During a Type III Investigation

The **OPA representative** will have no investigative role at the scene but:

1. **Consults** with the FIT Captain overseeing the investigation in order to identify any serious policy violations

2. **Functions** as a liaison to the FIT Unit

8.400–TSK 22 Use of Force – Role of the Office of Inspector General Representative During a Type III Investigation

The **Inspector General Representative**

1. **Consults** with the FIT Captain overseeing the investigation

2. **Functions** as a liaison to the FIT Unit

Seattle Police Department Manual

8.500 - Reviewing Use of Force

Effective Date: 04/15/21

Timely and thorough review of all uses of force a critical priority of the Department. By dynamically analyzing tactics, training, policies, processes and procedures, the Department learns important lessons from every significant use-of-force incident.

8.500-POL-1 addresses general principles of force review.

8.500-POL-2 addresses command review of use-of-force.

8.500-POL-3 addresses the Force Review Unit.

8.500-POL-4 addresses the Force Review Board.

8.500-POL-5 addresses expedited summary review for specific firearms discharges.

8.500-POL- 6 addresses investigation and review of force used during crowd management events.

8.500-POL-1 Use of Force – General Principles

1. All Reviews Must Be Completed in a Timely Manner

For all reviews, furloughs, vacations, extended sick leave or any other absence from work are not considered valid reasons for delaying the review process. Each level of review is expected to have a sufficient number of personnel trained in the review process to sustain the review process in a timely manner. In the case of absences from work, the reviewer or his or her designee will assign another supervisor to complete the review of the use-of-force report.

2. All Reviewers Will Evaluate Use-of-Force Consistent With Department Policy

3. Reviewers Evaluating Use of Force on Restrained Persons Will Articulate Exceptional Circumstances

See 8.200(2).

4. Each Reviewer Will Ensure That the Use-of-Force Report is Thorough and Complete and Contains All Necessary Documentation and Evidence

The reviewer will return the use-of-force report to the investigator if it is determined that an investigation is not thorough or complete.

5. Each Reviewer Will Address Any Discrepancy, Confusion or Lack of Relevant Information Prior to Completing the Applicable Blue Team Entry

Any noted discrepancies will be returned to the investigating sergeant or the FIT detective.

Means of addressing these issues include:

- Supplementary statements from officers
- Supplementary statements from subjects or witnesses
- Requiring additional investigation

If such issues cannot be resolved, the issue will be noted in Blue Team, as applicable.

6. Reviewers Will Immediately Address Concerns That Arise During Use-of-Force Investigations or Review and/or Recommend Additional Action

Reviewers will consider criteria relating to:

- De-escalation
- Supervision
- Equipment
- Tactics
- Training
- Policy
- Department best practices

If a reviewer identifies concerns that have not been sufficiently addressed, the reviewer will address those concerns.

The reviewer will take appropriate action and/or recommend a course of action, such as:

- Referral to the Office of Police Accountability (OPA)
- Referral to Training
- Supervisory counseling or mentoring

Identified concerns and supervisory actions will be documented in PAS and mentioned in Blue Team, as applicable.

***Note**: A referral to OPA does not bar other referrals/actions. Reviewers will make additional recommendations for addressing a particular concern other than any discipline that may be recommended by OPA. Any questions regarding what constitutes discipline for this purpose will be referred to SPD Human Resources.

7. Reviewers Will Refer Serious Policy Violations, as well as Potential Criminal Conduct to the OPA

If it appears that a serious policy violation may have been involved in the use of force, the supervisor will ensure that the Office of Police Accountability is contacted and consult the FIT commander regarding reclassification of the incident as a Type II or Type III investigation, if appropriate.

The supervisor will note the OPA referral in Blue Team, as applicable, but will not take disciplinary action.

Exception: When a serious policy violation comes to the attention of the FRB members only through their participation on the Board and reviewing cases in connection with the Board, the member is not required to notify OPA. If the FRB determines that there is a serious policy violation the referral to OPA will be made by the FRB chair. This provision does not prohibit any individual member of the board making a personal referral to OPA.

Certain policy violations (See Sections 5.002 and 5.003) may be handled directly by the chain of command.

8. Only the Chief of the Seattle Police Department Has the Authority to Make Policy for the Department

No other Department employee has the authority to ratify the actions of any Department employee.

9. The Office of the Chief Will Conduct a Documented Annual Analysis of All Reported Uses of Force by the Seattle Police Department

8.500-POL-2 Use of Force – Command Review of Force

1. The Reporting Supervisor Will Complete all Handcuff Discomfort Reports and then Forward to the Force Review Unit for Tracking

2. The Reporting Officer's Chain of Command, to the Rank of Captain, Will Review all Type I and Type II Use-of-Force Reports

Type I use-of-force reports will be routed in the following order:

1. Sergeant
2. Lieutenant
3. Captain or designated Operations Lieutenant
4. Force Review Unit

Type II use-of-force reports will be routed in the following order:

1. Sergeant
2. Administrative Lieutenant (when utilized)
3. Lieutenant
4. Captain
5. Force Review Unit, and as necessary, the Force Review Board

3. For a Type II Investigation, the Precinct Chain of Command Will Review Video

The administrative lieutenant, when utilized, will review and bookmark all video necessary for a decision-maker to make an informed decision about the force and the surrounding circumstances. When an administrative lieutenant is not utilized,

the forgoing responsibilities fall on the investigating sergeant. The reviewing lieutenant will review video pertinent to the use of force as bookmarked by the administrative lieutenant or investigating sergeant.

The captain is ultimately responsible for ensuring that all video has been sufficiently reviewed.

4. The Precinct or Section Captain Will Designate the Timeframes for Sergeant Investigation and Lieutenant Review

The precinct captain will determine a reasonable time limit based upon the totality of the circumstances for the lieutenant review and sergeant investigation. The precinct captain is responsible to ensure that all use-of-force reports are forwarded to the FRU within 30 calendar days of the date the force was used.

In exceptional cases, when workload issues will preclude timely review, the captain may request assistance from other trained personnel, and/or an extension of time from the appropriate bureau chief.

If a report is delayed beyond this time limit, the reason for the delay will be documented in Blue Team.

5. The Sergeant Will Begin the Investigation and Forward It to the Administrative Lieutenant When Appropriate

See 8.500-TSK-2 Role of the Administrative Lieutenant.

6. For Type I and Type II Investigations, the Reviewing Lieutenant (Not the Admin Lieutenant) Will Make Determinations Regarding the Use-of- Force

The lieutenant will address the following elements, and document them in Blue Team using the template in Word:

- Whether the Use-of-Force report is thorough and complete
- Whether the force used was necessary and objectively reasonable
- Whether the force used was consistent with Department policy
- Whether any concerns have been sufficiently addressed

- Identification of any additional concerns and the action taken to address them.

Exception: For review of force used by a lieutenant or above, the designated primary reviewer will be a supervisor of higher rank in the employee's chain of command.

7. For Type I and Type II Investigations, the Lieutenant (Not the Admin Lieutenant) Will Complete Review and Forward Reports to the Precinct or Section Captain

8. The Precinct or Section Captain Will Review the Lieutenant's Determinations on Use-of-Force. For Type I Investigations the Operations Lieutenant May Review the Lieutenant's Determinations on Use-of-Force

The review will include the following aspects, documented in Blue Team using the template in Word:

- Whether the investigation and documentation are thorough and complete
- Whether the findings of the reviewing lieutenant are supported by a preponderance of evidence
- Whether concerns identified by the sergeant and/or lieutenant have been sufficiently addressed
- Identification of any additional concerns and the action taken to address them

9. When a Reviewer Requests Revisions From a Previous Reviewer or the Investigating Sergeant, He or She Must Detail the Requested Revisions in Blue Team

10. Force is Reviewed at the Highest Level of Any Single Involved Employee Based on the Information the Investigating Supervisor has at the Time of the Incident

The use of force may be reclassified during or after the course of the investigation to capture the actual level of force that an employee used.

11. During or After the Course of a Use-of-Force Investigation any Reviewing Lieutenant or Captain May Re-Classify the Investigation to the Appropriate Type

In reviewing a sergeant's investigative summary, a lieutenant or captain may determine that the initial classification was inappropriate. (E.g., The lieutenant or captain may discover that an incident that was initially investigated as Type I met the criteria to be investigated as Type II.) In such cases, the lieutenant or captain will re-classify the investigation to the appropriate type and return it to the investigator for necessary action. (E.g., When a lieutenant or captain re-classifies a Type I investigation to a Type II, he or she will return it to the sergeant to obtain witness statements, etc.) This can apply to an entire incident, as well as to individual involved officers within an incident.

The FIT Captain will determine whether a FIT Investigation will be conducted for any use-of-force incident referred to FIT.

A bureau chief may order a FIT response and investigation.

12. Once an Investigation Has Been Completed, the Precinct or Section Lieutenant or Captain May Re-Classify a Use-of-Force Incident

The sergeant may recommend re-classification.

This policy recognizes that the type of investigation that is required for an incident does not always reflect the level of force that an officer used. Once an investigation is completed, the captain may re-classify each involved officer's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

13. The Force Review Unit Will Review any Force Reclassifications and May Overrule the Chain of Command Decision

14. For Type I and Type II Investigations, the Precinct or Section Captain Will Forward Completed Use-of-Force Reports to the Force Review Captain Within 30 Calendar Days of the Use-of-Force Incident

In exceptional cases, when workload issues preclude timely review, the captain may request assistance from other trained personnel, and/or an extension of time from the appropriate bureau chief.

If a report is delayed beyond this time limit, the captain will document the reason for the delay in Blue Team.

After completing the review of a Type I Use-of-Force Report, the captain will forward the report to the Force Review Unit if there are no issues.

If there are issues, the captain will send the report back to the officer, via the chain of command, or appropriate supervisor in the chain of command to correct the issues.

15. Precinct Captains and Lieutenants Will Closely and Effectively Supervise Those Sergeants and Officers Under Their Command to Ensure They Identify and Effectively Respond to Uses of Force

16. The Force Review Unit Will Ensure That All Type I Use-of-Force Reports Are Complete

The function of the FRU is to conduct a quality check to determine if Type I Use-of-Force reports meet basic requirements.

See 8.500-POL-3 Force Review Unit.

17. The Force Review Unit Will Review All Type II Use-of-Force Reports

The function of the FRU is to conduct an administrative review of Use-of-Force incidents.

See 8.500-POL-3 Force Review Unit.

18. The Force Review Board Will Review All Type III Uses-of-Force, and all Type II Uses-of-Force Referred to it by the Force Review Unit

See 8.500-POL-4 Force Review Board.

The Chair of the FRB will forward FRB findings to the appropriate chain of command, once reviewed by the Assistant Chief of the Professional Standards Bureau

19. The Bureau Chief Will Review FRU and FRB Determinations on Use-of-Force Incidents

8.500-POL-3 Use of Force – Force Review Unit

1. The Force Review Unit Will Ensure That All Type I Use-of-Force Reports Are Complete

2. The Force Review Unit Will Review all Type II Use-of-Force Reports

3. The Force Review Unit Detectives Will Review all Type II Uses of Force

The detectives will identify any areas of concern and immediately inform the Force Review Sergeant.

4. The Force Review Unit Sergeant Will Immediately Inform the Force Review Lieutenant of Any Actions That Appear to Involve a Policy Violation by Any of the Officers

a. The Force Review Unit Lieutenant Will Review the Case Then Forward the Case with Comment to the Force Review Captain for Immediate Review

b. The Force Review Unit Captain Will Forward Cases Involving a Serious Policy Violation to OPA for Investigation

In cases where a violation of Title 8 is referred to OPA, the FRU will not issue a finding in terms of compliance to policy but will defer to the findings of the OPA investigation. This will not preclude the FRU's review from identifying performance issues, training issues or other non-policy related recommendations related to the use of force or the case in general.

5. The Education and Training Section is a Resource for the Force Review Unit and Provides Subject Matter Expertise on Questions of Training.

Training will have access to all Type II uses of force for review.

6. Once the Detective's Review of the Use-of-Force is Complete, the Force Review Unit Sergeant Will Review the Detective's Review for Consideration of Referral to FRB, and Forward the Report to the Force Review Lieutenant for Review

7. The Force Review Unit Lieutenant Will Review the Detectives' Review, Make Finding Recommendations, and Forward to the Force Review Captain

8. The Force Review Unit Captain Will Review the Force Review Lieutenant's Recommendations and Either Document Their Concurrence or Make Additional Recommendations

9. The Force Review Captain May Re-Classify a Use-of-Force Incident

The FRU sergeant and FRU lieutenant may recommend re-classification.

This policy recognizes that the type of investigation that is required for an incident does not always reflect the level of force that an officer used. Once an investigation is completed, the captain may re-classify each involved officer's use-of-force, as appropriate. The intent is to comply with all reporting and investigation criteria while also maintaining an accurate record of the actual force used by officers.

10. Upon Completion of the FRU or FRB Findings, the Use-of-Force Classification Will Not be Altered

11. The Force Review Unit Lieutenant and Captain Will Refer Cases for Full Board Review

Cases involving the following will be referred to the FRB:

- Serious policy violation
- When FIT was contacted for Type III screening and declined to respond or investigate
- This does not include instances when FIT was contacted for consultation regarding the appropriate classification of an investigation.
- When less-lethal weapons were used on the subject
- When a canine makes physical contact with the subject
- Crowd management events and major incidents

The lieutenant and captain will consider the following when determining whether to refer a case for full board review:

- Severity of injury to the suspect (including whether the subject was transported to the emergency room)
- Severity of the crime at issue
- (e.g. felony, misdemeanor, infraction)
- Whether the suspect posed an immediate threat to the safety of officers or others
- Whether the suspect actively resisted or attempted to evade arrest by flight
- Any policy, training, or equipment issues
- Whether there is a special departmental interest in a particular case (e.g., media inquiries or matter of significant community concern)

12. The Force Review Unit Captain Will Refer an Additional Ten Percent of the Cases Received Each Month for Review by the Full Board

These cases will be selected through random, blind sampling by the FRU after the review. See 8.500-TSK-1 Selecting Cases for Full Board Review.

The purpose of this review is quality assurance. The FRB will review the selected cases in the same manner as any other case and will make independent findings, which will be the controlling findings for the force review process.

The Assistant Chief of the Professional Standards Bureau will critically examine the reviews by the FRU and the FRB and identify material differences. Material differences between the findings, recommendations, and referrals of the FRU and FRB are recorded in the final findings document and communicated back to the FRU.

8.500-POL-4 Use of Force – Force Review Board

1. The FRB Will Review All Type III Use-of-Force Investigations and Type II Use-of-Force Reports as Referred by the Force Review Unit

The FRB will conduct timely, comprehensive, and reliable reviews of Type II cases referred by the FRU, and all Type III cases, and will determine:

- Whether the investigation is thorough and complete.
- Whether the force was consistent or inconsistent with SPD policy, training, and core principles.
- Whether, with the goal of continual improvement, there are considerations that need to be addressed regarding, among other concerns:
    - De-escalation
    - Supervision
    - Equipment
    - Tactics
    - Training
    - Policy
    - Department best practices
- Review each use-of-force packet to determine whether the chain of command has appropriately identified and taken actions to correct any deficiencies in the way the incident was handled
- Confirm that uniform standards are applied in Use-of- Force practices
- Identify instances, trends, or patterns of deficiencies regarding policy, training, equipment, or tactics
- Monitor all aspects of the Department's Use-of-Force practices with the goal of continual improvement

2. The FRB May Also Review Fatal and Significant Injury Events That Involve Vehicle Pursuits, as Well as Other Critical Incidents as Assigned by the Chief of Police

3. The Assistant Chief of the Professional Standards Bureau Will Select the Standing Members of the FRB

The FRB will be comprised of the following:

- One representative from the Training Section

- Three representatives from the Patrol Operations Bureau

- One representative from the Audit, Policy and Research Section

- One representative from the Investigations Bureau

- One additional representative as needed from any Bureau

4. Each Standing Member Will Serve a Minimum Term of 18 Months

Attendance at board meetings is mandatory. Any board member who is unable to attend a meeting will notify the Force Review Board Chair and find a suitable replacement. Replacements must meet all the requirements of permanent FRB members and be approved by the Assistant Chief of the Professional Standards Bureau.

5. Each Standing FRB Member is Required to Attend a Minimum of 8 Hours of Annual FRB Training

Basic annual training for FRB standing members will focus on use-of-force practices, including but not limited to:

- Legal updates regarding use-of-force

- Use-of-force investigation

- Curriculum utilized by the Education and Training Section regarding use-of-force and de-escalation

Standing members must also, at a minimum:

- Attend all required Department training

- Receive training in Department Crisis Intervention techniques

- 8-hour initial course

- Additional refresher training as required by the Crisis Intervention Team program, in consultation with the Captain of the Education and Training Section

6. The Force Review Captain is the Standing Chair of the FRB

The Deputy Chief or any Assistant Chief (or designee) may chair the FRB as required by Departmental needs.

The Chair has operational control of the FRB.

7. All Board Determinations will be Made by Majority Vote

Quorum is four. The Force Review Board Chair will vote in cases where the vote is evenly split.

8. Observers and Consultants are Not Permitted to Vote

Only members of the FRB may participate in the deliberations during the Force Review Board.

Only Standing Members of the FRB Are Permitted to Vote.

Consultants include any subject matter experts, beyond Standing Members, whom the Chair feels would be helpful in reviewing particular incidents.

The FRB may consult with other advisors as necessary.

Attendance at the board is limited as follows:

- A civilian observer, appointed by the Mayor in accordance with Ordinance #118482, will attend all FRB meetings that involve the review of an officer-involved shooting.

- A representative from the involved officer's union may attend all FRB meetings that involve the review of an officer-involved shooting.

- Captains and higher, as well as representatives from the Legal Unit and OPA, may attend FRB meetings and ask questions, but they are not permitted to vote.

- All other observers need permission from the Assistant Chief of the Professional Standards Bureau to attend FRB meetings.

9. The Chair Will Record All Findings of the Board

The Chair will be responsible for the following determinations, and will document them in IAPro:

- Whether the investigation is thorough and complete.

- Whether the force was consistent or inconsistent with SPD policy, training, and core principles.
- Whether, with the goal of continual improvement, there are considerations that need to be addressed regarding:
    - De-escalation
    - Supervision
    - Equipment
    - Tactics
    - Training
    - Policy
    - Department best practices

10. FRB Chair Will Refer Serious Policy Violations to OPA

The FRB will refer all serious policy violations to OPA. The determination of whether the act at issue warrants such referral will be determined by majority vote of the FRB or at the discretion of the Chair.

When a serious policy violation comes to the attention of a FRB member only through their participation on the FRB, the member is not required to make an OPA referral that might otherwise be required under 5.002. This provision does not prohibit any individual member of the board making a personal referral to OPA.

The FRB will not make recommendations concerning discipline.

11. The FRB May Review and Make Recommendations to Matters Under OPA Investigation, But Will Not Make a Final Determination on these Matters, Unless Requested by the OPA Director or the FRB Chair

12. Type III Use-of-Force Investigations Will Be Presented to the FRB by the Captain of the Force Investigation Team, or Their Designee

13. The FRB Chair Will Refer Policy, Equipment, and Training Issues to the Assistant Chief of the Professional Standards Bureau as an FRB Action in Blue Team

As appropriate, the Assistant Chief of the Professional Standards Bureau will forward for follow-up any policy, equipment, or training recommendations from the board to the appropriate bureau chief or section for review or follow-up.

- Individual training recommendations will be referred to the chain of command of the involved officer for follow-up.

The assigned unit will be given a response date that will be tracked by the Professional Standards Bureau.

The captain of the assigned unit will report via the FRB Action in Blue Team the status of any recommendations assigned by their bureau chief, to include any actions taken. If either the bureau chief or the captain determines that the recommendation will not be implemented, he or she will document the reasons why it will not be implemented.

The Professional Standards Bureau will maintain a record of all recommendations and their status.

8.500-POL-5 Use of Force – Expedited Summary Review

1. At the Discretion of the Assistant Chief of the Professional Standards Bureau, a Summary Review of a Firearm Discharge is Allowed Under Certain Circumstances

A summary review is limited to a review of the completed investigation by FIT and the Chair of the FRB without presenting the case to the FRB. Incidents qualifying for summary review are forwarded to the Chair of the FRB by the FIT Captain.

a. Summary Review is Only Allowed Under the Following Circumstances:

- Unintentional discharge that does not strike a person or cause concern for public safety; or

- Discharge at an animal, regardless of whether the animal was killed or injured.

b. If New Information Arises at Any Time During the Summary Review Process That the Chair of the FRB concludes Justifies Review by the FRB, the Incident Will Be Presented to the FRB

The Assistant Chief, or designee, writes a memo documenting the summary review, to be added to the case file in IAPro.

2. A Summary Review Will Normally Be Completed Within 60 Days of the Incident

8.500-POL-6 Use of Force – Crowd Management, Intervention, and Control

This policy applies to the review of the investigation of uses of force that occur during the course of crowd management, intervention, or crowd dispersal.

This policy recognizes that there may be long periods of civil unrest or other large-scale events where the investigation and review processes set forth in this policy are not feasible in a reasonably timely manner. In such instances, the Chief of Police will consult with the Director of the Office of Police Accountability, the Inspector General for Public Safety, and the Director of the Community Police Commission, to determine whether department goals of critical review, transparency, and accountability are better and/or more timely achieved through alternative process(es), within SPD or in coordination with the OIG.

OIG Sentinel Event Review

For more information about crowd management, See 14.090 – Crowd Management.

1. Any Commander Directing the Use of Type I Force is Responsible for Reporting Such Force

For reporting purposes, use of a police line to move crowds where contact occurs will be assumed to involve at least Type I force.

Involved officers do not submit statements for Type I force ordered during crowd management.

Regular Type I reporting and investigation protocol applies for individualized Type I force that occurs separate from crowd management tactics.

2. Any Commander Who Directs or Authorizes the Use of Type II Force Will Complete a Blue Team Entry

The Blue Team entry will correspond with the highest level of force used by any individual officer during the directed use of force.

The commander directing the use of Type II force will articulate their considerations of the CMIC guide in the Blue Team statement.

Officers will individually justify and document all reportable uses.

3. Investigation of Force During Crowd Management Events

- The Crowd Management Force Investigation Team (CM FIT) will be comprised of a group of detectives, sergeants and lieutenants selected by the Incident Commander. The CM FIT will be responsible for investigating all Type II uses of force that occur during crowd management.

Exception: Type III use of force will be investigated by the regular Force Investigation Team.

- Review of Type II Use-of-Force Reports will be completed by a captain or above who was not involved with the event as designated by the Deputy Chief.

- The reviewing captain will submit approved Type II Use-of-Force Reports to the Force Review Unit.

4. The Force Review Unit Reviews all Type II Uses of Force That Occur During Crowd Management, as Set Forth in 8.500-POL-3

5. The Force Review Board Will Also Review all Crowd Management Events and Major Incidents

For the review of crowd management, the board will include two additional voting members. Both of these members will be either a lieutenant or a captain and will be chosen by the Assistant Chief of the Professional Standards Bureau based on their experience with crowd management.

Board review of crowd management will focus on command of the incident rather than the individual officer's application of force. The FRB will conduct timely, comprehensive, and reliable reviews of all facets of crowd management and will determine:

- Whether decisions made concerning crowd management were consistent with policy and Department core principles.
- Whether the incident commander or scene commanders adequately documented their reasons for directing the use of force.
- Whether there were any tactical, training, equipment or staffing deficiencies.
- Whether any use of less lethal force during a crowd management event was properly authorized and executed.

The Board will follow its normal procedures for voting, recording, and referral of findings as set forth in 8.500-POL-4.

8.500-TSK-1 Use of Force – Selecting Random Cases For Full Board Review

When selecting random cases for full board review, the **FRU Captain (or designee)**:

1. **Produces** a list of all of the Type II cases that the FRU reviewed during the previous month
    - This list will be numbered and ordered by event number, in descending order.
2. **Calculates** the number of cases that equal ten percent (x). If there are fewer than 10 cases reviewed in any month, one case will be selected.
3. **Uses** the research randomizer (http://www.randomizer.org) to produce a set of numbers
4. **Takes** the first x numbers out of the set and assigns the corresponding cases for full board review
    - If any of the numbers in the set corresponds to a case that has already been referred to the full board, proceeds to the next number in the set until the x cases that have not already been referred are selected.

5. **Retains** a copy of the list of cases and the randomizer results

Example: If the FRU reviews 50 cases in a month, the captain will prepare a list of all 50 cases. The list will be ordered by event number and numbered 1 – 50. X will be 5, as 5 is ten percent of 50. If the first 5 numbers in the set provided by the research randomizer are 24, 2, 19, 15 and 31, then the corresponding cases from the original list will be referred to the full board. If 19 corresponds to a case that has already been referred to the full board, the captain will select the next number in the set to get the necessary 5 cases.

8.500–TSK–2 Use of Force – Role of the Administrative Lieutenant

When assisting with the review of a Type II use-of-force investigation, the **administrative lieutenant**:

1. **Conducts** daytime follow-up for third watch cases

2. **Checks** force packet for completeness

   - **Verifies** that all involved officer statements have been entered into the summary section of the officer's Blue Team

   - If the statement cannot fit into Blue Team, includes as much as possible then **attaches** the entire statement to the case file.

   - **Verifies** that all witness statements are attached

   - **Verifies** that all supporting documentation is attached;

     - Fire run sheet

     - Medical information

     - Evidence pertaining to the use-of-force

     - Hazard Reports (when required)

3. **Reviews** the sergeant's investigation to verify:

   - Canvass for private video was completed

   - All private video is attached (if possible, otherwise send to FRU and place original into Evidence)

- All information presented in the order defined by the Investigative Template

- Minor policy violations were addressed properly (Ensure PAS entries were made if not referred to OPA.)

- Serious policy violations as defined by 5.002 were referred to OPA

- Timeline

4. **Conducts** specific investigative tasks to complete the force investigation

    - **Reviews** all video and creates a video log

    - **Bookmarks** pertinent sections

    - **Creates** a list of all officers on scene

    - **Seeks** and documents an explanation for all officers who do not have video

    - **Creates** a list of relevant officers' video and brief explanation

    - **Documents** ICV violations and forwards to OPA, as appropriate

    - **Ensures** that case numbers have been entered on all videos

    - **Identifies** and objectively presents the following elements:

        - Tactics

        - De-escalation

        - Force used

        - Mitigating steps taken, if appropriate

        - Transport: direct booking, hospital, AMR, seatbelts.

        - Any discrepancies in the statements addressed

    - **Verifies** that photos have been submitted to DEMS under the correct case number (labelled with UOF-20XX-XXXXXX)

- **Conducts** basic quality assurance:

- **Verifies** that addresses of incident are consistent across all entries when multiple officers are involved

- **Ensures** that the correct Report number is used and in the proper format (20XX-XXXXXX)

- **Ensures** that only one involved employee is listed per Blue Team entry

- **Ensures** that each involved officer has completed their own Blue Team entry

- **Ensures** that each involved officer lists the force he or she used and that the body diagram is complete

    - If not, return it to the involved officer to correct.

- **Checks** on delays and works to resolve obstacles to the timely submission of the report

- **Ensures** that the type of investigation is properly classified for each involved officer and requests any necessary re-classifications, consistent with 8.500-POL-2(11)

- For Type II incidents where the chain-of-command review will exceed 30 days, **requests** an extension from the bureau chief and documents it in Blue Team

- As appropriate, **recommends** re-classification of the incident, consistent with 8.500-POL-2(11)

- **Coordinates** with the IAPro QA Unit to make adjustments to Blue Team entries, when needed

9.010 – Employee Appearance Standards

Original Effective Date: 10/31/2006
Revised Effective Date: 03/15/2023

9.010-POL

It is the policy of the Seattle Police Department that all employees represent the department professionally.

This policy establishes general appearance standards for all department employees while on duty and when off duty acting in the employee's official capacity.

(See manual sections 9.020 – Uniforms and 9.030 – Equipment for specifics on uniform and equipment standards)

1. Employees Will Exhibit a Professional Appearance While Performing Their Official Duties

Employees will wear a uniform or clothing appropriate for a business environment, be well-groomed, and exhibit a professional appearance.

Employees will wear professional business attire or a uniform when appearing in court and will adjust their court attire if a reasonable request is made by the attorney handling the case.

2. Supervisors Will Monitor Compliance with This Policy

3. Unit Commanders May Authorize Exceptions to Appearance Standards for Specific Assignments

Unit commanders may grant exceptions to the standards in this manual section when necessary for specific assignments such as undercover or training activities.

4. Employees Will Style Hair in a Professional Manner

Employees will keep their hair clean, well-groomed, and styled in a manner that does not interfere with their assigned duties.

Sworn employees will style their hair in a manner that does not interfere with uniform headgear or any specialized equipment and will not interfere with the

employee's safety and effectiveness. Items used to hold hair in place will be of a plain design and a natural color that blends with the hair.

Sworn employees will not wear decorations in their hair such as bows, ribbons, or decorative clips.

Employees may wear hairstyles including, but not limited to, afros, braids, locks, and twists.

5. Employees Will Have a Naturally Occurring Hair Color

Employees will have hair color consistent with a naturally occurring color range and must be professional in appearance.

6. Employees May Have Facial Hair

Employees may have facial hair of a naturally occurring color that is clean, well-groomed, and neatly trimmed with the following conditions:

- Beards will not extend beyond ½ inch from the face.
- Goatees will not extend more than ½ inch below the bottom of the chin and no more than ½ inch from the face.
- Mustaches will follow the natural arch of the mouth and will not exceed the upper border of the lip or extend more than ½ inch horizontally beyond the corners of the mouth, unless attached to a beard.
- Sideburns will not exceed ½ inch below the bottom of the earlobe and should be trimmed with a clean horizontal line along the base, unless attached to a beard.

SWAT, ABS, and Harbor sworn employees are not eligible to have facial hair except for a mustache (in compliance with grooming length requirements mentioned above) due to operational needs and safety risks associated with those units of assignments.

All employees who wear a respirator for their position are required to have an annual FIT testing.

To protect the health and safety of department employees, and to maintain compliance with state and federal workplace safety regulations (WAC 296-842-18005 and OSHA 1910.134(g)(1)(i)(A)), unless an employee has an approved medical or religious exemption, employees cannot have facial hair that comes between the sealing surface of the respirator face piece and the employee's face during their initial FIT testing and for their mandatory annual FIT test.

Employees with an approved medical or religious exemption must still attend their initial FIT testing and mandatory annual FIT tests, and have their respirators inspected.

7. Sworn Employees Will Be Prepared to Shave in Case of Emergency

Sworn employees with facial hair will have shaving equipment readily available at work should an emergency require immediate removal or trimming of facial hair to don a gas mask during a crowd control event.

Exception: Sworn employees with an accommodation that has been granted are exempt from having shaving equipment readily available.

8. Employees May Have Visible Body Art

Body art is the voluntary modification of the body's appearance for the purpose of creating a design, form, figure, or art. Body art includes, but is not limited to, tattoos, piercing, branding, and scarification.

Employees may have visible body art with the following conditions:

- Employees will not have visible body art that is obscene, offensive, or discriminatory in nature.

- Employees will not have body art on their face that cannot be easily concealed.

9. Employees May Wear Makeup Consistent with a Professional Businesslike Appearance

10. Employees Will Groom Fingernails

Employees' fingernails will not extend beyond the fingertip to the extent that they interfere with the employee's safety and effectiveness.

Employees may wear fingernail polish that is consistent with a professional appearance.

Employees will not have any decorative object affixed to their fingernails.

11. Employees May Wear Limited Jewelry

Employees may wear jewelry outlined in this policy that is professional in appearance, inoffensive, does not interfere with their assigned duties, or pose a safety risk.

Uniformed employees will not wear rings that create a safety hazard or interfere with the use of equipment or hinder their ability to use their hands or fingers.

Sworn employees may wear earrings while on duty.

- Sworn employees may wear studs or other earrings in the earlobe that fit closely against the ear. The earrings will not extend below or around the earlobe.

- Sworn employees will not wear ear gauges or ear stretching plugs.

Sworn employees will limit other jewelry that may be unsafe.

- Sworn employees may wear watches, bracelets, and necklaces that do not interfere with their safety and effectiveness.

- Sworn employees will not wear any jewelry, accessory, or other decorative hardware anywhere on their face or tongue while on duty or in uniform.

12. Employees May Wear Eyeglasses or Sunglasses

13. Employees May Request Accommodation

The department will consider accommodations to these appearance standards for religious reasons, medical need, and on a case-by-case basis.

Employees may submit a request for accommodation before or after their appearance change through their chain of command to the Human Resources Director.

14. Employees May Appeal a Supervisor's Decision on Appearance

Employees may submit a memo via their chain of command to the Human Resources Director to appeal a supervisor's decision related to the appearance standards in this policy.

While under appeal, the employee does not have to change or alter the appearance that is under appeal; however, the supervisor has the authority to direct the employee to make a reasonable effort to cover the appearance that is being appealed, unless not feasible.

The HR Director will make a final determination.

9.020 – Uniforms

Original Effective Date: 06/01/2017
Revised Effective Date: 12/01/2022

9.020-POL

1. The Chief of Police Approves All Uniforms

2. The Chief May Approve the Wearing of an SPD Uniform by Former Sworn Employees, On a Case-By-Case Basis

Former sworn employees who wish to wear the SPD uniform may do so for ceremonial purposes and not in any law enforcement capacity. Former sworn employees may not wear the uniform in any way that would bring disrepute to the department.

3. All Department Uniform Standards are Maintained in the Uniform Reference Catalog (URC)

Sworn employees will not wear uniform items not located in the URC without written permission from the Chief of Police.

Exception: Officers may wear black suspenders for gun belts with a signed medical exemption letter from the Employment Services Lieutenant.

The URC is available on the Audit Unit or Policy Unit SharePoint page.

4. The Policy & Research Section Maintains the URC

Any requests to alter or submit new uniform options to the URC will be researched and evaluated by the Uniform and Equipment Committee (UEC) and forwarded to the Chief of Police for final consideration.

(Refer to manual section 9.040 – Uniform and Equipment Committee)

5. All Outward Facing Uniform Items Include Proper Identifying Markings

Any shirt, jacket, etc., worn as the outermost layer of the sworn employee's uniform will contain a cloth nametag on the right-side chest of the uniform item.

Badges are worn as described in the URC.

During the month of September, sworn employees may wear the SPD commemorative 9/11 badge.

Sworn employees may wear the Seattle Police Honor Guard mourning badge in accordance with 3.170 – Honoring Fallen Sworn Employees.

6. Sworn Employees Wear the Approved Patrol Uniform for Most Department Functions

On-duty personnel may wear either the class A or class B uniform year-round, unless otherwise directed. This applies to both on-duty and off-duty work as an officer.

Exception: In emergencies and/or inclement weather, a Captain or above may authorize patrol to wear the department-approved UO uniform.

7. Employees Wear Specialty Uniforms for Authorized Functions Only

Sworn employees will respond to all department functions in the approved patrol uniform unless:

- They are permanently assigned or on-loan to a specialty unit and performing the function of that unit.
- They are performing a follow-up investigation function.
- They are authorized by the Chief of Police to wear an alternate uniform.

8. All Sworn Employees Will Maintain an Approved Patrol Uniform

All sworn employees will keep a class A uniform at their unit of assignment with all other required patrol equipment.

All sworn employees will keep all authorized demonstration management uniforms within their unit of assignment.

9. Sworn Employees Working a Plainclothes Assignment Require Approval

Sworn employees must obtain approval of their Bureau Chief prior to working any plainclothes function, whether the assignment is on duty or off duty.

10. Uniformed Personnel Will Not Address Plainclothes Officers

Plainclothes officers may only be addressed after they have initiated contact with uniformed officers.

Exception: This does not apply in criminal investigations involved in an operation with plainclothes officers.

9.030 – Equipment

Effective Date: 10/09/2019
Revised Effective Date: 04/01/2023

9.030-POL

1. The Chief of Police Approves All Equipment Standards

2. All Equipment Standards Will be Maintained in the Equipment Reference Catalog (ERC)

Sworn Employees will only deploy equipment that complies with specifications listed in the ERC unless given written permission from the Chief of Police.

3. The Uniform and Equipment Committee (UEC) Maintains the ERC

Any requests to alter or submit new equipment specifications into the ERC will be researched and evaluated by UEC and forwarded to the Chief of Police for final consideration.

(Refer to manual section 9.040 – Uniform and Equipment Committee)

4. Sworn Employees Deploy With All Required Equipment

Sworn employees will deploy for any uniformed assignment with their:

- Department-approved protective vest
- Approved belt and belt gear
- A flashlight
- At least one pair of handcuffs
- Timepiece
- ANSI-approved Traffic Safety Vest
- Department-issued riot baton, helmet, and respirator (APR)

Sworn employees may carry optional equipment items meeting the requirements outlined in the ERC.

5. Sworn Employees Assigned to Federal/Multi-Agency Task Forces Deploy with All Required Equipment

Sworn employees assigned to Federal/Multi-Agency Task Forces deploy with all required equipment when engaged in a planned attempt to serve an arrest warrant, execute a search or seizure warrant or order, or engage in another planned arrest with the following:

- Department-approved protective vest, external load-bearing vest, or plate carrier as described in the URC.
- "Police" must be clearly marked, at all times, on the front and back of the outer layer of clothing.
- A minimum of one (1) pair of handcuffs, and.
- A minimum of one (1) reload (9.060 - Firearms).

Sworn employees may carry optional equipment items meeting the requirements outlined in the ERC.

6. Sworn Employees Wear an Issued Protective Vest

Sworn Employees will choose from a list of authorized vests in the ERC.

The department will replace the vest every five years. Sworn employees will turn in old vests upon receipt of a new one.

7. Sworn Employees Will Wear the Protective Vest While Performing Most Operational Duties

Sworn employees are required to wear their protective vests when:

- Performing a uniformed assignment
- Engaging in an operation involving potentially armed suspects
- Directed by a supervisor

Exception: Sworn employees with a documented medical condition may acquire a Special Needs Voucher through the Employment Services Lieutenant and select a special needs vest from the ERC.

If the officer cannot wear a vest for medical reasons, they will submit a memorandum to the Employment Services Lieutenant via the chain of command and include documentation justifying the request for approval to deploy without a vest.

8. Department Personnel Will Report Defective Equipment to the Facility Manager or Stationmaster

9. Department Personnel Will Report Destroyed, Lost, or Stolen Equipment to Their Chain of Command

Employees will report destroyed, lost, or stolen department-issued equipment, immediately to an on-duty sergeant in their precinct/section of assignment.

The sergeant will notify the Quartermaster of this incident within 24 hours of its reporting.

(See 9.030-PRO-1 Reporting Destroyed, Stolen or Lost Equipment)

9.030-PRO-1 Reporting Destroyed, Lost, or Stolen Equipment

Department Employee

1. **Completes** form 13.18 – Damage/Loss of Equipment, Uniform, or Personal Property.

2. **Completes** a report documenting the circumstances of the equipment incident.

   Exception: If the equipment was stolen in an outside jurisdiction, **reports** the crime to the appropriate agency and **obtains** a copy of the police report.

3. **Forwards** form 13.18 and police report to their Precinct/Section Captain via their chain of command.

   - If the item is a department-issued firearm, badge, or protective vest, **takes** copies of these forms to the Quartermaster for immediate replacement.

Precinct/Section Captain

4. **Forwards** form 13.18 with recommendations for reimbursement of the property to the Fiscal Unit.

Fiscal Unit

5. **Reviews** the documentation regarding the equipment incident.

6. **Determines** value of the equipment to replace based on manual section 9.050 - Clothing Allowance and Reimbursement for Personal Property.

7. **Forwards** documentation to the Executive Director of Administration.

Executive Director of Administration

8. **Reviews** the documentation regarding the equipment incident.

9. **Forwards** reimbursement recommendation to the employee's Bureau Chief.

Bureau Chief

10. **Makes** final decision on the reimbursement for the equipment.

11. **Forwards** Quartermaster the Form 13.18 with instructions for reimbursement.

Quartermaster

12. **Issues** the employee replacement equipment.

13. **Records** the replacement equipment on the officer's equipment record with their signature attached.

9.040 – Uniform and Equipment Committee

Effective Date: 11/20/2013

9.040-POL

1. The Chief of Police Approves All Uniform and Equipment Items

The Uniform and Equipment Committee (UEC) makes recommendations to the Chief based on testing, research, and evaluation of all Department-approved equipment.

2. The Captain of the Compliance Section is the Chair of the UEC

The UEC shall also consist of the following personnel:

- Vice Chair, Compliance Section Sergeant
- Three Compliance Section detectives
- Department Safety Officer
- Quartermaster
- Other Sworn Personnel, at the discretion of the Compliance Section Captain

3. Compliance Section Maintains the Uniform and Equipment Reference Catalogs (URC and ERC)

The UEC shall keep a signed original copy of both the URC and ERC.

The documents shall be updated upon approval and signature of the Chief of Police, as needed.

4. All Uniform Items Paid for by the Department Shall be Ordered Through the Quartermaster

5. The Compliance Section Captain Reviews All Department Uniform and Equipment Purchases

The Compliance Section Captain reviews all purchase orders for uniforms and equipment prior to forwarding them to the appropriate Bureau Chief. See 9.040-PRO-1 Uniform and Equipment Purchase Orders.

Any purchase orders requesting items not listed in either the URC or ERC shall be subject to a uniform and equipment change proposal by the UEC. See 9.040-PRO-2 Uniform and Equipment Change Proposals.

Exception: If the unit/section has written approval for purchase of the item on file with Compliance Section, the purchase order shall be forwarded without review.

6. Any Department Employee May Make Proposals to the UEC

The Vice Chair will schedule all proposals for new uniforms and equipment on the next UEC agenda. See 9.040-PRO-2 Uniform and Equipment Change Proposals.

The UEC shall make a recommendation to the Chief on all change proposals within 90 days of their receipt.

7. The UEC Meets Monthly to Review Uniform and Equipment Topics

Meetings shall cover any scheduled uniform and equipment change proposals.

The Chair or Vice Chair of the UEC may cancel the meetings if no issues are on the agenda or at their discretion.

8. The UEC May Designate Sub-Committees for Specific Uniform and Equipment Agenda

The Chair of the UEC may designate to evaluate, research or test uniforms and equipment in response to change proposals.

Every proposal shall be processed through the UEC evaluation process (see 9.040-PRO-1 Uniform and Equipment Change Proposals).

9.040-PRO-1 Uniform and Equipment Purchase Orders

Department Employee

1. **Drafts** a 1.5 Purchase Order for the desired uniform/equipment.

2. **Checks** the box “this is a uniform/equipment item” and **submits** the request.

Compliance Section Captain

3. **Receives** the approved 1.5 purchase order from the Quartermaster.

4. **Reviews** the request and either:

    a. **Approves** the request if the requested item is in the Uniform or Equipment Reference Catalogs (URC or ERC).

    OR

    b. **Rejects** the request if the items is:

        - An item that Quartermaster already issues,

        - A duplicate item that the employee has already been issued,

        - An item not authorized for use by the employee's unit,

        - Not in the Uniform or Equipment Reference Catalogs (URC or ERC)

9.040-PRO-2 Uniform and Equipment Change Proposals

Department Employee or Vendor

1. **Submits** a uniform or equipment proposal change to the Uniform and Equipment Committee (UEC) via the Compliance Section email address.

UEC Vice Chair

2. **Schedules** the change proposal on the next UEC Agenda

UEC

3. **Evaluates** the change proposal.

    a. **If** the committee denies review of a proposal of a Department employee, the employee may **appeal** the decision to their Bureau Chief at their discretion (see 9.040-PRO-3 Change Proposal Appeals).

4. **Assigns** a committee member to lead the change proposal project.

Proposal Project Lead

5. **Coordinates** a team for the project, as necessary.

6. **Drafts** an evaluation plan for the project (see 9.040-TSK-1 creating a proposal project evaluation plan).

Proposal Project Team

7. **Evaluates** the proposal change.

8. **Drafts** a recommendation report with findings.

UEC

9. **Evaluates** the recommendations and makes a final recommendation to the Chief of Police.

Chief of Police

10. **Makes** final decision on change proposal.

    a. **If** the proposal is a permanent change to either the Uniform or Equipment Reference Catalog, the respective catalog will be **updated** and **signed** by the Chief within the next calendar year.

9.040-PRO-3 Change Proposal Appeals

Department Employee

1. **Submits** an appeal to the UEC denial to their respective Bureau Chief for review.

Bureau Chief

2. **Reviews** the appeal.

    a. **If** the Bureau Chief agrees with the appeal, **orders** the UEC to perform a change proposal evaluation.

    b. **If** the Bureau Chief disagrees with the appeal, **notify** the involved employee and the Compliance Section Captain of the denial.

9.040-TSK-1 Creating a Proposal Project Evaluation Plan

When assigned a change proposal project, the **detective**:

1. **Creates** a project file in the Compliance Section internal drive.

2. **Coordinates** a team for the project, as necessary.

3. **Develops** a plan to gather information on the proposal, including but not limited to:

    - Why is the change needed?

    - Is it easily obtained?

    - Does it serve the needs/mission of the Department?

    - What are the costs of such a change?

    - What are the safety concerns?

    - Does it meet appearance standards?

    - What is the durability of the item?

4. **Determines** if the item needs field testing.

9.050 – Clothing Allowance and Reimbursement for Personal Property

Effective Date: 10/09/2019

9.050-POL

1. Sworn Personnel Receive an Initial Uniform Allowance

Personnel hired in the following classifications shall receive a voucher for initial equipment from the Background Unit upon offer of employment:

- Newly commissioned officers
- Lateral transfers from other departments

Additionally, sworn personnel shall receive their first annual clothing allowance upon offer of employment.

Exception: newly commissioned officers will not receive their annual clothing allowance until graduation from the Basic Law Enforcement Academy.

2. Department Issues Officers and Sergeants an Annual Clothing Allowance

The Department will issue the allowance on the anniversary of the sworn date of hire for the employee.

The allowance shall be prorated and paid at a reduced rate if:

- The employee terminates employment prior to their annual hire date
- The employee takes an unpaid absence from the Department in the calendar year between their annual hire dates

3. Officers May Request Reimbursement for Lost, Destroyed, or Stolen Uniforms or Personal Equipment

Officers may request reimbursement for items lost, stolen, damaged, or destroyed in the line of duty.

The Department deems items to be damaged when their usefulness or professional appearance is reduced significantly and cannot be repaired to a useful or professional state.

Exception: Normal wear on uniform items, such as a gun wearing a hole into a shirt, shall not be considered damage incurred in the line of duty.

(See 9.050-PRO-1 Requesting Reimbursement for Personal Property)

4. Reimbursement Requests are Reviewed on a Case-by-Case Basis Upon Proof of Purchase of a Replacement Item

Officers electing to use property not required by the Department are not guaranteed reimbursement for those items.

5. Uniform Items are Reimbursed on a Prorated Basis

- Less than 12 months old: 100% of purchase price.
- 12 to 24 months old: 75% of purchase price.
- 24-36 months old: 50% of purchase price.
- Greater than 36 months old: 25% of purchase price.

Officers shall be reimbursed for 25% of the current purchase price of the uniform item if they cannot provide proof of original purchase price.

6. Other Personal Equipment is Reimbursed Up To a Maximum Allowance

- Prescription eyeglasses: repaired or replaced at or below $125.
- Safety glasses or non-prescription sunglasses: repaired or replaced at or below $25.
- Timepieces: repaired or replaced at or below $70.
- Flashlights (line of duty reimbursements only): 100% of the original purchase price.
- Electronic devices: repaired or replaced at or below $100.
- Other items: repaired or replaced upon approval by the Executive Director of Administration on a case-by-case basis.

7. Sworn Personnel Receive a One Time Reimbursement for Required Equipment or Specialty Clothing

Upon permanent assignment to the following units, sworn personnel shall receive a reimbursement for one full set of required uniform items worn by the unit, as defined in the Uniform Reference Catalog (URC):

- Harbor Unit
- SWAT
- Canine
- Mounted Patrol
- Traffic
- Bike Squads
- Anti-Crime Teams

The employee shall be responsible for any other required uniform items purchased after the initial reimbursement.

8. The Precinct/Section Captain May Authorize Purchases of Uniform Items Upon Written Approval From the Chief of Police

A copy of the approval shall be forwarded to the Captain of the Audit, Policy, & Research Section for future purchase approvals by the Uniform and Equipment Committee (see manual section 9.040 - Uniform and Equipment Committee).

These approvals shall expire one year from the date of signature.

9.050-PRO-1 Requesting Reimbursement for Personal Property

Department Employee

1. **Reports** to their direct supervisor for inspection of the item during the shift it was damaged, lost, stolen or destroyed.
2. **Completes** form 13.18 – Damage/Loss of Equipment, Uniform, or Personal Property and a Report documenting the reason for the request.

Employee's Supervisor

3. **Completes** recommendations for approval or denial of the request and forwards all documentation related to the request to the Fiscal Unit for review.

Fiscal Unit

4. **Reviews** the documentation regarding the equipment incident.

5. **Determines** value of the equipment to replace based on provisions of SPD Manual Section 9.050.

6. **Forwards** documentation to the Executive Director of Administration

Executive Director of Administration

7. **Reviews** the documentation regarding the equipment incident.

8. **Forwards** the request to the Fiscal Unit granting reimbursement.

    - If the request is denied, **forwards** a memorandum to the Department employee documenting the reasons for denial.

Fiscal

9. **Issues** a check to the employee for the approved amount.

9.060 – Firearms

Original Effective Date: 03/01/2022
Revised Effective Date: 11/01/2023

This policy applies to all employees required to carry a firearm in the course of their duties.

9.060-POL

1. Sworn Employees Acting in an Official Capacity as a Seattle Police Officer Will Carry a Department-Authorized Firearm and Will Qualify with it Annually (See Manual Section 9.065 – Firearms Qualifications)

While on duty, and during off-duty employment in uniform as Seattle Police Officers, sworn employees will carry a primary duty firearm that meets the firearm specifications listed in the Equipment Reference Catalog (ERC) or that has been authorized as a specialty firearm by the employee's bureau chief.

Exception: Officers who currently deploy a department-issued revolver may continue to carry it as their primary duty firearm.

Exception: Sworn employees are not required to be armed during administrative, non-enforcement duties or in areas where firearms are prohibited such as weapons-free training zones, jails, prisons, etc.

The department will not require sworn employees to work without a firearm except as provided by their collective bargaining agreement.

While off-duty and not acting as a Seattle Police Officer, sworn employees may choose whether to be armed. If armed while off-duty under the authority of the Seattle Police Department, sworn employees will only carry department-authorized firearms as listed in the ERC.

Sworn employees armed while off-duty with a firearm that is not department-authorized will comply with all laws related to the possession and carrying of firearms.

2. Sworn Employees Will Carry Department-Issued Identification While Armed

Sworn employees will carry either their department-issued commission card and/or badge when armed under the authority of the Seattle Police Department.

Exception: Sworn employees working undercover are exempt from this requirement.

3. Sworn Employees Will Carry Reloads for Firearms

Sworn employees in uniform will carry a minimum of two (2) reloads for their primary sidearm.

Plainclothes officers will carry a minimum of one (1) reload.

Undercover officers have discretion on the number of reloads based on the operation.

The Firearms Training Unit recommends that officers load pistol and rifle magazines one (1) to two (2) rounds below the magazine's maximum round capacity to facilitate in-battery reloads (tactical reloads).

4. Sworn Employees Will Not Modify Any Department-Authorized Firearms Without Approval

Sworn employees will not modify firearms and magazines that are owned or authorized by the department from factory stock condition. Only the Firearms Training Unit may make modifications.

For authorization to use weapon mounted lights and red dot sights along with the brands/models permitted for department-authorized firearms, refer to the ERC.

5. Sworn Employees will Store Department-Authorized Firearms Properly

Sworn employees are responsible for taking reasonable precautions that their department-authorized firearms are safely stored. Sworn employees will store department-authorized firearms in such a manner as to prevent loss or access to prohibited or unauthorized persons.

6. All Sworn Employees May Apply for Assignment to the Rifle Program

Sworn Employees must complete probation prior to assignment to the Rifle Program.

Sworn Employees must complete the Patrol Rifle School and maintain qualification to deploy with the long gun.

Entrance into Rifle School follows the selection process outlined in 9.060-PRO-1.

9.060-PRO-1 Patrol Rifle Program Selection

Firearms Training Unit (FTU)

1. **Makes** an announcement via internal email regarding an upcoming rifle school.

Sworn Employee

2. **Submits** a memorandum to their precinct/section captain for admission into the school.

Precinct/Section Captain

3. **Submits** a ranked list of officers to the FTS.

Firearms Training Unit

4. **Notifies** selected sworn employees of training dates and times for the school.

9.065 – Firearms Qualifications

Original Effective Date: 02/01/2020
Revised Effective Date: 11/01/2023

9.065-POL

1. Sworn Employees Will Qualify Annually with Each Firearm They Wish to Carry, On or Off-Duty, in Their Capacity as a Seattle Police Officer

Sworn employees will qualify with their primary duty firearm annually as a condition of employment.

All sworn employees must complete and pass a duty qualification with any department-authorized firearm before it can be carried on or off-duty in a law enforcement capacity.

Exception: Following an officer involved shooting, a sworn employee will be issued a temporary weapon that they have previously qualified with following FIT protocols.

After qualification, sworn employees will initial their score on the sign-up roster. The Firearms Training Unit (FTU) maintains the qualification score in the employee's training record.

If the employee fails to attend a qualification session for their primary duty firearm in the calendar year, and they do not have a waiver from the Employment Services Lieutenant, the Chief of the Compliance Bureau will forward the failure to attend a qualification session to the Office of Police Accountability for investigation.

2. Sworn Employees May Obtain a Waiver to Qualify

Sworn employees with a current medical condition may obtain a waiver to qualify through the Employment Services Lieutenant. Vacations, schedules, court, etc., will not serve as grounds for requesting waivers.

The approved waiver will only waive qualification for the calendar year in which it is obtained. The sworn employee must submit a new waiver by January 31 of each calendar year if they wish to extend the waiver. Sworn employees will only be granted up to two (2) consecutive waivers.

The sworn employee will arrange to qualify with their primary duty firearm with the FTU within 30 days of release from an approved waiver.

(See 9.065-PRO-1 Obtaining a Qualification Waiver)

3. The Department Will Provide Sworn Employees With Equipment Necessary to Qualify

The department will provide ammunition, range safety equipment, and other necessary materials to sworn employees for qualification on their department-authorized firearms and any issued rifles.

4. The Chief of Police, Through the Assistant Chief of the Professional Standards Bureau, Will Approve All Range Qualification Standards

(See manual section 1.070 - Training)

5. Sworn Employees Who Fail to Qualify with Their Primary Duty Firearm Will Attend Remedial Training

Sworn employees will receive two (2) attempts to pass their qualification on the date of their qualification. Upon failure of the second qualification, the Firearms Training Sergeant will arrange for remedial training for the sworn employee.

The sworn employee will perform remedial training in the 60 days immediately following their qualification failure. It is the responsibility of the sworn employee to arrange remedial training with the FTU. The department will provide ammunition for department-issued weapons.

> **Exception:** Retired, and special commission officers will provide their own ammunition for remedial training.

Within the remedial training period, the sworn employee will attempt to qualify. If the sworn employee fails to qualify at some point within the remedial period, they will surrender their duty firearm and will be reassigned to an administrative position that will not involve contact with the public. The FTU will forward the information to the Firearms Qualification Review Board (FQRB).

The sworn employee may submit a memorandum to the ETS Captain appealing the administrative reassignment within two (2) days of the remedial qualification failure. The ETS Captain will include the memorandum in the file review for the FQRB.

The sworn employee will have an additional 60 days after remedial training in which to qualify with their firearm. If, on the 120th day after their initial qualification date, the sworn employee has not successfully qualified on their primary duty firearm, the Chief of Police may impose discipline up to and including termination of employment.

> **Exception:** The department will extend the 60-day window for any time the officer is out disabled and/or on sick leave.

The department will not impose the discipline decision until at least ten (10) days after the 120th day after initial qualification failure. If the employee successfully qualifies in the 10-day period, the department will waive the discipline and return the employee to their normal duty assignment.

(See 9.065-PRO-2 Firearms Qualification Review Process)

6. Sworn Employees May Appeal Reassignment to the Firearms Qualification Review Board (FQRB)

The sworn employee may appeal their reassignment after failing remedial qualification. The sworn employee will notify the ETS Captain within two days of the reassignment of their wish to appeal.

The FQRB will consist of:

- A Chair appointed by the Chief of Police,
- A representative of the employee's bargaining unit, and
- A representative of the ETS.

The FQRB will meet within 14 days of an appeal request and will make a recommendation within seven days of the meeting to the Chief of Police (See 9.065-PRO-2 Firearms Qualification Appeals Process).

7. Sworn Employees Must Qualify Annually with Their Off-duty, Secondary, or Backup Firearms

Sworn employees who fail to qualify with an off duty, secondary, or backup firearm will not carry that firearm in their capacity as a police officer.

8. Sworn Employees Must Qualify Bi-Annually with All Department-Issued Rifles

Rifle officers who fail to attend annual qualifications for the rifle program will surrender the firearm to the FTU. The FTU will notify the ETS Captain in writing, at which point the ETS Captain will determine whether to offer a qualification to the employee for continued assignment to the rifle program.

Rifle officers who fail to qualify with the rifle will receive a 30-day remedial training period beginning on the date of the failure. Officers will be responsible for scheduling and attending remedial training sessions with the FTU.

Exception: The department will extend the 30-day window for any time the officer is out disabled and/or on sick leave.

Rifle officers must re-qualify within or at the end of this 30-calendar-day period. The department will provide the officer with ammunition and range time to perform remedial training.

If the officer fails to qualify a second time after completing remedial training, the FTU will remove them from the rifle program. Officers may appeal removal from the program(s) in writing to their respective bureau chief.

9.065-PRO-1 Obtaining a Qualification Waiver

Sworn Employee

1. **Submits** a waiver request, including any medical documentation, to the Employment Services Lieutenant via their chain of command.

   - If the sworn employee is out on injury, their supervisor may perform this function.

Employment Services Lieutenant

2. **Grants** or **Denies** the request upon review.

   - If the request is denied, **sends** a memorandum to the employee documenting the reasons for the denial.

3. **Forwards** the original copy of the waiver to the ETS Captain.

4. **Forwards** a copy of the waiver to the FTU and the employee.

Sworn Employee

5. **Schedules** and **attends** a qualification with the FTU within 30 calendar days of doctor's release or expiration of the waiver.

   (See 9.065-PRO-2 Firearms Qualification Appeals Process)

9.065-PRO-2 Firearms Qualification Appeals Process

Sworn Employee

1. **Submits** an appeal request to the ETS for their reassignment.

ETS Captain

2. **Contacts** the Policy & Research Section Captain and the involved sworn employee's bargaining unit to schedule a FQRB meeting.

3. **Contacts** the involved sworn employee and notifies them of their right to attend FQRB review.

4. **Collects** any written or oral information the sworn employee wishes to submit for review in their case.

FQRB

5. **Meets** and **reviews** the file.

6. **Determines** if the reassignment of the sworn employee is upheld or denied.

   - If the FQRB denies the reassignment, **recommends** the Chief order the sworn employee to return to their normal duty assignment.

7. **Makes** a recommendation to the Chief to:

   - Offer the sworn employee another weapon/caliber from the approved primary duty firearm list,

   - Offer the sworn employee another 60-day remedial training program with a qualification attempt, or

   - Offer the sworn employee additional training from an outside entity.

8. **Forwards** the recommendation to the Chief of Police for review.

Chief of Police

9. **Decides** on the disposition of the sworn employee based on the recommendation.

10. **Notifies** the sworn employee, their bargaining unit representative, and the ETS Captain of the decision within 14 days of receipt of the FQRB recommendation.

Department Employee

11. **Reports** to remedial training or qualification attempt upon order from the ETS Captain.

9.100 – Department-Owned Firearms Management

Original Effective Date: 05/07/2019
Revised Effective Date: 04/01/2023

9.100-POL

This policy applies to all department owned live-fire, Simunition, traded, converted, and operable and inoperable firearms that are either currently or have been previously subject to the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives regulations.

1. The Quartermaster Takes Initial Possession of all Firearms Before They May be Issued or Maintained in Any Unit Inventory

2. Department Units May Maintain "Unit Firearms" for Specific Use

Units that maintain an inventory of unit-specific weapons may issue additional weapons at the unit commander's discretion.

3. Sworn Employees May be Assigned No More Than One Department-Issued Handgun

Exception: A bureau chief may authorize additional firearms (See 9.100-PRO-1).

4. Department-Owned Rifles and Shotguns May be Issued to Officers Meeting Qualification Criteria

(See manual section 9.060 – Firearms)

5. Sworn Employees Must Turn in any Department-Owned Firearm to the Quartermaster That is to be Sold, Traded Externally or Destroyed

This will occur before any transaction takes place.

6. Sworn Employees Must Document the Trading or Transferring of Department-Owned Firearms from One Department Unit to Another Department Unit on the Unit Specialty Weapon Trade/Transfer Form (Form 23.6)

(See 9.100-TSK-3 Unit's Task for Trading/Transferring Unit Firearms)

7. All Department-Owned Firearms That Cannot Be Accounted for Must be Reported

(See manual section 9.030 – Equipment)

8. When Retiring or Separating, an Employee Must Surrender all Individually Issued Department-Owned Firearms to the Quartermaster

Unit firearms stay with the unit.

9. The Audit Unit Will Conduct an Annual Audit of Units Maintaining Unit Firearms

9.100-PRO-1 Procedure for Authorizing Additional Individually Issued Handguns

Sworn Employee

1. **Sends** a written request to the Bureau Chief, through their chain of command, detailing the reason an additional handgun is needed.

Bureau Chief

2. If approved, **authorizes** funding for the additional handgun.
   - If not approved, **sends** written documentation to the sworn employees captain as to why the request was denied.
3. **Forwards** the written documentation to the Quartermaster.

Quartermaster

4. **Attaches** the written documentation to the sworn employee's Property Control Card.

9.100-PRO-2 Procedure for Releasing/Re-issuing Department Firearms from Evidence

Investigating Detective

1. **Signs** the *Property Disposition Authorization* (form 1.17).

Evidence Unit

2. **Releases** the weapon to the Quartermaster, pending inspection by the Firearms Training Unit.

Firearms Training Unit

3. **Inspects** the weapon released to the Quartermaster during the process outlined above.

Quartermaster Unit

4. **Releases** all rifles and shotguns that had been placed into evidence directly to the issuing unit.

5. **Notifies** the involved sworn employee by department email of the release and ability to obtain the original firearm.

Sworn Employee

6. **Maintains** the option of receiving his/her original firearm, after returning the replacement firearm, within two weeks of being notified by the Quartermaster.

9.100-TSK-1 Quartermaster's Tasks in Handling Department-Owned Firearms

When handling firearms, the **Quartermaster**:

1. **Maintains** a current location and accurate inventory of all department owned firearms, from initial possession to final disposition in the Quartermaster Master Gun Database (MGD).

2. **Takes** all reasonable steps to ensure the security of firearms stored at the Quartermaster facility.

3. When placing a firearm into service, physically **inspects** each weapon and **records** the make, model, and serial number into the MGD.

4. If obtained through conversion, physically **verifies** with the Evidence Unit the make, model, and serial number of the firearm before it is issued.

5. **Tracks** all firearms that have been issued to outside agencies in the MGD.

6. **Maintains** responsibility for all department-owned firearms that are to be destroyed except firearms that are evidence.

7. **Initiates** the Washington State Transfer Form, if a sworn employee wishes to purchase a handgun that is authorized to be sold.

9.100-TSK-2 Units with Unit Firearms

When maintaining an inventory of specialty unit firearms, a **unit's sergeant**:

1. **Lists** the make, model, and serial number of a unit firearm and to whom the firearm is issued, either on a paper or electronic log sheet.

2. **Inspects** these firearms annually.

3. **Documents** the results of this inspection on the paper or electronic log sheet.

4. **Documents** any changes in the unit inventory.

5. **Sends** a copy of the current inventory to the Quartermaster annually.

6. **Retains** a copy of the inventory for record keeping purposes.

9.100-TSK-3 Unit's Tasks for Trading/Transferring Unit Firearms

When **department units** trade or transfer unit firearms internally, they:

1. **Coordinate** the trade or transfer between department units.

2. **Complete** the *Unit Specialty Weapon Trade/Transfer Form* (form 23.6).

3. Personnel from the unit receiving the firearm **send** a copy of this form to the Quartermaster within 72 hours.

9.100-TSK-4 Employees' Procedures for Purchasing a Department Firearm

As of July 1st, 2022, HB 5078 prohibits the sale or transfer of large capacity magazines (10+ rounds) – This includes department-issued magazines.

When an **employee** wishes to purchase a department-owned firearm that is authorized to be sold, the:

Sworn Employee

1. **Notifies** the Quartermaster in person of their intent to purchase the firearm.

    - Eligible purchasing party must be a retiring sworn employee.

2. **Brings** the firearm to the Quartermaster Unit upon retirement and completes the "Pistol Purchase Authorization."

3. **Takes** a copy of the "Pistol Purchase Authorization" to Fiscal and **makes** payment.

4. **Receives** a receipt for the weapon, which includes the make, model, and serial number.

Quartermaster

1. The Quartermaster Unit **receives** a copy of the payment receipt from Fiscal for the weapon, and then delivers the weapon to the Range Store (Wednesday-Friday only) for processing.

Range

1. **Contacts** the purchasing party to facilitate required federal weapon transfer paperwork and begins the state required ten (10) day waiting period before release.

10.010 - Parking at Department Facilities

Effective Date: 06/10/2019

10.010-POL-1 General Policy

1. Employees Will Not Use City-Owned Electric Vehicle Charging Stations to Charge Personally-Owned Vehicles or Equipment

10.010-POL-2 Parking at the SeaPark Garage

This policy applies to all Department employees when parking in the SeaPark Garage.

The SeaPark Garage is the parking structure located at 609 6th Avenue, connected to the Seattle Police Headquarters building (HQ).

The SPD secure area consists of those portions of the 7th and 8th floor leased by the Seattle Police Department. Access to the secure area is restricted by gates.

Some parking spaces in the secured area are reserved/restricted for unit-assigned cars located at HQ, lieutenants and higher ranks assigned to HQ, and sworn employees assigned to the Office of Professional Accountability.

The access gate on the 7th floor has a proximity-card (prox-card) reader, as well as an intercom to the Motor Pool Office. The intercom may be used by employees and pre-approved visitors during normal Motor Pool operating hours: Monday through Friday from 0700 to 1500.

1. Motor Pool Employees Have Operational Control of the Secure Parking Area

If employees encounter any problems or disputes with SeaPark employees, they may contact the Motor Pool (684-8769/ 684-8772), SPD Facilities office (684-8951), or the office of the Patrol Operations Bureau.

2. Employees Who Pay for Parking in the SeaPark Garage Will Not Park in the Secure Area

This applies to both daily and monthly paid parking.

3. Unit Commanders Determine the Use of Unit-Allocated Parking Spaces in the Secure Area

Unit commanders are responsible for ensuring their employees do not use more than the unit-allocated number of parking spaces to park vehicles.

- Employees Who are Authorized to Park in the Secure Area Shall Not Park in any Area of the Garage Other Than the Secure Area

Authorization to park in the secure area does not equal an authorization to park elsewhere in the garage for free.

4. All Drivers of Marked Police Vehicles Must Take a SeaPark Ticket When Entering the Garage

A "marked police vehicle" is any Department vehicle with either exterior markings identifying it as a Department vehicle or is equipped with emergency lights and siren. This includes Parking Enforcement vehicles.

5. Uniformed Employees Driving Marked Police Vehicles May Exit the Garage Without Paying Parking Fees

Uniformed employees, including Parking Enforcement Officers, driving marked police vehicles must:

- Write their signature and serial number on the back of the ticket
- Give the ticket to the parking attendant when exiting the garage.

Employees must be both:

- In uniform
- Driving a marked police vehicle

If only one of these conditions are met, the employee must either have a validated ticket or pay parking fees upon exiting the garage (See 10.010-PRO-1 Validating a SeaPark Garage Ticket).

6. Employees Are Responsible for All Parking Fees Unless Their Parking Tickets are Validated

(See 10.010-PRO-1 Validating a SeaPark Garage Ticket)

SeaPark tickets may be validated for the following:

- Employees who are attending court
- Special circumstances for which a captain or civilian director grants validation. This cannot be used for daily parking.
- This includes SPD employees, not assigned to HQ, who are attending official police business
- Employees who are participating on an oral board
- Non-SPD guests visiting HQ

7. Employees Parking With a Validated Ticket Must Park in the Non-Reserved Spots in the Secure Area

8. Motor Pool and Data Center Staff Validate SeaPark Tickets Only if All Procedures Have Been Followed

9. Motor Pool and Data Center Staff Shall Maintain Parking Validation Logs

The logs will record the time and date of ticket validations, along with the name and serial number of the employee receiving validation.

10. Employees May Access the Garage for Official Business When it is Closed

Call Communications for directions to access or exit the garage via keypad when the garage is closed.

Building security can also be contacted at 684-8077.

11. Employees Will Observe the Rules of the SeaPark Garage

The following rules apply to both the public and secure areas of the garage, absent exigent circumstances:

- Vehicles unable to park within boundary lines or which block access to other vehicles may not park in the garage

- Vehicles shall only be parked in designated spaces, well within the boundary lines
- Drive with headlights on
- Do not drive faster than 5 mph
- Intermittently honk the vehicle's horn when backing
- Make a full stop before exiting the garage
- Always follow the one-way traffic pattern as indicated
- Limit engine idling time to a minimum

All vehicles will be properly parked:

- Emergency brake engaged
- Transmission in "park"
- Keys removed
- Lights off
- Doors locked

Small vehicles without an assigned space are to be parked in spaces marked "Small Car" whenever possible.

12. The Department Will Conduct Random Audits of Employees Prox-Cards

Employees parking in the SeaPark Garage and who are in violation of this policy will be subject to disciplinary action.

10.010-POL-3 Parking Vehicles at the Outdoor Range

To ensure the availability of parking for individuals conducting training activities, individuals assigned to the range, and to individuals having contracts for the use of the Seattle Police Athletic Association (SPAA) property, restrictions must be placed on the use of the property.

1. Overnight Parking of City Vehicles Must be Pre-Authorized

No Department employee shall park a City vehicle overnight at the outdoor range without the prior written authorization of their

Bureau Chief or the Education & Training Section Captain, and the Seattle Police Athletic Association's Board of Directors.

Requesting Authorization for City Vehicles:

- Submit a Memorandum through the chain of command.
- If approved by the respective Bureau Chief, the Memorandum shall be forwarded to the SPAA Board of Directors in care of the Range Manager.

2. No Employee Shall Be Allowed to Park a Private Vehicle at the Outdoor Range at Any Time, Other Than When They Are on Site, Without Prior Written Approval From the Seattle Police Athletic Association's Board Of Directors

Vehicles parked contrary to the above policy shall be subject to impoundment. The cost for the impoundment of any City vehicle shall be the responsibility of the authorized driver of the vehicle.

Requesting Authorization for Personal Vehicles:

- Submit a Memorandum directly to the SPAA Board of Directors. Requests shall include
- Name of the vehicle owner/driver,
- Unit of assignment,
- Description of the vehicle and its license number, and
- Duration for which permission is being requested.

3. All Authorizations Shall be Maintained in a File by the Range Manager (Sergeant)

10.010-PRO-1 Validating a SeaPark Garage Ticket

SeaPark tickets can be validated at the Motor Pool office Monday through Friday, from 0700 to 1515 hrs. The Motor Pool office is located at the north end of 7th floor of SeaPark Garage.

If the Motor Pool is closed, Data Center employees (5th floor of HQ) can validate parking tickets.

Employee

1. **Takes** the ticket to either the Motor Pool office (0700 hrs to 1515 hrs), or the Data Center (1515 to 0700 hrs), before exiting the garage

2. **Presents** the ticket along with any of the following:

   - A subpoena to appear in court

   - An overtime slip signed by a prosecuting attorney

   - The initials and serial number of the captain or civilian director who approved free parking for the day

   - A memo from Human Resources authorizing free parking for Oral Board participation

3. **Signs** the Parking Validation Log

Motor Pool or Data Center Employee

4. **Stamps** the ticket with a validation stamp

5. **Returns** the ticket to the employee

Employee

6. **Presents** the ticket to the parking attendant upon exiting the garage

10.020 – Physical Security of Police Facilities

Effective Date: 02/01/2022

This policy applies to all employees who utilize a police facility.

10.020-POL General Policy

1. Restricted Areas of Police Facilities Will Have Signs

Non-public areas in the department will be identified with a sign at the entrance stating, "Restricted Non-Public Area - Visible Identification Required."

2. Employees Will Wear Identification in Restricted Areas

Non-uniformed employees will exhibit their photo identification (ID) card in restricted areas of a department facility.

Identification will be visible at all times, displayed on the outermost piece of clothing and above the waist.

- Photo ID includes:
  - City proximity (prox) cards, and/or
  - SPD-issued commission cards

The department will offer identification card holders.

3. Visitors Must Wear Department-Approved Passes in Police Facilities

Visitors must be able to articulate a specific need to enter a restricted area. Department employees are authorized to courteously inquire as to that need. If a department employee grants access, visitors will:

- Be accompanied by a personal escort at all times, and
- Display a department-approved visitor pass on the outermost piece of clothing and above the waist.

Employees will complete a visitor log that includes the visitor's name, the reason for the visit, the beginning and ending times of the visit, and who escorted the visitor in the police facility.

Department visitor passes are collected by the issuing unit at the conclusion of the visit.

Captains in a facility with a "Restricted - Non-Public Area" are responsible for implementing the visitor policy described above.

The employee escorting the visitor is responsible for screening the visitor for weapons. No weapons are allowed in any police facility except when carried by an authorized law enforcement officer (RCW 9.41.300 Weapons Prohibited in Certain Places).

For headquarters (HQ) visitors, to maintain compliance with the FBI's Criminal Justice Information Services (CJIS) security policy, upon arrival, visitors will register using the Lobby Guard kiosk that is in the lobby, and visitors will enter the name of the employee they are visiting.

- Non-sworn employees that have at least a CJIS Level II Security Awareness Training Certification can escort visitors within HQ.

- Sworn employees can escort visitors within HQ.

4. Employees Will Escort Service and Delivery Personnel in Police Facilities

Community members doing business with the department, such as, postal workers, building maintenance, etc., who are wearing their company uniform and do not have building access, will obtain and display visible visitor passes on their outermost piece of clothing.

5. Employees Will Contact Unauthorized Individuals Observed Inside a Police Facility

Employees will contact individuals in a restricted area of a police facility who do not have proper identification and determine as to the nature of their business or bring the matter to the attention of a supervisor or a sworn employee.

Community members not having any legitimate business with the department who are observed in a restricted area of the police facility will be courteously escorted to a public area of the facility.

- If resistance or behavior of a threatening or suspicious nature is encountered, sworn personnel will be notified or a call to 911 initiated.

6. Employees Will Search Detainees Prior to Entering a Police Facility

All detainees will be searched in accordance with manual section 6.180-Searches-General prior to being brought into a secure police facility.

If a detainee is brought into HQ through the main entrance, the detainee must be searched prior to access into the building. This also applies to persons reporting for the Department of Corrections.

7. The Education and Training Section Lieutenant Approves the Use of Police Training Facilities

Employees may utilize police training facilities outside of mandated training. If the training facility is not under the employees' unit, they will request approval in writing from the Education and Training Section lieutenant. The notification and approval will be made prior to the use of the facility.

8. Employee's Loss of Prox Card

In an event that an employee loses his or her prox card, for security reasons, emergency notification to the department must be made as soon as possible.

If the loss occurs after normal business hours, or on weekends or holidays, employees are to call the City of Seattle Access Control Systems office at (206) 684-8077. Prox cards can be remotely de-activated. As soon as possible thereafter, during normal work hours, employees are to call (206) 684-5354 to request issuance of a new prox card.

10.060 - Holding Cell and Security Video

Effective Date: 03/01/2019

This policy applies to the use, storage, and maintenance of most Department video systems such as holding cells, BAC rooms, sally ports, and building security.

This policy does not apply to In-Car Video or Body-Worn video covered under manual section 16.090-In-Car and Body-Worn Video.

1. Information Technology Department (ITD) Maintains Holding Cell and Security Video Systems

ITD will perform periodic status checks and facilitate any necessary hardware and/or software repair, replacement, or upgrade.

If there is any malfunction with holding cell or security video systems, a sergeant will contact ITD for repair and notify a lieutenant.

ITD will also maintain user permissions in the back-office software for viewing recorded holding cell and security video. Employees requesting higher than basic-level access will submit the request to ITD via their supervisor.

2. The Department Will Post Signage Providing Notice in Areas That are Being Recorded

3. Employees Will Not Interrupt or Hinder Holding Cell or Security Video Recording

Exception: Recording may be intentionally deactivated for routine maintenance, upgrade, or troubleshooting if a malfunction occurs.

If deactivation occurs in a holding cell, employees will make an effort to avoid using the affected areas until the system is recording again.

For strip searches see manual section 6.210.

4. Employees May Review Recorded Holding Cell and Security Video

A supervisor, or other employee with the appropriate user permissions, may allow another employee to view holding cell or security video to review an incident for the purposes of completing a report or statement.

Exception: Employees involved in a Type III use of force or officer-involved shooting may not review relevant video until cleared to do so by the Force Investigations Team (FIT).

5. The SPD Video Unit Fulfills Requests for Department Video

Employees may request a copy of recorded video for legitimate purposes such as preparing statements or bringing the video to court. Employees may make internal requests for copies via the electronic form located on the internal homepage.

The SPD Public Disclosure Unit handles requests from outside SPD and will forward the request to the Video Unit.

No other employees may make copies of recorded video without written authorization from a captain.

6. Supervisors May Not Routinely or Randomly Review Holding Cell or Security Video to Monitor Officer Performance

A supervisor may conduct a performance review using holding cell video or security video only when there is an articulable reason justifying such review.

The supervisor will present any requests for copies of this video to the precinct/section captain for approval. If approved, the captain will forward the request to the video unit for processing.

A supervisor will provide the subject employee and the Seattle Police Officers' Guild (SPOG) notice of the performance review. The employee will have the opportunity to have Guild representation present during the review.

Exception: This subsection does not limit or restrict the Department's review of recorded imagery as part of an official Department investigation, including matters referred to OPA Investigations Section, personnel complaints, early intervention inquiries, civil claims, or other administrative investigations.

Seattle Police Department Manual

11.010 – Detainee Management

Effective Date: 03/01/2021

11.010-POL

This policy applies to all employees who have contact with a detained person.

1. Department Holding Cells are for the Temporary Confinement of Detainees

Detainee – The word "detainee" in the Seattle Police Manual refers to someone in police custody.

Holding Cell – Department holding cells are considered "lockups" by the Department of Justice. For the Seattle Police Manual, the term "holding cell" is synonymous with "lockup".

- Holding cells are under the control of law enforcement
- Holding cells are used for the temporary confinement of individuals who have recently been arrested, detained for investigative purposes or who are in the process of being transported.
- The holding cell of a mobile precinct is subject to this policy.

(See 11.010-TSK-1 Securing a Detainee in a Department Holding Cell)

2. Officers Will Enter the Required Detainee Information on the Appropriate Detainee Log Sheet

Detainee information is recorded on the Adult Detainee Log Sheet (form 4.1) or the Juvenile Detainee Log Sheet (form 12.4).

3. Officers Will Perform an Inventory Search Before Placing the Detainee in a Holding Cell

(See manual section 6.181 - Performing Inventory Searches)

4. Detainees Shall be Handcuffed Behind Their Back While in a Holding Cell

Exception: Circumstances may require an alternative method of restraint. Officers will notify a sergeant if restraints other than handcuffs are used on a detainee in a holding cell.

5. In Department Facilities, Employees Will Secure Detainees in Areas Monitored by Cameras, Where Available

Employees will not deactivate or avoid camera coverage areas despite any detainee's objection to being recorded.

Exception: To protect detainee privacy, strip searches will not be recorded.

(See also manual section 6.210 – Strip Searches)

If the video system is not functioning properly, employees will record interactions with detainees using body-worn video (BWV).

The Department encourages the use of BWV when interacting with detainees in department facilities.

6. Officers May Secure Detainees to a Fixed Object in the Holding Cell

A detainee's behavior may require additional restraint within the holding cell. Only fixed objects specifically designed for this purpose are used:

- Eye bolts secured to the floor
- Steel bars built into the holding cell bench

Officers will transport detainees secured to a fixed object as soon as possible.

Officers will document the use of a fixed object in the Report.

7. Employees Will Conduct Welfare Checks on Detainees In Person

Employees will conduct in-person welfare checks on detainees in intervals of not more than 30 minutes and log the times on the detainee log sheet.

Employees are not required to interact with the detainee, but the welfare checks must be in-person. Viewing the detainee via video feed only is not sufficient.

8. Officers Will Assist Detainees with Reasonable Requests for Water and Restroom Access

Officers will not allow detainees to eat, drink, or smoke in the holding cells.

When providing restroom access, at least one officer of the same gender will escort the detainee to the restroom, when feasible.

If the detainee is transgender and has a preference, at least one officer of the gender requested will escort the detainee to the restroom, when feasible.

If the transgender individual does not specify a preference, at least one officer of the same gender as the transgender individual's gender expression will provide the escort.

9. Officers Will Seek Medical Assistance for Detainees

Officers will request Seattle Fire Department respond when a detainee has an obvious injury or illness, or when the detainee makes a complaint of injury or illness.

Officers will document the assistance provided in the Report.

10. Employees Will Take Reasonable Steps to Ensure the Safety of Detainees While in Department Custody

Employees will take steps to safeguard detainees during emergency situations involving the Department Facility.

Employees will notify a sergeant or above of an emergent situation that may put a detainee at risk.

11. Officers Will Obtain a Supervisor's Authorization for Detentions Over Two Hours

Officers will document the reason for the extended detention and the name of the screening supervisor on the log sheet.

Pursuant to RCW 13.04.116, employees will not detain juveniles in department holding facilities for more than six hours,

provided that the confinement is separate from the sight and sound of adult detainees.

12. Sergeants and Above Will Review the Detainee Log Sheets

(See 11.010-PRO-1 Reviewing Detainee Log Sheets)

13. The Watch Lieutenant Will Assign a Sergeant to Inspect the Holding Cells at the Beginning of the Watch and Record the Inspection on the Detainee Log Sheet

Sergeants will check the holding cells and the holding cell area for:

- Unattended Detainee Property
- Unattended Evidence
- Contraband
- Sharps Container

14. The Department Will Not Tolerate the Victimization of Detainees Through Sexual Abuse or Sexual Harassment

15. Incidents of Sexual Abuse or Sexual Harassment of a Detainee Will be Reported and Investigated

16. Employees Will Protect Persons Likely to be Victimized in a Detention Setting

- Employees will isolate known sex offenders from other detainees.
- Employees will separate restrained detainees from unrestrained detainees.

17. Detainees of Different Gender Identities Will be Detained Separately

Detainees will not be searched to determine their gender.

(See also manual sections 11.020 – Transportation of Detainees and 16.200 – Interaction with Transgender Individuals)

18. Adults and Juveniles Must be Detained Separately

Juveniles are detained out of the sight of adult detainees.

Employees will take reasonable steps to prevent juvenile detainees from hearing adult detainees.

Officers shall not hold juvenile status offenders and non-offenders in locked cells

Officers shall place status offenders and non-offenders in an "unsecured area" (e.g., non-locking interview room, or precinct lobby).

If a status offender or a non-offender must be held in a locked room for officer safety reasons, then it must be documented on the Juvenile Detainee Log Sheet (Form 12.4) and the Report.

A status offender is a juvenile that is taken into police custody for an offense that would not be a crime if committed by an adult.

- Runaway
- Underage possession or consumption of tobacco and alcohol products
- Truancy
- Curfew violations
- or a warrant for any of the above

A non-offender is a juvenile under the jurisdiction of the juvenile court for reasons other than legally prohibited conduct.

- Abuse
- Neglect
- Dependency
- Or a warrant for any of the above

19. Detainees Held in a Room Designated as an Interview or Interrogation Room Must Be Under Constant Observation

Officers will observe Detainees in person or by video monitor while in the interview or interrogation room.

20. Employees Will Pass on Information About a Detainee at Risk of Sexual Assault to Other Agencies that are Taking Custody of the Detainee

21. Detainees with Disabilities Require Special Consideration

Employees will provide reasonable accommodations to a detainee with a disability.

22. The Use of the Spit Sock Hood Requires Special Application, Reporting and Screening

(See 11.010-PRO-2 Application of the Spit Sock Hood)

Officers may use the spit sock hood if the detainee is actively spitting on officers, or the officers have a reasonable belief that the detainee will spit on them.

23. Officers Shall Ensure That Detainees Are Transported to Jail in a Timely Fashion

When a detainee will be booked into jail, the arresting officer(s) shall arrange for a transport once it is no longer necessary for the detainee to remain at the precinct.

If it is necessary for the detainee to be transported to jail by the next watch (e.g., when the arrest occurs toward the end of the watch), the arresting officer(s) shall inform a supervisor from the next watch that they have a detainee in a holding cell that needs to be transported. The supervisor shall ensure that an officer on their watch makes the transport as soon as feasible.

11.010-PRO-1 Reviewing Detainee Log Sheets

Watch Lieutenant

1. **Assigns** a sergeant to review log sheets for their watch.

Sergeant

2. **Reviews** log sheet entries at the start of their watch and throughout their watch.

3. **Corrects** omissions or mistakes.

4. **Submits** the log sheets for that watch to the watch lieutenant.

Watch Lieutenant

5. **Reviews** the log sheets for that watch and approves if appropriate.

    - If there is a mistake or omission, sends the log sheet back to the sergeant for correction.

6. **Submits** the approved log sheets to the administrative specialist.

Administrative Specialist

7. **Retains** Detainee Log Sheets for 2 years plus current.

11.010-PRO-2 Application of the Spit Sock Hood

Officer

1. **Applies** the spit sock hood once the subject is under control.

2. **Affixes** the spit sock hood to the subject's head using the built-in elastic band.

3. **Notifies** a sergeant that the spit sock hood was applied.

4. **Observes** the subject continuously (in person or via video) while he or she is wearing the spit sock hood.

    - **Removes** the spit sock hood and requests medical assistance if there are any indications of respiratory distress.

5. **Assesses** the continued need for the spit sock hood.

Sergeant

6. **Screens** the use of the spit sock hood and documents in the Arrest Screening Supplement.

Officer

7. **Disposes** the used spit sock hood in a biohazard waste container.

8. **Documents** in the Report the use of the spit sock hood by Seattle Police or any other agency (e.g., Seattle Fire, King County Jail, etc.), including:

   - Why the spit sock hood was applied,

   - Whether the officer observed any ill effects to the subject—or lack thereof—caused by the application of the spit sock hood.

9. **Indicates** on the appropriate Detainee Log Sheet that the spit sock hood was applied.

11.010-TSK-1 Securing a Detainee in a Department Holding Cell

When securing a detainee in a Department holding cell the **officer**:

1. **Performs** an inventory search of the detainee and their property.

(See 11.050-PRO-1 Securing and Transporting Detainee Property)

2. **Removes** potentially hazardous items from the detainee.

3. **Enters** the required information on the appropriate detainee log sheet.

4. **Inspects** the holding cell before placing the detainee in the holding cell.

5. **Secures** the detainee in the holding cell.

6. **Performs** a welfare check on the detainee every 30 minutes and records the check on the appropriate log sheet.

7. **Informs** the transport officer that a detainee is ready for transport if applicable.

11.020 – Transportation of Detainees

Effective Date: 08/05/2019

11.020-POL

This policy applies to all employees who transport detainees or call Seattle Fire Department (SFD) or American Medical Response (AMR) to transport detainees.

- Transportation of a Detainee from the Location of Arrest to a Department Facility, see 11.020-TSK-1

- Transportation of a Detainee from the Department Facility to a Detention Facility, see 11.020-TSK-2

1. Employees Will Take Reasonable Steps to Ensure the Safety of a Detainee in Their Custody and for the Safekeeping of Detainee's Property

2. Officers Will Perform a Custodial Search Before Transporting the Detainee

3. Officers Will Search the Transport Vehicle at the Beginning and on the Completion of a Transport

4. Officers Will Use the Transport Vehicle's Seat Belts to Secure Detainees

Exception: This requirement does not apply to vehicles that do not have seat belts in the area that is used for transporting detainees.

Exception: If the circumstances do not allow the officer to safely secure the detainee, then the officer will transport the detainee unsecured. The officer must document the specific reason for the unsecured transport in the GO report.

5. Officers Ensure Detainees are Appropriately Restrained for Transport

SPD Vehicle

When transporting a detainee in a Department vehicle, officers will handcuff detainees behind the back.

> **Exception**: Officers may handcuff the detainee in the front if officer safety is not compromised and the detainee's physical ability is limited.

AMR Ambulance

When AMR is providing transportation of a detainee to a non-medical facility, such as the jail, officers will apply soft restraints to secure the detainee to the gurney if safe and feasible. AMR staff may assist, but they are not required to do so.

Exception: If the detainee's level of resistance makes it unsafe to remove the handcuffs to apply soft restraints, the detainee will be transported with the gurney in the seated position.

When AMR is providing transportation of a detainee to a medical facility, AMR staff will apply the soft restraints.

SFD Medic Unit

When SFD is transporting a detainee in a medic unit, the detainee's condition will typically be more serious and may require advanced medical care. In these cases, officers will consult with SFD personnel and determine the appropriate level of restraint, if any.

6. Officers Will Escort Non-Medical AMR Transports

When AMR is providing transportation of a detainee to a non-medical facility, such as the jail, at least one officer will ride inside the back of the ambulance with the detainee. A second officer will follow the ambulance to provide return transportation to the officer riding inside.

> **Note**: In these cases, AMR staff are not required to ride in the back with the officer and the detainee. AMR may refuse the transport if an officer is not available to ride in the back with the individual.

7. Officers Will Complete an AMR Transport Form for Non-Medical Transports

When AMR is providing transportation of a detainee to a non-medical facility, such as the jail, officers will complete an AMR Transport Form (SPD form 6.0). The original will go to the AMR staff, and the copy will go to SPD Data Center via Department mail.

This form is not required when AMR transports to a medical facility.

8. Officers Will Use the In-Car Video System and Body-Worn Video to Record Transports and Escorts

Officers will activate ICV and BWV while following or riding in ambulances or medic units that are transporting detainees.

If the transport is not recorded with ICV or BWV, then the reason is documented in the Report.

(See manual section 16.090 – In-Car and Body-Worn Video)

9. Officers Will Transport Detainees in the Back Seat or Back Compartment of a Department Vehicle Equipped with a Screen or Partition Physically Separating the Officer from the Detainee

Exception: Captains of specialty units may issue standing approval for assigned personnel to transport detainees in unit vehicles that are not equipped with a screen or partition.

Exception: If operational necessity requires that a detainee is transported in a vehicle not equipped with a screen or partition, then a second officer will ride behind the driver and beside the detainee in the backseat.

Exception: Exigent circumstances may require using the front seat for a detainee transport. Officers will screen the transport with a sergeant explaining the exigency.

10. Officers Shall Transport Adult and Juvenile Detainees Separately

Officers shall transport juvenile detainees so that they do not have physical contact with adult detainees. Officers shall transport juvenile detainees out of the direct view of adult detainees.

Exception: Exigent circumstances may require transporting adults and juveniles together. Officers will screen the transport with a sergeant explaining the exigency.

11. Officers Will Transport Subjects of Different Gender Identities Separately

Exception: Officers operating transport vans may transport detainees of different gender identities in the same van if they are separated by individual compartments.

Exception: Exigent circumstances may require transporting detainees of different gender identities together. Officers will screen the transport with a sergeant and explain the exigency.

Officers will transport transgender subjects alone, whenever possible, in accordance with manual section 16.200 – Interaction with Transgender Individuals.

12. Officers Engaged in Transporting a Detainee Will Not Respond to Routine Calls

Officers will transport a detainee directly to the required destination.

Exception: Officers may respond to a threat to life safety.

13. Officers May Transport Department of Corrections Work Release Inmates with the Approval of a Sergeant

A sergeant must approve the request for transportation based on the following criteria:

- The inmate is violent or likely to become violent.
- The inmate is likely to escape if transportation is delayed.
- The inmate is a risk to the community, themselves, or the facility and its staff.
- The inmate has committed a new crime.

11.020-TSK-1 Transportation of a Detainee from the Location of Arrest to a Department Facility

When transporting a detainee in a Department vehicle from the scene to the Department facility, the **Officer**:

1. **Checks** the detainee passenger area of the transport vehicle.
2. **Searches** the detainee.
3. **Secures** property removed from the detainee.
4. **Secures** the detainee in the transport area of the vehicle.
5. **Updates** the call as transporting a detainee and includes the current mileage.

a. If transporting a detainee without ICV or BWV recording, **notifies** Communications over the air at the start and conclusion of the transport and indicates current mileage.

6. **Updates** the call with the ending mileage at the end of the transport.

7. **Removes** the detainee from the vehicle and checks the detainee passenger area.

8. **Escorts** the detainee into the holding cell area.

(See 11.010-TSK-1 Securing a Detainee in a Department Holding Cell)

11.020-TSK-2 Transportation of a Detainee from the Department Facility to a Detention Facility

When transporting a detainee in a Department vehicle from a Department facility to a detention facility, the **Officer**:

1. **Completes** the required information on the appropriate Detainee Log Sheet.

2. **Removes** the detainee from the holding cell and checks the holding cell.

3. **Searches** the detainee.

4. **Secures** property removed from the detainee.

5. **Checks** the detainee passenger area of the transport vehicle.

6. **Secures** the detainee in the transport area of the vehicle.

7. **Updates** the call as transporting a detainee and includes the current mileage.

   a. If transporting a detainee without ICV or BWV recording, notifies Communications over the air at the start and conclusion of the transport and indicates current mileage.

8. **Updates** the call with the ending mileage at the end of the transport.

Seattle Police Department Manual

11.025 – Jail Booking Declines

Effective Date: 02/01/2020

This policy applies to sworn personnel receiving a booking decline notification from a jail facility.

1. Officers Will Provide Detainees with Access to Medical Aid When Declined at Booking by Jail Medical Personnel

If necessary, officers may transfer medical care to SFD or AMR for transport.

2. Officers Will Document the Jail Decline in their Report

If the detainee is transported to the hospital with hospital guard, see 11.025-PRO-1 Booking Decline With Hospital Guard and 11.030 – Guarding Detainees at a Hospital.

If the detainee is released into the care of medical personnel without hospital guard, see 11.025-PRO-2 Booking Decline Without Hospital Guard.

11.025-PRO-1 Jail Booking Decline With Hospital Guard

Officer (at the jail facility)

1. **Receives** jail booking decline notification from jail facility.
2. **Notifies** sergeant of the booking decline.
3. If necessary, **calls** for SFD to respond for medical aid.

Sergeant

4. **Determines** hospital guard is needed, and follows procedures outlined in 11.030 - Guarding Detainees at a Hospital.
5. **Determines** the level of restraints required for hospital guard and Notifies the officer.

Officer (at the jail facility)

6. **Ensures** transport for detainee to a medical facility.

7. **Ensures** level of restraint at the medical facility is appropriate.

8. **Follows** procedures outlined in 11.030-PRO-1 Hospital Guard.

Officer Transporting Detainee Back to Jail for Booking

9. **Receives** necessary paperwork from medical facility discharging the detainee from the hospital.

10. **Transports** detainee back to the jail facility for booking.

11. **Ensures** detainee medical discharge paperwork is provided to medical personnel at booking.

12. **Completes** the booking process.

13. **Writes** a Supplement Report

    - **Chooses** "Jail Decline with Hospital Guard" as the Supplement Type

    - In the Narrative of the Supplement, **documents** how long the detainee was guarded at the hospital.

11.025-PRO-2 Booking Decline Without Hospital Guard

Officer (at the jail facility)

1. **Receives** jail booking decline notification from jail facility.

2. **Notifies** sergeant of the booking decline.

3. If necessary, **calls** for SFD to respond for medical aid.

Sergeant

4. **Notifies** officer that hospital guard is not necessary in accordance with procedures outlined in 11.030 - Guarding Detainees at a Hospital.

Officer (at the jail facility)

5. **Provides** detainee with access to medical aid.

- **Calls** for SFD for evaluation and transport, or

- **Transports** and escorts detainee into medical facility.

6. **Edits** (or has the officer who wrote the arrest report edit) the arrest report.

    - In the “Arrest Type” field, **selects** "Arrest - Declined at Jail" from the list.

    - **Resubmits** the report.

11.030 – Guarding Detainees at a Hospital

Effective Date: 11/01/2019

11.030-POL

This policy applies to sworn personnel guarding a detainee at a hospital.

1. Officers Assigned to Hospital Guard are Provided by the Precinct Where the Arrest Occurred

(See 11.030-PRO-1 Hospital Guard)

2. Hospitalized Detainees Arrested for a Felony, Felony Warrant, Repeat DUI Offense, or Domestic Violence Related Crime Require a Hospital Guard

Exception: A watch lieutenant may determine that a hospital guard is not needed based on the circumstances. If a watch lieutenant cancels a hospital guard, they will document the circumstances for cancelling the hospital guard in a Supplement Report in Mark43.

A repeat DUI offender will be determined based on the provisions defined in 15.280 - DUI Investigations.

3. Hospitalized Detainees Arrested for a non-Domestic Violence Misdemeanor or Misdemeanor Warrant Do Not Require a Hospital Guard

Exception: A sergeant may determine the need for a hospital guard based on the circumstances.

Officers may use the Charge by Officer Program (CBO) instead of providing a hospital guard for detainees arrested for a non-domestic violence misdemeanor.

Officers will instruct detainees arrested for a non-domestic violence misdemeanor warrant to notify law enforcement when they are released from the hospital.

- The detainee can call 911 or go directly to KCJ for the warrant.

- If the detainee does not turn themselves into KCJ then the officer may complete a Report with a CBO for escape.

4. Detainees Charged with a Crime While Under Hospital Guard are Guarded by the King County Jail Staff

If a detainee under hospital guard is charged with a new crime, then the investigating follow-up unit is responsible for obtaining staff from the King County Jail to take over the responsibility of guarding the detainee.

5. A Patrol Sergeant Will Notify the Sergeant of the Appropriate Follow-up Unit when a Detainee Under Hospital Guard is Admitted to the Hospital

11.030-PRO-1 Hospital Guard

Sergeant

1. **Determines**

    a. If hospital guard is needed.

    b. The level of restraints required.

    c. If visitors are authorized and if the detainee is allowed to use the phone.

    Exception: Detainees may call and receive visits from their attorney.

2. **Coordinates** a rotation to relieve officers.

3. **Assigns** sufficient officers to guard the detainee.

Officer

4. **Maintains** visual contact on the detainee.

5. **Remains** on post until relieved.

6. **Arranges** for a replacement if a break is needed.

7. **Ensures** the detainee is appropriately restrained.

8. **Does not allow** anyone into detainee's room except:

a. Medical Staff

b. Detainee's attorney

c. Authorized visitors

9. **Contacts** a patrol sergeant for any disputes that arise between officer and hospital staff.

Sergeant

10. **Resolves** any issues between officers and hospital staff.

11. **Coordinates** with Sergeants from the next shift to ensure the officer(s) assigned to hospital guard is relieved in a timely manner.

11.040 – Booking Adult Detainees into a Detention Facility

Effective Date: 05/07/2019

11.040-POL

This policy applies to employees who book adult detainees into a detention facility.

1. Officers will Complete an Electronic Superform (Ingress/E-Superform) for all Adult Bookings into the King County Jail and the Regional Justice Center

Exception: If the Ingress/eSuperform is not functioning due to a system outage, then the King County Jail Commander may authorize the use of paper Superforms. Officers will send a copy of the paper Superform to the Data Center.

2. Officers will Complete the Probable Cause Statement on the E-Superform

Exception: Warrant-only arrests do not require a probable cause statement.

3. Officers Shall Mark "Object to Release" and Articulate Their Reasoning Under Certain Circumstances

When screening an arrest with a sergeant, officers shall explain why they do or do not object to the release of the subject. Sergeant shall ensure that officers object to the release of subjects who meet any of the criteria listed directly below. Sergeants shall document this in the Arrest Screening Supplement on the Report.

Under the following circumstances, officers shall mark "object to release":

- The suspect, based on past history and the nature of the crime, poses a danger to the public.

- The victim(s) and/or witness(es) have legitimate fear of retaliation.

- The suspect was armed with a firearm during the commission of the crime.

- The suspect is a known gang-member or has ties to a gang.

- The suspect has recently been released from a correctional facility.

- The suspect is likely to fail to appear for court (flight risk.) Relevant factors to consider include:

    - The suspect's history of response to legal process.

    - The suspect's employment status, enrollment in school or vocational training, participation in a counseling or treatment program, performance of volunteer work in the community, and receipt of financial assistance from the government.

    - The suspect's family ties and relationships.

    - The length of the suspect's residence in the community.

    - The suspect's criminal record.

    - The nature of the crime committed.

4. If an Officer is Booking a Detainee for a Felony Crime, Then they Will Not Include Additional Misdemeanor Charges

Officers will articulate the probable cause for charging misdemeanor crimes in the Report if there are additional misdemeanor crimes involved with the felony booking.

5. Officers May Add a New Misdemeanor or Felony Warrant to the Superform for Either a Misdemeanor or Felony Booking

Seattle Police Department Manual

11.050 – Detainee Property

Effective Date: 05/07/2019

11.050-POL

This policy applies to employees who handle detainee property incident to arrest.

1. Officers Secure Detainee Property

Officers will store detainee property in a secured area when practical.

(See 11.050-PRO-1 Securing and Transporting Detainee Property)

2. Officers Record Detainee Property and its Disposition by Either Photographing the Property and Using the *Detainee Property Form (form 26.4)* or by Using Body Worn Video (BWV)

A second officer will witness the inventory. The witness officer's name is recorded on the *Detainee Property Form* or BWV, as applicable (Also see 16.090-In-Car and Body-Worn Video).

Officers will not document submitted evidence on the *Detainee Property Form*; submitted evidence is documented on the Report (See 7.010-Submitting Evidence).

Officers may use discretion when listing items on the Detainee Property Form.

- For example: It is acceptable to inventory and photograph a bag of clothing and sundries and then list "miscellaneous personal items" on the form.

3. The Department Retains Some Non-Evidentiary Property

Detainee property that is not accepted by the detention facility is submitted to the Evidence Unit as Safekeeping Only (SKO).

Officers place the following detainee property into SKO:

- Helmets

- Briefcases, suitcases, and backpacks
- Officers inventory contents before submitting as SKO
- Laptop computers
- Extra sets of clothing
- Pepper spray
- Firearms (see 11.050-POL-10)
- Alcoholic beverages
- Cigarettes, disposable lighters, or matches

(See 11.050-TSK-1 Officer Submitting Detainee Property to the Evidence Unit as SKO)

4. Officers Perform an Inventory Search of SKO Detainee Property Before Submitting it to the Evidence Unit

5. Officers Discard Perishable Property

Officers will record perishable items using BWV or itemize perishable items on the *Detainee Inventory Sheet* and then discard the items.

Note: Officers may photograph items before they are discarded.

6. Officers May Screen SKO Items With the Evidence Unit

Officers may contact the Evidence Unit directly or through Communications with questions about SKO that may present a biohazard.

Note: Officers place SKO items into the red bio-hazard bags that may present a health risk (e.g., lice, blood, or other biohazard).

7. Legally Possessed Marijuana Accompanies the Detainee to Jail

Officers package marijuana in a separate container marked as marijuana and then place it with the detainee's other items going to the detention facility.

8. Evidence Unit Personnel Contacts the Submitting Officer in Some Cases

The Evidence Unit will contact the officer if a backpack or other personal item arrives for SKO at the Evidence Unit with marijuana or money still inside

Officers will respond to the Evidence Unit and properly package the items in Narcotics or Currency envelopes before the end of their shift.

- Officers will complete a Property Release Supplement for legal marijuana at the same time they resubmit it, releasing it to the owner if it is legal to possess.

- A Property Release Supplement is not necessary for SKO Currency envelopes.

(See manual section 6.181-Performing Inventory Searches)

9. Officers Submit Marijuana as Evidence When the Possession is Illegal or Evidence of a Crime

Officers will submit all marijuana in the detainee's possession to the Evidence Unit if the detainee is under the age of twenty-one or the quantity exceeds:

- One ounce of usable marijuana,

- Sixteen ounces of marijuana-infused product in solid form,

- Seventy-two ounces of marijuana-infused product in liquid form.

If a person is under arrest for DUI and in possession of a legal amount of marijuana, officers will submit the marijuana as evidence. This applies whether the person is booked for DUI or Investigated and Released (I&R).

10. Detainees May Keep Legal Amounts of Marijuana When I&R'd

Except in the cases mentioned above, if the person under arrest has a legal amount of marijuana, and the officer chooses not to book the person into jail, the marijuana stays with the personal property that the arrestee keeps upon release.

11. Officers Submit SKO Firearms as Evidence

The Evidence Unit will process SKO firearms as an item of evidence. Officers will complete a *Property Release Supplement* releasing the firearm to the owner at the time the firearm is submitted.

- The Evidence Unit (through the Public Request Unit) will complete a background check prior to releasing firearms.

  Exception: When the firearm is released to another Law Enforcement Agency, any background check that is performed is done at the discretion of the outside agency.

- Officers will inform the property owner to contact the Evidence Unit prior to showing up so that background information can be obtained.

- The background check takes 3-5 business days.

- Once the owner is notified, they have 5 business days to pick up the firearm or the background process must start over.

11.050-PRO-1 Securing and Transporting Detainee Property

Arresting/Searching Officer

1a. **Captures** a digital image of the detainee's property and **loads** the image into DEMS and **records** the detainee's property and its disposition on the *Detainee Property Form (form 26.4)*

or

1b. **Captures** the detainee's property using the BWV system.

2a. If the detainee's property is photographed and the Detainee Property form is used:

- **Reviews** the form with the detainee and **distributes** the completed copies.

- Original (white)-submitted to Data

- Copy (yellow)-detainee's copy

- **Places** the yellow copy of the *Detainee Property Form* with the detainee's property.

2b. If the detainee property is recorded using the BWV:

Gives a verbal narrative to include:

- The name of the officer conducting the inventory and the name of the witness officer,
- The name of the detainee
- A description of each item inventoried
- If the item is going anyplace other than the detention facility, indicate the disposition as follows:
- SKO (Safekeeping Only)
- Discard Perishable
- Other disposition (specify)

3. **Secures** detainee property in a locker when practical.
4. **Informs** the transport officer if applicable, that the detainee has property.

Transport Officer

5. **Secures** the detainee property during transport.
6. **Submits** the detainee property to the detention facility.

11.050-TSK-1 Officer Submitting Detainee Property to the Evidence Unit as SKO

Officers submitting detainee property to the Evidence Unit as SKO will:

1. **Inventory** the detainee's property with a witness officer present.
2. **Complete** a *SKO Tag* (form 12.8) for items going to the Evidence Unit. Each box, bag or backpack requires a separate SKO tag.
3. **Detach** the top copy of the *SKO Tag* and gives it to the detainee.
4. **Complete** a Property Report listing SKO items.

5. **Place** a barcode evidence label on the back of the second copy of the *SKO Tag.*

6. **Attach** the second copy of the *SKO Tag* to the SKO item and **submit** the item to the Evidence Unit.

Seattle Police Department Manual

12.010 – Communications

Effective Date: 08/01/2021

Some parts of this manual section are exempt from disclosure to the public by RCW 42.56.240(2). Only Seattle Police employees may access these internal links from a department computer.

12.010-POL-1 Communications General Principles

This policy applies to all employees communicating by means of radio or MDT.

The cooperative relationship between communication dispatchers and field units is essential to the successful mission of the Department.

1. The Chief of Police Gives Communications Dispatchers the Authority and Responsibility to Manage Field Unit Resources

The Communications Dispatcher has authority and responsibility for the overall management of resources on an immediate basis.

Availability, duty skills, and location will determine how resources are assigned.

2. Field Units Will Promptly Acknowledge Dispatchers When Called on Radio

Exception: This requirement does not apply when acknowledging by voice threatens the safety of the officer or others or they are physically unable to do so.

Field units will answer assignments from the dispatcher without providing further comment unless additional information becomes necessary.

3. The Communications Section Determines the Deployment of Assigned Personnel During the Shift

The Communications Section maintains the responsibility for call-by-call distribution of field units.

12.010-POL-2 Deployment

1. Watch Lieutenants Will Determine Personnel and Staffing Numbers Assigned to General Field Duty

This staffing and resource pool becomes the Communications Section's assigned personnel to deploy during the assigned shift.

The Watch Lieutenant may, during a shift, change the strength of the staffing for special purposes by coordinating with the Communications Section.

Should the Watch Lieutenant choose to override the dispatcher's judgment as to the allocation of available resources, the Watch Lieutenant will assume responsibility for the proper response to all incidents within the affected area from that moment, until the control of available resources reverts to the dispatcher.

2. The Responsibility for Taking Proper Actions in Any Situation Remains with the Individual Responding Field Units and Supervisors

3. Sergeants and Lieutenants Will Monitor and Supervise the Status of Their Assigned Personnel

Supervisors will monitor their assigned personnel's use of downtime, call assignments and the duration of the calls.

4. Supervisors Will Monitor and Supervise the Status of Calls and Ensure the Prompt Handling of High Precedence Calls

Supervisors will assist the Communications Section in requesting units to clear and respond when asked by Dispatch prior to cross-precinct dispatching on high precedence calls.

If necessary, supervisors may reroute their personnel to handle holding high precedence calls.

Supervisors may also elect to handle the call-in place of a patrol unit if additional patrol units cannot clear to respond.

5. All Units, Including Sergeants and Lieutenants, Will Log in at the Beginning of the Shift

All units will log in to service even if assigned to court or administrative duties.

6. Field Units Will Remain Available Until 30 Minutes Prior to the end of their Shift

Exception: This does not apply if handling an arrest or completing a report.

7. Sergeants Expedite Roll Call When Necessary

When call-load requires, sergeants coordinate roll call response to respond to priority calls (see 12.010-TSK-1).

12.010-POL-3 Using Radio Channels

1. The Radio Shop Programs and Maintains All Patrol Radios

The Radio Shop will program department radios with zones 1 to 25.

2. Units Assigned with Specialized Radio Programming Will Retain These Radios When Personnel Leave the Unit

Some radios have specialized programming assigned to specific units, sections, or positions. These radios have additional channels and features that impact the work related to the specific unit in which assigned.

Employees must return these specialized portable radios to the quartermaster when reassigned or promoted.

3. The PTAC Channel Will Remain the Designated Channel for Unmonitored City-Wide Car-to Car Radio Traffic

Interim channels for precinct car-to-car communication are as follows:

NW – North Precinct

SW – South and Southwest Precinct

PTAC – East and West Precincts

4. The Database Channel (Data) Operates 0700-0300 Hours Daily as Staffing Allows

Database may assist with:

- Warrant & Stolen Checks when impractical by patrol

- Warrant & Stolen Verification
- Tow requests
- Access Queries
- Agency coordination
- Stolen Recovery process
- Victor Units logging into service
- Miscellaneous phone calls, when practical and feasible

6. Multi-Agency Responses May Utilize SPD Interoperability Channels: KCIO02-KCIO15 (located on zones Z13-Z14)

Field Units will advise SPD Communications, when feasible prior to and upon switching to an SPD Interoperability channel.

KCIO02-KCIO08 – All Police

KCIO06-KCIO07 – SPD

KCIO09-KCIO15 – All Fire

12.010-POL-4 Radio Procedures

1. Radio Communications Will Follow Protocols

All forms of communication between field units and the Communications Section will remain professional and business-like, using proper language and correct procedures.

All personnel broadcasting over radio will focus on five key principles while transmitting:

1. Brevity
2. Enunciation
3. Audible volume
4. Normal, even, and steady voice
5. Plain verbiage

Field units will keep the Communications Dispatcher advised of their "in" and "out of service" status during their shift either by voice or MDT. The unit may state that they intend to go "out of service," and briefly stating the nature of the activity.

When a Field Unit receives a call by means of the Mobile Data Terminal (MDT), they may indicate their enroute status via the MDT.

Field units responding to a voiced dispatched call will advise their status to the Communications Dispatcher over the air (e.g., enroute, arrived)

Field Units must request all coffee breaks and lunch breaks from their dispatcher.

Field Units may use their MDT to log to minor, non-seizure on-view incidents that do not require an additional officer.

All field units must log to all traffic stops.

Officers and Communications Section personnel will promptly report violations of radio procedures or other causes for internal complaint, specific to the workload management to their supervisor. The complainant's supervisor will handle the complaint process through the chain of command, as appropriate.

2. Dispatchers May Broadcast Lower Precedence 3 and 4 Calls So Auxiliary Units Can Assist with Handling the Call

This gives patrol and other units (e.g., CPT, ACT, SWAT, or Traffic) nearby the location or have recently traveled through the area a chance to clear the call.

Examples of appropriate calls handled in this manner: area checks for mischief, minor hazards, etc.

3. Officers Will Use Final Type (MIR) Codes to Clear Calls for Service

Field Units will MIR all primary police actions except for routine patrol and follow-up (secondary) action conducted by follow-up units.

Officers in vehicles not equipped with an MDT will give their MIR and disposition to the dispatcher via radio.

Officers will document police actions via radio or MDT, as appropriate. Documentation of police action may include:

1. The nature of the incident,
2. The location of the incident,
3. Time the complaint was received, or the on-view incident occurred,
4. Time logged out of service,
5. Time of arrival at scene,
6. Time returned to service, and
7. Disposition of incident.

4. The Unit of Assignment and Rank Will Determine an Individual Unit's Radio Call Sign

The Radio Shop assigns a unique number to each radio. The Quartermaster assigns the radios to employees and logs the radio number assigned. The Communications Section maintains the list of radio assignment call signs through the CAD system.

Patrol Captains and above

- Car followed by 1 or 2-digit number (e.g., Car1 or Car 33).

Patrol Lieutenants

- 3-digit number representing Rank-Precinct-Watch (e.g., 232 Lieutenant-South Precinct-2nd watch).

Patrol Sergeants

- Watch 1, 2, or 3 followed by the sector letter (e.g., 2W – 2nd watch sergeant of William sector.

Patrol District Units

- Watch 1, 2, or 3 followed by sector letter and beat number (e.g., 2S1 – 2nd watch unit in Sam sector, beat number 1).
- Additional units assigned to the beat identify by the watch, sector, beat and a number 1 through 9, (e.g., 3S31 – additional 3rd watch unit in Sam sector, beat number 3).

Umbrella Units

- Units assigned to cover entire sectors or with no designated beat(s) Identify by a call sign designated by the watch, sector, a zero and a number 1 through 9. Units assigned to extra patrol for the sector will use numbers 01 through 06 and be available for 9-1-1 calls (e.g., 3N01 3rd watch-Nora Sector-01).

- Unmarked, surveillance or dedicated pro-active units will use numbers 07 through 09 and be available for emergency calls only (e.g., 3N09 3rd watch-Nora Sector – 09).

Uniformed Walking Beat Units

- Walking beat officers identify by a call sign designated by watch, sector and a two-digit number 51 through 59 (e.g., 3E51, 3E55). Walking beat sergeants identify by a call sign designated by the watch, sector, and the number 50 (e.g., 3E50).

Uniformed Emphasis Units & Sergeant

- Patrol officers assigned to special emphasis (e.g., gang suppression, target areas), identify by a call sign designated by the watch, sector and a two-digit number 61 through 69 or 71 through 79, (2M62, 2M79, etc.). Emphasis unit sergeants identify by a call sign designated by the watch, sector, and the number 60 or 70 (e.g., 2M70).

Uniformed Bicycle Beat Units & Sergeant

- Bicycle officers identify by a call sign designated by watch, sector and a two-digit number 81 through 89 or 91 through 99 (e.g., 2U83, 2U94). Bicycle unit sergeants identify by a call sign designated by their watch, sector, and the number 80 or 90 (e.g., 2U80).

Patrol Wagons

- A patrol wagon shall be identified by the sector, watch and the number "10" (e.g., 3K10, 2D10).

Mobile Precincts

- The mobile precincts will be designated by MP followed by their assigned precinct number e.g., MP1, MP2, and MP3.

Off Duty or Unassigned Personnel

- Off-duty personnel using SPD radio will identify themselves by using their employee serial number preceded by the alpha designator “VICTOR” (e.g., V5348).

Special Event Radio Assignment Numbers

- Special events include large gatherings, V.I.P. security, special command operations and events such as Seafair, Hydroplane Races, and other city activities.

- Special event resources call signs use the following alpha designators: A – ADAM; I – IDA and Y – YOUNG, and the numbers 1 through 200. The numbers 1 through 5 may also precede the designator (e.g., Y25, A120, 5A75, 3Y130). Sergeants shall identify by using the alpha designator preceded by a number 1 through 20 (e.g., 3A, 12Y).

Harbor Units

- HBR followed by 1 or 2-digit number.

Traffic Units

- T followed by 2-digit number.

Parking Enforcement

- P followed by 2 or 3-digit number.

Real Time Crime Center

- RTCC followed by single digit number 1-9.

Crisis Response Unit

- CRT followed by single digit number 1-9.

Community Policing Team-CPT

- 400 number series.

Anti-Crime Team-ACT

- Precinct number followed by 90 (e.g., 490 East precinct ACT).

Canine Units

- K9 followed by 2-digit number.

SWAT

- Z followed by 2-digit number (e.g., Z20).

Emphasis Unit

- Watch-Sector-2-digit number 60-79 (e.g., 2D62 2nd watch - David Sector-Emphasis unit).

Neighborhood Response Team

- V-2-digit number 50-59 (e.g., V59 Neighborhood Response Team (V), 50-59).

5. The Communications Section, in Cooperation with the King County 800Mhz Regional Communications Board, Has Authority Over the Utilization of All Seattle Police Department 800 MHz Talk Groups

The Federal Communications Commission (FCC) and department policy and regulations state:

It is unlawful to transmit any unnecessary or unidentified communication on the radio, use profane, indecent, or obscene language, cause interference with any other radio communications or transmit an unauthorized department call sign.

Violations of these policies can result in civil fines and/or possible departmental disciplinary action.

(Internal Link) 12.010-POL-5 Planning Special Events

(Internal Link) 12.010-POL-6 Handling Emergency Transmissions

(Internal Link) 12.010-POL-7 Aggressive Dispatching

(Internal Link) 12.010-PRO-1 Planning Special Events

(Internal Link) 12.010-PRO-2 Handling Radio SPD Transmissions

(Internal Link) 12.010-PRO-3 Aggressive Dispatching

12.010-TSK-1 Sergeants Monitoring Calls and Personnel

Sergeant

1. **Coordinates** with the oncoming early car squads to get officers out quickly if needed

2. Early roll call sergeants for each shift **monitor** the number of holding precedence 1 calls waiting before roll call and **notes** that on the roll call sheet

3. **Ensures** Field Units make every effort to logon within 30 minutes of roll call start time and remain available until 30 minutes before the end of their shift

12.010-TSK-2 Officer Broadcasting Over Radio Procedures

When broadcasting information and requests over radio, the **Field Unit** will:

1. **Broadcast** their full call sign as identification and intent to transmit

2. **Pause** for the dispatcher to acknowledge with a repeating of the call sign and possibly go ahead

3. **Transmit** the intended message

12.040 – Department-Owned Computers, Devices, & Software

Effective Date: 10/01/2021

12.040-POL-1 General Policy

The Department follows the City's Information Systems Security Policy.

Employees using Department-owned devices or software will follow the City's security policy:

- Protect and never share access accounts, privileges, and associated passwords
- Maintain the confidentiality of sensitive information to which they are given access privileges
- Accept accountability for all activities associated with the use of their network accounts and related access privileges
- Ensure that use of City computers, email, and other electronic communications (IM, etc.), Internet access, computer accounts, networks, and information stored, or used on any of these systems is restricted to authorized purposes and defined use limitations
- Maintain information security awareness
- Report all suspected security and/or policy violations to an appropriate authority (e.g., manager, supervisor, system administrator or the Office of Information Security)

For this policy, the term device means any electronic equipment that has the capability to:

- Connect to the internet or Department computer network and/or;
- Be used as a means of communication

For this policy, the term "non-standard technology" means all projects, contracts, surveys/forms, open datasets, and technology

acquisitions that are not formally identified City-wide standards, including, but not limited to:

- Free SaaS subscriptions,
- Contracts and professional services,
- IT projects,
- Open datasets, or
- Surveys

Exception: This policy does not apply to devices being used while conducting undercover operations. Employees will refer to their unit guidelines when using undercover devices.

12.040-POL-2 Protecting Department Hardware, Software and Computer Systems

The City's Information Technology Department (ITD) ensures the security of computer systems and software. ITD will audit and monitor the use of the equipment and access to information.

1. Only Authorized Users Operating Authorized Devices May Access the Seattle Police Department's Computer Network

Employees will access the SPD network only with devices authorized by ITD.

- This requirement includes devices used by other agencies assisting SPD or vendors working with ITD.

2. ITD Controls Department-Owned Software

ITD will review and evaluate purchases of computer and device software. ITD will approve or reject the purchase of software based on internal policies and the City's ITD guidelines.

ITD will maintain the software licenses for Department-owned software.

3. ITD Monitors Software Use on Department Devices

ITD will audit the software used on Department computers and will remove unauthorized software.

4. Employees Will Not Violate the License Agreement of Department Software

Employees will not copy Department-owned software or install the software on any other computer.

5. Employees Will Not Install or Download Non-Department-Owned Software, Applications or Programs on Department Devices

6. With Approval from their Lieutenant/Civilian Equivalent or Above, Employees May Request New Applications and Software (Including Free Technologies) by Completing a Request in the Seattle IT Service Hub

This is required for all requests to change any kind of IT system including, but not limited to, changes in hardware, network connections, addition or removal of applications, and additions or changes in application configurations, data elements, check lists, and drop-down lists.

Non-Department-owned software cannot interfere with the operation of any Department-owned software or hardware.

The unit assigned the software will maintain the license agreement. A copy of the license agreement is sent to ITD by the unit.

12.040-TSK-1 (below) contains the link to the service hub.

7. With Approval from their Lieutenant/Civilian Equivalent or Above, Employees May Request New Purchases of Non-Standard Technologies

This is required for all requests for any purchase of non-standard technologies.

(See 12.040-TSK-2 Requesting New Purchases of Non-Standard Technologies)

8. Employees Will Report Malfunctions of IT, Systems or Software by Calling the Seattle ITD Service Desk at 4-HELP to Complete a HEAT Ticket

Seattle ITD (previously known as DoIT help desk) is available M-F, 8-5 for routine desktop equipment or software related issues.

Seattle ITD can be reached via telephone at 4-HELP or 386-4011, or via e-mail at 4-Help@seattle.gov.

After hours assistance can also be requested via 4-HELP or 386-4011. After hours requests are handled by the on-duty Seattle ITD personnel.

Seattle ITD assistance via SPD Radio is also available 24/7 via Zone 2 / ITS. This resource is for in-car equipment issues related to the VMDT. Assistance is also provided to patrol officers that need a password reset to complete their patrol related tasks.

9. Employees Will Not Use Unauthorized Encryption Tools on a Department Computer or Device

10. Employees Will Not Password-Protect a Work File or Hard Drive

Exception: A lieutenant or above may authorize an employee to password-protect a file or drive based on an investigative or operational need.

Exception: This does not apply to Department-required passwords for Department computers, programs, or devices.

12.040-POL-3 Using Department Devices

1. Employees Have No Expectation of Privacy When Using a Department Device

The Department has the right to review all records related to Department devices including, but not limited to phone logs, text messages, photographs, email, and internet usage.

2. Employees Use Devices in a Professional Manner

Employees will use Department devices to communicate in a professional, appropriate, and lawful manner both on and off-duty.

Employees are accountable for all transmissions made on Department devices.

3. Personal Use of Department-Provided Devices Must Follow Department Guidelines

The Department allows limited, reasonable, personal use of Department devices with the knowledge that all use of Department devices may be monitored and subject to public disclosure.

Personal use of Department devices must not:

- Be illegal,
- Incur a cost to the City,
- Interfere with work responsibilities,
- Disrupt the workplace,
- Store unlicensed, copyrighted materials on any City-owned technology,
- Create a device-to-device connection between Non-City owned Technology and City-owned Technology,
- Comprise commercial or solicitation activities,

Or,

- Cause an embarrassment to the Department.

The Department may monitor and review all use of Department devices.

4. Department Devices Equipped with the VMobile Application Must Be Password Protected

Any use of the VMobile application must comply with manual section 12.050 - Criminal Justice Information Systems.

5. Employees Will Report Lost or Stolen Department Devices

In the event of a lost or stolen Department-issued device, the employee assigned the device must comply with 9.030-PRO-1 Reporting Destroyed, Lost, or Stolen Equipment.

6. Employees Will Not Access the VMobile Application in an Off-Duty, Unofficial Department Capacity

Off-duty use must comply with manual section 12.050 - Criminal Justice Information Systems.

7. The Act of Carrying a Department Device While Off-Duty Does Not, In Itself, Constitute Overtime

Overtime expectations vary by assignment. Supervisors will clarify their expectations for any off-duty use of Department devices. Unless an employee has been explicitly ordered by a supervisor to be available, check emails, or conduct other Department business outside of normal shift hours, they are not expected or encouraged to do so.

(See manual section 4.020-Reporting and Recording Overtime/Out-of-Classification Pay)

8. The Fiscal Unit Assists Employees with Cellular Phones

Employees making a request for a new or replacement cell phone will submit a 1.5 through their chain of command. Once approved, the Fiscal Unit will order the new phone and service.

9. The Department Telephone Coordinator Assists Employees with Desktop (Landline) Phones

Employees may contact the Telephone Coordinator at spd_telephone_coor@seattle.gov. The Telephone Coordinator can assist employees in the acquisition of phones and moving phone numbers to new locations.

Section Captain or civilian equivalent will approve the acquisition or moving of desk phones.

10. Employees Will Not Use Department Devices Internationally Without the Approval of a Captain/Civilian Equivalent or Above

After captain or civilian equivalent approval, employees will contact ITD to upgrade their device plan for international use.

International travel with a Department device may incur roaming charges to the Department.

11. Employees Will Comply with All Department Public Disclosure Requests

(See manual section 12.080 – Disclosure of Department Records)

12. When Receiving a Public Disclosure Request or Subpoena, Employees Must Retain All Requested Content

Employees will not delete requested items after receiving a public disclosure request or subpoena.

Department personnel may review content of any messages or photos contained on the device to make informed disclosure decisions.

13. Employees Will Retain Public Records According to the City Records Management Program

This includes, but is not limited to, text messages and photographs.

Employees seeking long-term retention may elect to transfer the content from the device to an appropriate Department network or system.

14. Employees Will Hold and Preserve All Public Records Relating to Litigation or Anticipated Litigation

Employees will hold and preserve all requested records until the City Attorney's Office releases the legal hold.

Employees will retain all records, including transitory records, responsive to a pending public records request until the Department's response to the request has been completed.

15. Employees Acknowledge that Public Disclosure Laws Apply to Personally Owned Devices Used for Department Business

Employees using their personally owned devices for official Department business and correspondence do so with the knowledge of this admonishment.

The Department prefers employees use Department-provided devices for Department-related matters.

Employees may request that their supervisor provide a Department-owned phone to make phone calls for official business.

16. The Department May Request Employees Review Their Own Personal Devices in Compliance with Public Disclosure Requests

The employee may be required to sign a declaration demonstrating the adequacy of the search of a personal cellphone or device regardless of whether the search resulted in responsive records.

Employees with questions regarding public disclosure may contact the Legal Unit.

17. Employees Will Not Charge Personally Owned Devices in Department USB Ports

Vehicle USB ports and USB ports that connect to a device may retain data from a personally owned device when plugged in.

Employees may use wall outlets or vehicle 12-volt DC sockets to charge personal devices.

12.040-TSK-1 Using the IT Service Hub to Submit a Request for Change or Enhancement Intake Request

To submit a change request approved by the chain of command, the **employee**:

1. **Navigates** to the Seattle IT Service Hub login page.
2. **Selects** the button next to "Sign in to one of the following sites:"
3. **Chooses** "Seattle IT Service Hub – PROD" from the dropdown list.
4. **Clicks** the Sign in button.
5. **Enters** his or her seattle.gov email address and network password to sign in.
6. **Clicks** "SERVICE REQUEST CATALOG" from the choices at the top of the page.
7. **Locate** the "Search for a Request Offering" field and **search** for SPD.
8. **Choose** "SPD Change or Enhancement Intake Request".
9. **Complete** the request and **submit** when finished.

12.040-TSK-2 Requesting New Purchases of Non-Standard Technologies

To request a new purchase of a non-standard technology, the **employee**:

1. **Obtains** approval from their lieutenant/civilian equivalent or above.

Once the request for purchase has been received from an employee, **lieutenant/civilian equivalent or above**:

2. **Contacts** the Technology Integrator to see if a privacy review is necessary

    - If a privacy review is necessary, the Technology Integrator and Performance, Analytics, and Research Section **completes** privacy paperwork and **submits** for review

3. **Completes** a 1.5 purchase order if a privacy review was not necessary

12.050 - Criminal Justice Information Systems

Original Effective Date: 08/27/2020
Revised Effective Date: 11/01/2022

12.050-POL

Criminal Justice Information Services Security Policy

WSP ACCESS/WACIC/NCIC/User Acknowledgement

1. Definitions

Criminal History Record Information: Information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any disposition including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

- Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons,
- Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis,
- Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings, and
- Records of traffic violations that are not punishable by a maximum term of imprisonment of more than ninety days.

Dissemination: Disclosing criminal history record information, or the absence of criminal history record information, to any person or agency outside the agency possessing the information, subject to the following exceptions:

- Agencies participating in a single (joint) record-keeping department,

- Furnishing information to process a matter through the criminal justice system (information to a prosecutor), and

- Reporting events to a record-keeping agency.

NCIC III: The National Crime Information Center Interstate Identification Index, managed by the FBI and state law enforcement agencies. The NCIC Advisory Policy Board has established a set of standards and goals that the FBI and state agencies enforce. The information contained in the NCIC includes all records collected by criminal justice agencies on individuals including identifiable descriptions, notations of arrests, detentions, indictments, formal criminal charges, dispositions, sentences, correctional supervision, and release. Federal, state, and local laws and regulations dictate that this information is to be accessed and used only by authorized individuals within a criminal justice agency, that this information is to be used for criminal justice reasons, that this information is to be kept confidential, and that this information is to be stored in a secure location.

- Employees must be working for the Seattle Police Department in an on-duty or extra-duty capacity and investigating a criminal offense.

- Employees shall not run names or make inquiries through NCIC III, or any other criminal record system while working for an off-duty employer or on behalf of an off-duty employer.

2. Inquiries Through ACCESS, or Any Other Criminal Justice Record System, Are Only to Be Made for Legitimate Law Enforcement Purposes

This includes, but is not limited to, inquiries made to DOL, DOC, WACIC, WASIS, NCIC III, LInX, and any inquiries processed through NLETS to other states. Inquiries made for personal use, or inappropriate use or dissemination of the information, can result in internal discipline, as well as penalties under federal and state law.

3. All Employees Who Use Terminals That Have Access to Information in WACIC/NCIC Files Must Be Certified

After initial certification, employees shall take a recertification test every two years.

- For inquiries only, employees shall attain Level I certification.

- If employees make data entries into the system, they shall attain Level II certification.

4. SPD Must Remain in Compliance With the ACCESS/WACIC/NCIC User Acknowledgement or Risk Termination of One or More of the Services Provided

The ACCESS/WACIC/NCIC User Acknowledgement is the formal agreement between WSP and SPD. This document acknowledges the standards established in the FBI's Criminal Justice Information (CJI) Service Security Policy. The standards require accuracy, completeness, timeliness, and security in the dissemination and recording of information.

5. Data Center Manager is the Technical Agency Coordinator

The department must designate a Technical Agency Coordinator (TAC) to act as the point of contact for the WSP and the Federal Bureau of Investigation (FBI). The individual designated to function as a TAC will be responsible to ensure compliance with state and National Crime Information Center (NCIC) policies and regulations. The TAC must maintain a Level II training certification and attend TAC training once every three years.

Additionally, the TAC shall participate in and ensure that all appropriate records be available during the triennial audit conducted by the ACCESS audit staff. Responsibility for proper operator performance, strict adherence to regulations, prompt notification of CJIS violations to the ACCESS Section, and subsequent training rests with the TAC. The SPD TAC is the Data Center Manager.

6. All Employees Shall Adhere to WASIS and NCIC Policies

Use of WASIS (Washington State Identification System and Criminal History Section) and NCIC Interstate Identification Index (NCIC III) is regulated by the FBI and WSP in accordance with the 28 CFR Part 20, WAC 446-20-260, and RCW Chapter 10.97. Improper use of the system may result in severe penalties to the department and the individual user.

All employees shall adhere to the following WASIS and NCIC policies:

1. Any information obtained through these systems shall not be disseminated to anyone outside the department, except to a prosecutor. If necessary, sworn employees may confirm to a criminal justice agency the WASIS or FBI number, if it is known.

a. Examples of agencies and/or organizations to whom we cannot release criminal history information include, DSHS, Passport Agencies, Child Protective Services, Adult Protective Services, Crime Stoppers, victims, and witnesses.

b. Inquiries for criminal history information from outside agencies, organizations, and individuals should be referred to Washington State Patrol.

2. Inquiries into these systems shall not be made in response to a request by another criminal justice agency or by any retired employees, including those holding any extended authority, special police commission, or similar police commission.

3. The Department of Justice Criminal Justice Information System (CJIS) restricts the use of all criminal-related data bases to official investigations when conducted while working for a criminal justice organization. As a result, no employee shall run names or make inquiries through ACCESS, WACIC, WASIS, NCIC III, LInX, or any other criminal record system while working for an off-duty employer or on behalf of an off-duty employer.

4. All NCIC III queries are stored in the system. A program has been developed to create an automated user log from that data.

5. This log is audited by the Washington State Patrol, the FBI, and the Audit Unit and shall be available for inspection by any of the agencies at any time. The following procedures must be followed when accessing the Criminal History Database:

a. All NCIC III queries should be made using Transaction Code CQCH – Common Query Criminal History

b. The Purpose Code box must be filled in with 1 of the 2 authorized Purpose Codes that appear in the pull-down. The query will not go through if the box is left blank. The only authorized Purpose Codes are:

C - Criminal Justice purposes as well as authorized uses in relation to the security of the criminal justice facility including, vendors/contractors who are not involved with administration of criminal justice (e.g., janitors, maintenance personnel, visitors, etc.).

J – Criminal Justice employment/applicants and re-background requirement for criminal justice agency personnel as well as vendors, contractors, volunteers,

and interns, who are involved with the administration of criminal justice for the agency.

c. The Reason field must be filled in with a specific criminal justice reason. The report number should always be listed in the reason field if available. If a report number has not been generated the specific criminal justice reason must be listed in the reason field such as theft, narcotics, homicide, missing person, or criminal justice applicant. Listing terms such as investigation, arrest, criminal history, or employment in the reason field are not valid. Listing abbreviations of any kind in the reason field is not authorized unless the abbreviation has been approved and is on file with the department TAC.

6. An automated user log for all queries made using the Omnixx system is maintained by the Washington State Patrol. Data Center and Public Request Unit Personnel may request access to this log via the "Request for Off-Line Search." The following information must be included in the Attention Field (ATN) when making a criminal history inquiry using Omnixx:

   a. Requestor's SPD serial number.

   b. Specific criminal justice reason such as theft, narcotics, homicide, or the report number. Use of abbreviations is acceptable but must be on the list approved by the department TAC found here.

      Examples for the ATN field:

      (Serial # / Reason)

      4545 / Assault

      4545 / ASLT (approved abbreviation)

      4545 / 2019-16735

7. The NCIC III system is only to be used by personnel involved in criminal investigations, and background investigations. As of 2/11/15, a NICS check will be required for firearms returns. The Public Request Unit is the only unit authorized to complete NICS checks.

8. MDCs and PDTs (mobile and portable data computers/terminals) are not authorized to access NCIC III information because the terminals are unable to comply with NCIC audit requirements.

9. It is important to enter inquiries to the Criminal History Records system properly. The following information must be accurate and complete on the inquiry mask:

    a. The "Purpose Code" must be entered correctly, "C", for criminal investigation, or another appropriate code. See NCIC manual for details.

    b. The "Requestor Full Name/Serial" must contain the name and SPD serial number of the person making the inquiry. It is not acceptable to use "Det", "Off", or the "unit title" in this field.

7. Employees Are Prohibited from Accessing or Sharing Criminal Justice Information on Public Devices

Employees will not access or share CJI from a publicly accessible device (library, personal phone, etc.) The Mark 43 records management system will not be accessed from a publicly accessible device.

8. Employees Will Not Cut and Paste Information from ACCESS Sources

Employees will not directly cut and paste information from ACCESS sources (WACIC, NCIC, DOL, DOC, etc.). Details should be written out in narratives when needed.

9. Employees Will Not Discuss or Provide Information to Any Person or Entity Who Is Not a Member of the Criminal Justice System Without the Permission of the Chief of Police, or By Due Process of Law

The Washington State Criminal Records Privacy Act (RCW 10.97) provides for the completeness, accuracy, confidentiality, and security of criminal history record information, as well as victim, witness, and complainant record information. Employees shall not discuss or provide information to any person or entity who is not a member of the criminal justice system (prosecuting attorney, court, etc.) without the permission of the Chief of Police, or by due process of law. Violations may lead to criminal sanctions.

10. Criminal Records Releases Are Restricted

Requests for information shall be referred to the appropriate section.

- Criminal history record information dissemination to individuals, agencies, or groups outside the department shall be administered by the Records File Unit and Data Center Unit.

- Juvenile record information dissemination to individuals, agencies, or groups outside the department shall be administered by the Records File Unit.

Printouts of criminal history record information from the department's computerized and manual files are prohibited except when:

- Required for a detective investigative file.

- Required by a prosecuting attorney.

- Required by agencies or individuals authorized by the Records, Evidence, and Identification Section access procedures.

- Required in a mutual criminal investigation with a court or government agency authorized by the Washington State Patrol to receive criminal history record information.

- The Records File Unit and Data Center Unit shall maintain a current list of agencies so authorized.

- Authorized by a watch, section, or unit supervisor as required for an investigation or in an emergency.

When releasing criminal history information to a prosecutor the release tracking should always be used to indicate release to either King County Prosecutor's Office or the City Law Department. The release tracking serves as the automated secondary dissemination log.

In authorized instances when criminal history is secondarily disseminated to any agency or person the following information relating to secondary dissemination of criminal history record information shall be maintained by the appropriate section in the form of a manual log and will include the following:

- To whom (agency or person) criminal history information was released,

- The date of release, and

- A brief description of the information released.

The disposal of printouts from computer terminals shall be by destruction.

11. Individuals Have the Right to Inspect and Review Their Criminal History Record Information Maintained by the Department

A copy of the department operating instructions titled, "Inspection and Review of Criminal History Record Information" and "Challenge and Deletion of Criminal History Record Information" shall be maintained at locations where the public can make inquiries concerning department procedures.

An individual's right to access and review their criminal history record information shall not extend to data contained in intelligence, investigative, or other related files and shall not be construed to include any information other than that defined as Criminal History Record Information by RCW 10.97.030.

In order to inspect, review, or challenge and have deleted criminal history record information, the individual must appear in person at the 1st floor of the Police Headquarters Building 610 Fifth Avenue, Tuesday through Thursday (excluding holidays) between the hours of 8:00 a.m. and 4:30 p.m. and make a request in writing on the forms provided.

Employees are responsible for directing individuals to the Records File Unit in order to facilitate review of their criminal history record information.

An individual will be provided an opportunity, following review of the criminal history record information collected, stored, and maintained by the department, to challenge the accuracy and completeness of the data and request deletion of certain non-conviction arrests.

If the challenge is rejected, the individual has a right to appeal the decision to the Office of the Chief of Police.

It shall be the duty of the Records File Unit manager and supervisors to administer the rules pertaining to an individual's right to review their criminal history record information, concurrent with the aforementioned laws, regulations, and ordinances.

12. All SPD Personnel Must Have a Background Re-Investigation Every Five Years

To complete this compliance measure, the department must:

- Run a criminal history inquiry using purpose code "J". Use "Criminal Justice Re-background" as a reason. Log the date and SID# of the employee. Do not retain rap sheet information.

- If there are felony findings within the employee's rap sheet, they will be denied continued use and certification with ACCESS. The TAC must notify the WSP Information Security Officer of any findings.

- If there are charges pending a disposition, the TAC must notify the WSP Information Security Officer (ISO).

- If there are misdemeanor findings the TAC shall notify the WSP Information Security Officer. The Seattle Police Department will ultimately decide whether to limit ACCESS usage.

- Keep a log of all personnel SID numbers and the date of the background re-investigation for future ACCESS audits.

13. SPD Must Comply With ACCESS/NCIC Security Requirements

All employees must complete the Security Awareness Training within six months of initial hire. Any employee not Level I or Level II-certified must review the Security Awareness Training every two years.

Maintaining security of the terminal sites and information received is the responsibility of agency personnel operating the terminal, the TAC, and the agency head. Terminal locations must be secure from authorized 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.

Violations of the rules, regulations, policies, or procedures developed by FBI and adopted by the WSP, or any other misuse or abuse of the ACCESS system may result in agency 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.

Any misuse of the NCIC III system must be reported to the TAC (Data Center Manager) immediately. The TAC shall report the misuse to the Washington State Patrol and the FBI via the "ACCESS Violation Incident Report" form. The violator's chain of command will be notified of the misuse.

14. The Lieutenant of the Audit Unit Will Assign Personnel to Conduct Regular Audits of the Department's Criminal History Records Inquiries

The department audits will be completed biannually, and the results of these audits will be reported to the Chief Operating Officer.

The audit will look for any violations of the CJIS Security Policy, The WSP User Acknowledgement, and department policy. Violations include but are not limited to:

- Queries made for personal reasons.
- Reason Field errors, such as using general terms such as investigation, arrest, warrant, criminal history.
- The Reason Field must contain a specific crime such as homicide, assault, burglary.

Any users who are in violation of any or all of the above will have their access to the Criminal History system shut off. Access will be denied until they have attended a remedial class for making Criminal History inquiries.

- An e-mail will be sent to the employee and their immediate supervisor from the Audit Unit lieutenant that their access to the Criminal History system has been denied.
- The e-mail will contain information about the remedial classes that they must take to regain access.
- A copy of the e-mail will be sent to the Data Center Manager/TAC for implementation.

12.055 – Criminal Justice Research

Effective Date: 08/15/2012

12.055-POL

This policy pertains to the Department's facilitation of research.

1. The Department Encourages Criminal Justice Research and will Facilitate Research as Allowed by Law and Available Resources

The Department may permit researchers to have direct access to police files and/or personnel under properly executed research and confidentiality agreements.

- The Executive Director of Strategic Initiatives will have final approval over outside research requests.
- A written Research Agreement is required for the release of any Department data for research, evaluative or statistical purposes.
- Research requests for criminal history shall comply with WAC 446-20-420.

2. Agencies, Institutions and Individuals Desiring the Use of Police Records for Research will Use the Seattle Police Department Research Request Instructions as a Guide to Complete a Request

(See Seattle Police Department Research Request Instruction Guide)

3. The Compliance Section will Receive and Vet all Outside Research Requests

(See 12.055-PRO-1 Vetting Process for Outside Research Requests)

The following questions will be considered when requests are analyzed:

- Is the information requested available?

- What is the estimated cost to complete the request?
- Personnel time
- File research
- Copying
- Can the additional workload required to complete the request be absorbed at the time it is requested?
- How will the completed research project be beneficial to the Department or to the criminal justice system?
- Are there privacy issues?
- Does the request comply with RCW 13.50.010?

4. Costs Shall be Forwarded to the Fiscal Section for Billing and Reimbursement

5. Department Employees are Encouraged to Submit Their Own Ideas for Research Topics

(See 12.055-PRO-2 Receiving Internal Ideas for Research Topics)

The Compliance Section Captain will maintain a list of research topics for assignment within the SPD-University of Washington Research Consortium.

6. The Compliance Section will Review Results of Completed Research and Determine if There is a Practical Application to Department Operations

12.055-PRO-1 Vetting Process for Outside Research Requests

Compliance Section Captain

1. **Receives** outside research request

Assigned Compliance Section Staff:

2. **Reviews** request
3. **Prepares** recommendation on how to proceed

4. **Shares** recommendation with work group (Compliance Section Sergeant, legal advisors, Records Manager, and Grants and Contracts Manager)

Work Group

5. **Reviews** the recommendation

Assigned Compliance Section Staff

6. **Schedules** a meeting with the work group and the Compliance Section Captain

    a. The chief or captain of the Bureau or Section which will benefit from, or be affected by, the research project may also be included

Compliance Section Captain

7. **Determines** whether Compliance Section will endorse the request

    a. If Compliance Section will not endorse, then **advises** the work group

    b. If Compliance Section will endorse, then **forwards** the request to the Executive Director of Strategic Initiatives

Executive Director of Strategic Initiatives

8. **Determines** whether SPD will endorse the request

    a. If SPD will endorse, **signs** research agreement on behalf of the Department

Assigned Compliance Section Staff

9. **Advises** requester of the Department's decision via formal letter

12.055-PRO-2 Receiving Internal Ideas for Research Topics

Any SPD employee

1. **Develops** an idea for a research topic

2. **Submits** an e-mail to the Compliance Section, with the subject line: Research Topic

Assigned Compliance Section Staff

3. **Reviews** the memo

4. **Develops** a specific research topic

5. **Follows-up** with the employee

    a. **Verifies** that his research topic is consistent with the employee's intent

6. **Submits** research topic to Compliance Section Captain

Compliance Section Captain

7. **Maintains** file of research topics

Seattle Police Department Manual

12.060 – Department Forms Control

Effective Date: 04/01/2018

12.060-POL

This policy applies to the creation, approval, and revision of department forms.

1. Employees May Request the Creation of a New Form or the Revision of a Current Form

Any department employee can request creation, revision, or discontinuance of a department form.

(See 12.060-PRO-1 Forms Requests)

2. The Audit, Policy, and Research Section (APRS) Captain Directs Forms Control

The APRS Captain will direct APRS staff to:

- Create or revise forms as needed by Department personnel
- Maintain the SPD Word template folder that allows employees to access Department forms through the Word program
- APRS will not maintain or control templates that are deployed through RMS
- Work with the Quartermaster Unit and approved vendors for the print production of forms
- Coordinate forms requests from Department employees
- Maintain an archive of Department forms

12.060-PRO-1 Forms Requests

Employee

1. **Identifies** the need for a new form, form revision or form deletion and sends an email to APRS.

Policy Sergeant

2. **Reviews** the form request email and determines if the request is acted upon.

3. **Notifies** the requesting employee.

4. **Assigns** the form project if deemed necessary.

Policy Detective

5. **Follows** internal project procedures.

Seattle Police Department Manual

12.070 – Department Publications

Effective Date: 02/01/2015

12.070-POL

This policy pertains to the publications issued by the Department.

1. Manuals Provide Procedural Guidance for the Daily Operation of Department Employees

The Compliance Section shall publish and maintain the Seattle Police Department Manual.

The electronic version of the Manual is the most current and takes precedence over any printed version.

All iterations of the Manual will be archived by the Compliance Section.

Employees may submit suggested changes to the Manual via email to the Compliance Section or memo.

Captains/lieutenants may publish and maintain Section/Unit Manuals.

Section/Unit Manuals shall apply to the employees assigned to that section/unit.

Sections and units that have manuals shall forward them to the Compliance Section.

2. Directives Address Changes in Policy, Forms, and Uniforms

The Compliance Section shall publish all Departmental Directives.

Departmental Directives must be approved by the Chief of Police (or designee) prior to publication.

Directives will be distributed on the third Wednesday of each month via the SPD eDirectives system. They will also be available on SPD InWeb.

Directives will remain effective for the current year plus one, or until incorporation into the Manual. Interim policies will remain in effect until retracted or a permanent policy is adopted.

Policies take effect on the first day of the month following directive day.

3. Special Orders Notify all Assigned Personnel of Special Events, Mandatory Training, and all Other Special Assignments

The Assistant Chief of the Patrol Operations Bureau will issue and maintain any Special Orders concerning staffing for regularly scheduled sporting events.

The Education & Training Section Captain will issue and maintain the Special Orders for mandatory training conducted by the Section.

The Operations & Planning Section Captain will issue and maintain all Special Orders for Bureau-wide or Department-wide assignment of personnel as directed by the Chief of Police.

Special Orders shall be distributed to the entire Department via Department e-mail.

4. Personnel Orders Announce the Official Appointment, Promotion, Transfer of Assignment, Classification Change, Name Change, or Separation of Employees

The Director of Human Resources shall be responsible for the publication and distribution of Personnel Orders.

5. Department Notices Contain General Information for all Department Employees

The Assistant Chief of the Field Support Bureau shall be responsible for the publication and distribution of Department Notices.

6. Training Digest is a Publication Listing the Best Practices in Law Enforcement

The Compliance Section will be responsible for the publication and distribution of the Training Digest.

The Training Digest will be sent out via the eDirectives system on the third Wednesday of each month.

A link to archived digests will be available on SPD InWeb.

Employees who wish to contribute to possible Training Digest topics may do so by e-mailing the Compliance Section.

12.080 – Disclosure of Department Records

Effective Date: 05/07/2019

12.080-POL

This policy applies to the retention, and disclosure of Department records.

1. All Records are Subject to Public Disclosure Unless a Specific Legal Exemption Exists

Per RCW 42.56.070, the Department must make all public records available to a requester, unless the record falls within the specific exemptions in the Public Records Act (PRA) or other statute which exempts or prohibits disclosure of specific information or records.

2. Public Records are Available for Release to the Maximum Extent Allowed by Law

A public record is any writing containing information relating to the conduct of the Department or the performance of any governmental or proprietary function prepared, owned, used, or retained by the Department, regardless of physical form or characteristics.

- Public records may include records received or created that relate to the conduct of the Department or the performance of any governmental or proprietary function that are prepared, owned, used, or retained by the Department.

- The Department frequently receives records from outside agencies. Any and all records that are in the Department's possession are Department records for the purposes of the PRA.

- A writing includes handwriting, typewriting, printing, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes,

sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

Under RCW 42.56 Public Records Act (PRA) as interpreted by Washington courts, all Department records must be identified to the public, so long as the records are not part of an open and active investigation.

Exception: Department records that fall under a specific exemption within the PRA or other statute are not required to be produced to the public. Specific exemptions include, but are not limited to, public safety considerations and privacy concerns.

- The Department cannot withhold an entire record because portions of it fall under an exemption. The Department shall redact exempted information and release the record with an explanation for any redactions.

3. All Records That Relate to a Public Disclosure Request (PDR) Must Be Provided or Identified to the Legal Unit

If an employee withholds known records that relate to a PDR, he or she may be subject to civil liability and/or Department discipline.

Employees will be contacted by the Legal Unit or will receive an email from the City of Seattle Public Records Request Center assigning an activity to provide records responsive to a PDR. Employees will search for and provide records as indicated in the activity email.

The activity email will identify the Public Disclosure Officer (PDO) assigned responsibility for processing the PDR.

Employees are advised to contact the assigned PDO when they are uncertain whether records that they have constitute records that relate to a PDR.

4. Officers/Detectives Must Ask Victims, Witnesses, and Complainants if They Want Their Identifying Information Disclosed or Not Disclosed

When gathering information at the time of reporting, officers and detectives must ask victims, witnesses, and complainants if they want their identifying information disclosed or not

disclosed. This decision supersedes any disclosure requests made by another person.

When a victim, witness, or complainant is unable to discuss disclosure due to incapacity, and the officer believes disclosure would threaten the life, safety, or property of the person the reporting officer will indicate non-disclosure for the person.

5. The Legal Unit Responds to PDRs

The Legal Unit handles all PDRs in accordance with the Public Records Act (PRA).

- Any Department employee who receives a PDR, or any request that appears to be a PDR, shall immediately forward it to the Legal Unit.
- The request does not have to cite the PRA.

There are four options for members of the public to submit PDRs:

- Records Request Center (GovQA) **preferred method**
- Mail: SPD PDU; PO Box 34986; Seattle, WA 98124-4986
- Fax: (206) 684-5240
- In-person at the public counter at SPD Headquarters, 610 5th Ave

(See 12.080-PRO-1 Handling Public Disclosure Requests)

6. Public Request Unit (PRU) Responds to Certain Requests

The PRU handles the following:

- Requests for police reports
- Requests for clearance letters
- Fingerprinting and criminal background checks on applicants for concealed pistol licenses
- Fingerprinting criminal justice applicants
- Fingerprinting citizens for general purposes

- Processing applications for transferring ownership of handguns
- Electronically redacting police reports for release to Online Police Reports

7. Crime Records Unit (CRU) Responds to Certain Requests

The CRU receives and records all incoming requests for Reports from other City departments and from other law enforcement agencies, as well as from insurance companies.

12.080-PRO-1 Handling Public Disclosure Requests

Legal Unit

1. **Receives** PDR
2. **Contacts** relevant units or specific employees to request records and provides a due date

Relevant Unit/Employee

3. **Gathers** all relevant records and contacts Legal Unit with any questions
    a. If an employee believes that some or all of the information in the record(s) is protected from public disclosure, **provides** the record(s) to the Legal Unit, with a memo stating what should be protected and why
    b. Whether the record(s) at issue is protected from public disclosure shall be discussed within the Legal Unit
4. **Provides** records to Legal Unit by the due date

Legal Unit

5. **Collects** records and makes any and all necessary redactions
6. **Provides** records to the requestor

12.090 – Departmental Correspondence

Effective Date: 03/08/2012

I. Definitions

A. **Outgoing correspondence** – Any official communication by letter emanating from the Seattle Police Department.

B. **Original letter** – Any original correspondence from the Office of the Chief of Police, Deputy Chief, Bureau Chief or Section Captain.

C. **Form letter** – All pre-printed correspondence sent out from any segment of the Department under the signature of the Chief of Police, Deputy Chief, Bureau Chief or Section Captain.

II. Requirements

A. Bureau and Section Captains shall:

1. Ensure that all concerned personnel comply with the established format for original and form letters.

2. Be the approving authority for all outgoing correspondence originating from their respective Bureau or Section.

3. Provide copies of all printed form letters to the Compliance Section prior to ordering the printing of any form letter.

B. The Compliance Section shall:

1. Maintain a complete and accurate file of all form letters in use by the Department.

2. Screen all new and reordered form letters to ensure they conform to the established format.

III. Memorandums

A. Official written communications within the Department shall be by Memorandum.

1. The sender shall initial next to their name in the "from" block.

2. If practical, first names, rather than initials, shall be used.

3. See sample Memorandum:

SEATTLE POLICE DEPARTMENT MEMORANDUM

TO	Officer John Doe Patrol	DATE	April 1, 2010
FROM	Jane Doe Chief of Police		
SUBJECT	Commendation		

(Text of memo single-spaced, block paragraphs, left aligned)

(Paragraphs separated by 1 line)

cc: (4 lines below last paragraph, if needed)

IV. Outgoing Correspondence

A. Departmental correspondence, including official letters and emails, addressed to entities outside the Department must be signed or approved by a Lieutenant or higher authority. Blanket approval for routine/repetitive correspondence may be granted by a Lieutenant or higher. Such routine correspondence shall be reviewed for content and compliance with policy on at least an annual basis.

B. When placing your name and address on any mailing list associated with Seattle Police Department correspondence, please use your unit's name instead of unit number and use your exact building address instead of 610 5th Avenue (unless you work in Police Headquarters in which case use the Department P.O. Box Address).

Example:

Seattle Police Department

Detective Jane Doe/East Precinct Burglary

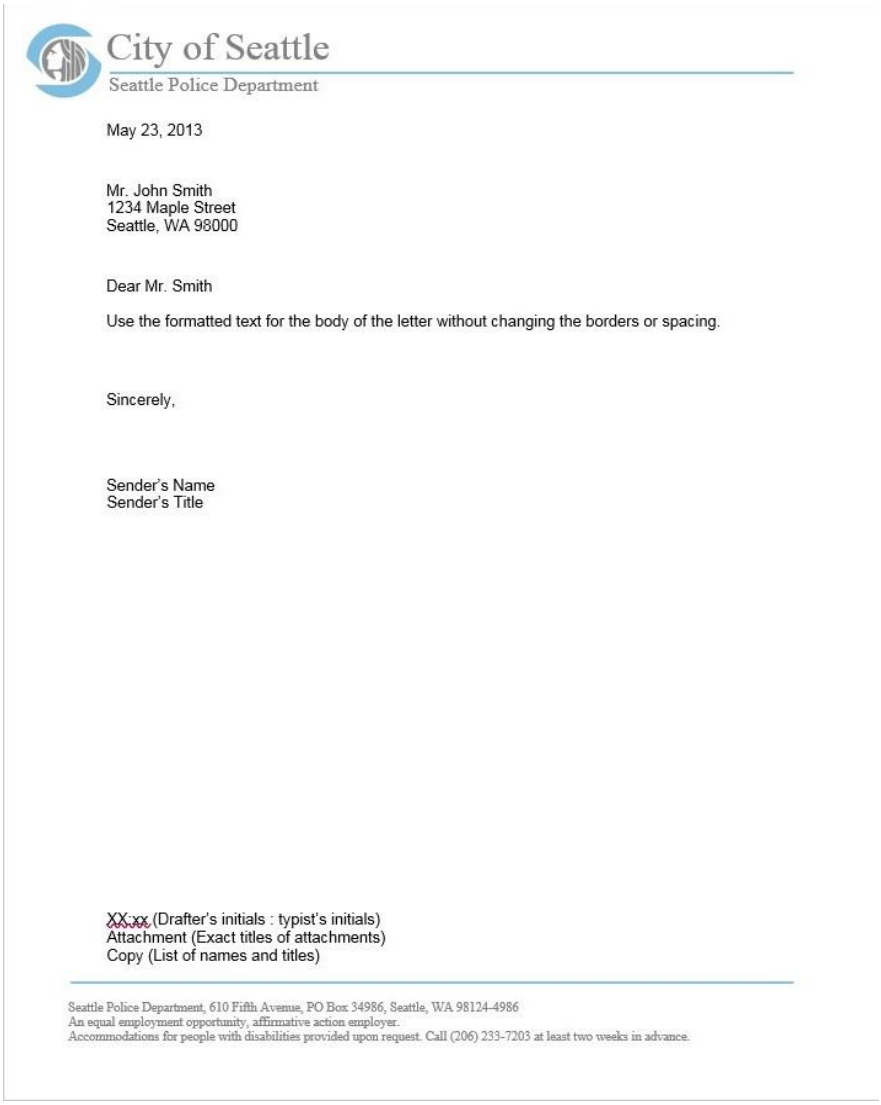
1519 12th Avenue

Seattle, WA 98122

C. All original letters shall be in the following format:

1. On Department letterhead stationery, using block text with mixed punctuation.

2. See Outgoing Correspondence letter example:



City of Seattle
Seattle Police Department

May 23, 2013

Mr. John Smith
1234 Maple Street
Seattle, WA 98000

Dear Mr. Smith

Use the formatted text for the body of the letter without changing the borders or spacing.

Sincerely,

Sender's Name
Sender's Title

XX:xx (Drafter's initials : typist's initials)
Attachment (Exact titles of attachments)
Copy (List of names and titles)

Seattle Police Department, 610 Fifth Avenue, PO Box 34986, Seattle, WA 98124-4986
An equal employment opportunity, affirmative action employer.
Accommodations for people with disabilities provided upon request. Call (206) 233-7203 at least two weeks in advance.

12.110 – Use of Department E-Mail & Internet Systems

Effective Date: 08/01/2021

The Seattle Police Department provides email service and internet access to conduct department business.

The guidelines in this section are not exclusive. They provide a general framework of prohibited and acceptable email and internet use.

This section applies to all employees and their access to the internet while on city equipment or while on-duty and their use of city email by any means.

12.110-POL

1. The City of Seattle Owns the Email and Internet Systems and Determines Appropriateness

The city owns the computers, email, and internet access systems and may monitor email and internet use for policy compliance. The city retains the right to determine what is appropriate for the workplace.

Department supervisors ensure that their staff is familiar with and adhere to department and city email and internet policy.

2. The Department Allows Limited Personal Use of Email and Internet

Recognizing the realities of the workplace, the department allows limited personal use of email and the internet. Occasional personal use is permissible if it follows the policies and usage standards set by the department and the city.

3. Department Email and Internet Use is Subject to Public Disclosure

There is no expectation of privacy in using department email or internet services on department-owned computers. All use of department computers, whether official or personal, is subject to public disclosure laws and can be discoverable in a lawsuit.

This information includes, but is not limited to internet usage, email, and chat messages in meeting applications such as Webex, Teams, and Zoom.

4. All Email and Internet Communications Must be Professional, Appropriate, and Lawful

All email communications and internet use must comply with department and city policies on professionalism and harassment in the workplace.

All internet use on department computers must comply with all laws and policies. This includes policies on privacy issues, any release of confidential, sensitive, or classified information, or information exempt from public disclosure.

Employees will use email signatures consistent with the City of Seattle Brand Guidelines. Email signature templates and instructions are available in this document and on the city's Brand Portal on SharePoint.

5. Employees Will Not Send Criminal Justice Information (CJI) via Email Without Encryption

Employees may only send CJI via email by activating Office Message Encryption (OME).

To activate message encryption for an email, employees will include the trigger word "COSSecure" in the subject line of an email message sent from an SPD Outlook email account.

Employees may only send encrypted emails containing CJI to recipients that are members of a Criminal Justice Agency and allowed to receive CJI information.

Examples of common CJI Data include:

- WACIC/NCIC hits
- SID number
- FBI number
- DOL photos obtained via ACCESS (OMNIXX)

(See also manual section 12.050 - Criminal Justice Information Systems)

6. Employees Will Read Email At Least Once per Shift and Respond Appropriately

Employees are not required to read or respond to email when off-duty or during a system outage or technical failure that prevents the receipt or sending of email.

Employees will respond (when applicable) to High Importance emails within four business days, or sooner if required by the subject matter.

Emails classified as High Importance are marked with an orange exclamation point and include the following subjects:

- Command staff communications
- Directives
- Special Orders
- Training Digests
- All other emails that are job-related, time-sensitive, and mandatory for the recipient
- These include subpoenas, wanted bulletins, information bulletins, investigative follow-up requests, statement requests, pre-trial discovery requests, and seizure hearing notices.

7. Employees Will Activate Automatic Email Replies for Extended Absences

Employees will activate their email Automatic Replies (Out of Office) in Outlook when they expect that they will be unable to respond to email for a period that exceeds four business days.

8. External Emails Will Contain Employee Contact Information

All email correspondence going outside the department will include a signature file containing the employee's contact information, including email address, business address, and desk phone numbers.

If an employee is not assigned a desk phone number, the employee's signature file will contain the unit or precinct main phone number.

For officer and community safety and data security purposes, employees issued a department smartphone will not include that number in an email signature file.

9. General Distribution Emails Require Lieutenant Approval

Emails going to large distribution lists such as SPDALL or SPDSWORN are general distribution emails. These emails require approval from a lieutenant or above and must include the name of the approving employee in the email.

When sending a general distribution email, employees will enter the recipients using the "Bcc" (blind carbon copy) field. The "Bcc" field will prevent unnecessary disclosure of email addresses, reduce vulnerability to junk email, and improve the chances of the email being successfully sent. The "To" field is not designed to handle a large number of addresses.

10. Employees Must Use Caution When Opening Email Attachments

Employees may contact Seattle IT if they have questions about an email attachment. Due to the risk of computer virus attacks, employees should not open email attachments from an unknown source.

11. Section Captain or Director Approves "Send As" Privileges for Shared Email Accounts

Employees must request "Send As" privileges for a shared mailbox, and/or request that a shared mailbox be created, by submitting a request via email to their section captain or director.

Employees will forward the approval to Seattle IT and initiate a service request.

12. Employees Will Not use Department Email, Internet, Computers, Cell Phones or Electronic Devices to Conduct a Personal For-Profit Business

13. Employees Will Not use Department Email, Internet, Computers, Cell Phones or Electronic Devices to Review Personal Investments or to Transact any Investment Business

These types of transactions include trading in stocks, bonds, or mutual funds.

Exception: Employees may conduct infrequent, brief checks of their investments in the city's Deferred Compensation Program since this is a city-sponsored and city-maintained program.

14. Employees Will Not use Department Email, Internet, Computers, Cell Phones or Electronic Devices to Participate in any Campaign for Elected Office or for any Other Political Activity

This includes a prohibition on making any campaign contributions via a credit card and using a department computer to do so. Similarly, employees may not "lobby" elected officials through department computers.

15. Employees Will not use Department Email, Internet, Computers, Cell Phones or Electronic Devices to Engage in Demeaning or Defamatory Conduct

Examples of such prohibited activities include knowingly accessing pornographic materials or sites that promote exclusivity, hatred, or positions which are contrary to the city's policy of valuing cultural diversity.

Precincts and specialty units shall maintain a log to document access or attempts to access a website that contains sensitive content as described above. This log must be retained at the unit/precinct level for three years plus the current year.

If an employee accidentally accesses a website that contains pornographic, sexually explicit, inappropriate, or illegal materials, they must immediately leave the site and notify a supervisor. The information regarding the inadvertent access shall be recorded on the internet log maintained by the precinct or specialty unit as specified in section above.

The precinct or section captain or their designee will review the log annually for completeness.

The Audit, Policy, and Research Section will conduct an annual audit of the Offensive Material Internet Logs.

16. Employees Will Not Access Sites That Incur a Cost to the Department Without Prior Supervisor Approval

17. Employees Will Not Knowingly Access or Communicate any Material of an Obscene, Harassing, Discriminatory or Derogatory Nature

Examples of such material include sites or email containing racial or sexual slurs or jokes, or containing harassing, intimidating, abusive, or offensive material to or about others.

18. Certain Assignments May Require Access to Sensitive Sites

The department recognizes that certain employees, such as Human Trafficking and Investigation Support Unit detectives, may have a legitimate business purpose for accessing sites and information otherwise considered inappropriate or illegal.

If employees need to access such "sensitive sites," employees will abide by the following:

- Employees will obtain approval from an immediate supervisor before accessing sensitive sites. The supervisor will contact Seattle IT to request an exception to the web filtering protocols.

- Employees accessing such sites should exercise courtesy to others that may be present when doing so. This may include closing the door, turning the screen away, or notifying other employees beforehand.

19. Department Computer Usage is Subject to the Intelligence Ordinance

Employees will adhere to the following guidelines to avoid a violation of the investigation ordinance, SMC Chapter 14.12 ("Restricted information" is defined in SMC 14.12.030 (K)):

- Storage of "restricted information" (as defined in the ordinance) on disks or computer/network drives must comply with the ordinance.

- Employees may not create directories or subdirectories which organize/index "restricted information."

- Employees may not transmit "restricted information" including web addresses (URLs) to specific sites, via email.

- Employees may not create bookmarks or hotlists in web browsers which organize/index restricted information.

Seattle Police Department Manual

12.111 – Use of Cloud Storage Services

Effective Date: 03/01/2017

12.111-POL

The Seattle Police Department receives information from the FBI's Criminal Justice Information Service (CJIS) and must comply with the CJIS security policy and the rules governing the access, use, and dissemination of CJIS information found in Title 28, Part 20, CFR

SPD employees deal with CJIS data as part of daily Department business. This policy applies to employee use of cloud storage services as a whole and as it specifically relates to CJIS data.

1. Definitions

Cloud Storage Services are electronic, external storage locations where information can be deposited for shared use. Examples include OneDrive, DropBox, Google Drive, iCloud, etc.

Criminal Justice Information (CJI) is the term used to refer to all of the FBI provided data necessary for law enforcement and civil agencies to perform their missions including, but not limited to biometric, identity history, biographic, property, and case/incident history data.

Personally Identifiable Information (PII) a subset of CJI, is information which can be used to distinguish or trace an individual's identity, such as name, social security number, biometric records, date and place of birth, or mother's maiden name.

Criminal History Record Information (CHRI), sometimes informally referred to as "restricted data", is also subset of CJI.

Restricted Files are hosted by the National Crime Information Center (NCIC) and are treated as CHRI. Restricted Files include the following:

- Gang Files

- Known or Appropriately Suspected Terrorist Files
- Supervised Release Files
- National Sex Offender Registry Files
- Historical Protection Order Files of the NCIC
- Identity Theft Files
- Protective Interest Files
- Person With Information (PWI) data in the Missing Person Files
- Violent Person File
- NICS Denied Transactions File

2. Employees May Only Store, Edit, and Share City Files on Cloud Storage Services Provided by the Department or the City

Employees may store, edit, and share files on city-provided cloud storage such as Microsoft Office 365's OneDrive.

Employees will not use personal cloud storage services, such as Drop Box Google Drive, and iCloud, for any city file.

13.010 – Collisions Involving Department Vehicles

Effective Date: 05/01/2020

13.010-POL

This policy applies to all collisions involving department vehicles (includes any marked or unmarked vehicle that is owned, leased, rented, seized, donated, or acquired through a collaborative program), regardless of the amount of damage or lack thereof. This policy applies to all sworn and non-sworn Department employees.

This policy does not apply to collisions occurring during authorized driver training involving no misconduct or gross negligence.

For policy on damage discovered during a pre-shift inspection, please see Manual Section 13.080(5).

1. Sworn Personnel from Traffic, Patrol, or the Traffic Collision Investigation Squad (TCIS) Investigate Department Vehicle Collisions in the City

Generally, for department vehicle collisions that occur outside the city, the agency with jurisdiction will investigate. TCIS may respond by request on a case-by-case basis after evaluating the request.

2. Employees Will Not Investigate Their Own Collision

3. Employees Will Notify a Sergeant of Department Vehicle Collisions

The sergeant will then notify an on-duty lieutenant or captain.

A sergeant will respond to all department vehicle collisions that occur in Seattle or within a reasonable distance of the city limits.

A sergeant is not required to respond in-person to a department vehicle collision outside the city if all the following apply:

- After considering the travel distance and the factors below, an on-duty lieutenant approves,
- Damage to the vehicles involved is minor,
- There are no injuries,
- The employee was not involved in a pursuit or emergency driving,
- There is no indication that the employee was involved in reckless or criminal behavior,
- The appropriate outside agency is investigating the collision.

4. Officers Shall Document All Collisions Involving Department Vehicles

Officers will use a Police Traffic Collision Report (PTCR) when there is:

- At least $1,000 in damage to any involved vehicle, or
- Any involved person injured, or
- Any traffic crime committed

Officers will use a Report titled "Collision - Traffic" to document department vehicle collisions, in any one of the following circumstances:

- Damage appears to be less than $1,000, or
- Location of collision is restricted to police employees only, or
- At a facility not open to the public, and damage appears to be less than $1,000

A supervisor may order the completion of a collision report if circumstances warrant.

Officers will not use SECTOR to document department vehicle collisions.

Involved employees will complete a diagram on a Sketch Sheet (form 5.7.1) if a PTCR is not completed by SPD.

5. Supervisors Shall Review All Collisions Involving Department Vehicles

Supervisors will use Blue Team for every department vehicle collision, regardless of visible damage or monetary loss.

The supervisor lists an employee that is a driver or occupant as "involved employee" on the Blue Team report and assigns the role of either "driver" or "passenger," as appropriate.

If the department vehicle was parked or unoccupied, the supervisor lists the employee(s) as a "witness officer".

For more detailed instructions on completing the Blue Team entry, supervisors may refer to the *Officer Involved Collision Blue Team Guide* located on the Department's InWeb homepage.

13.010-TSK-1 Department Employee Involved in a Collision

Upon being involved in a collision, the **involved employee**:

1. **Checks** for injuries and renders first aid.
2. **Notifies** a supervisor immediately.
3. **Remains** on the scene until relieved by a supervisor.
4. **Completes** a Statement (form 9.27)
5. **Completes** a diagram on a Sketch Sheet (form 5.7.1) only if a PTCR is not completed by SPD.
6. **Provides** the completed forms to the investigating Traffic or Patrol officer.

13.010-TSK-2 Traffic or Patrol Officer Responding to a Department Vehicle Collision

In responding to a department vehicle collision, the **investigating Traffic or patrol officer**:

1. **Completes** a PTCR if:

    - At least $1,000 in damage, or

- Injury, or

- Traffic crime

If a PTCR is not required, writes a "Collision – Traffic" Incident Report.

2. **Takes no enforcement action** for collisions involving department vehicles that occur during an emergency response.

   - TCIS will assume follow-up responsibilities for these collisions.

13.010-TSK-3 Patrol or Traffic Sergeant Investigating a Department Vehicle Collision

In responding to a department vehicle collision, the **investigating Patrol or Traffic sergeant**:

1. **Responds** to all department vehicle collisions.

2. **Notifies** an on-duty lieutenant or duty captain.

3. **Summons** medical aid for any injured person, or anyone complaining of injury.

4. **Determines** if TCIS should be called, per criteria listed in Seattle Police Manual Section 15.260-Collision Investigations.

   a. If TCIS does not respond, **oversees** the investigation and proceeds to step 5.

   b. If TCIS does respond, **yields** the investigation to TCIS detective or supervisor.

5. **Examines** the damage at the collision scene.

6. **Takes** digital photos of the collision scene including, at minimum:

   - The police vehicle,

   - The other vehicle(s) or property involved and two different views of the scene.

7. **Obtains** a Statement (form 9.27) from the involved employee.

8. **Includes** a diagram of the collision scene on a Sketch Sheet (form 5.7.1) with all reports filed, only if a PTCR is not completed by SPD.

9. **Completes** a Blue Team entry for Vehicle Collision.

    a. **Includes** the involved employee's driver license information and a complete description of the circumstances surrounding the collision in the Blue Team Incident Summary. Supervisors will include:

        - Officer's driving response

        - Unit type (vehicle description: marked, subdued, type of light bar)

        - Vehicle action

        - Light conditions – day light, night, dusk/dawn

        - Emergency equipment used – lights, siren

        - In-car video status

        - Officer's DOL status – active, suspended

10. **Uploads** photos to the Digital Evidence Management System (DEMS) or Evidence.com via Axon Capture.

11. **Attaches** a copy of the PCTR or Report, officer statement, sketch sheet, and impound sheet to the Blue Team entry. And forwards the Blue Team entry through the involved officer's chain of command.

12. **Forwards** the Blue Team entry to the involved officer's sergeant or, in the event of a non-sworn driver, to his or her supervisor.

13. **Forwards** the original paperwork to Records.

13.010-TSK-4 Reviewing Sergeant Investigating a Department Vehicle Collision

In reviewing a department vehicle collision, **the involved employee's sergeant** (who may be the same sergeant overseeing the collision investigation):

1. **Reviews** the Blue Team entry, recommends in the comment section preventable or non-preventable.

2. **Makes** written recommendations in Blue Team entry comments section concerning whether the collision was preventable or non-preventable.

3. **Forwards** the Blue Team entry to the involved employee's lieutenant.

13.010-TSK-5 Duties of a Lieutenant in Reviewing a Department Vehicle Collision

In reviewing the documentation of a department vehicle collision, **a lieutenant**:

1. **Makes** written recommendations in Blue Team entry comments section concerning whether the collision was preventable or non-preventable.

2. **Forwards** Blue Team entry to the involved employee's section/precinct captain.

13.010-TSK-6 Duties of a Section/Precinct Captain in Reviewing a Department Vehicle Collision

In reviewing the Blue Team entry of a department vehicle collision, a **Section/Precinct Captain**:

1. **Makes** written recommendations in the Blue Team entry comments section concerning whether the collision was preventable or non-preventable.

2. **Forwards** Blue Team entry to the QA Intake Unit in IAPro, which will disseminate the entry to the Collision Review Board.

Seattle Police Department Manual

13.015 – Collision Review Board

Effective Date: 04/01/2015

13.015-POL

This policy applies to all collisions involving Department vehicles. The Collision Review Board (CRB) will make recommendations to the Chief of Police, who will then make a disposition.

1. The Captain of the Traffic Section, or Designee, Shall Chair the CRB

2. The Chair Will Appoint the Other Members of the CRB

a. Voting Members are:

* Two Sergeants

* One Parking Enforcement Officer (PEO) Supervisor

* Three Officers

b. Non-Voting Advisors are:

* Traffic Section administrative assistant

* Two standing advisors, one each from:

  - Traffic Collision Investigation Squad (TCIS)

  - Education & Training Section

* Other advisors, as needed

3. Four Voting Members Compose a Quorum

The Chair, who acts as a tiebreaker, and these four members are required to be present before any Board business may be conducted.

4. The CRB Reviews all Collisions that Involve All SPD Employees, Sworn and Non-Sworn

5. The CRB Will Notify the Involved Employee and his/her Bureau Chief of the Initial Determination and the Officer's Right of Appeal

No discipline or re-training will be imposed on the involved employee until a review by the CRB is conducted, with the final determination made by the Chief of Police.

6. The Chair Will Notify the Involved Employee of the Initial Finding of the CRB Within Seven Days

(See 13.015-TSK-1)

7. The Involved Employee Will Notify the Chair of Their Intent to Appeal a Finding Within Fifteen Days

(See 13.015-TSK-3)

13.015-PRO-1 Conducting a Collision Review Board (CRB)

CRB Chair

1. **Contacts** the members of the Board.

2. **Convenes** the Board.

3. **Reviews** all collisions and appeals that are ready for review.

4. With the members of the Board, **determines** the finding of a collision.

5. **Submits**, via Blue Team, the Board's findings to the involved employee's bureau chief.

   a. See 13.015-TSK-1 and 13.015-TSK-2.

Bureau Chief

6. **Reviews** findings of the CRB.

7. **Makes** a determination as to the final outcome of the investigation (preventable/non-preventable, etc.)

a. If this determination is different from the initial finding of the CRB, **notifies** the involved employee within 7 days.

8. **Makes** a recommendation as to any possible discipline or re-training.

9. **Forwards** recommendation to the Chief of Police.

Chief of Police

10. **Determines** any possible discipline or re-training.

13.015-TSK-1 CRB Chair's Tasks for Preventable Collisions

After convening the CRB, the **Chair**:

1. **Notifies** the involved employee of the results of the CRB within seven days, by Department email.

    a. **Includes** date of finding and the involved employee's right to appeal within 15 days of the date of the notification.

2. **Notifies**, by Department email, the involved employee's section/precinct and bureau chief or civilian manager.

3. **Includes**, in the finding, the number of previous preventable collisions for the involved employee.

4. In the event of an appeal of findings, **coordinates** a complete review of the incident at the next Board meeting (See 13.015-TSK-3-Involved Employee's Tasks for Appealing a CRB Finding).

5. If the appeal results in a reclassification of findings, **notifies** the involved employee by Department email.

6. **Notes** the appeal reclassification in the CRB file, if applicable.

13.015-TSK-2 CRB Chair's Tasks for Non-Preventable Collisions

After convening the CRB, the **Chair**:

1. **Notifies** the involved employee of the results of the CRB within seven days by Department email.

2. **Notifies**, by Department email, the involved employee's section/precinct and bureau chief or civilian manager.

13.015-TSK-3 Involved Employee's Tasks for Appealing a CRB Finding

In Appealing a CRB Finding, an **Involved Employee**:

1. **Sends** a written request for an appeal (in SPD memorandum form) addressed to the CRB Chair (within 15 days of the notification of the finding).

2. **Attends** the full review as coordinated by the CRB Chair.

    a. In lieu of an in-person appearance, **submits** a complete statement as to the facts of the collision, which becomes part of the CRB file

13.030 – Emergency Vehicle Operations

Effective Date: 03/01/2018

13.030-POL

1. Defining Emergency Response

Emergency Response – When an officer operates an authorized police vehicle in a manner that is substantially outside of a normal traffic pattern.

2. Officers May Drive in an Emergency Response Only When the Need Outweighs the Risk

The preservation of life is the highest priority. Criminal apprehension and the preservation of property are secondary.

Misdemeanor or property crimes do not justify an emergency response unless:

- Responding to an in-progress crime, or
- Where there is a legitimate concern for the preservation of life.

3. Officers Shall Modify Their Emergency Response When Appropriate

Emergency driving shall be modified or terminated:

- As ordered by a supervisor;

Or

- When the totality of the circumstances indicates the risk of continuing the emergency driving outweighs the need.

The officer's decision shall be reviewed based on the information available to them at the time.

4. Officers Use Emergency Lights for Emergency Response

Officers will use audible signals when necessary to warn others of the emergency nature of the situation (See RCW 46.61.035).

5. Officers Are Responsible for the Safe Operation of Their Police Vehicle

Officers are not relieved of the obligation to drive with due regard for the safety of all persons.

Officers will drive no faster than reasonably necessary to safely arrive at the scene.

6. Officers Will Not Escort Private Vehicles in an Emergency Response

7. Officers May Use a Police Vehicle Equipped with Emergency Lights and Push Bars to Move a Disabled Vehicle

Officers will update CAD with the driver's information.

Officers will use ICV or BWV to record the driver's consent to having their vehicle pushed.

Seattle Police Department Manual

13.031 – Vehicle Eluding/Pursuits

Effective Date: 02/19/2021

13.031-POL

1. Definitions

Eluding - For the purposes of this section, eluding exists when an officer operating an authorized police vehicle issues by hand, voice, emergency lights or siren a visual and/or audible signal to the driver of a vehicle to stop and, after a reasonable time to yield in response to the officer's signal, the driver does any of the following:

- Increases speed
- Takes evasive actions
- Refuses to stop

Pursuit – For the purposes of this section, a pursuit exists when an officer, in an effort to keep pace with and/or immediately stop or apprehend an eluding driver, drives in a manner that is outside of normal traffic restrictions.

2. Unmarked Units Without Emergency Equipment Will Not Engage in Pursuits

3. Officers in Pursuits Will Activate Emergency Lights and Shall Use Their Sirens as Necessary to Warn Others of the Emergency Nature of the Situation

4. Officers Will Not Engage in a Vehicle Pursuit Without Probable Cause to Believe a Person in the Vehicle Has Committed a Violent Offense or a Sex Offense and Both of the Following:

- Probable cause to believe that the person poses a significant imminent threat of death or serious physical injury to others such that, under the circumstances, the public safety risks of failing to apprehend or identify the person are considered to be greater than inherent risk of pursuit driving; and

- The Officer has received authorization to continue the pursuit from a supervisor.

5. Officers Will Cease Pursuit When the Risk of Pursuit Driving Outweighs the Need to Stop the Eluding Driver

Factors to be considered in weighing the risk of the pursuit include:

- Underlying reason for pursuit
- Location
- Direction of travel and roadway geometry or configuration
- Weather and roadway conditions
- Speed
- Traffic conditions (pedestrians and vehicles)
- Speed and operation of the eluding vehicle

6. The Department Will Not Discipline Officers, Supervisors, or Commanders for Declining to Initiate or Deciding to Terminate a Pursuit

7. Officers Must Notify Communications of Pursuits

The primary unit shall immediately advise Communications when initiating a pursuit and shall update relevant details including:

- Reason for pursuit
- Location
- Direction
- Description of suspect vehicle and suspect(s)
- Speed
- Traffic conditions (pedestrians and vehicles)

After joining the pursuit, the secondary unit shall assume the responsibility for all radio transmissions from the primary unit.

8. Communications Will Notify Supervisors of Pursuits

The Communications Section shall immediately notify the primary unit's supervisor and watch commander of the pursuit.

If the pursuing unit's supervisor is not available, Communications will notify another supervisor in the precinct.

9. Supervisors Will Approve and Monitor All Pursuits

10. The Controlling Supervisor is Responsible for the Pursuit

The controlling supervisor's responsibility extends only to the question of whether the pursuit is within policy. In order to make this determination, the controlling supervisor shall immediately establish radio contact with the primary unit and gather relevant information as described in paragraph 7 as soon as practicable.

11. Police Vehicles with Civilian Riders or Passengers Shall Not Participate in a Pursuit, in Any Capacity

12. Marked Police Vehicles Take Priority in Pursuits

Police motorcycles and unmarked police vehicles with emergency equipment may initiate pursuits. However, marked police vehicles will assume the primary positions as soon as possible.

13. Intentional Vehicle-to-Vehicle Contacts Are Prohibited as Pursuit-Ending Tactics Except as Justified Under the Use of Force Policy

Intentional vehicle-to-vehicle contacts such as the Precision Immobilization Technique (PIT), ramming, or the use of a patrol car as a roadblock are uses of force that officers may use only when consistent with manual section 8.300 and must be reported under manual section 8.400.

Only personnel who have been trained in the PIT may engage in this technique.

14. Only Officers Trained in the Use of Tire Deflation Devices such as Stop Sticks May Deploy Them

Tire deflation devices are not intended for use on motorcycles. Use of tire deflation devices on a motorcycle will be considered use of deadly force.

Officers may deploy tire deflation devices only when consistent with manual section 8.300 and only after giving the deployment location over the radio to other units. If the primary pursuing officers do not acknowledge, then the tire deflation devices will not be used.

The controlling supervisor reserves the right to override or rescind the decision to deploy.

15. The Officer Deploying Stop Sticks is Responsible for Reporting Use

After each deployment the officer shall collect damaged sections of the device and complete a Stop Stick Deployment Report (form 2.26).

The officer sends a copy of the form to Quartermaster along with the damaged Stop Sticks.

The officer sends a copy of the form to the Training Unit along with a copy of the Report.

> **Exception**: Damaged Stop Sticks submitted as evidence will not go to the Quartermaster.

The Training Unit will inspect the damaged Stop Sticks, if necessary and work with the Quartermaster to arrange for disposition of the equipment.

(See 13.031-PRO-1 Sending Damaged Stop Sticks to Quartermaster)

Officers will report the use of Stop Sticks per manual section 8.400. The officer will attach a copy of the Stop Stick Deployment Report to his or her Blue Team entry.

16. The Primary Officer or a Supervisor May Terminate a Pursuit

17. Officers will Disengage When Pursuit is Terminated

When a pursuit is terminated by the primary officer or a supervisor, pursuing officers will do the following:

- With ICV/BWV still recording, return to a normal driving pattern, obeying all traffic laws.

- Deactivate all emergency equipment.

18. Officers Will Not Reinitiate Pursuits That Have Been Terminated

Once a pursuit is terminated, no officer will pursue the same vehicle anywhere in the city.

Exception: An officer may reinitiate the pursuit if either of the following apply:

- An officer has an articulable basis to believe that a new violent crime has been committed;

OR

- A supervisor gives authorization to reinitiate the pursuit.

19. All Driver Officers Involved in a Pursuit will Complete a Blue Team Vehicle Pursuit Entry

Driver officers will detail their involvement in the pursuit using a Blue Team entry titled "Vehicle Pursuit." In the incident summary, officers will detail:

- Light conditions

- Roadway lighting

- Traffic conditions

- Road conditions

- Weather conditions

- Whether their vehicle was a one- or two-officer car

- Whether their vehicle was marked

- Whether lights and sirens were activated

- Route of travel

When the officer has completed the Blue Team entry, he or she will forward the entry to the supervisor responsible for monitoring the pursuit.

Passenger officers involved in the pursuit will complete a witness officer statement and forward it to the reporting supervisor for attachment to the driver officer's Blue Team entry.

20. Supervisors Will Review Video and Each Officer's Blue Team Entry

The reporting supervisor will review video from the pursuit to assess circumstances of the initiation of the vehicle stop and the initiation, continuation, and termination of the pursuit. The supervisor will bookmark the relevant video for subsequent review.

The supervisor will ensure all driver officers involved in the pursuit complete a Blue Team entry titled "Vehicle Pursuit" and that the primary officer completes a GO report.

The supervisor responsible for monitoring a pursuit will review each officer's Blue Team entry.

In the Comments Section of each officer's Blue Team entry, the supervisor will include:

- A short summary of the pursuit
- What control they extended over the pursuit
- Whether the decision to initiate and/or maintain pursuit of an eluding vehicle was within policy
- Recommendations: training, OPA referral, commendation, etc.

The supervisor will attach any associated administrative reports to the Blue Team entry and then forward to the Chief of Police through the primary pursuing unit's chain of command whether or not a suspect is apprehended.

Watch lieutenants and precinct captains will review the bookmarked portions of the video from all vehicles involved in the pursuit before inputting their comments into each officer's Blue Team report.

21. Eluding Incidents Ending in a Vehicle Collision Trigger Notifications

A sergeant will respond to the scene of any known collision that involves an eluding vehicle, regardless of whether an officer has initiated pursuit following a driver's refusal to stop a described in paragraph 1.

A Blue Team Pursuit entry is still required if a pursuit results in a collision. The responding sergeant will notify the sergeant of the Traffic Collision Investigation Squad and the chain of command up to the Patrol Operations Bureau Chief.

22. The Legal Unit Prepares an Annual Report

The Legal Unit will analyze pursuit reports and use that data to prepare an annual report for the Chief of Police.

13.031-PRO-1 Sending Damaged Stop Sticks to Quartermaster

Officer

1. **Gathers** damaged Stop Sticks after deployment.
2. **Completes** Stop Stick Deployment Form (2.26).
3. **Sends** damaged Stop Sticks and deployment form to Quartermaster.
4. **Sends** deployment form and copy of Report to the Training Unit.

Quartermaster

5. **Receives** damaged Stop Sticks and form.
6. **Notifies** the Training Unit that damaged Stop Sticks have been received.

Training Unit

7. **Receives** deployment report form and copy of Report.
8. **Inspects** damaged Stop Sticks received by Quartermaster, if necessary.
9. **Arranges** disposition of the Stop Sticks with Quartermaster (Destroy, Return to manufacturer, etc.).

Seattle Police Department Manual

13.040 – Patrol Operations Equipment, Police Vehicles, and Facilities

Effective Date: 12/05/2007

I. Equipment

A. Extra Equipment

1. Precinct and Section Captains will adopt procedures for the storage and dispensing of equipment in their precinct or section.

II. Police Vehicles

A. Use

1. Use the vehicle assigned to the patrol district or detail.

    a. If the assigned vehicle is not available, use a spare vehicle.

2. Do not use vehicles assigned to another precinct or section.

Exception: Vehicles from another precinct may be used with permission of the appropriate Watch Lieutenant.

3. Maintain the vehicle during use.

    a. Keep vehicle clean.

    b. Ensure vehicle equipment is in working order.

4. Replace equipment used.

    a. If replacements are unavailable, forward a memorandum to the Equipment and Facilities Coordinator (Stationmaster).

        (1) Indicate the vehicle number.

        (2) Indicate the equipment to be replaced.

5. Refuel the vehicle after use.

    a. Do not leave the next officer with less than a half-full tank of gas.

B. Identification

1. Precinct patrol vehicles have the following stickers for identification purposes.

a. The stickers' colors denote the vehicle assignment. The stickers are located.

(1) On the upper middle front windshield; and

(2) On the lower middle rear window.

(3) The Precinct assignment color codes are as follows:

(a) West Pct.-----Red

(b) North Pct.----White

(c) South Pct.----Yellow

(d) East Pct.-----Green

(e) Southwest Pct.------Blue

b. The stickers' shape is also important.

(1) Square sticker indicates a district vehicle.

C. Pre-Shift Inspection

1. Inspect the vehicle for damage.

a. Report new and/or unreported damage to a sergeant.

b. Note the damage on Vehicle Damage Form (form 1.35) and forward to the Stationmaster.

2. Check for serviceability.

a. Look for faulty and/or inoperative equipment.

b. Give special attention to

(1) Brakes

(2) Tires

(3) Lights

(4) Emergency equipment (overhead light-bar, siren)

c. Repair faulty equipment immediately or report it to the Stationmaster.

3. Verify the vehicle contains all proper equipment.

a. Patrol vehicles will contain

(1) Fully charged fire extinguisher

(2) First-aid kit

(3) Evidence kit

(4) Blankets

(5) Road flares

(6) Bio-Hazard Kit

(7) Tire Chains

(8) Crime Scene Tape

(9) WMD Kit

(10) Stop sticks

(11) Bolt cutters & Crowbar

(12) AED

b. In addition to the above items, Sergeant's vehicles will contain the following equipment.

(1) Evidence packing materials

(2) Crime tape

4. It is the officer’s responsibility to check the patrol car trunk at the end of their shift. All unauthorized items must be removed.

D. Maintenance

1. Minor maintenance.

a. Take the vehicle to the appropriate maintenance shop.

2. Major or unknown maintenance.

a. Complete a City of Seattle Defective Equipment Report if vehicle is left at the shop.

b. Address complaints about the quality of service to the Stationmaster.

E. Parking

1. Park in the appropriate parking stall or designated area.

2. Keep parking lot entrances and exits clear.

3. Clear prisoner load zones and sally ports as soon as possible.

III. Facilities

A. Do not tape or tack anything to

1. Windows

2. Doors

3. Tables

4. Lockers' exterior

Exception: Permission from the Precinct or Section Captain.

a. Do not write on lockers.

b. Store all gear and equipment inside lockers.

c. Do not leave items on top or around lockers.

5. Do not store items around the precinct.

6. Officers may padlock lockers.

7. If the locker has to be entered due to exigent circumstances, the lock may be cut.

Note: The Department will not reimburse officers for cut or damaged locks.

IV. Disposal of Police Records

A. Place the following in shredding baskets: Do not leave them in wastebaskets

1. All police reports.

2. Roll call sheets.

3. Crime analysis information.

4. Other police paperwork of a restricted nature.

V. Mobile Precinct

A. Mobile precincts are vehicles equipped with workstations, galley, and toilet. The mobile precinct will be used for mobile command purposes, and to supplement field activities.

B. The communication van is a vehicle equipped as a mobile precinct but includes additional communications equipment to serve as a command center during a major event requiring police involvement.

C. The mobile precinct and the communication van will be used as follows:

1. One mobile precinct assigned to West Seattle as specified by the Seattle City Council.

2. The communication van assigned to the West Precinct for use as a mobile precinct:

    a. Any use of this vehicle outside of the West Precinct must be approved by the director of the Communications Section.

    b. The Communications Section needs immediate access to the communications van in the event of a major event requiring a command center.

3. The third mobile precinct will be used in the North and East Precincts, and the Rainier Valley portion of the South Precinct.

    a. The Patrol Operations Bureau Chief will determine each precinct's need and priorities for assignments.

    b. It will be shared throughout the city.

4. The Precinct Captain will ensure that the mobile precincts, or the communication vans are deployed on a regular basis to augment patrol in the precincts.

5. The mobile precinct shall be maintained by DAS; routine maintenance scheduling is the responsibility of the Equipment and Facilities Coordinator.

6. Only those officers who have been trained in the operation of the mobile precinct are authorized for its operation. Watch Lieutenants are required to maintain a current list of authorized officers.

7. Mobile precincts shall be stocked with commonly used reports and equipment (flares, crime scene tape, etc.), similar to that which is maintained at each precinct.

Seattle Police Department Manual

13.050 - Policing by Mountain Bike

Effective Date: 02/01/2016

This policy pertains to use of mountain bicycles by Seattle Police officers. For information about the use of a bicycle as a force tool, please see manual section 8.300-POL-5 Use of Force Tools.

13.050-POL-1 Training & Equipment

1. Bicycle Officers Must Complete Basic Mountain Bicycle Patrol Training

Precinct captains will ensure that officers assigned to a bicycle squad keep their skills current with on-going in-service training and may designate training days to work on specific skills.

The Education & Training Section maintains a list of officers qualified and trained to ride a police mountain bicycle.

2. Officers Must Maintain the Physical Fitness Level Required for Bicycle Squad Assignment

3. Each Bicycle Officer Will Be Equipped With Department-Approved Cycling Clothing and Gear

- Cycling helmet, gloves, shoes, and shorts (See the Uniform Reference Catalog)
- Safety glasses
- Raingear
- Regular duty gear required for uniformed patrol
- Whistle

4. Police Bicycles Will Be Equipped Based on the Generally Accepted Standards for Police Bicycles

The bicycles used by the Department will comply with SMC 11.44.160, Lamps and Reflectors on Bicycles.

The precinct captain may approve additional equipment.

5. Officers Will Perform Safety Checks on Their Bicycles Before and After Each Shift

6. Officers That Perform Maintenance and Repairs on Bicycles Must Be Certified Through an Appropriate Bicycle School or Manufacturer

7. Officers Will Transport Bicycles in a Carrier Designed for This Purpose or in Such a Manner as Not to Damage the Bicycle or the Vehicle Transporting the Bicycle

8. Officers Will Report Any Damage to a Bicycle to their Sergeant

13.050-POL-2 Operations

1. Precincts Captains and the Officers Assigned to Bicycle Squads Will Determine When the Use of Bicycle Patrol is Appropriate and Safe

The bicycle patrol will operate year-round. It is at the discretion of the precinct captains and officers to determine if weather conditions make bicycle operation unsafe or impractical.

2. Bicycle Officers Will Not Usually Be Dispatched to Calls, But Will Respond to Calls in Their District When Feasible

3. Officers are Responsible for the Safe Operation of Their Bicycle

Officers will follow all applicable rules of the road, except when necessary to effect a law enforcement purpose (e.g., crowd management, emergency response, etc.).

Officers will ride with due regard for the safety of all persons under all circumstances.

13.060 – Specialty Vehicles & Equipment

Effective Date: 08/19/2003

POLICY

The Seattle Police Department will utilize special vehicles and equipment as needed throughout the city and will ensure that all personnel assigned to operate these specialized vehicles and equipment are trained in their proper operation, maintenance, and the special tactical considerations unique to each individual vehicle or piece of equipment. This equipment includes but is not limited to: animals used by canine and mounted patrols, bomb van, mobile precincts, motorcycles, prisoner transport van, SWAT vehicles and watercraft. It is a requirement that each affected unit have this information written into their unit policy.

I. Training and Qualifications

A. An officer will be qualified to operate special vehicles or equipment while on assignment, after they have successfully completed the Department approved training for the operation of that specific vehicle or equipment.

B. Unit Captains will ensure that officers assigned to operate special vehicles or equipment keep their skills current with on-going in-service training and may designate training days to work on specific skills. The unit's manual will include this training requirement and specifically indicate which type of training is required for each specific piece of equipment or vehicle.

C. A list of officers who are qualified and trained to operate special vehicles and equipment will be maintained by the unit to which the vehicle or equipment is assigned.

II. Objectives of Operation

A. Special vehicles and equipment can be applied in many police functions. Special vehicles and equipment can be deployed in any area that requires special vehicles or equipment. The Unit Captain and the sergeant assigned to the unit will determine

when the use of the special vehicle or equipment is appropriate and safe.

B. Due to their unique functions and in some cases unique appearance or function, they can be deployed at community events as static demonstrations with an operator on scene to answer the publics questions about their function and deployment.

C. The use of special vehicles and equipment will operate year-round. It is at the discretion of the Unit Captain and sergeant to determine if weather conditions make it unsafe or impractical for operation.

D. The Unit Captain and the sergeant assigned to the unit will determine the limitations of the use of the special vehicles and equipment and may develop a unit manual to address specific operational procedures.

E. Officers operating special vehicles and equipment will usually not be dispatched to calls but will respond to calls when they are available, and it is practical to do so.

III. Maintenance

A. Officers will perform basic maintenance and safety checks on their vehicle or equipment, as taught during training. Maintenance and repairs that are beyond the officer's training or ability will be conducted by authorized personnel.

IV. Equipment

A. Each officer will be equipped with Department approved specialized uniform and gear that is required for the operation of a special vehicles or equipment.

B. Specialty vehicles and equipment will be equipped based on the generally accepted standard for their intended use as pertains to police applications. Additional equipment may be added as approved by the Unit Captain. Equipment should be checked regularly. Unit Captains will document their inventory control measures for any specialized equipment items.

C. Any damage to the specialty vehicle or equipment will be reported to the Unit Captain.

13.080 – Use of Department Vehicles

Effective Date: 03/14/2018

This policy applies to all SPD employees when using Department vehicles. For purposes of this section, the term "employees" also includes volunteer staff such as the Victim Support Team.

A Department vehicle is any marked or unmarked vehicle that is owned, leased, rented, seized, donated, or acquired through a collaborative program.

A marked vehicle is any Department vehicle with exterior markings identifying it as a Department vehicle.

13.080-POL

1. Chief Operating Officer Assigns Vehicles to Units

No unit, section, or bureau may take control of, use, or loan any vehicle without the written approval of the Chief Operating Officer.

2. Sergeants in Units With Assigned Vehicles Shall Maintain a Vehicle Log

This log will contain information identifying the employee assigned to specific vehicles, the mileage upon receipt of the vehicle, the service dates of each vehicle, and the mileage upon return of the vehicle.

3. The Department May Assign "Take Home" Vehicles

The Department may assign certain employees a "take home" vehicle due to specific rank or duty responsibilities. These employees must complete a Take Home Vehicle Agreement (form 1.35.7). Captains will maintain Take Home Vehicle Agreements for their sections.

Employees with assigned vehicles or take-home vehicles must notify the SPD Motor Pool within 24-hours (via e-mail) whenever their duty station changes.

4. Employees Will Sign Motor Pool Vehicles In and Out

Employees shall complete a Vehicle Requisition (form 1.35.5) to use Department pool vehicles.

From 0700 hours to 1530 hours weekdays, employees will sign pool vehicles in and out at the Fleet Control Office located on the seventh floor of the Sea Park Garage.

After hours, weekends, and holidays, employees will sign pool vehicles in and out in the Data Center.

Employees returning pool vehicles weekdays between 0700 and 1530 hours will park as directed by Fleet Control; and return the keys with the stall number and mileage.

Employees returning pool vehicles after hours, weekends, and holidays shall park in the same general area as originally parked and return the keys to Data Center with the stall number and mileage.

5. Employees Will Inspect Department Vehicles for Damage Before Driving

Employees with assigned vehicles will report new damage to their on-duty supervisor. For motor pool vehicles, employees report damage to the Fleet Control Office.

The supervisor or Fleet Control staff member will complete a Defective Equipment Report (City of Seattle form) and make an entry on the Vehicle Damage Report (form 1.35) indicating new damage.

The supervisor or Fleet Control staff member notified shall investigate the following:

- Who the vehicle was previously assigned to

- Who or what may have caused the damage

The supervisor shall submit a Memorandum of the findings, through the chain of command, to the Captain of the section to which the vehicle is normally assigned.

(See also manual section 13.010 - Collisions Involving City Vehicles)

6. Employees Will Return Department Vehicles to the Motor Pool Clean and With At Least One-Half Tank of Gas

7. Employees May Not Take Department Vehicles Outside the City Limits

> **Exception**: Employees may leave the city if required by their duty or with supervisor authorization. Employees who live outside the city and have been assigned a take home vehicle, may take the assigned vehicle out of the city.

Employees requesting the use of a vehicle for a trip out-of-state shall submit a Vehicle Special Assignment Request (City of Seattle form) approved by their Bureau Chief to the Fleet Control Office.

8. Captains May Authorize Temporary Overnight use of a Department Vehicle

Employees requesting temporary overnight use of a vehicle shall submit a Vehicle Special Assignment request (City of Seattle form) approved by their captain (Section 7 applies to all out-of-state use).

Authorizations for overnight use are temporary (up to 30 days).

Captains may grant this authorization when the overnight use of the vehicle would benefit the department by improving the employee's efficiency in conducting city business.

When a captain is unavailable and need for vehicle is immediate, a lieutenant may authorize overnight use in place of a captain. The authorizing lieutenant must notify a captain as soon as practical.

Employees must submit requests for extended overnight use (more than 30 days), through the chain of command, to the Chief Operating Officer for final approval.

9. Sworn Employees Using a Marked Patrol Vehicle for any Reason Shall Log That Vehicle into Service

Employees will log in with Communications via radio or car computer.

10. Non-Sworn Employees Shall Not Operate Marked Patrol Vehicles Without Sergeant Approval

Exception: The approval requirement does not apply to stationmasters, IT, Fleets, and Charles Street personnel who facilitate or perform regular maintenance and repairs on these vehicles.

A marked patrol vehicle operated by any non-sworn employee must have a light bar hood that clearly indicates the patrol vehicle is "Out of Service".

11. Prohibited Activities During Use of Department Vehicles

Employees are prohibited from engaging in the following activities while operating a Department vehicle.

-Talking, texting, or any form of electronic communication or data retrieval on a handheld device while driving, except as provided by RCW 46.61.672.

- Smoking, except as authorized for undercover operations.

- Transporting unsecured loads, debris, and other materials and equipment in pick-up truck beds and on vehicles, except in the performance of SPD job duties.

- Driving while impaired.

- Driving in a manner that is discourteous or aggressive, unless necessary to effect a recognized law enforcement purpose.

- Driving an unmarked vehicle in an HOV lane with no passengers, except during an emergency response (See manual section 13.030 – Emergency Vehicle Operations).

- Using a vehicle for secondary employment.

- Allowing passenger(s) in the vehicle, except:

- When necessary for city business as authorized by a supervisor,

or

- When the employee is on stand-by or on-call as a first responder while off duty and expected to respond quickly if summoned. In this case, the employee's passengers must have

alternate means of transportation available to allow the employee to respond from his or her immediate location.

12. Employees Will Not Use a Department Vehicle for Reasons Outside the Course and Scope of Their Job Duties.

Exception: Reasonable, minor, incidental stops while on duty, or enroute to or from work, are permitted. Employees on stand-by or on-call as first-responders may conduct incidental personal business during those hours of stand-by or on-call assignment so long as they are able to respond quickly from their immediate location when summoned.

13. Employees May Request Cancellation of Parking Citations Received on City Vehicles While on City Business

Employees receiving parking citations, during the normal course of official investigations, shall obtain authorization for cancellation from their supervisor.

The employee shall then prepare and submit a Cancellation Request (form 1.51) through their chain of command to their Section or Precinct Captain.

Employees failing to submit a Cancellation Request within 48 hours shall accept the responsibility of making personal payment of the citation.

14. Tolling on the SR-520 Floating Bridge – Good To Go! Pass

Department issued "Good To Go!" passes are available to employees who need to use the SR 520 bridge for purposes of performing required SPD job duties in a vehicle that is not owned or leased by the Department. "Good To Go!" passes can be checked out at Fiscal.

The passes cannot be used for personal business or commuting to or from work in any Department vehicle, including "take home" cars.

The only Department vehicles exempt from the toll are emergency response vehicles on bona-fide emergencies.

14.001 - Mobilization Alert and Gold/Blue Deployment Plan

Effective Date: 05/07/2019

14.001-POL-1 Mobilization Alert

A Mobilization Alert notifies Department personnel of impending emergency operations which may require re-deployment of Department resources.

A Mobilization Alert achieves these objectives:

- Alert Department personnel of actual or possible resource redistribution and announces the existence of a major police incident
- Ensure adequate response capability to meet the resource and operational needs
- Control the depletion of patrol resources and discourage uncontrolled voluntary response to the scene of a major police incident

A Mobilization Alert can be initiated by any commander holding the permanent rank of Lieutenant or above.

Whenever a Mobilization Alert is declared, the following is provided to a Communications Supervisor:

- Location and nature of the incident
- Anticipated personnel and equipment needs
- Known hazards and incident status
- Designated incident commander

1. Notifications Are Made of a Mobilization Alert

When a Mobilization Alert is declared, a Communications Supervisor will broadcast the alert Department-wide by police radio and MDT.

The Communications Section will send notification of the Mobilization Alert to all Bureau Chiefs, Seattle Police Operations Center (SPOC) Commander and Duty Captain.

Commanders will ensure notification throughout their chain of command that a Mobilization Alert has been declared.

2. Operations May Change During a Mobilization Alert

Patrol Officers confine their activities to incidents of major importance, limiting on-view incidents and stops for traffic infractions.

Watch commanders and sergeants ensure that all on-duty personnel know of the Mobilization Alert.

The Communications Section will initiate priority call screening.

All sworn on-duty personnel will be in uniform or have immediate availability and continue to perform their regular duties.

3. Commanders May Adjust Shifts

Watch commanders must determine precinct resource needs and make recommendations for the hold-over of off-going watches. The Patrol Operations Chief or Duty Commander (if SPOC has not been activated) will determine to release personnel.

Personnel assigned to an incident will be relieved as directed by the Incident Commander.

4. The Department Stages of Mobilization are Defined

There are several stages of mobilization the Seattle Police Department can use to deploy resources for incidents during emergency operations. Stages of mobilization provide a controlled re-distribution of departmental resources to achieve the personnel levels for response to a significant incident or event. This section provides direction for responders and commanders when responding to significant incidents or events.

Stage One Mobilization

Stage One Mobilization describes the first level of mobilization for emergency operations under these conditions:

- The Department has received a credible threat that has the potential to cause significant harm, property destruction or wide-spread public fear; or

- The Department is handling a Significant Event or other incident, making it necessary to modify the Department's normal dispatch protocol within 2 or more Precincts; or

- Any mutual aid request that impacts the Departments ability to conduct routine operations.

Stage One Mobilization can be initiated by any commander holding the permanent rank of Lieutenant or above:

- Once a Stage One Mobilization has been initiated, Command notification is made through the Communications Supervisor.

- The Communications Section should ensure that all on-duty radio- dispatched personnel know of the Stage One Mobilization.

Stage One Mobilization effects:

- A Stage One Mobilization is a full deployment of the city-wide patrol taskforce and on-duty Traffic Section personnel.

- The incident commander may direct patrol task force squads directly to the scene, to a designated staging area or to their precinct for a coordinated response.

- The Communications Section will screen all in-coming calls for prioritization as determined by the Incident Commander.

- The SPOC Lieutenant will be notified and will screen a Stage One Mobilization for SPOC Activation.

Stage Two Mobilization

Stage Two Mobilization describes the second level of mobilization for emergency operations under these conditions:

- The Department has received a credible threat supported by one or more incidents (regionally or nationally) that have the potential to cause significant harm, property destruction or wide-spread public fear; or

- The Department is handling a Significant Event or other incident that has depleted response capability after modifications to the Department's normal dispatch protocol, or

- Any mutual aid request of the Department that requires a taskforce level response, reducing the ability to conduct routine operations, or

- Any mutual aid request made by the Department for any unplanned significant event or incident.

Stage Two Mobilization can be initiated by any commander holding the permanent rank of Lieutenant or above:

- SPOC is activated for a Stage Two Mobilization and will coordinate the departments deployment (note: outside of normal business hours, it may take time for SPOC to activate).

- Once a Stage Two Mobilization is initiated, command notification must be made through the Communications Section.

- Section and Precinct Commanders will ensure that all on-duty personnel under their command know of the Stage Two Mobilization.

Stage Two Mobilization effects:

- A Stage Two Mobilization will trigger activation of the SPOC.

- Stage Two Mobilization is a full deployment of the city-wide patrol taskforce, on-duty Traffic Section and all other uniformed personnel, including:

    - Community Police Teams,

    - Anti-Crime Teams,

    - SWAT

    - Other uniformed personnel (Bike Squads, School Resource personnel, Harbor, Mounted, etc.)

    - Traffic Section personnel will have primary responsibility for traffic control related to any incident. However, they can be used by the incident commander for other response duties as needed.

    - Investigative unit personnel city-wide will continue with their assigned duties but will prepare for uniformed field

deployment and report unit status to their Chain of Command or SPOC.

Stage Three Mobilization

Stage Three Mobilization describes the third level of mobilization for emergency operations under these conditions:

- The Department has received a specific threat to the City of Seattle supported by one or more incidents (locally, regionally or nationally) that has the potential to cause significant harm, property destruction or wide-spread public fear; or

- The resources mobilized in response to a significant incident(s) cannot establish and/or maintain public order.

Stage Three Mobilization will be authorized by an Asst. Chief or higher:

- Once a Stage Three Mobilization is initiated, command notification must be made through the Chief Dispatcher.

- Section and Precinct Commanders will ensure that all on-duty personnel under their command know of the Stage Three Mobilization.

Stage Three Mobilization effects:

- A Stage Three Mobilization is a full deployment of all on-duty sworn personnel, including Investigations and other non-uniformed section personnel.

- Upon mobilization, non-uniformed personnel shall be in uniform and ready to deploy as directed.

- The incident commander should consider the limitations and/or special skills and equipment these units have available.

Stage Four Mobilization

Stage Four Mobilization describes the fourth level of mobilization for emergency operations under these conditions:

- The Mayor has declared a State of Civil Emergency; or

- A significant event or incident has occurred that has substantially diminished departmental resources and operational capabilities, requiring restructuring of the organization, or

- The City is responding to a disaster or major incident that has resulted in or likely to cause significant harm, wide-spread property destruction or public fear.

Stage Four Mobilization is initiated by the Chief of Police or designee.

Once Stage Four Mobilization has been initiated, Command notification must be made through the Communications Supervisor.

Section and Precinct Commanders will ensure that all personnel (on and off duty) under their command know of the Stage Four Mobilization.

Stage Four Mobilization effects:

- All sworn personnel will prepare for immediate uniformed field deployment and will continue to provide staffing and equipment readiness updates to SPOC. A Stage Four Mobilization will trigger a SPOC activation.

- The Blue/Gold deployment plan is initiated unless directed otherwise.

A Stage Four Mobilization (Gold/Blue Plan) is an emergency recall of Seattle Police Department personnel, providing for a controlled re-distribution of personnel across two operational periods. This redistribution will provide a significant increase in resources to provide sustained response to an incident requiring significant police personnel. A Stage Four Mobilization can involve the entire Department, or it can involve only personnel assigned to the Patrol Operations Bureau.

5. Sworn Personnel Will Maintain a State of Readiness

Sworn personnel will have uniforms and equipment (including crowd control and other safety equipment such as respiratory protection, etc.) accessible at their unit of assignment.

All sworn personnel of the rank of Lieutenant or above will have a complete copy of their Precinct or Section telephone call out roster readily accessible to them.

14.001-POL-2 Gold/Blue Deployment Plan

The Gold/Blue Plan provides for mobilization of all or part of the Department staff following an earthquake, large civil disturbance, significant event, disaster, terrorist attack, etc. Besides sworn personnel, many non-sworn personnel may also be called upon to work special shifts as authorized by various labor agreements.

The Gold/Blue Plan may take 12 to 24 hours to implement. The Plan should not be relied upon to fill immediate staffing needs during an emergency.

The Gold/Blue Plan reconfigures patrol resources from the three existing watches into two watches covering a 24-hour period. This distribution favors increased staffing during the daytime when the need for law enforcement services may be expected to be highest. This pre-set distribution may be altered by an Assistant Chief or higher.

The Plan places all sworn members in the Department on a 12½ hour on duty status, and an 11½ off duty period. Day Watch will work from 0630 to 1900 hours and is the Gold Shift. Night Watch will work from 1830 to 0700 hours and is called the Blue Shift.

1. Employees are Alerted of a Gold/Blue Deployment

If a Gold/Blue deployment is initiated, the Department will attempt to notify all sworn on-duty and off-duty personnel.

The Chief of Police or designee who initiates the Gold/Blue Plan will also authorize personnel notification.

Notification is made using the chain of command and implemented in various ways:

- **Roll Call** – SPOC will provide Gold/Blue information to affected units or sections for direct notification of personnel at roll calls. This method of notification can be used even for those units that conduct no traditional roll call.

- **Telephone** – All department personnel must ensure that their personal information in the Personnel system is current and correct. Contact information for the employee particularly should be up to date. Supervisors will make certain that their personnel review the information regularly and make changes. Section commanders and supervisors will retain a contact list of their personnel and have it readily accessible to them.

- **SPD Radio** – The Communications Section will broadcast on all channels that the Gold/Blue Emergency Mobilization Plan is in effect.

- **Public Media** – Commercial radio and television stations might air announcements regarding Department mobilization. The Media Relations personnel will assist.

- **Self-Activation** – If a major disaster occurs where there is significant regional damage and public and private communication systems are disrupted, all sworn personnel will assume that the Gold/Blue plan has been activated and report:

    - If the precinct of assignment or normal duty station is not accessible, personnel should then report to the SPD precinct or other police facility nearest their normal duty station.

- **Social Media**

- **Emergency Broadcasting System**

- **Alert Seattle**

2. The Chief of Police or Designee May Activate the Gold/Blue Deployment Plan

Command to Mobilize

The Chief of Police or designee may authorize activation of the Gold/Blue Deployment Plan.

Change in Organizational Structure

The Seattle Police Operations Center (SPOC) activates whenever the Gold/Blue Deployment Plan is implemented.

The Incident Command System (ICS) will be used for the re-deployment of Department resources during emergency operations, including implementation of the Gold/Blue Deployment Plan.

3. All Sworn Personnel are Assigned to a Gold/Blue Shift

This schedule applies to all Patrol Officers, Sergeants, and Lieutenants assigned to the Precincts, including those assigned to ACT, CPT, Precinct Detectives and SHA, or other special assignments (Precincts with special walking or bicycle beats

should direct that such personnel report per the watch most closely approximating their normal work hours).

If the precinct of assignment or normal duty station is not accessible, personnel should then report to the SPD precinct or other police facility nearest their normal duty station.

First Watch

Shift: 0630 to 1900 (Gold)

Reporting Location: Precinct of Assignment

Second Watch

Shift: 0630 to 1900 (Gold)

Reporting Location: Precinct of Assignment

Third Watch

Shift: 1830 to 0700 (Blue)

Reporting Location: Precinct of Assignment

CPT, Precinct Detectives & SHA

Shift: 0630 to 1900 (Gold)

Reporting Location: Precinct of Assignment

ACT

Shift: 1830 to 0700 (Blue)

Reporting Location: Precinct of Assignment

Metro Special Response and Traffic Sections

Unless otherwise directed, all Metro Special Response (SWAT, Harbor, K9, ABS) and Traffic personnel will report to their normal duty stations. If they ordinarily work a day shift, they will report for the Gold Shift. If they ordinarily work a swing or graveyard shift, they will report for the Blue Shift.

Units assigned to the Metro Special Response and Traffic Sections have specialized missions/capabilities and may be

notified directly by command on alternative reporting times and location.

Non-Patrol Officers and Detectives not assigned to a precinct

Except for personnel with specific pre-determined Gold/Blue assignments, all non-patrol officers, detectives, sergeants, and lieutenants will report to their normal duty stations as stated below:

- Non-Patrol personnel normally assigned to day shift hours will report to their regular duty location during Gold Shift, from 0630 to 1900 hours.

- Non-Patrol personnel normally assigned to a swing or graveyard night shift will report to their regular duty location during Blue Shift, from 1830 to 0700 hours.

Once at their regular duty stations, reporting personnel will remain there awaiting further assignment.

Some non-patrol personnel may be pre-assigned to special teams such as prisoner processing, situational awareness, etc. Besides this assignment, these individuals may also be pre-assigned to a Gold/Blue shift that differs from their normal working hours. The Assistant Chief assigned as the SPOC Commander may adjust these assignments and hours as needed.

4. Some Sworn Personnel Have Pre-Designated Assignments

Seattle Police Operations Center

- Regularly assigned SPOC personnel will report to their normal duty station immediately to staff the Operations Center regardless of time of day.

- A roster of Secondary SPOC staff will be maintained by SPOC and a copy retained in the 911 Center. The Secondary SPOC staff will anticipate response to the Operations Center 12 hours after the primary response.

Seattle EOC Emergency Support Function (ESF) Response

- Personnel within the Professional Standards Bureau, including the Education and Training Section and Audit, Policy, and Research Section (APRS) have been assigned to staff the City of

Seattle Emergency Operations Center (EOC). The Advanced Training Unit has primary response during any incident. APRS staff will respond 11½ hours after the primary response. The Assistant Chief of the Professional Standards Bureau has designated primary and secondary staffing.

5. Captains and Above Have Specific Gold/Blue Instructions

In any Gold/Blue Mobilization, all Captains and above will report to their normal duty station unless otherwise pre-assigned or until otherwise directed by the SPOC Commander.

Shifts, assignments, and reporting locations are subject to change, but will match the Gold/Blue Shifts of 0630-1900 or 1830-0700.

Unless or until otherwise instructed, Captains and above working a day shift will assume the Gold Shift schedule; Captains and above working a swing or graveyard shift will assume Blue Shift hours.

Pre-designated assignments:

The Asst. Chief of the Professional Standards Bureau is assigned as the Primary Gold Shift lead for the Law Enforcement ESF at the EOC and will assign the Primary Blue lead for the Law Enforcement ESF at the EOC and any additional SPD staffing required for Law Enforcement ESF at the EOC.

If the precinct of assignment or normal duty station is not accessible, personnel should then report to the SPD precinct or facility nearest normal duty station.

6. Commanders May Take Additional Steps for Gold/Blue Mobilization

If a Gold/Blue Mobilization is anticipated or if an actual mobilization order is given:

- Unit and Watch commanders will direct hold over any personnel scheduled to go off-duty prior to the actual implementation of the Gold/Blue Plan and will authorize overtime as necessary.

- As many "down" vehicles as possible must be serviced, fueled, and made ready for duty.

- Sections and Precincts with vehicles at Charles Street and Haller Lake will request expediting of vehicle repair and postponement of preventive maintenance.

7. Sergeants Will Have Special Instructions for Gold/Blue Roll Call and Timekeeping

At the start of each Gold/Blue shift briefings will be conducted. All personnel will be briefed prior to deployment.

Sergeants will transmit Department check-in sheets to the SPOC at 615-1990, deliver the check-in sheets directly, or inform the Communications Section, if required because of damaged infrastructure.

Employee's time is recorded on Event Overtime Summary.

Seattle Police Department Manual

14.010 – After-Action Reports

Effective Date: 11/01/2018

14.010-POL

An AAR provides the chain of command with a synopsis of a special event, demonstration, critical incident, or major event.

1. The Incident Commander and Their Chain of Command Ensures Compliance with AAR Deadlines

2. An AAR Will Be Completed Whenever a Special Event, Demonstration or Other Unusual Circumstance Occurs

The Incident Commander (IC) or designee will **email** a completed AAR to the Bureau Commander within 30 business days of the conclusion of the special event, demonstration, critical incident or major event.

Note: If the IC is a lieutenant or sergeant, the email is sent though their chain of command. The chain of command is responsible for submitting the AAR to the Bureau Commander within the required time frame.

The Bureau Commander will review and forward the completed AAR to the Executive Director of Finance and Budget within seven (7) business days of receipt.

> **Exception:** The IC and Bureau Commander may request an extension to the time limits through the Homeland Security Bureau Chief.

(See 14.010-PRO-1 Submitting an AAR)

A completed copy of the AAR will be maintained at SPOC and the precinct of occurrence.

14.010-PRO-1 Submitting an AAR

Incident Commander (IC)

1. **Completes** the AAR in fillable PDF format.

- This form is available through the links within this policy.

2. **Sends** a copy, of the completed AAR, through their chain of command, to the Bureau Commander within 30 business days of the conclusion of the special event, demonstration, critical incident, or major event.

Bureau Commander

3. **Contacts** the Incident Commander directly if the AAR is not submitted within the given timeframe.

4. **Receives** and **reviews** the completed AAR.

5. **Forwards** the completed AAR within seven (7) business days of receipt, by **clicking** the "Submit Form" button located at the top right corner of the screen.

   - The submitted form is automatically routed to the Executive Director of Finance and Budget.

Executive Director of Finance and Budget

6. **Retains** the data needed for financial auditing purposes.

7. **Sends** a copy of the AAR to SPOC.

SPOC

8. **Sends** a reminder email to the Bureau Commander, and CC's the Homeland Security Bureau Chief, if the AAR is not submitted within the given timeframe.

9. **Maintains** a copy of the AAR.

10. **Sends** a copy of the AAR to the Force Review Unit (FRU), **if** reportable force is used during the special event, demonstration, critical incident, or major event.

11. **Sends** a copy of the AAR to the precinct of occurrence.

Seattle Police Department Manual

14.020 – Notification Protocols-AlertSeattle

Effective Date: 10/05/2016

14.020-POL

The Department utilizes the City's *AlertSeattle* system to achieve the following objectives:

- Rapidly mobilizing emergency responders during events such as active-shooters, serial arsons, flooding, landslides, or possible train derailments

- Alerting the necessary command staff and personnel based on the need of a specific incident

- Sending emergency information to the public for taking immediate life-protective measures

- Alerts will be delivered within the City's boundaries and the service areas of Seattle Public Utilities, as well as other key areas that could be affected by City infrastructures.

1. The Department Uses the Notification Protocol Document for Internal Notifications

The Communications Section will notify specific units, positions and individuals based on the type of incident and response required.

The Communications Section will maintain the Notification Protocol document.

2. The Department Uses *AlertSeattle* to Make Notifications to the Public

Members of the public may register to receive notifications from *AlertSeattle.* Members of the public who register will receive official City alerts via text message, email, and voice message.

Employees may inform the public:

- They can register for *AlertSeattle* at alert.seattle.gov.
- That alerts are sent 24/7 when there is a significant risk to life and property.
- That alerts can be sent city-wide or to a specific area or neighborhood.
- That *AlertSeattle* is a FREE service.

3. Employees Utilize *AlertSeattle* to Inform the Public of Emergent Life Safety Events

Employees perceiving that there is an occurring or potential emergency that could cause serious injury, loss of life, or serious property damage and that the public safety may benefit from being made aware of via *AlertSeattle,* may request a public notification.

4. Employees May Activate *AlertSeattle* Through Their Chain of Command

(See 14.020-PRO-1 Notifying the Public of an Emerging Life Safety Issue)

5. The Duty Captain or an Assistant Chief Approves Requests for *AlertSeattle* Notifications

A captain or incident commander will work with the Public Affairs Unit to draft the content of a public *AlertSeattle* notification, as well as cancel or rescind the alert when appropriate.

14.020-PRO-1 Notifying the Public of an Emergent Life Safety Issue

Employee

1. **Identifies** that an emergent situation requires public notification through *AlertSeattle*.
2. **Informs** their supervisor/sergeant as soon as practical of the need for an *AlertSeattle* notification.

Sergeant

3. **Reviews** the request and forwards the request up the chain of command to the level of captain (or Duty Captain if an on-duty captain is not available.)

Captain

4. **Reviews** the request, **drafts** the content of the alert.

5. **Contacts** the Public Affairs Unit with the drafted content.

   - Note: Updates are completed using the same procedural steps as initiating the original alert.

Public Affairs Unit

6. **Reviews** the request and assists in determining if an *AlertSeattle* message is needed or appropriate.

7. **Reviews and assists** in drafting content as needed.

8. **Sends** the *AlertSeattle* notification.

Captain

9. **Clears/rescinds** the *AlertSeattle* notification through the Public Affairs Unit.

14.040 – Hazardous Conditions

Effective Date: 05/07/2019

I. Hazards to the Public

A. Officers shall be alert for defects, damage, or obstructions to any streets, roadways, sidewalks, parking strips, or other installations or properties, the result of which may be dangerous or detrimental to public welfare.

B. This also applies to inoperative or impaired City utility installations, such as streetlights out or obscured by trees, traffic signs down, damaged, or obscured by shrubbery, overhanging trees, or other objects, etc.

C. Some of the most common which require special handling are:

1. Fire Alarms

    a. Officers shall respond immediately to every fire alarm which they become aware of or are assigned to.

2. Wires Down

    a. Officers who respond to a call or otherwise come upon the scene of "wires down," shall consider all wires to be energized and dangerous until proven otherwise.

        (1) Telephone, fire alarm, trolley, and guideline wires may be in touch with high voltage wires at some other point, and such wires may carry lethal electric charges.

D. Officers discovering hazards shall take immediate action as soon as is practical by notifying the Communications Section of the nature of the hazard.

E. The Communications Section shall forward the information to the appropriate agency for corrective action.

F. If the hazard poses an immediate danger to the public, the officer, or other authorized personnel, within the limits of available resources, shall safely maintain pedestrian and vehicular traffic control over the situation until it has been

rendered safe by the appropriate agency, either in a temporary or permanent condition.

II. Hazardous Materials Incidents

A. The U.S. Department of Transportation's Emergency Response Guidebook should be consulted when responding to a Haz-Mat situation. The guidebook will help you identify and read hazard placards on transport vehicles. It will also provide you with information on the hazards of a particular material, and steps to take when responding to Haz-Mat incidents.

B. When responding to a hazardous materials incident, the first unit on-scene should:

1. Approach the scene from upwind,

2. Assess the need for, and request the assistance of, additional resources as needed.

    a. The Seattle Fire Department (SFD) has overall responsibility for response to, and command of Haz-Mat situations. They should be notified as soon as possible.

    b. A sergeant or above.

    c. SFD Aid units.

3. Move people and keep them away from the scene. An initial safe perimeter is 500 feet.

4. Perform lifesaving rescue and first aid.

5. If possible, without endangering personal safety, attempt to identify the hazardous material.

    a. Hazardous materials transported by rail or road should be marked with a placard that has a 4-digit number on it. Provide that number to Communications.

6. Secure and contain the scene until other resources arrive.

C. Once SFD has arrived and assumed command of the incident, the Department's role shall be to participate in a unified command with SFD as the lead agency. This may include:

1. Traffic and crowd control.

2. Evacuation.

3. First Aid.

4. Identifying and interviewing witnesses.

5. Protection of property.

6. Transportation of victims.

III. Spill Response and Disposal

A. In situations where the SFD does not respond, the Department shall assess the need for removal and transportation of the hazardous material.

B. Officers shall notify the Communications Section as to the nature of the hazard.

1. The Communications Section will notify the Washington State Department of Ecology, which maintains 24-hour emergency Spill Response.

C. Remain at the scene until the DOE staff person arrives.

D. Request from the DOE staff person authorization to have the hazardous material removed.

E. Complete a Report on all Hazardous Materials or Spill Response incidents.

1. Include in the report the name of the environmental service provider.

2. Send an email to the Department Safety Coordinator titled "Hazardous Materials" or "Spill Response." The email will contain the Report Number.

IV. Safety Coordinator Responsibilities

A. Upon receipt of a Report involving the emergency transportation of hazardous materials do the following:

1. Within 48 hours of the emergency transportation, complete a DOE form 2, "Notification of Dangerous Waste Activities."

2. Send the completed DOE form 2 via Federal Express to:

Washington Department of Ecology
Attention: Sheri Dotson

300 Desmond Drive
Lacey, WA 98503

3. Upon receipt of the WAD number from DOE, provide the WAD number to the environmental service provider who removed the hazardous material.

Seattle Police Department Manual

14.060 – Serious Incident Plan

Effective Date: 05/07/2019

POLICY

Officer safety will be the priority when responding to a serious incident. Once the incident is made safe, the officers will attend to the injured, locate suspects and witnesses, secure the scene, and preserve evidence. Some examples of serious incidents are homicides, sexual assaults, officer involved shootings, serious injuries where death may be likely, and kidnappings.

I. Primary Officer Responsibilities

A. The first officer on the scene of a serious incident will assume the role of the primary officer. The primary officer will take control of the scene and direct the activity until relieved by a sergeant.

1. The primary officer will request that a sergeant respond to the scene.

B. Officer safety is the first priority. The primary officer will direct responding officers, advising the safe access route, and a safe staging area.

C. Once the scene has been secured, the investigation of the incident can proceed.

D. Officers on the scene will administer first aid to injured persons and request medic units to respond when necessary.

1. Use universal precautions to minimize contact with blood or other potentially infectious materials (See manual section 3.045-Bloodborne Pathogens).

2. If certain signs of death are present (e.g., rigor mortis, lividity, odor, etc.) do not touch or move the body.

E. Establish an inside and outside perimeter, around the scene with yellow crime scene tape, keeping all unauthorized persons out. Responding Detective Sergeants will deploy Red Crime Scene Tape around the inner perimeter of any major crime scene. The red tape will denote the area(s) where the most critical evidence is located.

1. The perimeter should be marked off with crime scene tape as soon as it is safe to do so.

2. The perimeter will be maintained until officers are released by a sergeant.

3. Limit access to only those involved in the investigation.

F. Maintain a detailed Crime Scene Log.

1. The responding Detective Sergeant will ensure that an on-scene officer is assigned to crime scene log duty and will provide the officer with blank log sheets. Once the red crime scene tape is in place and the "log officer" is assigned, anyone who enters the area cordoned off in red tape, regardless of rank, will have to sign in and sign out of the scene and may be responsible for providing a statement as to their business and activity in the scene. Officers who entered the scene prior to the application of red crime scene tape must complete a statement regarding their business and activity in the scene. The Crime Scene Log is not limited to SPD personnel; representatives of all agencies with a need to enter the scene must sign in and sign out. This includes the Seattle Fire Department, any ambulance attendant, the King County Medical Examiner's Office, the King County Prosecutor's Office, or any other agency. Once the crime scene investigation is complete and the scene is released, the "log officer" will submit the completed log forms to the on-scene Detective Sergeant or the CSI Sergeant. The Sergeant will deliver the completed log forms to the case detective(s). The crime scene log will become part of the case file and may be subject to defense discovery.

G. Detain suspect(s) and witnesses separately. Instruct witnesses not to talk to anyone about the incident. Obtain statements when possible.

H. Broadcast all available suspect information.

I. Preserve the crime scene and any evidence in its original location and condition unless it creates a hazard or risks becoming contaminated.

1. Note transient details, such as time of day, whether the lights were on or off, signs of activity, position of doors and windows, unusual odors, persons at the scene upon arrival and the position of an injured victim.

2. Do not touch or move an item of evidence unless it is necessary to protect it from being damaged or destroyed. Avoid touching, moving, or stepping in areas sensitive to the scene. Use the same route in and out of the scene, avoiding a route a suspect might have used. Do not use any of the facilities at the scene (e.g., sinks, bathrooms, telephones, etc.). Document anything that is touched or moved. Utilize door locks, barricades, crime scene tape, other officers, and rope to secure the scene. Protect the entry and exit paths used by the criminal. Protect any evidence in danger of being destroyed by weather or other factors.

J. Guarding Injured or Deceased Persons

1. An officer will be assigned to stay with the person until relieved by a sergeant. This includes riding with the person to the hospital and staying with them once they arrive at the hospital.

   a. Injured Person(s): The officer assigned to guard the victim/suspect should give their sergeant the condition of the injured person, as that information becomes available. Secure clothing from the victim or suspect at the hospital. List the names of the hospital staff who removed the clothing and anyone at the hospital that talked to the victim or suspect. In the case of sexual assault, the clothing and evidence collected will be retained by the hospital.

   b. Deceased Person(s): Do not remove the clothing of the deceased. Instruct the hospital attendants not to release the property of the deceased to anyone other than the Medical Examiner or police personnel.

II. Patrol Sergeant Responsibilities

A. A sergeant will respond to the scene and take command. The sergeant in command will:

1. Request a follow-up unit call out response;

2. Determine any additional personnel required and assign specific responsibilities to sergeants / officers on the scene;

3. Ensure Communications receives updated information;

4. Ensure the security of the scene;

5. Turn control of scene over to the follow-up investigators, upon their arrival;

6. Brief the Watch Lieutenant; and

7. Ensure the proper paperwork has been completed.

B. Once the follow-up detective(s) arrive and assume control of the scene, they have full command of the scene. Completion of the investigation is the responsibility of the follow-up unit.

III. Watch Lieutenant Responsibilities

A. Respond and assume command.

B. Ensure sergeant responsibilities have been completed.

C. Brief arriving units.

D. Designate a media staging area.

E. Check call status with Communications Section.

1. If there are too many waiting calls, request assistance from other precincts or request that the Communications Section starts screening low priority calls.

F. Consider psychological support for officers for involved squad and precinct.

1. Psychologist

a. Critical Incident Stress Debriefing

b. Peer Counselors

G. Consider Department-wide announcement for on-duty officers via Mobile Data Device.

14.070 – Serious Injury or Fatality to Officer

Effective Date: 05/07/2019

I. Officer Responsibilities

A. Notify Radio of "Officer Down" or "Officer Injured", request SFD Medics, and provide necessary first aid until medics arrive.

B. Assign at least one officer to accompany victim officer to the hospital for security and to obtain:

1. Information about the incident,
2. Evidence, and
3. Personal effects.

C. If the victim officer is clearly deceased, crime scene preservation must take precedence over the desire to quickly remove the body from the scene. Efforts to shroud the crime scene from public view must not encroach on the scene itself.

D. Set up a perimeter around the crime scene (See manual section 14.060 - Serious Incident Plan).

E. Detain witnesses until released by a patrol sergeant or Follow-up Detective.

F. Ensure that a patrol sergeant is enroute.

G. Complete necessary paperwork.

II. Patrol Sergeant Responsibilities

A. Assume command of the scene.

1. Handle as a serious event
2. Establish a Field Command Post.

B. Ensure that the injured victim officer:

1. Has been taken to hospital, and

2. Is accompanied by at least one other officer.

C. Ensure that a secure perimeter around the crime scene has been established.

D. Request that a Watch Lieutenant respond to the scene.

E. Assign a Sergeant to the hospital to coordinate officers assigned there.

F. Request that the appropriate Follow-up Unit respond to the scene.

G. Ensure that the victim officer's spouse or family member(s) is notified.

1. Assign two officers to drive family to the hospital.

a. Request local law enforcement agency to transport if they live some distance outside Seattle.

2. Arrange for childcare when necessary.

H. Ensure that Department notifications are made.

1. Victim officer's Lieutenant

2. Precinct Captain

3. Victim officer's Section Captain

4. Patrol Operations Bureau Chief

5. Victim officer's Bureau Chief

6. Office of the Chief

7. Public Affairs Unit

NOTE: Do not reveal the officer’s name on the phone, radio, or to the media until after the family has been notified.

8. Employee’s collective bargaining representative

9. Department Chaplain

I. Ensure the completion of all necessary paperwork, including:

1. Report(s), accident reports, Statements, etc., and

2. Illness and injury forms.

    a. Refer to manual section 4.050 - On-Duty Illness or Injury.

    b. Forward illness and injury forms to the Recruiting, Wellness, and Safety Administrator in an ***Alert Email***.

III. Watch Lieutenant Responsibilities

A. Respond and assume command.

B. Ensure Sergeant responsibilities have been completed.

C. Brief arriving units.

D. Designate a media staging area.

E. Check call status with Communications Section.

1. If there are too many waiting calls, request assistance from other precincts or request that the Communications Section start screening low priority calls.

F. Consider psychological support for officers for involved squad and precinct.

1. Psychologist

    a. Critical Incident Stress Debriefing

    b. Peer Counselors

G. Consider Department-wide announcement for on-duty officers via Video Mobile Data Terminal.

IV. Field Commander Responsibilities

A. Respond and assume command.

B. Coordinate Department Notifications.

C. Ensure completion of an After-Action Report.

V. Communications Section Responsibilities

A. Ensure that Medics are dispatched.

B. Request that a sergeant respond to the scene.

C. Assist in establishing a perimeter around the crime scene.

D. Assist with notifications as requested by on-scene Commander(s).

Seattle Police Department Manual

14.080 – Task Force Mobilization

Effective Date: 03/26/2010

PURPOSE

To describe and detail the process for full Operations Bureau Task Force Mobilization. This plan may be partially implemented at the direction of a Field Commander. In the event of a partial mobilization, the Field Commander must explicitly identify required resources to the Communications Section. Unless explicit direction regarding partial mobilization is received, it shall be assumed a full Task Force Mobilization is authorized.

I. Definitions

A. Field Commander: For purposes of Task Force Mobilization, a Field Commander shall hold the minimum permanent rank of Sergeant.

1. Field Commanders shall explicitly identify themselves to the Communications Section.

2. All personnel detailed to a Task Force Response operation shall be subordinate to the Field Commander, regardless of Precinct of origin or pre-existing chain-of-command.

3. A partial Task Force Mobilization may be authorized by a Field Commander holding the rank of Sergeant; A full Mobilization may be authorized by a field Commander holding the minimum rank of Lieutenant.

4. In the event of a partial Task Force Mobilization, an on-duty Lieutenant from any Precinct shall be notified immediately, respond to the scene to assess the need for a full Mobilization, and to assume Field Command.

II. Task Force Personnel

A. Patrol Sergeant(s) and Officers

1. The Patrol Squad and Sergeant from each Watch, in each Precinct, for the first two working days upon returning from regularly scheduled furloughs.

    a. Shall maintain helmets and long batons in their vehicles.

b. Sergeants shall be prepared to present a completed roster of their resources to the Field Commander upon arrival at the mustering location.

c. Sergeants and officers qualified to carry chemical agents shall be prepared to respond with issued chemical agents (e.g., OC spray).

B. All on-duty Anti-Crime Team (ACT) and Community Police Team (CPT) officers and sergeants

1. Helmets and long batons shall be maintained and ready at all times.

2. Response shall be in Departmental issued vehicles.

3. BDU's are authorized.

4. Sergeants shall be prepared to present a completed roster of their resources to the Field Commander.

5. CPTs shall bring their prisoner processing kits. (See subsection IV - Prisoner Processing Protocol of this manual section.)

C. All on-duty SWAT Personnel

1. Response shall be in riot gear, and arrangements shall be made to deliver necessary logistical equipment (specifically chemical agents) as soon as possible.

D. All on-duty K-9 personnel

E. All on-duty Traffic personnel, including Sergeants and above

F. All Precinct Prisoner Wagons (D10, N10, S10, C10) and assigned officers (see subsection IV - Prisoner Processing Protocol - of this manual section).

G. Other on-duty units as directed by the Field Commander through the Communications Section

1. This may include additional command and supervisory staff, Investigation Support Unit personnel, etc.

III. Mobilization Procedures

A. Officers

1. Patrol

    a. Patrol officers on priority calls shall remain on those calls unless directed by Radio.

    b. Sergeants will document as soon as practical the officers who have responded to join the Task Force.

2. Task Force personnel shall immediately respond to the staging area identified by the Field Commander. Response shall be in Department assigned vehicles. In addition to specialized equipment requirements, each officer shall be equipped according to Manual specifications, which includes, but is not limited to, body armor, flashlight, issued radio, and name tag.

3. It is critical to maintain order at the staging area. Remain with your sergeant, and in position to deploy as a Squad. Cooperate with the Deployment Officer - generally the Assistant Field Commander - and await instructions.

B. Communications Section

1. Shall attempt to reassign priority calls to non-Task Force personnel as soon as possible and shall begin screening calls at each zone dispatch console.

2. Shall be prepared to staff a radio channel dedicated to the event if requested by the Field Commander.

IV. Prisoner Processing Protocol

A. A crucial element of mobilization in response to a large-scale disturbance, riot, or demonstration is prisoner processing. The two personnel groups assigned to the prisoner processing function are the Department Community Police Teams (CPT) and all on-duty Prisoner Wagon Officers.

B. If the Field Commander determines that the prisoner processing function is required as part of the Task Force mobilization, the following protocol will be followed:

1. Prisoner Wagon Officers

    a. Immediately upon mobilization, all prisoner wagon officers shall report to the Field Commander. If a prisoner wagon is not assigned during a Watch at any Precinct, the Watch Lieutenant, Senior Sergeant, or Field Commander shall ensure that all prisoner wagons are deployed. The officer

assigned to the prisoner wagon shall ensure that the prisoner processing kits are on board.

b. The Field Commander shall assign a second officer to each prisoner wagon. The prisoner wagon team shall process prisoners in the field and remain in the field until each wagon is at capacity. Then, and only then, shall prisoners be delivered to the holding cells at the Precinct of occurrence (or other Precinct as designated by the Field Commander).

2. The minimum requirements for arrest processing in the field shall be: suspect identification, date/time/location, arresting officer identification, and two printed digital photos of the arresting officer and the suspect.

Note: Officers making arrests remain responsible for reports, statements, etc. at the conclusion of their Task Force assignment.

3. The Field Commander shall establish and staff a processing operation at the Precinct to complete the booking (or citation) process.

4. Community Police Teams

a. All Community Police Team personnel shall respond to the Precinct of occurrence (or other Precinct as designated by the Field Commander).

(1) If the Department CPT Officers are off duty, they shall be activated via the Communications Section, unless otherwise directed by the Field Commander.

(2) CPT Sergeants shall maintain current CPT mobilization rosters and must forward a copy to the Communications Section.

(a) The mobilization roster shall be titled "Task Force Prisoner Processing Team Call-out Roster."

b. Upon arrival at the Precinct, the CPTs shall organize the prisoner processing operation and respond to the field.

14.090 - Crowd Management, Intervention, and Control

Effective Date: 04/15/2021

14.090-POL-1 Purpose

The rights to free speech and peaceable assembly are guaranteed by the First Amendment to the United States Constitution and Article 1, § 4 and 5 of the Washington State Constitution. The Seattle Police Department takes seriously its responsibility and commitment to support and facilitate the exercise of these rights in fair and equitable manner, without consideration as to content or political affiliation, with as minimal a footprint as is reasonably necessary to preserve public safety and order.

This policy recognizes that assemblies in Seattle may range from small gatherings that require no police support, to permitted celebratory and/or protest marches, to large-scale, unpermitted demonstrations where activities outside of First Amendment protections, including significant traffic disruption, property destruction, and/or threats of violence may require a greater police presence. This policy is intended to provide clear guidance to officers, supervisors, and commanders in employing appropriate crowd management, intervention, and control strategies in a manner so as to facilitate, to the extent safe and feasible, the right to free expression and peaceable assembly. This policy is also intended to provide guidance by which officers and supervisors may objectively determine at what juncture a demonstration or assembly leaves the realm of legal protest and becomes an abridgement on the life-safety and property rights of others. See RCW 9A.84.010. At all times, SPD's response will be based upon the conduct of those assembled, not the content of their speech or affiliation.

The Department recognizes that the visible appearance and/or actions of law enforcement may affect the demeanor and behavior of a crowd. It is the Department's mission to de-escalate whenever safe and feasible to do so, without compromising public order and safety.

The Department also recognizes that the unlawful acts of some members of a crowd do not automatically turn an assembly from peaceable to unpeaceable. It is the Department's

commitment to provide officers and supervisors with crowd management and intervention strategies that allow for the peaceable expression of federal and state rights while at the same time removing individuals whose illegal behavior jeopardize the safety of lawful activity.

This policy is intended solely to guide the decisions, actions, and operations of Department personnel in planning for and responding to crowd management situations within the City of Seattle. It is not intended to expand or abridge Constitutional analyses with respect to the parameters of First Amendment protections and restrictions more appropriate for a court of law.

This policy is to be read in conjunction with Section 14.100 (Special Events) and Title 8 (Use of Force).

14.090-POL-2 Definitions

Where used in this section, the following terms shall have the meanings ascribed:

Crowd Management – strategies and tactics that employ communication and dialogue with event leaders to obtain voluntary compliance with lawful orders and allow for minimal enforcement action.

Crowd Intervention – strategies and tactics that are designed to facilitate continued exercise of constitutional rights by isolating and arresting law violators within an otherwise lawful assembly.

Crowd Control – strategies and tactics, including dispersal, that are employed in the event a crowd or portion of a crowd becomes involved in violent or otherwise destructive behavior and which are intended to protect life, restore and maintain order, allow for the arrest of law violators, and the protection of vital facilities and property.

CMIC Matrix – Crowd Management, Intervention, and Control Concepts and Strategies.

De-escalation – Strategies and tactics used by officers and commanders, when safe and feasible without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from a subject.

Legal Observers – Individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests and other activities where there is a potential for conflict between those assembled and law enforcement or security.

The following may be indicia of a legal observer: Wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

Media – Consistent with RCW 5.68.010, "media" means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution.

For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

14.090-POL-3 The Department Uses the Incident Command System for Crowd Management Events

1. When Assigned, an Incident Commander (I/C) Will Plan and Oversee the Department's Response Before, During, and Following an Event

The Incident Commander may delegate authority and assignments.

2. The Incident Commander Retains Ultimate Responsibility for the Actions of Subordinates

In order to fulfill this obligation, the Incident Commander will be available for on-scene consultation.

3.The Incident Commander Will be a Sergeant or Above

Exception: An officer can serve as Incident Commander until a sergeant responds.

- If feasible, a lieutenant will assume command when there are two sergeants and/or two squads involved in the event.

- If feasible, a captain will assume command when there are two lieutenants involved in the event.

- For more information, see Manual Section 1.020 – Chain of Command.

14.090-POL-4 The Incident Commander Will Follow Section 14.100 and 8.500 for Planning, Staffing, and Documenting a Crowd Management Response

14.090-POL-5 The Incident Commander Will Use the Crowd Management, Intervention, and Control Concepts Strategies (CMIC) Matrix

Any public assembly of individuals or groups, lawful or unlawful, may require support and/or intervention by law enforcement. Depending upon the situation, the response of law enforcement can range from observation and crowd management strategies, to crowd intervention and control strategies, as outlined in the Crowd Management, Intervention, and Control Strategies Matrix (CMIC).

The CMIC is a guide for the Incident Commander and allows for agility in police action in response to dynamic crowd events. Such considerations may include the overall positioning of a crowd, whether static or mobile. The Incident Commander shall document their considerations in their statement.

Lawful Assembly	Isolated Unlawful Behavior	Unlawful Assembly
Free speech and peaceable assembly are protected First Amendment activities. Examples include: • Speeches • Marches • Demonstrations • Rallies • Picketing • Public assemblies • Protests • Celebratory events	Individual violent acts within the crowd, property damage, unpermitted traffic disruption, and defacement are not protected activities. However, isolated unlawful activity by individuals or small groups within a crowd should not automatically form the basis for declaring an assembly unlawful. Examples include: • Isolated destruction of property • Isolated acts of violence • Isolated rock or bottle throwers • Individual sit-down demonstrators	Where unlawful behavior within or of a crowd cannot be controlled through intervention strategies, assemblies may be dispersed. Examples of such behavior include: Examples of such behavior include: • Violent acts by four or more persons or acts that pose an imminent threat of violence against persons or property (RCW 9A.84.010)[1] • Significant unpermitted traffic disruption that poses an imminent threat of harm to members of the assembly or the traveling public • Other criminal acts in the crowd that cannot be addressed through crowd intervention strategies
Police Action		
Crowd Management Strategies (Manual Sections 14.090, .100) • Meet with event organizers and stakeholders • Determine the history and risk of the group • Check permit limitations • Develop Incident Action Plan and objectives • Identify and assign resources • Determine appropriate uniform for the event • Provide direction and expectations at roll call • Monitor and assess crowd behavior • Engender facilitation, not confrontation • Attempt to interact with organizers and gain cooperation • Separate opposing factions	Crowd Intervention Strategies • Attempt to use organizers and monitors to gain voluntary compliance • Isolate, arrest and remove law violators as quickly as possible • Video action of officers and law violators • Use amplified sound to communicate intent or to gain compliance • Use low profile tactics when possible • Use force that is reasonable, necessary, and proportional force to effect necessary arrests consistent with Title 8 • When it is not possible to make an immediate arrest, identify and track subjects for later arrest • Continue to assess and modulate response as behavior changes	Crowd Control and Dispersal Strategies • Issue an order to disperse • Identify dispersal routes • Identify appropriate area for media and legal observers • Use force that is reasonable, necessary, and proportional to disperse or move a crowd • Continue to assess and modulate response as behavior changes

14.090-POL-6 The Incident Commander Will Employ Crowd Management Strategies Prior to and During an Event, Whenever Feasible

The Incident Commander will consider strategies in the CMIC Matrix when planning for an event and in managing peaceable assemblies.

14.090-POL-7 Officers Will Use Crowd Intervention Strategies Whenever Safe and Feasible

Whenever isolated unlawful activity by individuals or small groups in an otherwise peaceable assembly can be addressed through targeted enforcement, commanders and sergeants directing a law enforcement response will use crowd intervention tactics as provided in the CMIC to intervene and remove law violators such that a peaceable assembly may proceed.

14.090-POL-8 Crowd Control and Dispersal

1. Upon Determining that there are acts or Conduct Within a Crowd that Create a Substantial Risk of Causing Injury to Persons or Substantial Harm to Property, the Incident Commander May Order that a Public Safety Order be Issued to Move, Disperse, or Refrain from Specified Activities in the Immediate Vicinity

The Incident Commander will not order a public safety order to be issued unless the Incident Commander has determined that the risk observed cannot be contained through crowd management or intervention tactics.

2. Upon Determining that a Public Safety Order to Disperse is Necessary, the Incident Commander Will Ensure that there is an Avenue of Egress Sufficient to Allow the Crowd to Depart

3. Where Available, the Sound Amplification Equipment Will be Used to Issue the Public Safety Order

The Incident Commander will make reasonable effort to ensure that the order is heard or received. The Incident Commander may direct the Public Affairs unit to broadcast the public safety order on social media.

4. The Incident Commander Shall Document the Circumstances Upon Which a Public Safety Order was Issued, Including any Considerations as to Less Restrictive Means to Restore Public Order

5. After Ordering a Public Safety Order, the Incident Commander Will Modulate Tactics and Strategies as Circumstances Permit

The goal of a public safety order to disperse is to restore and maintain public order. If the Incident Commander determines that a crowd no longer poses a substantial risk of injury to persons or harm to property, the incident commander will re-evaluate tactics and strategies and will adjust the response as time and circumstances permit, consistent with the CMIC.

(See 14.090-TSK-3 Issuing the Order to Disperse)

14.090-POL-9 Media and Legal Observers

1. It is the Department's Goal to Provide the Media and Legal Observers as Much Access as is Safely Possible to Assist them in their Duties and Responsibilities

2. With the Exception of Spontaneously Occurring Events, and when Practicable, the Incident Commander Will Consider Identifying an Area Outside of the Anticipated Impacted Area, but Within Viewing Distance and Audible Range of the Event, for Members of the Media or Legal Observers to Assemble

Nothing about this policy restricts any member of the media or legal observer to such identified areas and officers shall not take enforcement action solely because members of the media or legal observers do not remain within the identified area.

3. Officers Will Not Arrest Members of the Media or Legal Observers for Failure to Disperse, Unless they are Physically Obstructing Lawful Efforts to Disperse the Crowd

Nothing about this policy authorizes members of the media or legal observers from otherwise complying with lawful commands, nor prohibits arrests based on probable cause on other offenses.

14.090-POL-10 Use of Force

It is the Department's mission to facilitate crowd management events with as minimal force as is reasonably necessary to protect life and property. In both crowd intervention and crowd control situations, officers may be required to physically engage individuals who exhibit conduct ranging from obstructive to

violent behavior. In these situations, officers may have to utilize force to move crowd members who do not respond to verbal orders, control violent individuals, or to effect an arrest. In considering strategies and tactics, officers should weigh the risk of harm resulting from officer action against the risk of harm that may otherwise continue.

This policy is to be read and applied in conjunction with Title 8 of this manual. While the Department recognizes that officers will face unique and challenging circumstances that cannot be exhaustively addressed in policy, officers and commanders are expected to apply core principles of de-escalation and modulation of force where safe and feasible to do so. Nothing about this policy creates an exception to the requirement that officers may use only force, which is objectively reasonable, necessary, and proportional to bring an incident or person under control, while protecting the life and safety of all persons.

1. Officers May Make Individual Decisions to Use Force Consistent With Title 8 to Take Reasonable, Necessary, and Proportional Action to Protect Against a Specific Imminent Threat of Physical Harm to Themselves or Identifiable Others Or To Respond to Specific Acts of Violence or Substantial Destruction of Property

Officers will employ de-escalation strategies and tactics within all crowd management contexts, whenever safe and feasible under the circumstances, to reduce or eliminate the necessity to use physical force. See Manual Section 8.100.

Where feasible, officers will consult with a supervisor prior taking action to protect against destruction of property.

2. The Incident Commander Has Authority to Direct the Use of Less Lethal Weapons Other than CS to Disperse the Crowd (See Manual Section 8.300 Use-of-Force Weapons and Tools)

Exception: A lieutenant may authorize the use of less lethal weapons to move or disperse a crowd if an immediate life safety emergency exists that requires this action be taken and there is insufficient time to obtain incident command approval.

- An immediate life safety emergency is an unplanned, dynamic situation where immediate police action is necessary to protect the officers' and/or the public's safety.

3. Only Personnel Trained to Deploy Less Lethal Weapons (Blast Balls, OC Spray, 40mm, and Pepperballs) are Authorized to Carry and Use these Weapons Under the Supervision of the Incident Commander or their Designee

> Training shall include information about the less lethal weapons, how to effectively deploy them, safety considerations, the specific effects on people and the environment, and how to decontaminate persons.
>
> Only SWAT is authorized to carry and deploy 40 mm less-lethal impact rounds for crowd control purposes.

4. Officers Will Not Deploy Less-Lethal Weapons (Blast Balls, OC Spray, 40 mm, and Pepperballs) to Move a Crowd Until an Incident Commander Instructs Officers to Deploy Them (Which Will Be After a Dispersal Order has Been Given and the Crowd Has Been Given a Reasonable Amount of Time to Comply).

5. As the Level of Violence Within a Crowd that Justified the Dispersal Order Diminishes, the Incident Commander Shall Affirmatively Ensure Personnel are Directed to Modulate their Force

6. Uses of Force that Occur During the Course of Crowd Management Are Reported, Investigated and Reviewed in Accordance with Manual Section 8.500-POL-6

14.090-POL-11 Providing Medical Aid

1. Officers Will Provide Aid to Subjects Exposed to OC, Blast Balls, 40mm, Pepperballs if Feasible and Within their Training

> Medical aid may include summoning medical assistance if more appropriate.

2. Officers Will Request Medical Response or Assistance for Subjects Exposed to OC and/or Pepperballs When They Complain of Continued Effects After Having Been Decontaminated, or They Indicate That They Have a Pre-Existing Medical Condition (e.g., Asthma, Emphysema, Bronchitis, Heart Ailment, Etc.) That May be Aggravated by OC or Pepperballs

3. Officers Will Request Medical Response or Assistance for Subjects Who Appear to Have Been Injured by a Less-Lethal Weapon or Who Complain of Pain or Injury from a Less-Lethal Weapon.

14.090-POL-12 Debrief of Crowd Management Events of Short Duration

1. Following the Event, Sergeants and Incident Commanders Will Conduct a Day-of-Event Debrief

Sergeants will conduct a debriefing of their assigned officers and document any observations or suggestions on an Event Debrief Form (form 23.5).

Sergeants and the Incident Command staff will then have a separate debrief to discuss the following subjects:

- Event staffing
- Deployment
- Command issues
- Communication issues
- Logistical issues
- Use of less-lethal weapons
- Areas of success
- Areas for improvement

2. The Incident Commander Will Complete an After-Action Report (See: 14.010-After-Action Reports)

14.090-POL-13 Debrief of Large Scale and/or Prolonged Events

1. For Incidents Which are Large in Scale, or Whose Duration is Multiple Days or Weeks, the Day of Event Debrief Will Consist of the Post Event Briefing form

2. The Incident Commander (or designee) will complete the Post Event Briefing Form

3. The AAR Report Will be Written by the Chief's Designee, the Completion Date of Which Will be Determined by the Chief Depending Upon the Length of the On-Going Incident

14.090-TSK-1 Responsibilities of the Incident Commander

The **Incident Commander**:

1. If feasible, **contacts** the event organizer to discuss Department facilitation

2. **Develops** contingency plan regarding staffing and tactics

   - SPD task force callout criteria

3. **Considers** utilizing specialty units

4. **Reviews** Mutual Aid callout criteria and which tools Mutual Aid may bring into the City of Seattle and how they will document their use of force

5. **Provides** a staffing plan to the SPD Budget Section based on the Staffing Matrix, if feasible

6. **Communicates** each unit's mission to the relevant supervisor or commander

   a. **Instructs** the supervisor or commander to develop and provide plans

   b. **Approves** unit plans

   c. **Ensures** the event plans are detailed in the Incident Action Plan (IAP), to include the goals, objectives, Rules of Engagement, and the CMIC Matrix.

7. **Briefs** officers and supervisors using the SPD ICS briefing format

8. **Remains** available for on-scene consultation

9. For Short Duration Events – **debriefs** supervisors and commanders

   a. **Collects** Event Debrief Forms from the supervisors

   b. **Considers** including the Wellness Unit

10. **Completes** an After-Action Report consistent with the requirements of manual section 14.010 – After-Action Reports.

    a. **Routes** the After-Action Report and Event Debrief Forms to the Patrol Operations Bureau Commander, via the chain of command

11. For Prolonged Events – **Coordinates** with the Chief of Police regarding the AAR and ensures the Incident Commander or designee completes the Post Event Briefing form.

14.090-TSK-2 Responsibilities of the Operations Section Chief

The **Operations Section Chief**:

1. **Develops** methods or tactics that will be used to accomplish the mission, as directed by the Incident Commander

    a. **Submits** plans to the Incident Commander

2. **Debriefs** assigned officers after the incident

3. **Documents** observations and suggestions on an Event Debrief Form (form 23.5)

    a. **Submits** Event Debrief Forms to Incident Commander

4. **Attends** separate debrief with Incident Commander

14.090-TSK-3 Issuing the Order to Disperse

Upon determining that the crowd presents an imminent risk to public safety or that large-scale property destruction appears likely, the **Incident Commander or their designee**, as feasible:

1. Where available, **utilizes** sound amplification equipment so the crowd can hear the dispersal order

2. **Considers** using the Media Relations unit to broadcast dispersal orders on social media

3. **Places** officers at the rear of the crowd to verify that the order to disperse will be heard by all

4. The Incident Commander (or their designee) shall issue the following order:

"I am (rank and name) of the Seattle Police Department. For safety reasons and to prevent further crimes in the crowd, I am now issuing a public safety order to disperse, and I command all those assembled at (specific location) to immediately disperse, which means leave this area. If you do not leave the area, you may be arrested or subject to other police action. Other police action could include the use of chemical agents or less-lethal weapons, which may inflict significant pain or result in serious injury. If you remain in the area just described, regardless of your purpose, you will be in violation of city and state law. The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse.

(Repeat) The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse.

(Repeat) The following routes of dispersal are available: (routes). You have (reasonable amount of time) minutes to disperse."

5. **Provides** direction to media

6. **Allows** a reasonable amount of time for the crowd to disperse

7. **Repeats** the order to disperse, if feasible

8. **Considers** issuing the order in multiple languages where feasible and depending upon the situation

9. Continually **assesses** the balance of dispersal time and the goal of retaining control of the situation

Where the IC has determined it is not safe or feasible to accomplish any of the above, the IC will document that reasoning in their statement.

---

[1] While this definition tracks the legal standard, the presence of four more persons acting to pose an imminent threat of violence against persons or property does not presumptively justify law enforcement action under policy. In all cases, Incident Commanders are expected to consider the number of individuals acting unlawfully in the context of available resources and intervention strategies short of dispersal.

Seattle Police Department Manual

14.100 - Special Event Planning

Effective Date: 11/01/2018

14.100-POL

1. Special Event Planning Definitions

Special Events

Special Events are city approved, pre-planned events that require police services which go beyond normal daily assignment duties.

These events include but are not limited to:

- Sporting events
- Parades
- Concerts
- Fun runs
- High profile dignitary protection
- Community/neighborhood events
- Fairs, exhibits, and celebrations
- Selected events which require on-duty or overtime police services

Demonstrations

Planned or unplanned assemblies, permitted or unpermitted marches, and/or free speech events.

Briefing Sheet (form 28.6)

The Briefing Sheet (form 28.6) shall be completed and forwarded to SPD Command Staff by the assigned IC or designee as soon as practicable, when an identified upcoming Special Event or Demonstration will require substantial police resources above normal deployment levels.

- Include in the briefing sheet any expected impacts on the public, public places, parks, businesses, transit, governmental property, or private entities.

The Briefing Sheet shall include information to sufficiently advise the Chief of Police or other executive level officials as to the situation.

The Briefing Sheet shall also include the SPD resources assigned, command structure, concept of operation, staffing numbers and on-duty and overtime hours anticipated to be incurred.

Incident Action Plans (IAP)

An Incident Action Plan (IAP) formally documents incident objectives, operational period objectives, and the response strategy defined by incident command during response planning.

It contains general tactics to achieve objectives within the overall strategy, while providing important information on event and response parameters.

IAP requirements vary with the incident complexity. If the Special Event or planned demonstration exceeds normal operational capabilities and the appropriate ICS positions are going to be assigned, an IAP shall be completed.

Note: See the SPOC folder on the share drive for all needed forms.

Planning

Development of an Incident Action Plan (IAP) to handle:

- Special events

- Demonstrations

The plan includes a cost estimate of proposed staffing as indicated on the Briefing Sheet and/or the planning worksheet (1st page of the precinct event IAP workbook) (See SPOC ICS Forms).

Provide overview of Situation, Mission, Incident Objectives, and the Concept of Operations.

List any logistical needs specific to the event. Examples may include temporary fencing, transportation, food and beverage for deployed officers, use of the mobile precinct, etc.

If a monitored or unmonitored TAC frequency is required, see manual section 12.010-Communications and Deployment (12.010-POL-5 Planning Special Events).

Staffing

Documentation of department personnel and mutual aid agencies working the event must be completed.

Acceptable formats include a Personnel Check In (form 28.7) on event date and an Event Overtime Summary (form 15.6). The Event Overtime Summary must include regular hours assigned to the event and overtime hours incurred.

Event Debrief (form 23.5)

Sergeants complete the Event Debrief (form 23.5) post-event. Staffing utilized for the event is captured on the reverse side of the form, broken down by Regular and Overtime hours.

After Action Report (PDF form)

(See manual section 14.010 - After-Action Report)

An After-Action Report (AAR) is required for all Special Events and Demonstrations where an Activity ID and Project Number are issued by SPOC.

Note: The Briefing Sheet (form 28.6), Event Debrief (form 23.5) and the Personnel Check-in (form 28.7) are all located in the SPD Word templates under the Special Event folder. The After-Action Report is a PDF form that is accessible through the 14.010-After-Action Reports manual section.

2. The Seattle Police Operations Center (SPOC) Coordinates Special Events

SPOC serves as the primary representative, and contact point of the Department for special events. This includes but is not limited to:

- Attending the Office of Economic Development Special Event committee meetings

- Facilitating weekly SPD Special Event meetings

- Coordinating with other City agencies

SPOC advises Precincts/Sections of upcoming events affecting operations and assists them in development of required Incident Action Plans (IAP).

SPOC assists the identified Incident Commanders in developing Incident Action Plans (IAP), staffing plans, and/or coordinating special events.

SPOC serves as a repository for:

- Briefing Sheets, to include staffing level deployment plans

- All IAP's

- Debrief Forms

- After Action Report

In concert with other department sections or units that have knowledge and/or planning responsibility of upcoming events, facilitates communication to Command Staff.

SPOC advances AAR recommendations for continuing or repeated special events.

SPOC serves as the contact point with the City's Emergency Operations Center.

3. The Seattle Center Detail Handles Special Events at the Seattle Center

The Seattle Center Detail is at the Command of the West Precinct Captain. The Detail plans and staff's routine events on the Seattle Center grounds to include:

- Bumbershoot

- Folklife

- Bite of Seattle

- Major concerts

- Events requiring overtime resources beyond sixty (60) hours on the Center grounds

- Events requested by the Seattle Center Office

The Seattle Center Detail commander is the primary liaison between Seattle Center administration and SPOC. The commander will update SPOC on all Seattle Center events.

The Seattle Center Detail will coordinate with SPOC on events falling under SPOC responsibilities (i.e., planning, staffing).

4. Precinct Events Not Assigned to SPOC

Precinct captains or designees will plan all events, not assigned to SPOC, occurring within the borders of the Precinct.

- This may also include crime suppression emphasis details that require temporary increased staffing.

The Precinct Commands will coordinate with SPOC for staffing planning assistance if an event exceeds normal operational capabilities.

All Precinct Operations Lieutenants or designee shall attend the weekly SPOC Special Events meeting, via Skype, conference call, or in person.

- Operations Lieutenants will review the meeting agenda, special event applications and be prepared to provide staffing information and recommendations for Special Events assigned to the Precinct management.

Precinct will provide staffing for events planned by the Precinct to include:

- Requesting assistance from specialty units

- Notifying personnel internally of their assignment

If the Special Event or planned demonstration exceeds normal operational capabilities and the appropriate ICS positions are going to be assigned, the Precinct will complete an Incident Action Plan (IAP).

SPOC will issue an activity ID number and precinct project code to assist in accounting of financial costs.

5. Traffic Section Events

The Traffic Section develops Traffic Plans and will staff the event with Traffic Section personnel.

If event staffing requires more resources beyond Traffic Section personnel, non-Traffic volunteers are solicited, via an SPDALL email.

Per collective bargaining agreements, SPOC may need to draft personnel to work Traffic Section events if insufficient staffing for the event is identified. The Traffic Section notifies SPOC of the need to draft personnel no later than 40 days prior to the event date.

6. Section or Bureau Specific Events

The Captain of the Specialty Unit or their designee is the Incident Commander for events staffed primarily by Specialty Units to include ABS Sweeps, Dignitary Protection details assigned to SWAT, Harbor events, etc.

The Captain of the Specialty Unit or their designee:

- May arrange with SPOC for event planning assistance
- Updates SPOC with the event staffing plan
- Receives an activity ID number and unit project code issued by SPOC to assist in accounting of financial costs

  NOTE: An AAR is required for any section or bureau events issued an Activity ID

- May utilize Unit/Section specific Operation's Orders in lieu of an Incident Action Plan (IAP) if the threshold requiring completion has not been met

7. Event Planning

Special Events

SPOC is responsible to assist the identified Incident Commander in developing IAP's and staffing plans for these events:

- City-wide Special Events

- Demonstrations requiring staffing deployment beyond precinct capabilities

SPOC coordinates staffing for films permitted by the Office of Film and Music

Demonstrations

The Precinct of the event location has command responsibility, unless otherwise specified.

Primary responsibilities for planning and staffing are assigned to the Precinct.

- The Precinct may request planning assistance from SPOC

Specialty Unit Emphasis Deployment

Responsibility for planning, staffing, and deployment falls with:

- Unit, Section, Precinct, or Bureau coordinating or deploying the resources

The Captain of the primary deploying or coordinating Unit, Section, Precinct, or Bureau commands the event.

When several Units are involved, one of the following may plan the event:

- Primary Unit involved; or

- SPOC

8. Staffing Special Events

SPOC facilitates staffing for SPOC planned events.

SPOC coordinates the following for On-Duty and/or Overtime Events:

- Attempts to solicit volunteers for staffing

- Publishing a Special Order requiring officers and/or sergeants to staff the event

  NOTE: Short-term notice events may require notification in person, via email or by phone

- Assigning personnel with special skills, equipment, or area familiarity, if required

- Drafting personnel if sufficient volunteers are not obtained

- Drafting is based on serial number, with the least senior officers drafted first

- Employees may refer to Collective Bargaining Agreements (CBA) for guidance

- Exempting personnel based on CBA guidance and only via Deputy Chief authorization

Exemptions and Unit/Section Duty

(See manual section 4.010-Employee Time Off (POL-15, 16, 17, 18 & 19) for personal exemptions from a restricted day-off event)

9. Event Command

Special Events/Demonstrations

City wide Events (i.e., Torchlight Parade, Seafair):

- The Chief of Police or designee will develop a rotating schedule for Incident Commander assignment

Events Planned/Staffed by Precincts:

-Are commanded by the Precinct Captain or designee

Events staffed primarily by Specialty Units:

- The Incident Commander will be the Captain of the Specialty Unit or designee

Select Seattle Center Events are commanded by the West Precinct Captain or designee.

15.010 - Arson Investigations

Original Effective Date: 08/10/2020
Revised Effective Date: 05/01/2022

15.010-POL

The Arson/Bomb Squad (ABS), in coordination with Seattle Fire Department's Fire Investigation Unit (Fire Marshal 5), conducts on-scene and follow-up investigations on some fire calls.

- Fire Marshal 5 investigates suspicious fires to determine the cause and origin of each fire.

1. Sergeants Screen Fire Calls for Possible ABS Response

Sergeants screen fire calls with ABS when the calls involve:

- An arson as determined by Fire Marshal 5
    - For arsons as determined by Fire Marshal 5, the on-scene sergeant will contact the on-call ABS sergeant.
    - If the Fire Marshal declines to respond, the reporting officer will note that in the report.
- A death or life-threatening injury
- Significant property damage caused by criminal activity
- Fire bombings related to civil disturbances
- A suspect in custody for arson

Small fires that do not meet the above criteria generally do not require an ABS response.

- On-scene sergeants may contact the on-call ABS sergeant via email for questions about small fires.
    - Communications will provide the on-scene sergeant with the name of the on-call ABS supervisor for this purpose.

Sergeants do not need to call ABS for suspects charged with misdemeanor reckless burning or property damage.

- The on-scene sergeant will contact the on-call ABS supervisor for any in custody felony arson or felony reckless burning cases prior to booking.

2. Officers Complete Reports for Fire Calls

Officers write a report for all the following fire calls, unless advised otherwise by an ABS sergeant:

- Arson, reckless burning, and property damage caused by fire
- Fires involving suspicious circumstances, including fires that appear to be started with a malicious intent
- A death or life-threatening injury
- Significant property damage

15.015 – Bomb Threats & Explosive Devices

Effective Date: 05/07/2019

15.015-POL

This policy applies to the Department's response to bomb threats and explosive devices.

1. Only Arson Bomb Squad (ABS) Personnel Who are Currently Certified as Bomb Technicians Shall Handle Explosive Devices

Officers may contact ABS when any doubt exists as to whether they are dealing with an explosive device.

2. Officers Shall Notify ABS When an Explosion has Occurred That Has Resulted in Any Injury or Damage

3. Officers Shall Leave the Decision to Evacuate or Not Evacuate a Scene to the Person in Control of the Property, Unless a Potential Explosive Device is Found

4. Officers Shall Ask Persons Who Locate a Real or Potential Explosive Device to Remain at the Scene to be Interviewed by ABS

5. ABS is Responsible for Moving Explosive Materials

Exception: With the approval of a sergeant, officers may transport only the following materials to the Evidence Unit:

- Small arms ammunition smaller than .50 caliber
- Tear gas capsules that provide identification of their contents

Officers shall notify ABS if the Evidence Unit refuses these materials.

15.015-PRO-1 Responding to Bomb Threats

Dispatch Supervisor

1. **Requests** a phone call from the appropriate Sergeant

2. **Gives** the sergeant information about the bomb threat

Sergeant

3. **Informs** the Dispatch Supervisor how many units to send to the scene

Dispatch Supervisor

4. **Dispatches** officers via the MDT

5. **Verifies** that the sergeant is enroute

Sergeant

6. **Establishes** a command post

a. Instructs all officers to check-in prior to entering the scene

7. **Contacts** the complainant or person who is in control of the property

a. Assists with determining the credibility of the threat

- Determines how the threat was communicated

- Determines the exact words used in the threat, if possible

- Investigates the existence of any motives for the threat (DV issues, labor matters, etc.)

8. **Ascertains** from the person-in-control whether the scene will be searched

a. **Determines** the level of police involvement with the search, if any

9. If a real or potential explosive device is located, **notifies** ABS immediately

a. **Evacuates** the property, if it has not already been evacuated

b. **Establishes** a perimeter commensurate with the level of threat (see the ATF Vehicle Bomb Explosion Hazard and Evacuation Distance Tables)

c. **Attempts** to locate keys to all areas of the property

d. **Draws** a sketch of the floor plan around the device, if possible

10. **Provides** ABS with all available information

11. **Confirms** that a Report is written

15.015-TSK-1 Responding to Suspicious Packages (Potential Chemical/Biological Weapons)

When investigating a potential chemical or biological weapon, the **officer**:

1. **Requests** that a sergeant respond to the scene

2. **Requests** that the Dispatch Supervisor notify ABS

3. **Uses** personal protective equipment

4. **Identifies** potential victims who were exposed to the package or suspected substance

Seattle Police Department Manual

15.020 – Charge-By-Officer (CBO)

Effective Date: 05/07/2019

15.020–POL

This policy outlines the Charge-By-Officer (CBO) program to be used by patrol officers and patrol sergeants to refer completed misdemeanor investigations (a preliminary investigation which has been finished with the available on-scene resources and requires no detective follow-up) to the Seattle Law Department.

1. Upon Developing Probable Cause for an Eligible Crime, Officers May Elect to Use CBO Instead of Booking the Suspect into Jail

Per manual section 6.010-POL-5, a sergeant must screen the incident prior to the release of a suspect who has been arrested.

See manual section 6.180-POL-6 for information on search incident-to-arrest.

a. CBO Shall Be Used for Completed Misdemeanor Investigations Involving Adult Suspects Who Have Not Been Booked into Jail

(See 15.020-PRO-1 (Utilizing CBO))

b. CBO Shall Not Be Used Under Certain Circumstances

- DUI arrests
- Incidents involving juvenile suspects
- Retail Theft Program
- Felonies
- Traffic crimes and infractions
- Prostitution O&A
- Prostitution Loitering
- Sexual Exploitation

- Crimes that require follow up by a detective (including the recovery of in-store video)

2. Suspects Must Be Thoroughly Identified and Documented in the Report

The Seattle Law Department will not charge a suspect if the suspect's identity is incomplete. Officers must gather and document as much identifying information as possible. At a minimum, the following information is necessary:

- Full name (first, middle, last)
- Date of birth
- Last known address, including zip code
- This can include a mailing address.
- Gender
- Physical descriptors (height, weight, etc.)

3. Officers Must Document How the Suspect was Identified

Officers shall explain in the Report narrative that the person listed as the suspect was identified (e.g., driver license, prior contacts, etc.).

4. Officers Shall Articulate Probable Cause in the Report narrative

For a successful prosecution, the necessary elements of the specified crime(s) must be thoroughly described and documented to support the probable cause.

5. Supervisors Shall Review CBO Reports and Apply the CBO Label

(See 15.020-PRO-1 (Utilizing CBO))

- Corrections must be completed within 72 hours.

15.020-PRO-1 (Utilizing CBO)

Officer

1. **Completes** an investigation of an eligible crime and decides not to book the suspect

2. If a suspect has been detained, **screens** the incident with a sergeant prior to releasing the suspect

3. **Provides** complete suspect identification in the Report

4. **Checks** "requested only" and enters the following phrase in part 2 of the Report:

- "I recommend this completed misdemeanor investigation of Suspect/(suspect's full name) be referred to the Seattle Law Department for the crime of (name of crime and SMC)."

5. **Thoroughly** articulates probable cause in the narrative

6. **Submits** report to sergeant

Sergeant

7. **Reviews** report and, for incidents where the suspect was detained, completes a Sergeant Arrest Screening Supplement.

a. If complete, **applies** the CBO label to the report.

b. If incomplete, **returns** report to the officer for correction.

15.030 – False Reporting / Swatting

Effective Date: 06/01/2021

The Seattle Police Department is dedicated to protecting the community and mitigating the risk of swatting. Swatting is an element of the crime of false reporting under RCW 9A.84.040. A person commits false reporting if, with knowledge that the information reported, conveyed or circulated is false, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence knowing that such false report is likely to cause: evacuation of a building, place of assembly or transportation facility; public inconvenience or alarm; or an emergency response.

15.030-General Policy

1. Officers Will Clear Calls Containing Swatting Elements with the MIR Code 530 – Swatting

2. Officers Will Document Incidents Involving Swatting or Attempted Swatting in a Report.

The report will include:

- A description of the call and circumstances surrounding the 911 response.
- The outcome of the event and investigation, leading the officer to believe swatting occurred.

3. Supervisors Will Verify that Swatting Reports Contain the "Swatting" Flag and Label

The Investigation Support Unit will provide the initial technical investigative support and may re-route the investigation to the appropriate follow-up unit as necessary.

Seattle Police Department Manual

15.055 – Death Investigation

Effective Date: 05/07/2019

This policy applies to all employees who investigate the death of a person.

15.055-POL

1. Patrol Officers Conduct the Primary Investigation of a Reported Dead Human Body

(See 15.055-TSK-1 Primary Patrol Officer at Death Investigations)

2. Patrol Sergeants Respond to Dead Human Body Incidents

(See 15.055-TSK-2 Primary Patrol Sergeants Responsibilities at a Death Investigation)

3. The Patrol Sergeant Responding to a Death Investigation Notifies the Appropriate Investigating Unit

The responding sergeant will notify the Homicide and Assault Unit, TCI, ABS, or FIT through Communications as directed below.

Homicide Unit is contacted for:

- Homicide
- Assaults with injuries likely to result in death
- Death investigations involving suspicious circumstances or possible abuse or neglect (including natural, accidental, and adult suicide)
- Non-traffic related deaths involving a person under the age of 18

  Note: The Homicide Unit will screen all suicides of persons under the age of 18 and will assume investigative responsibilities if they respond.

- Death of any on-duty police personnel
- Missing person or kidnapping that becomes a homicide

- Found bones that are likely human, such as a skull or a partial skeleton

- Industrial accidents resulting in death, either of a paid employee or a volunteer

Traffic Collision Investigation (TCI) Unit is contacted for:

- Traffic collisions resulting in the death of a person.

Arson Bomb Squad (ABS) is contacted for:

- Fire deaths or fire injuries likely to result in death.

  Note: The ABS sergeant may request the Homicide Unit respond

Force Investigation Team (FIT) is contacted for:

- Any in-custody death involving SPD or any death occurring at the King County Jail and King County Youth Service Center

The patrol sergeant responding to the scene may contact the Homicide/Assault Unit through Communications with questions involving a death investigation that does not fit into the above categories. The responding sergeant will leave a call back number with Communications.

4. A Watch Commander May Order Follow-up Units to Respond to the Scene of a Death

5. The Seattle Police Department is Responsible for On-Scene Command of Drowning, Dive Rescue and Near-Drowning Incidents

The Duty Captain will respond to all incidents involving a dive rescue, drowning and near drowning.

6. The Homicide Scene Sergeant Screens and Approves Reports for Homicides and Possible Homicides

Patrol Officers will inform the Homicide Scene Sergeant that the Report is in the Approval Queue.

15.055-TSK-1 Primary Patrol Officer Responsibilities at Death Investigations

Patrol Officer

1. **Secures** the scene, protects the evidence, isolates witnesses, and identifies suspects.

    - **Restricts** access to other than essential personnel. Essential personnel include: Police, Fire, Medical Examiner staff, and Prosecutors.

    - If the body or evidence is in imminent danger of being contaminated or damaged, **moves** the body or evidence only to the extent necessary to preserve its evidentiary value. (If possible, **photographs** the body or evidence prior to being moved.) If the body or evidence was moved, **documents** this in the Report.

    - **Notes** the position and description of the body in relation to the surroundings, and the presence or absence of any weapons.

    - **Does not remove** evidence or property from the scene unless directed to do so by the proper follow-up unit or the Medical Examiner's Investigator.

2. **Requests** that a Patrol Sergeant respond to the scene.

3. **Identifies** all persons found at the scene and encourages them to remain until the arrival of a Patrol Sergeant.

4a. If the death appears to be of natural causes **attempts** to locate the deceased's identification.

    - This search may include the deceased's clothing while making an effort not to significantly disturb the position of the body. **Photograph** the body prior to conducting the search *(Also see 6a)*.

4b. If a follow-up unit is responding to the scene, **does not move or search the body or room** for the person's identification or other information unless directed to do so by a detective sergeant or Medical Examiner Investigator.

5. **Photographs** the scene using a Department-issued digital camera.

    Note: Officers do not complete scene sketches as part of a death investigation. Instead, officers may take overview photos of the scene, taking care not to contaminate the

crime scene. The priority is to coordinate the scene, isolate witnesses, and identify suspects.

Note: If a follow-up unit is not responding to a death investigation, the primary officer will thoroughly photograph the scene.

Note: Officers may take photographs of the exterior location and gathered crowds if applicable.

6a. If investigating a **natural death**:

(1). **Collects** all necessary information to support a natural death.

- If the death is associated with the Washington Death with Dignity Act (RCW 70.245), **provides** this information to the Medical Examiner.

- If the death is associated with the hospice program, **follows** the Hospice Deaths Instructions. (See 6b)

(2). **Contacts** the Medical Examiner at 206-731-3232 (*Unless under hospice care, see 6b*).

- If the primary officer and responding sergeant believe that a natural death has occurred, the Medical Examiner's Office may arrange with the family for a funeral home to take custody of the body after the Medical Examiner's Office verifies:

- The medical history of the deceased.

- The doctor of the deceased agrees to sign the death certificate.

- The family members of the deceased are available.

(3a). If the Medical Examiner does not respond, **obtains** the assigned "No-Jurisdiction Assumed" (NJA) number.

OR

(3b). If the Medical Examiner responds to take custody of the body, **obtains** the "King County Medical Examiner's" (KCME) case number.

(4). Stays at the scene until the body is removed or releases the body to a competent adult willing to accept

the responsibility of staying with the body until the funeral home arrives.

- Important: **Screens** with the Sergeant for approval to leave the scene in another's custody.

(5). **Completes** a Report including:

- Facts that support a natural death
- Medical history/medications
- Recent activities
- Complaints of illness or poor health
- Health care received
- The "NJA" or "KCME" number
- Health care professional(s) contact information
- Timeline leading up to the death
- Identity and contact information for any persons present at the scene or who may assist in providing information relevant to the death
- Description of the condition of the body and the location where it was found
- Description and disposition of valuable items found near the body or items relevant to the death
- Information of the person or agency taking possession of the body

6b. If investigating a death of a person under hospice care:

(1). **Determines** if the death appears to be natural (No signs of abuse or other suspicious circumstances).

(2). **Determines** if the deceased was under hospice care (extended medical care evident, witness statements of hospice care, documentation).

(3). **Contacts** the hospice care provider and request they respond.

(4). **Screens** the incident with an on-scene patrol sergeant

Note: The hospice care provider will coordinate with the Medical Examiner's Office upon accepting responsibility to handle the death and is responding.

(5). **Releases** the scene to a competent adult, or if a competent adult is not available, **remains** at the scene until the hospice care provider responds.

(6). **Documents** the circumstances on the event log as a hospice death.

(7). **Clears** the call with the MIR 330-Union.

6c. If investigating a natural death of a person in a hospital (such hospital must have a board-certified doctor who can sign a death certificate):

(1). **Determines** if the death appears to be natural (no signs of abuse or other suspicious circumstances).

(2). **Screens** the incident with an on-scene patrol sergeant.

Note: The hospital will coordinate with the Medical Examiner's Office, as appropriate.

(3). **Releases** the scene to hospital staff.

(4). **Documents** the circumstances on the event log as a natural death in a hospital.

(5). **Clears** the call with the MIR 330-Union.

6d. If investigating an accidental death (including an industrial accident) or suicide:

(1). **Collects** all necessary information to support an accidental death or suicide.

(2). **Documents** the position, condition, and description of the body.

(3). **Documents** available historical information of the deceased (Regarding suicides: Include threats of suicide and mental health information).

(4). **Identifies and interviews** all witnesses.

(5). **Contacts** the Medical Examiner (206-731-3232) and requests an ME investigator respond to the scene.

(6). **Obtains** the KCME case number.

(7). **Stays** at the scene until the body is removed by the Medical Examiner.

(8). Completes a Report including:

- Facts that support an accidental death or suicide
- The "KCME" number
- Medical (Mental Health) history/medications
- Recent activities
- Complaints of illness or poor health
- Health care received
- Health care professional(s) contact information
- Timeline leading up to the death
- Identity and contact information for any persons present at the scene or who may assist in providing information relevant to the death
- Description of the condition of the body and the location where it was found
- Description and disposition of valuable items found near the body or items relevant to the death
- Information of who took possession of the body

6e. If investigating a possible homicide or death with suspicious circumstances:

(1). **Obtains** identification and contact information from all persons at the scene. **Encourages** witnesses to remain at the scene and talk with Homicide detectives.

(2). **Requests** the responding sergeant contact the Homicide and Assault Unit.

(3). **Assists** the detectives.

(4). **Remains** at the scene until relieved by the follow-up detectives.

(5). **Completes** a Report and Officer Statement documenting the information obtained at the scene and the release of the scene to the follow-up unit.

(6). If the officer writes a Report for a possible homicide or death with suspicious circumstances, the officer **informs** the Homicide Scene Sergeant that the Report is in the approval queue.

15.055-TSK-2 Primary Patrol Sergeant's Responsibilities at a Death Investigation

Patrol Sergeant

1. **Responds** in person to a dead human body call.

2. **Assumes** command of all patrol activities at the scene and assists the primary officer with their required tasks.

3. With the primary officer, **determines** the likely manner of death: natural, accidental, suicide, homicide, or possible homicide/undetermined.

4. **Contacts** the proper follow-up unit if required.

5. **Determines** if a Crime Scene Log (form 9.26) is needed.

   - **Assigns** an officer to maintain a crime scene log documenting who enters and exits the crime scene.

6. **Screens** the body from public view if practical.

   Note: Supervisors or Officers may drape a Department emergency blanket over a body to keep from public view when necessary. Sealed, uncontaminated Emergency Blankets are available from the Quartermaster or Stationmasters.

7. **Remains** at the scene until released by the proper follow-up unit (if they respond).

8. **Screens** and **approves** all related reports generated by patrol for the incident.

Exception: All homicide and possible homicide General Offense Reports are screened and approved by a Homicide Sergeant.

15.080 – Follow-Up Unit Notification & Follow-Up Investigation

Original Effective Date: 12/15/2020
Revision Date: 10/06/2022

15.080-POL-1 Follow-Up Unit Notification

1. Follow-Up Units are Available to Respond to a Crime Scene on a 24-Hour Basis if the Circumstances Justify an Immediate Response

The primary unit sergeant must consider the facts of the incident considering the guidelines listed, prior to contacting the dispatch supervisor or the follow-up unit sergeant.

If the incident occurs during daytime hours, an attempt will be made to contact the appropriate follow-up unit first, via telephone. Whenever feasible, the primary unit sergeant will provide the dispatch supervisor with a telephone number where the follow-up unit sergeant may contact the primary unit sergeant.

Watch lieutenants have the discretion to order a detective follow-up response if, in their judgment, the situation requires it.

The follow-up unit sergeant and the primary unit sergeant will normally determine whether immediate follow-up response is appropriate.

2. Sergeants of Primary Investigating Units are Required to Notify Appropriate Follow-Up Unit Sergeants of Certain Incident on a 24-Hour Basis

a. SWAT (Contact SWAT by phone through the Communications Section)

Whether for a planned operation or an incident in-progress, factors that may justify calling out the team include, but are not limited to:

- A suspect who is reported to be armed with a firearm or is reported to have access to automatic weapons or explosives.
- A suspect with a violent criminal history.
- The suspect is in a fortified location / barricaded.
- The crime(s) involved is often associated with weapons.
- A suspect who is affiliated with a violent, anti-social or anti-government group.
- A suspect who made threats of violence towards police.
- Other hazardous conditions.

Planned operations include, but are not limited to:

- Search warrant service
- Arrest warrant service
- Dignitary protection
- Vehicle / foot takedown
- Demonstration management
- Special event security (Seahawks, Parades)

In-progress incidents include, but are not limited to:

- Barricaded subjects
- Hostage situations
- Riots
- Active shooter(s)

Barricaded subjects appropriate for a SWAT response include, but are not limited to, situations where:

- There is probable cause to believe that the person committed or is committing a violent felony crime.
- There is a reasonable possibility that the person is armed with a deadly weapon.

- The person is located within a structure (residence, building, vehicle, or other protective surrounding) and the person is noncompliant (not complying with the lawful authority of on-scene law enforcement personnel).

A hostage situation includes these elements:

- The suspect has physical or coercive control over another person.

- The suspect threatened to kill or cause serious bodily harm to the victim, and there is a reasonable belief that the suspect has the means to carry out the threat.

Other incidents that are appropriate to request SWAT include, but are not limited to:

- Acts of terrorism or weapons of mass destruction

- Active shooter

- Sniper situations

- Civil disturbance/unrest at the scene of a hostile crowd

- Any situation, by its apparent nature, is life-threatening and beyond the scope of normal police response or capabilities.

- Response requires special equipment, tactics, or training not available to patrol operations.

Unless exigent (active shooter, hostage situation, terrorist event) the on-duty lieutenant should be on scene to make an assessment prior to contacting the SWAT commander. The following considerations should be in place prior to contacting the SWAT commander (if feasible) or prior to SWAT arriving on scene:

- Containment in place

- Arrest team in place

- HNT on scene and attempts at negotiation have occurred

- Command Post established

- A separate tactical frequency that is monitored by Dispatch

b. The **Homicide and Assault Unit ((206) 684-5550)** is contacted for a possible response in the following incidents:

- Homicide
- Assault with injuries likely to result in death
- Any death investigations (including natural, accidental, and adult suicide) involving questionable circumstances
- Every death involving a child under the age of 18 (TCIS handles all traffic collisions that result in deaths including a child under the age of 18)
- Any death or life-threatening felony assault resulting from domestic violence
- Kidnapping, other than custodial
- Fire deaths or fire injuries likely to result in death at the request of an Arson/Bomb Unit sergeant
- Death of any police personnel
- Serious assault on an officer in which there was not reportable force used on the suspect
- Serious assault on an officer in which Type III reportable force is used in the incident
- Missing person, where it is apparently a homicide or kidnapping
- Other personal injury incidents that because of their nature (victim status, unique crime) will likely generate media attention
- Any found bones that are likely human, such as a skull or a partial skeleton
- All industrial accidents resulting in death, either of a paid employee or a volunteer

c. The **Force Investigations Team (FIT) ((206) 684-9292)** is contacted for a possible response in the following incidents:

- Type III use of force, to include officer-involved shooting
- Outside agency officer-involved shooting

- Unintentional firearm discharge

- Animal shooting

- Any death where that individual is in custody, or had been in custody within the past 72 hours, of the Seattle Police Department, or any law enforcement agency within the city of Seattle including the King County Jail and King County Youth Service Center

- Any seriously injured subject in Seattle Police Department custody

- Serious assault on an officer in which reportable force used in the incident, if any, is less than Type III

d. The **Sexual Assault and Child Abuse Unit ((206) 684-5575)** is contacted for a possible response in the following incidents:

- Any rape where the suspect is a stranger, and a crime scene exists

- Serious injury to a child (birth to 12 years) involving questionable circumstances, and when the Homicide Unit has declined to respond

- In accordance with the call-out guidelines for the Homicide and Assault Unit, first call-out request shall be made requesting their response

- If Homicide and Assault Unit declines to respond, request through the Communications Section that a second call – out attempt be made to the Sexual Assault and Child Abuse Unit (SAU)

- Any rape where the victim sustains serious physical injuries in addition to suffering a sexual assault

- Sexually based incidents involving custodial or institutional settings (jail, day care, school)

- Sexual assaults incidents likely to generate significant media and/or community interest

- A rape where a suspect is arrested, and it is advantageous that a detective interview the suspect immediately

e. The **Robbery Unit ((206) 684-5535)** is contacted for possible response in the following incidents:

- Bank robbery
- Robbery incidents involving:
- Shots fired
- Restraints used on the victim(s)
- Serious injuries
- Extensive media interest
- Incidents involving high dollar loss (currency and/or property)
- Home Invasion Incident
- Possible pattern or serial robberies
- Large scale commercial robberies

f. The **Arson/Bomb Squad ((206) 684-8980)** is contacted for a possible response in the following incidents:

- An obvious arson, an arson as determined by Fire Marshal 5, or any fire that causes a life-threatening injury or death of a person
- Whenever an explosion has occurred which resulted in an injury or property damage, however slight. This includes incidents where the explosive used was common "fireworks"
- Suspected or known explosive devices
- Suspected or known WMD agent dissemination devices
- An explosion that involves an improvised explosive device (homemade bomb), regardless of damage, injury, or intent
- An abandoned or suspicious item/package suspected to contain an explosive or WMD agent dissemination device
- An incendiary device
- A site used to illegally manufacture explosives, including flash powder and fireworks, or to fill containers with an explosive agent

- Found military ordnance, commercial explosives, or any type of improvised/homemade explosive

- A large quantity of small arms ammunition, or any quantity of ammunition 50 caliber or larger or any ammunition that is in a deteriorated state

- Common fireworks in quantities of more than a few pounds, and any quantity of M-80s or larger

- Any incident involving any chemical, biological, or radiological agents, or nuclear agents, where there has been a release or threat of a release, or any suspicious circumstances involving such agents

- Any arson or suspicious fire

- The Seattle Fire Department

Fire Investigation Unit (Fire Marshall 5) is tasked with determining origin and cause. They will normally be requested to respond by first responder fire fighters. In the event SFD – FIU does not respond, the patrol sergeant should screen the incident with ABS personnel.

g. The **Bias Crimes Unit ((206) 233-3898)** is contacted for a possible response in the following incidents:

- Incidents likely to generate significant media and/or community interest

- When there is a question as to whether or not an incident meets the definition of a criminal act under either the malicious harassment ordinance, SMC 12A.06.115 or the state statute, RCW 9A.36.080, contact the Bias Crime coordinator during regular business hours for screening. Outside of regular business hours contact the on-duty or on call Homicide Unit sergeant

- The incident will be thoroughly investigated. When circumstances are questionable, the incident shall be treated as a bias crime initially, all appropriate procedures will be followed, and all the appropriate boxes on the Incident Report will be checked, including the "Bias Crime" box

h. The **Domestic Violence Unit ((206) 684-0330)** is contacted for a possible response in the following incidents:

- A serious domestic violence assault in which the suspect has been arrested and is available for interviewing prior to booking

- A serious domestic violence assault incident which includes a crime scene containing substantial physical evidence (bloodstain patterns, gunshot residue, broken furniture, scarred walls), regardless of whether the suspect has been arrested

- In cases where the victim has suffered injuries likely to result in death, the Homicide and Assault Unit should be notified and given the opportunity to respond prior to the DV Unit. If the screening Homicide sergeant declines to respond, the DV Unit should then be contacted

- Domestic violence allegations involving Seattle Police Department employees – whether as a suspect or victim. An on-duty lieutenant is required to respond to the scene

- Domestic violence allegations involving employees of another law enforcement agency – agency whether as a suspect or victim. An on-duty lieutenant is required to respond to the scene

i. The **Gun Violence Reduction Team ((206) 615-1048)** is contacted for a possible response in the following incidents:

- Drive-by shootings with injury or serious risk of injury, regardless of whether a suspect has been located

- Any violent crime related to gang activity or involving gang members and or associates

- Assaults upon officers by suspected gang members

- Riot/disturbance situations with gang involvement

- Serious assaults involving juveniles

- Serious assaults with a crime scene where Homicide and Assault Unit detectives would not be required

- In accordance with the call-out guidelines for the Homicide and Assault, first call-out request shall be made requesting their response

- If Homicide and Assault Unit declines to respond, request through the Communications Section that a second call-out attempt be made to the Gun Violence Reduction Team.

j. The **Narcotics Unit ((206) 684-5797)** must be notified for possible response to all incidents involving:

- The seizure of currency in the amount of $10,000 or more related to a narcotics transaction. Refer to manual section 7.080 – Money Evidence

- A clandestine drug lab or suspected lab

- A significant marijuana grow operation

- Presence of financial documents indicating assets of $10,000 or more related to a narcotics transaction

- Found safe deposit keys or documentation, such as a bank statement, that may indicate a safe deposit box related to narcotics

- Any unusual circumstances that an on-scene sergeant believes should be reviewed immediately by a Narcotics sergeant, such as credible information of a large quantity of narcotics or a major dealer

k. The **Human Trafficking Unit ((206) 684-8660)** or **ICAC ((206) 684-8657)** is contacted for a possible response in the following incidents:

- Production/Distribution/Possession of child pornography with a suspect in custody

- Luring of a child via the Internet, involving the attempt or actual meeting of the suspect and child

- When investigating a missing child deemed to be endangered and it is believed that a computer contains evidence as to the whereabouts of the child

- Escort service investigations involving minors

- Whenever a child is arrested for prostitution, and she/he is willing to cooperate in the investigation

- Incidents involving a large gambling operation where expertise from detectives is deemed important

- Crimes that have been committed with the use of a computer and assistance is needed for the proper take down of the system, due to extenuating circumstances such as networked systems

l. The **General Investigations Unit (GIU)** is contacted for a possible response in the following incidents:

Burglary Crimes

- First degree burglary or an extensive loss
- Large–scale commercial burglary
- Specialized/high value burglary (art, antiques)
- The scene cannot be protected until 0800 hours and/or an evidence technician is not available
- Any sensitive incident that may draw significant community or media attention

Fraud/Forgery Crimes ((206) 684-8981)

- Where there is production of financial instruments (currency, credit cards, debit cards, ATM cards, checks)
- Whenever a large number of identity instruments and/or credit cards are co-located with equipment (computers printers, engravers,) capable of producing them
- Whenever large, commercial type operations for producing counterfeit software or compact disks, especially those creating "CD platters" are discovered
- Whenever locations are discovered where a computer lab has been established for the purpose of pirating or extracting (collecting) data from numerous other computer hard drives
- When officers serve a warrant or enter a premise where false identification are being produced and computers are being used
- When large quantities of identification instruments, identify information, or obvious fraud/forgery instruments are located
- Complaints of money laundering and/or illegal overseas transactions. Complaints of complex, large scale, or commercial fraud, forgery, or illegal bank transactions

Auto Theft Crimes ((206) 684-8940)

- Whenever a location is discovered where several stolen vehicles are being stripped

- Whenever a suspect (18 years or older) has been arrested and is willing to provide information on other auto thieves and the suspect has a prior auto theft booking into the King County Jail

- Whenever there are multiple suspects (18 years of age and older) with three or more stolen vehicles involved in the same incident

- Whenever a suspect is attempting to sell a stolen vehicle

m. The **Missing Person Unit ((206) 684-5582)** is contacted for a possible response in the following incidents:

- When there are questions regarding missing persons incidents, contact the Missing Person Unit detectives during regular business hours for screening

- Outside of regular business hours contact the on-duty or standby Homicide and Assault Unit sergeant

- Consult manual section 15.130 - Missing Persons

n. The **Traffic Collision Investigation Section (TCIS) ((206) 684-8923)** is contacted for a possible response for certain collisions. See manual section 15.260 - Collision Investigations for information concerning TCIS call out procedures.

o. Crime Scene Investigation Unit (CSI) ((206) 684-0972)

- The function of this unit will be to respond to certain types of crime scene and process then for physical evidence. The case investigation responsibility for all major crimes will remain with the appropriate follow up units.

p. Any other crime which the field supervisor believes should be brought to a follow-up unit's attention.

q. In the event of the death or serious injury of a police officer, notification will be made to the appropriate follow-up unit, the Public Affairs Unit, the chain of command, and a member of the Seattle Police Officer's Guild or Seattle Police Management Association (see manual section 14.070 - Serious Injury or Fatality to Officer).

r. Any incident of a sensitive nature which may bring public notoriety upon an officer, or the department should be brought

to the attention of a sergeant. The sergeant will determine if the incident should be brought to the attention of a member of the Public Affairs Unit. The ranking supervisor will decide if those higher in command should be notified, up to and including the Chief of Police.

s. Other crimes or incidents may also require immediate follow-up investigation, the need for which will be determined by the special investigative skills required and current investigative policies. In all cases where the necessity for immediate follow-up investigation has been determined, the appropriate detective unit will be notified and given the option of immediate response.

t. Refer to manual section 15.260 - Collision Investigations when determining follow-up requirements for traffic collisions.

u. Incidents to which follow-up units will respond require the primary investigator to preserve and protect the scene (See manual section 14.060 - Serious Incident Plan).

v. Incidents occurring where a follow-up unit has been contacted and does not respond, require the primary investigator to complete the investigation as thoroughly as possible.

w. If immediate follow-up investigation will not be required, the primary investigation will be conducted in such a manner as to ensure that the follow-up unit will receive all available information, via reports and statements, concerning the incident.

15.080-POL-2 Follow-Up Unit Investigation

The Seattle Police Department conducts follow-up investigations in certain cases, as determined by either Criminal Investigations Bureau or precinct personnel. While the course of an investigation is dependent on the particular facts of the incident, the goals may include identification, apprehension, and prosecution of involved suspects as well as the recovery of stolen property.

1. Follow-Up Investigations Will Include Certain Minimum Components

a. Analysis and Review

- All previous and related reports should be reviewed and assessed for relevance or intelligence value.

- The criminal history files of any suspects should be collected and included in the file.

- An attempt should be made to link the suspect to other crimes through a modus operandi analysis.

b. Investigative Operations

- When appropriate, the case detectives will contact and interview listed suspects, witnesses, and victims. When necessary, detectives should consider contacting uniformed personnel for additional information.

- Generally, case detectives should consider viewing the scene of the crime. Any physical evidence located shall be packaged and submitted per manual section 7.020 – Found Property. Crime scene searches should be systematic and thorough.

- If a crime scene is large or outdoors, detectives should consider requesting the assistance of other units. Such requests should be coordinated through the case detective's unit lieutenant.

c. Case Preparation

- Case files will be prepared to satisfy standards established by the prosecuting attorney's office. The Criminal Investigations Bureau will publish these standards.

- Detectives will respond to requests for additional information from the prosecutor. Any concerns regarding these requests should be communicated to the detective's sergeant.

15.090 – Investigating Graffiti Incidents

Effective Date: 05/07/2019

15.090-POL

1. Officers Will Fully Investigate Graffiti Incidents and Complete a Report As Needed

2. Officers Will Photograph Graffiti With a Digital Camera

3. Officers Will Report Graffiti Incidents to Seattle Public Utilities Through Communications or the SPU Web Site When:

The property owner cannot be identified.

City property is involved.

4. Officers Will Wear Protective Gloves When Handling Etching Acid and Identify the Substance as Etching Acid to the Evidence Unit Staff

15.090-TSK-1 Officer Investigating Graffiti

An **officer** investigating the report of graffiti:

1. **Photographs** the graffiti to include a complete picture of the "piece" and any associated "tags".

2. **Uploads** the photos to DEMS.

3. **Interviews** suspect to determine:

   - The suspect's tag.

   - Lists the suspects tag as an alias in the ***Mark43***. If the suspect is unknown, then list the tag in the "possible name field."

4. **Collects** and **submits** evidence:

   - Discarded paint cans; submit for latent prints.

- Graffiti sketchbooks, or other paperwork produced by suspects.

- Computers, camera phones and cameras that might have been used to photograph graffiti.

5. **Completes** a Report that includes:

- Victim information, if known.

- The object that was damaged indicating size and material composition.

- How the graffiti was applied; for example, spray paint, marker, etching acid.

- Description of the graffiti and what the graffiti says.

- Estimated cost to remove the graffiti.

- If the graffiti involves a rail car, then the Officer will record the rail car identification number in the Report.

    - An example of an identification number on a railcar owned by Burlington Northern Santa Fe railway would be “BNSF 45941.”

15.100 – Kidnapping

Effective Date: 05/07/2019

15.100-POL

1. Employees Will Not Communicate Information, or Make Reference, to a Kidnapping Over Police Radio

2. Employees Receiving Information of a Kidnapping Shall Immediately Notify the Commanding Officer of the Violent Crimes Section

The Violent Crimes Commander will make the proper notifications.

3. Officers Will Draw a Number for a Kidnapping Incident

The Commander of the Violent Crimes Section will ensure that the report is "privatized" to the proper Investigatory unit, e.g., Domestic Violence, Human Trafficking, SAU, or Homicide.

4. Details of the Kidnapping Case Shall Only Be Discussed with Department Personnel Necessary to the Investigation

5. The Criminal Investigations Bureau Shall Make Necessary Notification to the FBI or to Other Outside Agencies

15.110 – Investigating Custodial Interference

Effective Date: 05/07/2019

This manual section applies to all employees when investigating possible cases of custodial interference.

The validity and types of custodial interference offenses depend on the relationship of the parties and any existing court orders.

Parents and their legal representatives may try to manipulate law enforcement to take custody of a child. It is important that employees stay familiar with relevant statutes.

RCW 9A.40.060 Custodial Interference in the First Degree

RCW 9A.40.070 Custodial Interference in the Second Degree

SMC 12A.06.300 Custodial Interference

15.110-POL

1. Child's Legal Residence Determines Jurisdiction

The involved child's legal residence determines the jurisdiction in a custodial interference incident. This differs from abduction cases where the geographical location of the abduction determines the jurisdiction.

The King County Prosecutor's Office makes the final determination of jurisdiction in accordance with federal statutes that establish interstate enforcement.

2. The Domestic Violence Unit has Follow-Up Responsibility for SPD Custodial Interference Cases

3. Responding Officers Will Take a Custodial Interference Report if There is a Potential Offense

If an officer responding to a complaint of custodial interference believes there is potential for a criminal case, the officer will take a report even if criminal intent cannot be determined at the time of the complaint.

Officers will take a report even if custody papers have not been filed, paternity is not established, or one party is not named on the child's birth certificate.

Officers will not complete a Missing Person Report in custodial interference cases unless instructed to do so by the Domestic Violence Unit. Normally, the Domestic Violence Unit will complete it when appropriate.

4. Custodial Interference Reports Must Contain Necessary Information

The reporting officer will list the involved parties on custodial interference Report as follows:

- Victim - the involved child
- Suspect - Parent or relative denying access to the child
- Complainant - Reporting parent, custodian, foster parent, or foster home

Reporting officers will include the following information in all custodial interference Reports:

- Complete names and dates of birth
- Relationships of the parties involved
- Social Security numbers for all parties, if available
- Names of any courts involved
- A copy of relevant court documents, if available
- Description of any parent's refusal to comply with a court order
- Allegations/objections made by parties involved
- The welfare of the child
- Any actions taken by officers
- A note in the narrative that the report should go to CPS

5. Officers May Inform the Offending Parent of Possible Outcomes

The offending parent may not fully know the civil and/or criminal penalties connected with custodial interference.

If officers contact the offending parent, they may warn of the following possible outcomes:

- Civil
    - The offending parent could be found in contempt of court and subsequently fined or have an arrest warrant issued.
    - Due to the offending parent's actions, the court could modify the existing custody order in the favor of the complaining parent.
- Criminal
    - The offending parent could be arrested and face charges of a misdemeanor or felony offense of custodial interference.
    - A conviction would not only create a criminal record, but it could affect future decisions regarding custody/visitation in the civil courts.

There are times when contacting the offending parent could lead to an aggravated situation. Officers may contact the DV Unit for guidance.

Offending parents frequently give reasons for withholding custody/visitation rights, including money owed for support and complaints of neglect or abuse. Officers may advise that, whether a complaint is valid or not, the parent cannot arbitrarily withhold the child on that basis.

The complainant must submit their concerns to CPS or the courts to obtain authorization to retain the child under these circumstances.

6. Patrol Officers Will Screen Custodial Interference Incidents Before Making an Arrest

The combination of civil and criminal law makes custodial interference a very complex issue to enforce without further investigation or review.

Patrol officers will not make arrests for custodial interference without first screening the situation with a sergeant.

The Domestic Violence Unit encourages patrol personnel to contact them with questions arising from custodial interference incidents.

Patrol supervisors may contact DV Unit personnel via Communications after hours.

7. Exigent Circumstances May Require Immediate Action

If exigent circumstances exist, such as a parent with a foreign citizenship seizing a child with intent to flee the country, an officer may take the child into protective custody.

Officers must be able to determine if the offending parent is outside of his/her right to take the child. Officers may verify by examining a valid parenting plan or court order prohibiting the parent from taking the child.

If there is no supporting documentation, the officer may not stop the parent from leaving with the child, unless the child is at risk.

If the officer removes the child from the offending parent, the officer shall return the child to the person or agency having the right to physical custody, unless the officer feels the child would be at risk.

Officers who believe a child is at risk shall refer to manual section 15.220 - Child Welfare.

8. The King County Sheriff's Child Find Unit Will Serve Writs of Habeas Corpus for Children Within King County

The King County Sheriff's Office (KCSO) Child Find Unit follows up on all writs of habeas corpus for children within King County.

If officers are contacted concerning the service of a writ of habeas corpus for a child, officers shall direct the party to the KCSO Child Find Unit.

9. Courts Enforce Civil Custody and Visitation Orders

Officers do not have authority to remove a child based solely on a parenting plan, custody, or visitation order.

Parenting plans usually contain a dispute resolution process to encourage mediation and negotiation rather than relying on judicial intervention.

Officers should instruct parents to follow the steps outlined in the parenting plan. Officers may not offer legal advice.

15.120 – Responding to Bias Crimes and Incidents

Effective Date: 11/01/2019

15.120-POL

This policy outlines the Department's response to hate crime offenses, malicious harassment, and other incidents involving bias.

1. Definitions

Hate crime offense and malicious harassment: A person is guilty of a "hate crime offense" (per RCW 9A.36.080) or "malicious harassment" (per SMC 12A.06.115) if, because of his or her perception of another person's:

- Race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disabilities (felony)

- Homelessness, marital status, political ideology, age, or parental status (misdemeanor),

He or she maliciously and intentionally commits at least one of the following acts:

- Causes physical injury to another person,

- Causes physical damage to or destruction of the property of another person.

- By threat, places another person in reasonable fear of harm to his or her person or property or to the person or property of a third person

Crime with bias elements: An event in which a crime is committed that is not bias-based and during the incident the suspect uses derogatory language directed at the victim's protected status or group.

Bias incident: Offensive derogatory comments directed at a person's sexual orientation, race, or other protected status

which cause fear and/or concern in the targeted community during a non-criminal incident.

2. Communications Will Dispatch a Sergeant to the Scene of a Bias Crime or Incident Along with the Patrol Officers

When responding to a bias crime or incident, the sergeant will make sure that the officers conduct a thorough investigation at the scene of the incident, with special emphasis placed on preserving physical evidence.

The on-scene sergeant will notify a watch lieutenant, and if necessary, confer with a Homicide sergeant.

The notified lieutenant will evaluate the need to notify those higher in command and/or the Public Affairs Unit.

If clarification is needed to determine if the incident meets the elements of a hate crime offense or malicious harassment, the on-scene sergeant will consult with the Homicide sergeant.

(See 15.120–TSK–1 Responsibilities of the Patrol Sergeant When Responding to a Bias Crime or Incident)

3. Officers Will Document All Bias Crimes and Incidents on an Offense Report

For reports of actual hate crime offenses and malicious harassment, officers will complete an offense report, select either the RCW "Hate Crime Offense" or SMC "Malicious Harassment" offense code in Mark43, and then answer "YES" to "Does the Event Contain Bias Elements?".

For reports of crimes with bias elements, officers will complete an offense report, select the offense code that matches the crime, and then answer "YES" to "Does the Event Contain Bias Elements?".

For reports of bias incidents, officers will complete an offense report, select "Incident Contains Bias Elements – NO CRIME" for the offense code, and then answer "YES" to "Does the Event Contain Bias Elements?".

Officers will select the type of bias they believe is most applicable in the "Hate Bias/Motivation" field of the Report.

4. Cases will be Assigned for Follow-Up Investigation According to the Criminal Investigations Case Assignment Matrix

Follow-up investigations of hate crime offenses and malicious harassment are typically assigned to the Homicide Unit.

The precinct detective units will investigate hate crime offenses and malicious harassment reports that involve only property damage and threats/assaults by juvenile suspects.

5. The Department's Bias Crimes Coordinator Will Review all Reports Involving Bias Elements

15.120-TSK-1 Responsibilities of the Patrol Sergeant When Responding to a Bias Crime or Incident

The **patrol sergeant**:

1. **Responds** to the scene, as dispatched.
2. **Directs** officers to conduct a thorough investigation.
3. **Notifies** an on-duty watch lieutenant.
4. **Instructs** investigating officers to write a Report.
5. **Reviews** the Report to make sure the incident is properly documented and labeled.
6. **Sends** an Alert Email with the Report Number to the following:
   - Captain, Violent Crimes Section
   - Bias Crimes Coordinator
   - Homicide Detective Unit or Precinct Detective Unit, as appropriate
   - Public Affairs Unit

15.130 – Missing Persons

Original Effective Date: 09/01/2019
Revised Effective Date: 11/01/2022

15.130-POL

1. There Is No Waiting Period to Take a Missing Person Report

2. Officers Will Determine if a Missing Person Report is Appropriate

Officers will document missing person incidents when:

- The subject was last known to be in Seattle.
- An un-emancipated juvenile is reported missing.
- A person of any age is missing for any amount of time, and there is a reasonable concern for his or her safety.

Officers will not take a missing person report to assist:

- Litigants in civil cases,
- Process servers,
- Bill collectors,
- In compiling family histories, or
- In locating heirs.

3. Officers Will Complete Reports for Missing Persons

Officers will complete the following when documenting a missing person:

- **Missing Person Report** in Mark43 (not the Incident/Offense Report) including full name, sex, race, date of birth, height, weight, hair color, and eye color.
- **Missing Person Supplement** (form 5.1.2)
    - The preferred method is to use a printed supplement and write in the information while with the reporting party. This form

includes a place for a family member or next of kin to sign to authorize the release of dental and medical information.

- Officers may submit the form by scanning and attaching a PDF supplement to the Mark43 report or sending the paper copy to the Data Center.

- The form is available electronically in the Mark43 Missing Person Report for times when obtaining the signature is not possible.

- **Alert Data Entry Form** (PDF) from Communications for AMBER Alerts, Silver Alerts, Endangered/Missing Person Alerts, or Missing Indigenous Persons Alert, if applicable.

(See 15.130-PRO-2 Initiating an AMBER Alert or EMPA)

If more than one person is missing in the same event, officers will draw additional report numbers so that each missing person is reported under a unique number.

4. Officers Will Obtain Digital Photographs of Missing Persons, if Possible

Officers provide digital photographs of missing persons to the Missing Persons Unit in one of the following ways:

- Attached to the report,

- The Missing Persons Unit email at spdmpu@seattle.gov,

- Axon Capture for upload into Evidence.com, or

- Axon Citizen link provided to the complainant.

Officers may also instruct the complainant to send digital photographs of the missing adult to spdmpu@seattle.gov with the name of the missing adult and the associated report number.

If there is no digital picture, officers may send hard copy photographs to the Missing Persons Unit.

5. A Lieutenant Approves an AMBER Alert

A lieutenant approves an AMBER Alert to locate an abducted child when the following criteria are met.

- The victim is under the age of 18 years of age.

- The victim is not a voluntary runaway (previous history of runaway reports is not a sole factor for exclusion).

- There appears to be a risk of injury or death to the victim, in the opinion of the investigating agency.

- There must be sufficient descriptive information available to the public that would help locate the child, suspect and/or suspect's vehicle.

- The missing child must be reported to and investigated by a law enforcement agency and a Missing Person Report is completed.

(See 15.130-PRO-2 Initiating an AMBER Alert or EMPA)

After verification of the child's recovery, a lieutenant approves cancellation of the AMBER Alert. If practical, the lieutenant will convene a debrief session with involved personnel.

The lieutenant will complete an After-Action Report (AAR) and send a copy to the Violent Crimes Section Captain. The captain will maintain the original copy of the AAR and send a copy to the precinct of occurrence (see manual section 14.010 – After-Action Reports).

6. A Lieutenant Approves an Endangered/Missing Person Alert (EMPA)

A lieutenant approves the use of an EMPA when a person is missing under the following circumstances:

- Unexplained, involuntary, or suspicious circumstances; and the person is believed to be in danger because of age, health, mental or physical disability [as defined in RCW 71A.10.020(6)], or is a vulnerable adult [as defined in RCW 74.34.020(21)], is missing during adverse weather conditions and/or is believed to be unable to return to safety without assistance.

- Voluntary circumstances, only if a person, due to mental disability [as defined in RCW 71A.10.020(6)] is in danger because of age or health, during adverse environment or weather conditions and/or is believed to be unable to return to safety without assistance.

- There is enough descriptive information that could assist in the safe recovery of the missing person, including associated vehicle information, if any.

- The missing person has been identified as an Indigenous person of any age who is missing and in danger because of age, physical

or mental health, severe weather conditions and not able to return safely without assistance (RCW 13.60.010).

The EMPA is considered a "Silver Alert" if the missing person is 60 years of age or older, suffering from a form of dementia, and is not able to return to safety without assistance.

The EMPA is considered a "Missing Indigenous Persons Alert" if the missing person is identified as Indigenous (American Indian/Alaska Native).

(See 15.130-PRO-2 Initiating an AMBER Alert or EMPA)

7. Officers Will Notify Data Center of the Submitted Missing Person Report

Officers will notify Data Center when the Missing Person Report has been submitted in Mark43. Officers will make the notification by:

- Sending a CAD Message to "HDATA" with the report number (preferred), or
- Email to SPD_Data_Center@seattle.gov with the report number.

Data Center will then enter the missing person into WACIC/NCIC.

Federal law requires that information on a missing person under the age of 21 must be entered into WACIC and NCIC within two hours of the initial report.

8. Officers Will Remove Located Missing Persons

If a missing person is located, officers will:

- Verify the identity of the missing person
- Confirm the hit through Data to have the entry removed
- Complete a supplemental report labeled "Located Person/Juvenile" under the original report number
- If the located subject was reported missing from another jurisdiction, the officer will complete an Incident/Offense report titled "Assist Other Agency."

9. The Missing Persons Unit Will Conduct the Follow-Up Investigations for Missing Persons Reports

15.130-PRO-1 Responding to a Missing Child

Communications

1. **Broadcasts** detailed information of a missing child and assigns a primary officer.

Officer

2. **Responds** promptly to the location of the missing child and **activates** in-car video during approach.

3. **Interviews** reporting party and verifies the child is missing and the child's custody status.

4. **Notifies** sergeant of initial details and **requests** additional resources if necessary.

Sergeant

5. **Assesses** the need for incident command and initiates as needed.

6. **Coordinates** patrol response.

Officer

7. **Obtains** detailed description of the missing child, abductor, or vehicles, etc. and continually relays detailed descriptive information to Communications for broadcast.

8. **Determines** who last saw the child, and when and where they were last seen.

9. **Interviews** person(s) who last had contact with the child separately and asks: "What do you think happened to the child?", documents their response.

10. **Identifies** child's "zone of safety" (area that the child feels safe or comfortable in) for his or her age/developmental stage.

11. **Identifies** everyone who is at the scene.

12. **Determines** if the incident involves a family or non-family abduction, endangered runaway, lost, injured, or otherwise missing child.

Sergeant

13. **Determines** with the officer if an AMBER Alert or EMPA will be needed. If so, see PRO-2 Initiating an AMBER Alert or EMPA.

Officer

14. **Requests** consent to search the home and surrounding out-buildings and structures on the property.

    a. **Obtains** the property owner's signature on a Consent to Search form.

    b. **Treats** the area as a possible crime scene.

15. **Obtains** digital photograph(s) of the missing child.

16. **Attaches** the photograph(s) to the Mark43 Report, or

    a. **Emails** the digital photograph(s) to the Missing Persons Unit at spdmpu@seattle.gov, or

    b. **Instructs** the complainant to send digital photographs of the missing child to spdmpu@seattle.gov with the name of the missing child and the associated report number, or

    c. **Sends** hard copy photograph(s) to the Missing Persons Unit, if not digital.

17. **Provides** the complainant with the Missing Persons card and **advises** them to follow-up with the Missing Persons Unit should they locate the missing child.

18. **Advises** Data Center via CAD message or email when the Missing Person Report is submitted in Mark43, including the report number.

15.130-PRO-2 Initiating an AMBER Alert or EMPA

Officer

1. **Responds** and gathers preliminary information to determine whether an AMBER Alert or EMPA is appropriate.

2. **Relays** preliminary information to a sergeant.

Sergeant

3. **Notifies** an on-duty lieutenant if an AMBER Alert or EMPA is needed.

Lieutenant

4. **Approves** AMBER Alert or EMPA if the criteria are met and **initiates** ICS.

Sergeant

5. **Notifies** the Homicide Unit if a child is abducted by an unknown suspect and the Domestic Violence Unit if a child is abducted by a known family member.

6. **Notifies** the Public Affairs Unit of the AMBER Alert or EMPA.

7. **Instructs** the officer to complete the Alert Data Entry form from Communications, the Missing Person Report, and the Missing Person Supplement.

8. **Contacts** Communications by telephone to request initiation of an AMBER Alert or EMPA.

Communications

9. **Receives** authorization and request via telephone to initiate the AMBER Alert or EMPA process.

10. **Emails** the Alert Data Entry form to the officer to be completed electronically.

Officer

11. **Completes** the Alert Data Entry form electronically.

12. **Emails** the Alert Data Entry form and digital photo if available to spddispatch@seattle.gov.

Communications

13. **Receives** Alert Data Entry Form and digital photo, if available, from officer via email.

14. **Emails** the completed Alert Data Entry Form immediately to AMBERAlertRequest@wsp.wa.gov.

- For EMPAs, associated vehicle information is necessary. Make any additional auxiliary notification entities as necessary.

15. **Broadcasts** the AMBER Alert or EMPA information citywide and over the Public Safety Answering Point (PSAP) talk-group.

16. **Notifies** patrol units citywide via CAD MDTALL Message and/or BOLO of the related call with full description and details from the Alert Data Entry form.

17. **Sends** an SPDALL email including the necessary information.

18. **Sends** a Group1 Notification via the Alert Seattle Application as applicable.

Officer

19. **Completes** a Missing Person Report and Missing Person Supplement.

20. **Advises** Data Center via CAD message or email when the Missing Person Report is submitted in Mark43, including the report number.

Data Center

21. **Enters** the missing person into WACIC/NCIC.

Seattle Police Department Manual

15.150 – Narcotics

Effective Date: 05/07/2019

I. Felony Narcotics Arrest

A. Complete a Report

1. Establish and articulate the probable cause for the arrest. Officers must provide enough information so that anyone will understand the nature of the case.

2. Note in the narrative if the incident occurred in a restricted area (SODA/Drug Free Zone).

3. Field test the suspected narcotics and indicate the results in the report. Document negative results as inconclusive.

4. Include recommendations in your narrative for alternative misdemeanor charges.

B. Complete a Property Report

1. List all items of evidence, detail who found it, where it was found and what was done with it.

C. Complete Officer Statement(s)

1. Officer Statements shall be detailed and include the following:

a. The officer's experience and training (i.e., primary officer, reasonable suspicion/probable cause cases, etc.).

b. Specific details re: "high narcotics area" (in cases where this generated the investigation).

c. Explain the nature of the investigation (i.e., buy/bust, routine patrol, etc.).

d. Explain observations, actions, responses, and opinions (based on facts).

e. Probable cause must be clearly stated.

f. Specific location for all recovered evidence (including dominion and control for the area or basis for believing it was the suspect's clothing, etc.).

g. All field tests and the results.

h. Specific times and time periods must be clearly stated.

i. Descriptions of suspects involved and their names.

D. Superform

1. Criteria officers should consider when documenting the objections to release section are:

a. The suspect's true identity is in question.

b. The suspect lacks a verified King County address and the cooperation of a responsible third person that will always know how to contact the detainee.

c. The suspect has a prior felony conviction within five years or pending charges of violating the Uniform Controlled Substance Act, or two or more prior failures to appear in court.

d. The suspect has prior drug related charges.

E. Certification of Probable Cause

1. Complete a Certification of Probable Cause. If possible, the officer should sign his/her name with a blue pen so that detectives and/or prosecutors can recognize the original certification easier.

F. WSP Crime Laboratory Division Drug Analysis Request (WSP-CL-442)

1. Complete a separate laboratory request for each suspect that possessed the narcotics.

2. Place the item you most want tested on the first line of the request. The laboratory will generally only test the first item.

G. Photographs

1. Officers will take two photographs of the suspect. One memory card per Report Number.

H. Field test suspected narcotics.

1. Conducting field tests on unknown substances demands caution.

2. Avoid handling unknown substances, especially those in powdered form. Many noxious materials are water-soluble and may be absorbed through the skin.

3. Always perform narcotics field tests in well-ventilated areas. Avoid doing field tests in vehicles.

I. Compile an ***Alert Email*** for the Narcotics Section by ***Scanning***:

1. Statements, if completed on paper

2. Superform, if completed on paper

3. Original Certification for Determination for Probable Cause

4. Original WSP Crime Laboratory Division Drug Analysis Request (form WSP-CL-442),

5. Notice of Seizure and Intended Forfeiture (form 1.1.9)

6. Computer Rap Sheets.

7. All documents will be included on the ***Alert Email***.

8. The ***Alert Email*** is then submitted to the Narcotics Section.

J. Send the Report to a supervisor for approval and notify the supervisor directly.

K. The supervisor shall immediately review the Report and, after approval, route it for transcription as normal.

L. The supervisor will send an ***Alert Email*** to Narcotics and Records. The email will contain the Report Number.

II. Seizure of Assets

A. Drug Money (Also refer to manual section 7.090 - Evidence Money Submission)

1. In order for money to be legally seized and forfeited, State law (RCW 69.50.505) requires:

   a. Probable cause exists to show the money can be traced to drug trafficking, or

b. The money was intended for the purchase of drugs.

2. Simply discovering money on a person who has been arrested for a narcotics violation does not allow for seizure and forfeiture.

a. Seizing money under such circumstances, even with the expectation the arrested person may not claim the money, could result in the invalidation of the seizure laws or a revision which makes them difficult to enforce.

b. Do not seize money solely because of proximity of the money to an illegal drug or as a punitive measure.

3. Sums less than $500 generally should not be seized, unless they contain "buy money" with previously recorded bill numbers.

B. Vehicles or Personal Property

1. Seizing vehicles requires either:

a. Removing personal property from the vehicle and returning it to the owner, or

b. Placing the property into the Evidence Unit for safekeeping.

2. The seizing of vehicles or personal property requires the same threshold of probable cause as seizing money. All seized property must be traceable to a narcotics transaction.

a. Pagers, firearms, and marijuana grow equipment should not be seized for forfeiture purposes. Instead, place these items into the property room as evidence. These items are generally not convertible for Department use and seizing them often creates difficulties in the prosecution of the case.

3. Questions about seizing drug money, vehicles, and personal property should be directed to the Narcotics Section ((206) 684-5797).

III. Special Narcotics Enforcement Programs

A. Drug Free Zones

1. General

a. The establishment of Drug Free Zones is viewed as a method of deterring drug use and sales within those geographical areas surrounding schools and other special sensitive areas as noted below, by increasing the penalties of these activities within the designated zone.

b. In many cases, Drug Free Zone signs are posted on the outermost 1,000-foot boundaries of public and private schools.

2. Penalty/Punishment

a. Definition

(1) RCW 69.50.435 provides that suspects who manufacture, sell, deliver (or possess with intent to manufacture, sell, deliver) controlled substances are subject to twice the fine and increased imprisonment than is ordinarily mandated if the offense occurred in one of the 10 circumstances listed below.

(2) The double penalty applies:

(a) In a school

(b) On a school bus

(c) Within 1,000 feet of a school bus route stop

(d) Within 1,000 feet of perimeter of school grounds

(e) In a public park

(f) In a public housing project designated by a local governing authority as a drug-free zone.

(g) On a public transit vehicle

(h) In a public transit stop shelter

(i) At a civic center designated as a drug-free zone by the local governing authority

(j) Within 1,000 feet of the perimeter of a facility designated under (i) above.

3. Processing

a. Completed Reports should clearly establish the time and location where the arrest took place. When possible, the

name of the school for which the Drug Free Zone has been established should also be included. The Report shall be marked with a "Drug Free Zone" special study flag.

(1) Citing or arresting suspects for drug trafficking in School Drug Free Zones must be noted in Reports so the prosecutor may seek expanded sentences.

(2) School hours are considered when applying the enhanced sentencing. Delivery, manufacture, or possession with intent between the hours of 7:00 AM and 6:00 PM weekdays are considered to be in violation of the Code.

(3) Drug Free Zone maps are available at each precinct showing designated drug free school bus stops.

B. Stay Out of Drug Area (SODA)

1. General

a. SODA (Stay Out of Drug Areas) are court orders that prohibit drug traffickers from frequenting areas known for continuous drug activity (RCW 10.66.005).

b. Detailed descriptions and maps of the SODA Zones for each precinct can be found in manual section 15.300 - Stay Out of Drug Areas (SODA) – Defined Boundaries (revised 04/2008).

c. King County Superior Court and Seattle Municipal Court will issue written SODA orders prohibiting certain offenders from entering restricted areas (SODA Zones) within the City. The SODA order will indicate which precinct and zone the offender is restricted from entering.

d. The SODA order may be in effect for the duration of the court's jurisdiction, or until trial if the order was issued as a condition of release from custody.

e. A person in violation of a SODA order may be found in contempt of court if the order was issued as a condition of release from custody.

f. If the SODA order is issued as a condition of probation or parole, the person may be held for parole/probation violation.

2. Arraignment/Sentencing

a. The majority of misdemeanor SODA orders will be issued on Drug Traffic Loitering and Marijuana cases. However, if there is strong evidence to support that the crime committed was related to narcotics and the defendant was a known narcotic offender to the arresting officer, a SODA order could be granted at the time of sentencing.

b. In Superior Court, SODA orders can be issued at the time of arraignment, at sentencing for a VUCSA conviction, and one may be requested by the King County Prosecutor's Office whenever appropriate.

3. Exceptions

a. SODA orders may contain exceptions that permit an offender access to a restricted zone. Exceptions to the SODA order include travel to and from and/or remaining in the following locations between the hours of 6 a.m. to 6 p.m. (unless otherwise marked):

(1) Place of residence

(2) Court/government offices (while open to the public)

(3) Social services provider or treatment center

(3) Place of employment

(4) School

(5) Attorney's office

(6) Medical services

b. Between the hours of 6 p.m. and 6 a.m., offenders may not travel through or remain in the restricted zone listed on their SODA order, unless otherwise marked. It is important to document the exact location and time of day that the offender was in the zone.

c. The SODA order defines travel as movement on foot or in a vehicle from one point to another without delay. An offender is required to have a copy of the SODA order on his/her person whenever he/she is traveling through a restricted zone. Failure to present this order or lingering or delaying travel through the zone is a SODA violation.

d. Prior to making contact, officers must observe the offender for a period of time so they can articulate how the

offender is not actively moving to and from a particular location. These observations and any statements made by the offender must be included in the narrative of the *Supplement* Report.

4. Enforcement Procedure

a. SODA information is now accessible electronically through WACIC's Correction Client File (CCF). That file will provide the following information:

(1) Existence of a SODA order

(2) Issuing court & case number

(3) Original SPD Report Number

(4) Applicable Precinct and restricted SODA Zone

(5) Effective date & expiration date

(6) The confirmation phone number (SPD Data Center)

5. General Process

a. Identify the offender through the MDT or radio and determine that a valid SODA order exists for the zone the offender was observed.

b. Confirm the SODA information with SPD Data and request a faxed copy.

c. All contacts with a SODA order subject should be documented on an SPD Supplement Report using the original Report Number. Include the SODA hit information in the narrative and note which court issued the SODA order.

d. Officers will send the *Supplement* Report to a supervisor for approval and notify the supervisor directly.

e. The supervisor will immediately review the *Supplement* Report and, after approval, route it for transcription as normal.

f. The supervisor will send an Alert Email to the Narcotics Section. The email will contain the Report Number.

g. Officers have the option of booking the offender into jail or releasing the offender and submitting the report for an out of custody hearing to address the violation.

(1) When an officer comes across a subject with a SODA order it is important to exercise proper discretion before deciding to enforce the provisions of the order. Discretion consists of the ability to apply reason, professional experience, and judgment in decision-making.

(2) The scope of discretion is proportional to the severity or scope of the crime or public safety issue being addressed at the time. For example, if the subject is identified during the course of a stop/frisk situation and no new evidence of a drug crime is produced, a decision to identify and release is justified, with the appropriate supervisory screening.

h. Complete a Superform if the suspect is being booked into jail. Include a Statement of Probable Cause (non-VUCSA) that identifies the SODA Zone and the Precinct where the offense occurred, as well as the issuing court (SMC or Superior) and details of the violation.

(1) For Seattle Municipal Court SODA order violations, the charge will be "Violation of SODA order/SMC 12A.56.020."

(2) For King County Superior Court SODA order violations, the charge will be Investigation of Violation of SODA order/KC Superior Court.

6. Additional Information

a. King County Drug Court Cases.

(1) If the offender is booked for a violation of a King County Drug Court SODA order, the arresting officer must fax a copy of the Supplemental Report and SODA order to the Prosecuting Attorney Drug Court Legal Assistant at (206) 205-5612.

(2) Questions regarding Drug Court SODA orders should be directed to the SPD detective serving as the Drug Court liaison at (206) 615-1067.

b. If an officer has any concern regarding the validity of the order or the offenders right to be within the restricted

zone, the officer should complete a *Supplement* Report and submit it for an out of custody review hearing.

c. SODA Zone maps and Drug Court Reference books are available at all precincts.

C. Stay Out of Drug Area (SODA) for Juveniles

1. Standard procedures for handling juvenile investigations and arrests are outlined in manual section 6.290 - Juvenile Investigations & Arrests, these procedures apply to all juvenile investigations and arrests, including SODA violations.

2. If it is determined (after screening the arrest with a supervisor) that a juvenile suspect should be booked into YSC for violating a SODA order:

a. Contact the YSC screener at (206) 263-9595 to ensure the juvenile meets the criteria for detention.

(1) Currently a SODA Zone violation, alone, does not meet the criteria for detention, however the DYS screener will be able to check for other factors that may make the SODA order violation a detainable offense.

(2) If the DYS screener accepts the juvenile for detention, then complete a Superform for the charge of "Investigation of SODA Zone violation" and deliver the original with the juvenile to the booking staff at the Youth Service Center.

(3) If the juvenile is not going to be booked then complete a Supplemental Report and an Officer Statement and route them to the Narcotics Section.

IV. Offender Programs

A. Drug Court

1. Eligible defendants for Drug Court will have the option of attending court monitored drug treatment. Treatment includes inpatient or intensive outpatient counseling, random urinalysis, and sober-support meetings. The program also requires regular Drug Court review hearings and the payment of restitution, if applicable. The defendant must agree to allow the judge to make a determination of guilt based on review of the police report, if they fail the treatment program. Should the defendant successfully

complete the approximate year-long program, the charges will be dismissed.

2. Direct questions to the Drug Court Liaison at (206) 615-1067.

B. Juvenile Drug Court

1. King County Juvenile Drug Court also has eligibility criteria and program requirements. In addition to attending court monitored drug treatment, participants are required to attend school or a GED program and obey home rules. Juvenile Drug Court review hearings take place weekly instead of monthly.

V. Drug Traffic Loitering

A. General

1. A person commits the crime of Drug Traffic Loitering (DTL) under SMC 12A.20.050 if they remain in a public place and intentionally solicit, induce, entice, or procure another to engage in unlawful conduct contrary to:

   a. RCW Chapter 69.50 (Uniform Controlled Substances Act),

   b. RCW Chapter 69.41 (Legend and Prescription Drugs), or

   c. RCW Chapter 69.52 (Imitation Controlled Substances).

2. A person's possession of needles and other items obtained from or exchanged at any needle exchange program sponsored by the Seattle-King County Health Department, and hypodermic syringes or needles in the possession of a confirmed diabetic, shall not be considered in determining whether the suspect intended to engage in Drug Traffic Loitering. The ordinance specifically excludes such items from the definition of "Drug Paraphernalia".

3. This Ordinance may be enforced only by officers who have been specifically trained in its use.

B. Operational Procedures

1. In completing Reports, officers should take special note of circumstances that may be considered in determining whether individuals are in violation of SMC 12A.20.050. A "DTL Worksheet" may be used to assist in the collection of detailed information related to the arrest.

2. Report details (Intent and Remain)

    a. Sufficient evidence of the suspect's intent to engage in unlawful drug activities must be outlined with as much detail as possible in the Report.

    b. Articulation must also establish that the suspect remained in a public place (e.g., park, street, alley, etc.) for a substantial period of time.

    c. Guidelines

        (1) State exactly how long the suspect was under observation.

        (2) State the type of observation used by the officer (e.g., binoculars, rooftop surveillance, etc.).

        (3) Outline the time frame and sequence of observation.

        (4) Detail how many contacts the suspect made and details of the contacts (e.g., exact location, description of other person(s), etc.).

        (5) If packages were observed or exchanged, detail what the packages looked like and if the packaging is consistent with narcotics.

        (6) If currency was found on the person of the suspect, detail the denominations, where the currency was found, and whether it was wadded up or folded.

        (7) Describe the suspect's actions (e.g., gestures or use of electronic communication devices).

3. Documentation of officer's conclusions

    a. Articulate how the area is one of high drug-trafficking activity (e.g., SODA).

    b. Indicate when officers have observed the same suspect engage in similar types of contacts at the same location on recent previous occasions.

    c. Document if the suspect has been the subject of community complaints regarding drug trafficking activities, or how the officers are collectively aware of the narcotics use or trafficking activities of the individual in question

prior to the arrest ("Known Drug Trafficker", see definition in SMC 12A.20.050).

4. Documentation of officer's experience and training

a. Documentation of officer's experience and training should be detailed in the Report, including number of previous narcotic related arrests made, hand to hand buy experience, ACT experience, etc.

C. Arrests/Filing

1. Drug-Traffic Loitering arrests which result in the actual seizure of narcotics (and marijuana of more than 40 grams or packaged in a manner indicating an intent to deliver) should be worked up as investigation of VUCSA. The Report must indicate, however, that the initial probable cause to arrest and search was based on Drug Traffic Loitering.

2. Suspects found to be in possession of narcotics paraphernalia with substantial residue should be investigated as "Investigation of VUCSA".

3. Suspected narcotics and narcotic lab requests should not be included in Drug Traffic Loitering arrests.

4. The crime of Drug Traffic Loitering shall be charged by criminal complaint only, not by officer citation.

D. Additional Note

1. It should be noted that violation of SMC 12A.20.050 (Drug Traffic Loitering) may be used as a basis for the issuance of SODA Orders, in Seattle Municipal Court, Seattle District Court, or Juvenile Court.

VI. Narcotics Paraphernalia

A. Due to the wording of the Drug Paraphernalia Statute, the Prosecutor's Office has found it difficult to obtain a conviction without a positive lab report.

B. However, if the lab report returns positive then the suspect is guilty of felony Violation of the Uniform Controlled Substance Act (VUCSA). Therefore, officers will refrain from arresting or citing suspects for drug paraphernalia.

C. If officers recover items with enough residue to be tested, the officers should arrest the suspect(s) for VUCSA and complete the case as any other felony narcotics case.

VII. Marijuana - Possession of 40 Grams or Less

NOTE: Officers should not normally book suspects into jail on the charge of Possession of 40 Grams or Less of Marijuana. Officers should continue to use the Washington State Patrol Crime Lab form for incidents of suspected marijuana residue, marijuana seeds or felony cases.

NOTE: Do not issue a Criminal Citation! Seattle Municipal Court is currently handling this offense by Report ONLY.

A. Possession With No Related Criminal Offenses

1. Draw a number.

2. Complete a Report.

   a. List "*Possess or Consume Marijuana*" in the Offenses block.

   b. Request that the additional charge of "*Possession of Marijuana (<40 grams)*" be filed by the prosecutor, pending marijuana leaf test results.

   c. Complete a field test on the suspected marijuana and document the results.

3. Place the marijuana into evidence.

B. Possession with Related Criminal Offenses (Suspect Not Booked Into Jail)

1. Draw a number.

2. Complete a Report.

   a. List the offenses and "*Possess or Consume Marijuana*" in the Offenses block.

   b. Request that the additional charge of "*Possession of Marijuana (< 40 grams)*" be filed by the prosecutor, pending crime lab results.

   c. Complete a field test of the suspected marijuana and document the results.

3. Place the marijuana into evidence.

C. Possession of Marijuana with Other Criminal Offenses (Suspect Booked Into Jail)

1. Draw a number.

2. Complete a Report.

a. List the offense for which the suspect is booked into jail and "Possess or Consume Marijuana" in the Offenses block.

b. Request that the additional charge of "Possession of Marijuana (< 40 grams)" be filed by the prosecutor, pending crime lab results.

c. Complete a field test of the suspected marijuana and document the results.

3. Place the marijuana into evidence.

4. Follow normal arrest and booking procedures for the jailable offense.

NOTE: Do not list "Possession of Marijuana (<40 grams)" as a charge on the Superform.

D. Felony Arrest and Possession of Marijuana

1. Draw a number.

2. Complete a Report.

a. List the felony offense(s) and "Narc-Possess-Mariju" in the Offenses block.

b. Request that the additional charge of "Possession of Marijuana (< 40 grams)" be filed by the prosecutor, pending marijuana leaf test.

c. Complete a field test of the suspected marijuana and document the results.

3. Place the marijuana into evidence.

4. Follow normal arrest and booking procedures for the felony offense.

NOTE: Do not list "Possession of Marijuana (<40 grams)" as a charge on the Superform.

VIII. Medical Marijuana Act

A. Policy

1. The purpose of this policy section is to assist police officers and supervisors with the investigation of possession and/or manufacturing of marijuana in cases when people assert that they are either a medical marijuana "qualifying patient" and/or a "designated provider", or qualifying patients in a "collective garden". This type of investigation will involve determining if there is compliance with Washington State medical marijuana laws and what actions to take if there is non-compliance.

    a. SMC 12A.20.060 states that the Seattle Police Department and the City Attorney's Office shall make the investigation, arrest and prosecution of misdemeanor marijuana offenses the City's lowest law enforcement priority, where the marijuana was intended for adult personal use. In addition, the Seattle Police Department is sensitive to the fact that some medical marijuana patients and designated providers may have difficulty obtaining marijuana for medicinal use. Although the Seattle Police Department is required to enforce the Medical Use of Marijuana Act and its subsequent amendments, this does not prohibit the police department from exercising some discretion while investigating these cases.

    b. However, this policy does not invalidate the detention, or the arrest of a person based either on a warrant or probable cause, or on-view violations of any criminal law. Furthermore, case law states that a suspect's production of a document purporting to be a marijuana use authorization does not prohibit further investigation by police officers who have probable cause to search the suspect's home when they smelled the odor of marijuana. (State v. Fry, 168 Wn.2d 1, 228 P.3d 1 (2010).

2. In light of this policy, each case requires a responding supervisor to consider the totality of the circumstances when considering a course of action. The supervisor's decision to take action or not should be weighed in favor of keeping the community safe. Factors to consider may include:

    a. An apparent "for profit" operation.

b. Presence of weapons.

c. Theft of electrical power.

d. Other illegal drugs at the premise.

e. Record of citizen complaint and/or nuisance behavior consistent with narcotics trafficking.

f. Presence of children.

g. Fires and other environmental concerns.

h. Violent crime or other demonstrated dangers to the community.

B. Definitions

1. Qualifying Patient: A "qualifying patient" must be a Washington resident and may possess a "sixty-day supply", which is defined as "no more than 24 ounces of useable marijuana and no more than 15 plants". Qualifying patients must carry valid documentation whenever they possess or use medical marijuana. Documentation consists of a "healthcare professional's" authorization on tamper resistant paper and proof of identity such as a driver's license. Upon request, a qualifying patient must present the above documents to law enforcement. Qualifying patients may designate another person to provide them with medical marijuana.

    a. A health care professional may explicitly authorize more marijuana than the standard sixty-day supply. The qualifying patient's authorization should reflect the increased supply.

2. Designated Provider: A "designated provider" must be 18 (or older) and he/she must carry a copy of the patient's designation, health care professional's authorization on tamper resistant paper, and proof of their identity whenever they are growing, obtaining or in possession of marijuana. Upon request, a designated provider must present the above documents to law enforcement. A designated provider is limited to providing marijuana to 1 patient every 15 days.

    a. A person may stop serving as a designated provider to a given qualifying patient at any time. However, that person may not begin serving as a designated provider to another (different) qualifying patient until 15 days have elapsed

from the date the last qualifying patient designated him or her to serve as a provider.

3. Sixty-Day Supply: A "sixty-day supply" is defined by law as no more than twenty-four (24) ounces of usable marijuana (684 grams) and no more than fifteen (15) plants. Usable marijuana is defined as "the dried leaves and flowers of the Cannabis plant Moraceae" and does not include "stems, stalks, seeds and roots". A "plant" is defined as "any marijuana plant in any stage of growth".

4. Dual Coverage Under the Statute: If a "qualifying patient" asserts that he/she is also a "designated provider" to one other qualifying patient and can provide the copy of the patient's designation along with the health care professional's authorization on tamper resistant paper, and proof of their identity, the sixty-day supply of marijuana should be doubled to 48 ounces (1,268 grams) of usable marijuana and no more than thirty (30) plants. However, if the patient cannot supply the identification information of the other patient, the patient/provider will only be provided with a sixty-day supply for his/her personal use.

5. Collective Garden: A "collective garden" allows up to 10 qualifying patients to grow 45 plants and have 72 ounces of usable cannabis at a collective garden. No usable cannabis from the collective garden may be delivered to anyone other than its qualified members. The law enables cities to license, zone and impose health and safety requirements. "Collective gardens" are for qualifying patients, not designated providers. Only one collective garden can be at one site.

    a. If there are only two qualifying patients participating in a collective garden, they can only possess their individual sixty-day supply of medical marijuana, not the total amount authorized for a collective garden.

6. Health Care Professional: A "health care professional" includes a physician licensed under RCW Chapter 18.71, a physician assistant licensed under RCW Chapter 18.71A, an osteopathic physician licensed under RCW Chapter 18.57, an osteopathic physician's assistant licensed under RCW Chapter 18.57A, a naturopath licensed under RCW Chapter 18.36A, or an advanced registered nurse practitioner licensed under RCW Chapter 18.79.

7. Tamper Resistant Paper: If the health care professional's qualifying statement is issued on or after June 10, 2010, it must be signed, dated, and written on "tamper resistant paper" that includes one or more industry-recognized features designed to

prevent copying, counterfeiting, or erasure or modification of information [RCW 69.51A.010(5)].

C. Investigation of Medical Marijuana Cases

1. Medical Marijuana – Supervisory Screening of the Incident.

a. Officers are required to screen medical marijuana situations with a supervisor and the supervisor is required to respond to the scene.

b. The screening supervisor shall review the facts and circumstances and then consult a Narcotics Section sergeant prior to taking enforcement action (arresting the suspect or seizing marijuana). Whenever there is uncertainty regarding a course of action, supervisors are encouraged to consult a Narcotics Section sergeant.

c. Narcotics Section sergeants are available 24-hours a day and may be contacted via SPD Communications Section; however, if a Narcotics Section supervisor is unavailable, then an Anti-Crime Team supervisor may be consulted.

d. All screening supervisors shall notify their respective chains of command.

e. Any search warrant affidavit related to a medical marijuana investigation must be screened in advance by the Assistant Chief of the Investigations Bureau and then followed up with a review by a Deputy Prosecuting Attorney.

(1) If it is determined that a search warrant affidavit should be prepared, then the "Marijuana Grow Investigative Guidelines" shall be closely followed and articulated in the affidavit. These guidelines are available as an online form (22.2).

2. Medical Marijuana - General Procedures

a. Advise any person asserting medical marijuana protection of their Miranda Rights in accordance with manual section 6.150 - Miranda Warnings.

b. Request consent to search (in writing) for any premise that is being used for storage or cultivation of medical marijuana. However, applying for a search warrant is advisable for any medical marijuana operation that appears to be in-excess of the authorized supply.

c. Ask for proof of identity, such as a Washington State Driver's License or I.D. Card and valid documentation required for "qualifying patients" and/or "designated providers" on tamper resistant paper. Attempt to establish if the person is a qualifying patient, designated provider, or both (dual coverage under the statute).

(1) Whenever a person asserts that he/she is both a qualifying patient and a designated provider they are required to have the documentation for both.

(2) If possible, photograph or photocopy the person's identification and medical authorization. Originals must be returned to the person. Only in the case of stolen documents or obvious forgeries should the originals be placed in evidence.

d. Convey the following information to qualifying patients and designated providers and note such advice in the Report.

(1) It is a class 3 civil infraction to use or display medical marijuana in a manner or place that is open to the public.

(2) They should review the Washington State Medical Marijuana Act and obtain the required qualifying documents if they were unable to produce them.

e. Complete a Report which shall include the following:

(1) The facts and circumstances of the incident.

(2) The names of the screening supervisors.

(3) If the amount of marijuana at the scene was "in-compliance" with the authorized supply or "in-excess" of it, for the situation.

(4) If the individual(s) claiming medical marijuana protection had valid documentation and identification. Whenever an individual does not have valid documentation or identification, make a note of this in the Report and any associated officer statements. Share this information with the screening supervisors and narcotics detectives.

3. Medical Marijuana "In-Compliance" with the law – Procedures

a. If the qualifying patient and/or designated provider asserts medical marijuana protection, take steps to confirm the amount of marijuana at the scene is in-compliance with the authorized supply for the situation, whether it's a qualifying patient, designated provider, dual coverage under the statute, or a collective garden.

(1) Complete a Report.

4. Medical Marijuana "In-Excess" of the authorized supply – Procedures

a. Whenever medical marijuana protection is asserted, and the quantity of marijuana is clearly in-excess of the authorized supply then appropriate steps should be taken to seize the excess "usable marijuana" and "plants". These cases shall be referred to the King County Prosecuting Attorney to determine if criminal charges should be filed.

(1) Possession of "useable marijuana" in-excess of the authorized supply (no plants involved - not a grow operation or collective garden):

(a) Photograph the entire quantity of "useable marijuana" to illustrate the amount, the presence of paraphernalia, and any other indication of usage, including any equipment used for growing, harvesting, or packaging marijuana. (If there are plants involved then advance to the next section, which is medical marijuana "grow operation" or "collective garden" in-excess of the authorized supply).

(b) Seize all but the authorized supply of useable marijuana.

(c) Provide the qualifying patient or designated provider with approximately twenty-four (24) ounces (684 grams) of usable marijuana by filling two 15" x 18" air-dry bags with marijuana. This amount will be doubled if an individual qualifies as both a qualifying patient and designated provider.

(d) If nobody is present at the location but there is knowledge that it belongs to a qualifying patient and/or designated provider with legitimate paperwork, then the authorized supply of useable marijuana should be left at the scene.

(e) Take a random sample of the useable marijuana by filling one 9” by 12” air-dry bag for evidence. Any remaining “excess marijuana” shall be placed in evidence for destruction (this excludes the authorized supply and the random sample).

(f) Complete a Report.

(2) Medical marijuana “grow operation” or “collective garden” in excess of the authorized supply:

(a) Photograph the entire quantity of marijuana and equipment (used to grow it) to illustrate the amount, size of any plants, the presence of paraphernalia, and any other indication of usage. Include a measurement device when photographing marijuana that is in plant form, this will illustrate approximate size of the plants.

(b) Count the number of “plants” and assess the amount of “useable marijuana” at the scene (typically, “useable marijuana” is found at places where marijuana plants are grown).

(c) Seize all but the authorized number of marijuana “plants” and authorized supply of “useable marijuana”, for the situation.

(d) The qualifying patient or designated provider may select the authorized number of marijuana plants that will remain at the location.

(e) If nobody is present at the location but there is knowledge that it belongs to a qualifying patient and/or designated provider at a grow operation, or qualifying patients at a collective garden with legitimate paperwork, then the authorized number of plants in various stages of growth (including mature plants if present) should be left at the scene.

(f) If the “useable marijuana” at the scene is in-excess of the authorized supply (for the situation) then provide the qualifying patient(s) or designated provider with the following amounts, which are in-compliance with the law:

- Grow Operation: Approximately 24 ounces (684 grams) of usable marijuana (for a

qualifying patient or designated provider) by filling two 15” x 18” air-dry bags with the substance. Dual coverage under the statute will double the amount, if valid documentation authorizes it.

- Collective Garden: By law the maximum of amount of useable marijuana allowed at a collective garden is 72 ounces (2,052 grams), even if there are more than 3 qualifying patients. Designated providers are not authorized to participate in collective gardens, so dual coverage under the statute should not be a factor.

- Do Not Harvest from growing marijuana plants to meet the above indicated authorized supplies of useable marijuana because fresh marijuana does not meet the definition of useable (dried) marijuana.

(g) Take a random sample of the marijuana by filling one 9” by 12” air-dry bag for evidence and for use at trial.

(h) The excess marijuana (excluding the authorized supply and random sample) shall be seized and placed in evidence for destruction.

(i) Leave all of the grow equipment at the scene, unless removal is authorized by a Narcotics Section supervisor or Anti-Crime Team supervisor.

(j) Complete a Report.

Seattle Police Department Manual

15.160 – Marijuana Enforcement

Effective Date: 05/07/2019

15.160-POL

This policy applies to the enforcement of marijuana laws.

1. Officers May Provide Verbal Warnings to Persons Opening or Consuming Marijuana in Public

Warnings prior to Notices of Infraction are preferred, but not mandated.

Warnings are not effective for any set period of time. Officers can use their discretion in determining how long a warning is effective before issuing a Notice of Infraction.

2. When Issuing a Notice of Infraction for Opening or Consuming Marijuana in Public, Officers Will Cite SMC 12A.20.100 and Route it to Municipal Court

(See 15.160-TSK-1 Completing a Notice of Infraction for Marijuana Use Violations under SMC 12A.20.100)

Officers shall not seize marijuana when issuing a Notice of Infraction under this policy.

3. Officers Will Only Investigate Marijuana Use Violations on Residential Property in Response to a Complaint

If an officer receives a complaint of a marijuana offense on residential property, such as an apartment balcony or fenced or unfenced yard, the officer may attempt to contact the property owner or subject of the complaint to issue a verbal warning.

If the subject of the complaint refuses to comply with the warning, the officer may write a Report or refer the complainant to the property manager in the case of rental properties.

4. Officers May Use the Parks Trespass Warning Program to Enforce Marijuana Use Violations

(See manual section 15.275 – Enforcing Trespass in Parks)

15.160–TSK-1 Completing a Notice of Infraction for Marijuana Use Violations Under SMC 12A.20.100

When issuing a Notice of Infraction (NOI) for a violation of SMC 12A.20.100, the **officer**:

1. **Marks** the box for "Non-Traffic" at the top of the NOI
2. **Completes** the incident number and violator portions of the NOI with all relevant information
3. **Writes** "SMC 12A.20.100" in the "Violation/Statute Code" box
4. **Writes** $27.00 in the "Penalty" box
5. **Marks** the box for "Served on Violator" or "Sent to Court for Mailing"

   - **Does not check** "Referred to Prosecutor"

6. **Adds** information about any prior warnings in the narrative, if applicable
7. **Completes** and submits the NOI as usual

15.170 – Conducting Identification Procedures

Effective Date: 06/10/2019

This policy applies to employees preparing and conducting identifications through procedures such as photomontages, lineups, and show-ups.

Identification obtained through a carefully choreographed procedure can strengthen the evidentiary value and minimize the potential effect of external influences on a witness's memory and confidence.

When circumstances require a prompt show-up of a single suspect to a witness, it can provide important investigative information at an early stage. Procedural safeguards can reduce the inherent suggestiveness of the encounter.

Preparing a complete and accurate record of the results of the identification strengthens the credibility of the results. This record is a critical part of the investigation and any subsequent court proceedings.

Definitions

Administrator – The individual conducting an identification procedure with a victim or witness.

Fillers – Non-suspect photographs or persons in a lineup included with the suspect's photograph or suspect in an identification procedure.

Identification Procedure – Any procedure that includes the suspect and tests the witness's memory of a person involved with the crime, including a show-up, photomontage, lineup, mug-book search, and the production of a composite sketch.

Lineup – An identification procedure in which a group of persons, including a suspect, is displayed in order to determine whether the victim or witness recognizes a person involved with the crime.

Photomontage – An identification procedure in which a series of photographs of persons, including a suspect, is displayed to

determine whether the victim or witness recognizes a person involved with the crime.

Show-Up – An identification procedure in which a single suspect is presented in order to determine whether the victim or witness recognizes a person involved with the crime. This typically includes the in-person presentation of a suspect in the field and occurs close in time and proximity to the incident under investigation.

15.170-POL-1 Preparing and Administering Photomontages and Show-Ups

1. Investigators Will Only Use One Type of Identification Procedure

Investigators may not administer a photomontage or show-up to a witness if that witness has already participated in any other identification procedure involving the same suspect.

> **Exception**: Investigators may use additional identification procedures if directed by a prosecutor.

2. Investigators Will Not Use Single-Photo Identification

Investigators will not administer a single photo identification procedure unless there is a high level of familiarity between the witness and the suspect, and the investigator only needs to establish the identity of a known suspect.

3. Administrators Will Make an Effort to Avoid Suggesting There is a Specific Suspect

Administrators will make an effort to avoid saying anything to a victim or witness that would suggest that there is a specific suspect or person of interest for the crime at any time prior to an identification procedure.

During show-ups, officers will take reasonable steps to avoid creating the appearance that the suspect is in custody. This includes transporting the witness to the suspect's location instead of transporting the suspect.

4. Officers Will Make an Effort to Separate Multiple Witnesses

Before performing a show-up, it is preferable to separate witnesses and instruct them to avoid discussing details of the

incident with other witnesses. Additionally, officers will take steps to prevent potential witness from overhearing radio communications that would indicate a positive pick has been made by another witness.

Officers will conduct show-ups with no more than one witness present at a time.

If one witness positively identifies the suspect, consider using other identification procedures (e.g., lineup or photomontage) for remaining witnesses.

5. Each Photomontage May Contain Only One Photo of One Suspect

If multiple photos of the suspect are available, investigators will choose the photo that most resembles the suspect appearance at the time of the incident.

If there are multiple suspects, investigators will prepare a separate photomontage with unique fillers for each suspect.

6. Investigators Will Select Fillers for Photomontages

When choosing fillers, investigators will consider what level of description of the suspect has been provided by the witness(es) and select fillers who generally fit that description.

When there is a limited or inadequate description of the suspect provided by the witness, or the description differs significantly from the suspect, investigators will select fillers who resemble the suspect in significant features.

7. Investigators Will Create a Consistent Appearance Between the Suspect and the Fillers in Photomontages

Complete uniformity of features is not required. However, investigators will add or conceal any unique or unusual feature, such as a tattoo or scar that was used to describe the suspect.

This will apply to all of the photos in a photomontage and concealing such a significant feature during a lineup.

> **Exception**: Though a consistent appearance is important, investigators will avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

8. Investigators Shall Use a Minimum of Five Fillers for Each Photomontage

Investigators shall not reuse fillers in photomontage presentations to the same witness.

9. Investigators Shall Position the Suspect or Suspect Photo Randomly in Photomontages

This applies to each photomontage, both across cases and with multiple witnesses in the same case.

10. Investigators Shall Have Coworkers Review Photomontages Before Presentation

Before presenting a photomontage to a witness, the investigator will present the photomontage to one or more coworkers who are unfamiliar with the subject to determine if they are able to select the subject.

11. Administrators Will Take Steps to Eliminate Influence in Photomontage Presentations

12. Administrators May Conduct Photomontages Either In Person or via Email.

If an administrator elects to conduct a photomontage via email, the administrator will begin by sending a test email to the witness and verifying the receipt of that email.

Once the email address is verified, the administrator may send the prepared montage and viewing instructions and proceed per this policy.

13. Administrators Shall Provide Witness Instructions Before Presenting a Photomontage or Show-Up

Before presenting a photomontage or a show-up, the administrator will instruct the witness that:

- The witness will view a person, persons, or a group of photos
- The witness should not feel that he or she has to make an identification
- It is just as important to clear innocent persons from suspicion as to identify guilty parties

- The person or photo of the person who committed the crime may or may not be present

- Regardless of whether or not an identification is made, the police will continue to investigate the incident

- Additional instructions for sequential photomontages:

- Individual photos will be viewed one at a time.

- The people in the photos are in random order.

- A victim or witness may take as much time as needed making a decision about each photo before moving to the next.

- All photos will be presented, even if an identification is made.

14. Administrators Will Document Any Statements by the Witness or Victim

The administrator will document any statements the witness or victim makes after evaluating the photographs.

Administrators will make an effort to avoid providing any feedback to a victim or witness regarding their decision.

15. Administrators Shall Document Results of the Identification

Administrators should fully document all identification procedures conducted with any victim or witness. Administrators should use video recording when practicable. Audio recording is the preferred alternative.

If neither video- nor audio-recording is possible, administrators should produce a detailed written report of the interview and identification procedure.

16. Photomontages are Investigative Tools

A photomontage is considered an investigative tool to advance an investigation. Normally the Seattle Police Department does not submit a case for charging consideration based solely on a montage pick.

15.170-POL-2 Preparing and Conducting Lineups

1. Investigators Will Only Use One Type of Identification Procedure

Investigators may not show a lineup to a witness if that witness has already participated in any other identification procedure involving the same suspect.

Exception: Investigators may use additional identification procedures if directed by a prosecutor.

2. Investigators Will Select Fillers for Lineups

When choosing fillers, investigators will consider what level of description of the suspect has been provided by the witness(es) and select fillers who generally fit that description.

When there is a limited or inadequate description of the suspect provided by the witness, or the description differs significantly from the suspect, investigators will select fillers who resemble the suspect in significant features.

If there are multiple witnesses or multiple cases, investigators will document the range of the physical attributes and work within those parameters.

3. Investigators Will Create a Consistent Appearance Between the Suspect and the Fillers for Lineups

Complete uniformity of features is not required. However, investigators will uniformly conceal any unique or unusual feature, such as a tattoo or scar that was used to describe the suspect.

Exception: Though a consistent appearance is important, investigators will avoid using fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.

4. Investigators Shall Use a Minimum of Five Fillers for Each Lineup

Investigators shall not reuse fillers in lineup presentations to the same witness.

5. Investigators Shall Position the Suspect Randomly in Lineups

This applies to each lineup, both across cases and with multiple witnesses in the same case.

6. Investigators May Honor a Suspect's or his Attorney's Request to be in a Particular Position

Washington State law does not require law enforcement investigators to honor defense requests regarding the positioning of a subject in identification procedures.

State vs. Favro, 5 WN APP#311 (1971)

"Counsel for the accused is a silent observer at the proceedings who can later recall his observations for purposes of cross-examination and act in the capacity of a witness to what transpired. The goal is to detect any unfairness in the confrontation between the witness and the accused and to ensure that any suggestion made at that time by the law enforcement officer, either intentionally or unintentionally, is observed…"

The attorney's recourse to what they may consider improper or unlawful will be the court in which their client is charged. The attorney will not badger or question witnesses, officers, or detectives.

The sergeant will note any objections raised, or lack of objections, in the follow-up report.

Attorney access to the subject holding area to talk with their client and to advise the suspect's position in the lineup is not a legal obligation of the Department. If the person in charge of the procedure deems it advisable to allow such access, it will be brief.

7. Administrators May Have Lineup Participants Briefly Speak or Perform a Task

Using witness statement and reports, investigators will determine what, if anything, participants will briefly say or do during the lineup.

If props such as hats or glasses are used, each subject will don the prop(s) then pass the prop(s) along to the next subject. This continues until all the subjects have performed the instructed task(s).

8. Investigators Will Assemble Lineup Staff

The lineup staff consists of the following:

- A supervisor
- The lead detective
- A minimum of two other detectives in the lineup room
- Photographer to photograph or video the lineup process
- Minimum of two detectives in the lineup holding room
- Detectives available to assist with the post lineup interviews
- TASER-trained officers. (optional) Typically inmates are cooperative, but always consider officer safety when dealing with individuals suspected of a crime.

9. Administrators Shall Provide Witness Instructions before Presenting a Lineup

Before presenting a lineup, the administrator will instruct the witness that:

- The witness will view a group of subjects.
- The witness should not feel that he or she has to make an identification.
- It is just as important to clear innocent persons from suspicion as to identify guilty parties.
- The person who committed the crime may or may not be present.
- Regardless of whether or not an identification is made, the police will continue to investigate the incident.

10. Administrators Will Document Any Statements by the Witness or Victim

The administrator will document any statements the witness or victim makes after evaluating the lineup.

Administrators will make an effort to avoid providing any feedback to a victim or witness regarding their decision.

11. Investigator Shall Video Record and Document Results of the Identification

Administrators shall video record the lineup procedure. If recording is not practical, the investigator must note the reason(s) in the case file.

The investigator shall preserve the outcome of the identification procedure by documenting any identification or non-identification results obtained from the witness.

15.170-POL-3 Using Other Identification Procedures

The department recognizes that alternate identification procedures exist that may assist in an investigation.

1. Investigators May Use Other Identification Procedures After Training

Investigators may use alternate techniques such as composites and "mug book searches" after receiving training in the proper administration of these procedures.

Alternate techniques will not be used with a witness who has already participated in any identification procedure involving the same suspect.

15.170-PRO-1 Preparing and Administering a Photomontage

Investigator

1. **Chooses** one suspect photo for each montage.
2. **Selects** fillers (minimum of five).
3. **Positions** the suspect or suspect photo randomly in each photomontage, both across cases and with multiple witnesses in the same case.
4. **Presents** the photomontage to at least one coworker unfamiliar with the case to determine if he or she is able to select the suspect.
5. **Documents** the order of the photos used in the photomontage.

Investigator or Administrator

6. **Prepares** to document the photomontage procedure by video recording, audio recording, or written report per 15.170-POL-1 #15.

7. **Provides or emails** viewing instructions to the witness.

   Suggested instructions to witnesses viewing photomontages:

   "In a moment I am going to show you a group of photographs. You will be given the opportunity to observe all of the photographs.

   This group of photographs may or may not contain a picture of the person being investigated or a person of interest in the investigation.

   You should not feel that you have to make an identification. It is just as important to clear innocent persons from suspicion as to identify guilty parties

   Take as much time as you need to look at any or all of the photos and tell me what you think."

8. **Confirms** that the witness understands the nature of the photomontage procedure

9. **Avoids** saying anything to the witness that may influence his or her selection

10. **Instructs** the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

Investigator

11. **Documents** identification or non-identification in writing, including the witness's own words regarding certainty.

12. **Documents** (in writing) the photomontage procedures, including:

    - Identification information and sources of all photos used

    - Names of all persons at the photomontage presentation

- Date and time of the identification procedure

- Identification results

13. **Obtains** witness signature and date on results or confirmation email.

14. **Ensures** that no materials indicating previous identification results are visible to the witness.

15. **Protects** materials that will be used in other identification procedures from markings.

15.170-TSK-1 Conducting a Show-Up

When conducting a show-up, the **administrator** performs the following:

1. **Documents** a description of the suspect prior to the show-up.

2. **Attempts** to obtain the suspect's cooperation in the show-up procedure by requesting the suspect's voluntary participation in the show-up.

3. **Prepares** to document the photomontage procedure by video recording, audio recording, or written report per 15.170-POL-1 #15.

4. **Transports** the witness to the location of the suspect.

5. **Provides** instructions to the witness.

Suggested instructions witnesses participating in a show-up:

"In a moment I am going to ask you to view some people.

The person who committed the crime may or may not be one of the people you are about to view.

You should not feel you have to make an identification. It is just as important to clear innocent people from suspicion as it is to identify the perpetrator.

The investigation will continue whether or not you make an identification.

If you do select someone, please do not ask me about that person, as I am unable to share any information at this stage of the investigation.

Regardless of whether or not you select a person, please do not discuss this procedure with any other witnesses in this case or with the media. Keeping the results of this procedure to yourself is necessary to preserve the integrity of the procedure.

Do you have any questions before we begin?"

6. **Documents** the circumstances of the show-up to include:

   - Time

   - Location

   - Distance

   - Lighting

   - Weather conditions

   - If suspect has changed his or her appearance since the time of the crime

7. **Documents** the suspect's cooperation or lack of cooperation.

8. **Documents** both identification and non-identification results in writing, including facts such as:

   - The witness's own words regarding how certain he or she is

   - How quickly the witness identified the individual(s)

   - Paraphrase what the witness said and asked

15.170-PRO-2 Conducting a Lineup

Investigator

1. **Contacts** the Robbery Unit to reserve a lineup room.

2. **Verifies** that the suspect is in the King County Jail (KCJ-Seattle).

- If they are at the Regional Justice Center (RJC-Kent), contact staff at that facility to have the suspect(s) transported to KCJ.

3. **Advises** the suspect's attorney or Public Defender Association (206-447-3900) of the pending lineup. This is usually done the day before the lineup is to take place.

4. **Determines** where the suspect is located in the jail.

    - Consider calling the jail early and requesting staff transport the suspect to Intake & Release (ITR) located on the third floor.

5. **Obtains** lineup chains from the Robbery Unit.

6. **Proceeds** through the tunnel to KCJ, along with at least one other officer and the chains.

    - The elevator to the tunnel is located outside the interview rooms near the Homicide Unit (7th Floor HQ building)

    - The tunnel is located on the lower level (LL) of the HQ building.

    - Detectives going to KCJ need to be *unarmed* and readily identifiable in police clothing. A pre-programmed prox-card is required for access.

7. **Advises** SMC Marshalls that SPD is there to pick a lineup.

8. **Proceeds** to the jail, pushing the silver button near each door to alert KCJ staff that a request for entry is being made.

9. **Takes** the elevator to the 3rd floor and inform the ITR desk:

    - That an SPD lineup is to be conducted,

    - Advise them of the crime being investigated, and

    - Give a description of the suspect.

        KCJ staff will advise where in this facility possible "fillers" may be located. Staff will take into account the type of crime (misdemeanor/felony) and the level of violence.

SPD doesn't typically combine misdemeanor and felony inmates, and officers should be aware that there are degrees of violence, even among felony suspects. The most violent of offenders are not intermingled with felony suspects arrested for a lesser degree of violence.

10. **Contacts** the corrections officer in the wing the suspect is housed in and **requests** 'fillers' for the lineup, providing the general description of persons needed for the lineup.

    Staff will provide an inmate book with photos and descriptions of all prisoners in that wing of KCJ. To encourage participation among inmates, officers can offer cigarettes, soft drinks, coffee, candy bars, etc.

11. **Selects** fillers (minimum of five).

12. **Handcuffs** line up participants to the chain and transport them to the 3rd floor to be checked out at the ITR desk.

13. Once scanned by KCJ staff, **takes** the elevator to the 2nd floor, back through the tunnel to SPD HQ, 7th floor.

14. **Secures** participants (unhandcuffed) in the holding room next to the elevator.

    This is the time for the inmates to consume food, beverages, or cigarettes while the victim and witnesses are organized and briefed in the lineup room. Printed instructions are available in the Robbery Unit office.

15. **Provides** defense attorneys access to their client and a private interview room if requested.

16. **Briefs** all the participants on the lineup procedure and advise them on expected behavior, including what they will say or wear.

17. **Instructs** the fillers to do nothing to attract attention to themselves or others during the lineup presentation.

18. **Provides** a number that the participants will wear around their necks (#1-6) once the order of the lineup has been decided. Position the suspect randomly in each lineup,

both across cases and with multiple witnesses in the same case.

The suspect or their attorney may be allowed to decide where in the lineup the suspect will be.

19. **Documents** the lineup order on an SPD Lineup Information Sheet, (form 9.30.1).

20. **Briefs** the "Line" on any last details. The lineup supervisor is usually a Robbery or Homicide sergeant and will conduct the lineup.

21. **Photographs** all lineup participants, including suspect and fillers.

- At minimum, facing front, half right, and half left.

- Additional photos may be taken throughout the lineup process at the discretion of the case detective.

21a. **Video records** the lineup.

- Video recording will commence once the "Line" enters the lineup room. Only record the "Line".

- The detective must advise all persons in attendance if audio will be recorded, per Washington State law. If there is an objection by anyone present, videotaping is no longer an option.

Lineup Supervisor

22. **Begins** the lineup.

23. **Returns** the participants to the holding room after the lineup.

Investigator

24. **Conducts** witness interview(s) using the SPD Lineup Identification Sheet, (form 9.30).

25. **Records** identification or non-identification in writing, including the witness's own words regarding certainty.

26. **Obtains** witness signature and date on results.

27. **Instructs** all witnesses not to discuss the identification procedure or its results with other witnesses involved in the case and **discourages** contact with the media.

28. **Returns** the inmates to KCJ.

    - *No food, beverages, or cigarettes are allowed to be taken back into jail. Verify that all items are consumed beforehand.*

29. **Checks** the inmates back into KCJ at the ITR on the 3rd floor before the inmates are returned to their respective floors.

Seattle Police Department Manual

15.180 – Primary Investigations

Effective Date: 05/07/2019

15.180-POL

This policy applies to primary investigations. A primary investigation begins when police action is initiated and is critical to the success of any subsequent investigative efforts. The scope of a primary investigation may be very restricted or may constitute the entire investigation of a crime.

- See 15.080 – Follow-Up Unit Notification & Follow-Up Investigation for information on requesting that a follow-up unit respond to a scene.

- See 14.060 – Serious Incident Plan for information on responses to serious incidents.

- See 6.220 – Voluntary Contacts and Terry Stops for information on non-probable cause investigative contacts.

1. Officers Shall Conduct a Thorough and Complete Search for Evidence

All sworn personnel are responsible for knowing how to collect the most common physical evidence that might be encountered on a primary investigation. This includes latent fingerprints.

Only evidence that is impractical to collect or submit to the Evidence Unit shall be retained by the owner.

- Officers shall photograph all evidence that is retained by the owner (See 7.090 – Photographic Evidence).

(See 7.010 – Submitting Evidence)

2. Sergeants Are Responsible for the Proper Utilization of Evidence Technicians

Circumstances when sergeants might call an evidence technician include:

- A section of wallboard with a handprint needs to be removed

- A section of carpet with a bloodstained footprint needs to be removed
- A toolmark impression needs to be lifted from a surface that cannot be removed
- Photographs of a scene need to be taken
    - The extent of processing required is significantly more than a single officer can handle effectively

Evidence technicians may be utilized on an initial response, pending the deployment of a follow-up unit, to assist in identifying and locating evidence, and to assist in collecting evidence that might be destroyed or lost before the follow-up unit arrives.

Officers maintain primary responsibility for their assigned calls, regardless of the presence of an evidence technician.

3. Officers Shall Take Statements in Certain Circumstances

- Officers shall take victim statements in all domestic violence investigations.
    - Witness statements are mandatory in all domestic violence felony investigations.
- Officers shall take statements from victims, witnesses, and complainants in all juvenile arrest investigations.
- Officers shall take statements from victims, witnesses, and complainants in all felony arrest investigations.
- Officers are encouraged to take statements in other investigations, as they deem necessary.
    - It is particularly important to get statements from victims and witnesses who do not have a local, permanent address.

Officers shall document incidents of people refusing to give statements in the Report.

(See 15.370 – Sexual Assault Investigations for interviews of sexual assault victims)

4. Officers May Use Canvass Cards at Major Incident Scenes

Officers may use Canvass Cards (form 16.9) to collect witness information at the scene of a major incident. Canvass Cards shall be submitted to the unit that is investigating the incident.

5. Officers Shall Document all Primary Investigations on a Report

If a Report Number already exists and there are no new charges, officers shall use the existing number. If there are new charges, officers shall obtain a new number.

Officers shall indicate whether the primary offense is a felony or a misdemeanor by entering an "F" or "M" in the appropriate field. If the primary offense is non-criminal, officers shall leave that field blank.

All reports must be complete, thorough, and accurate.

Officers shall document whether victims of non-custody incidents want to pursue charges, as feasible.

(See 15.020 – Charge-By-Officer)

6. Officers Shall Document Permanent Addresses and Telephone Numbers for Suspects, Complainants, Victims and Witnesses in the Entities Section of the Report

If a person is temporarily staying at a local address, officers shall list the temporary address in the narrative.

If a person provides more than one address, officers shall list the additional address(es) in the narrative.

Officers shall identify military personnel by their unit number and the name of their ship, station, or installation.

If a person does not have an address, officers shall state in the narrative that the person is transient.

- A last-known address is required for a case to be submitted for prosecution.

7. Officers Shall Not Book Suspects on Both Misdemeanor and Felony Charges

(See 11.040 – Booking Adult Detainees into a Detention Facility)

8. For any In-Custody Case, Officers Shall State the Crime(s) for Which the Suspect is Being Booked in the Report Narrative

Officers shall include the SMC or RCW violation code(s).

When booking a suspect for one or more felonies, officers shall use the terminology "Investigation of _____."

9. Involved Officers Shall Complete Statements for Felony Arrests

10. All Primary Investigations Require a MIR and Disposition

11. Officers Shall Document Information Obtained After the Report has Been Submitted Using the Same Report Number

12. All Officers Involved in an Investigation Shall Cooperate in any Subsequent Prosecutions or Official Inquiries Where Their Testimony May Be Needed

15.185 – Vulnerable Adults-Elder Abuse & Neglect

Effective Date: 05/07/2019

15.185-POL

1. Vulnerable Adults and Elder Abuse & Neglect is Defined by Statute

Vulnerable Adult is:

- 60 years of age or older and functionally, mentally, or physically unable to care for them self; or
- Incapacitated under RCW Chapter 11.88; or
- Developmentally disabled as defined under RCW 71A.10.020(4); or
- Admitted to any facility; or receiving services from home health, hospice, or home care agencies licensed or required to be licensed under RCW Chapter 70.127; or receiving services from an individual provider.

Mandatory Reporter is:

- Law Enforcement Officer
- An on duty DSHS worker
- Social Worker
- Health Care Provider
- Operator of a residence licensed or required to be licensed under RCW 18.20

Neglect

The law defines RCW 74.34.020(15) as a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or an act

or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

Abandonment

The law defines RCW 74.34.020(1) abandonment as an action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

Financial Exploitation

The law defines RCW 74.34.020(7) financial exploitation as the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship appointment, that results in the unauthorized appropriation, sale or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of his or her property, income, resources, or trust funds.

Common Crimes against Elders:

- Homicide by Abuse

- Assault

- Reckless Endangerment
- Interference with the Reporting of Domestic Violence
- Unlawful Imprisonment
- Sexual Abuse Crimes
- Criminal Mistreatment (Neglect)
- Abandonment
- Violation of a Protective Order
- Financial Exploitation Crimes
- Theft
- Extortion
- Identity Theft

2. Officers Report the Following Conditions to Residential Care Services (RCS) or Adult Protective Services (APS)

Sexual Abuse or physical abuse

Financial Exploitation, abandonment, or neglect

Failure to report these types of incidents is a Gross Misdemeanor (RCW 74.34.053).

If the vulnerable adult is at a private home, officers report the incident to Adult Protective Services (APS):

- Phone: (206) 341-7660 or 1-866-221-4909
- Email: R2HCSAPSIntake@dshs.wa.gov
- Fax: (206) 626-5705
- Online reporting

If the vulnerable adult is at a licensed care facility, officers report the incident to Residential Care Services (RCS) at 1-800-562-6078.

3. Follow Up Units Investigate Vulnerable Adult Incidents

The Homicide and Assault Unit (206) 684-5550 follows up on incidents that result in death or the potential of death, or cases involving licensed care facilities and/or caregivers.

- Sergeants will notify the Homicide and Assault Unit whenever there is a death or the potential of death involving licensed care facilities and/or caregivers.

The Domestic Violence and Elder Crimes Unit (206) 684-0330 follows up on vulnerable adult cases in private home settings that do not involve death or the potential of death.

The Domestic Violence and Elder Crimes Unit (206) 684-0330 follows up on all financial exploitation cases involving vulnerable adults.

15.185-TSK-1 Patrol Officer Primary Investigation of a Crime Against an Elder Person

When an **officer** investigates a crime against an elder person they will:

1. **Respond** to the scene and **determine** the type of call and if additional resources are needed (Also see 16.130 - Sick and Injured Persons).

2. **Attend** to injured persons and if possible, **coordinate** the arrest of the suspect.

3. **Follow** 15.180-Primary Investigations.

4. **Process** the scene for evidence.

5. **Capture** sufficient photographs of:

    - The victim's injuries and their appearance. This includes any pressure ulcers, open wounds, or heavy bandages.

    - Poor hygiene - hair, teeth, nails, feet, soiled clothing, soiled bedding, etc.

    - Overall appearance of the house or facility.

    - Mobility assistance devices, or lack of.

    - Presence of medication or medically necessary equipment, or lack of.

- The scene to include any damaged or disrupted property and evidence of alcohol or drug use.

6. **Complete** victim and witness statements using the Sworn Affirmation (form 25.3). Collect and include:

    - The name of the Power of Attorney

    - The name of caregiver and level of care.

7. **Ask** the victim to sign an Authorization to Disclose Protected Health Information (form 3.2.2).

8. **Complete** a Report.

9. **Report** to Adult Protective Services by phone, fax, email, or online reporting system.

    - Phone: (206) 341-7660 or 1-866-221-4909

    - Email: R2HCSAPSIntake@dshs.wa.gov

    - Fax: (206) 626-5705

    - Online reporting

Seattle Police Department Manual

15.190 – Auto Theft and Recovery

Effective Date: 05/07/2019

This policy applies to reporting auto thefts and recovering stolen vehicles.

15.190-POL

1. The Communications Section Updates Required Information onto CAD Calls When Processing an Auto Theft Report or Theft of License Plate Report

Calls include theft of a vehicle and theft of one or both license plates.

The Communications Section will update the CAD call with:

- The location of the theft
- The date and time range of the theft
- Whether any weapons were involved or known to be inside the vehicle
- The registered and legal owner of the vehicle
- The reporting party
- Impound authorization
- The complete vehicle entity
- The contact numbers for the registered owner of the vehicle
- Indication that tows, TOPS and Auto Records have been checked
- Indication of a vehicle tracking device
- Whether the vehicle was taken in connection with any other crimes

Exception: If any of the above information is not known at the time of the report, the Communications Section will note in CAD that it is unknown.

(See 15.190-PRO-1)

2. Officers Remove the Remaining License Plate from the Victim Vehicle When One License Plate Reported Stolen

The officer will give the remaining license plate to the complainant for disposal.

Exception: If the officer is unable to remove the license plate, they may instruct the complainant to remove the license plate from the vehicle when feasible.

In the event that an officer stops a vehicle without a license plate, and the driver reports the license plate stolen, the officer or driver will remove the remaining license plate when feasible.

(See 15.190-TSK-2)

- The officer will allow the driver to drive from the scene without the license plates, when appropriate.

3. Officers Will Advise the Complainant to Follow Washington State Department of Licensing Guidelines for Disposal of Old License Plates

(See 15.190-TSK-2)

4. Officers Remove License Plate(s) from a Recovered Stolen Vehicle when License Plate Does Not Match the Vehicle

Officers will query the incorrect license plate and refer to 15.190-TSK-3.

Officers will advise the Communications Section:

- If the original license plates on the stolen vehicle are outstanding,
- The number of outstanding license plates, and
- If the outstanding license plate is a front or rear plate.

5. Officers Complete a Report Documenting the On-Scene Investigation of Stolen Vehicles and Plates

Officers will include in the narrative:

- The specific details of the theft, and

- Any evidence left at the scene, and

- That they provided the complainant with a case number and business card.

Officers document property of significant value left in the vehicle by the victim on a property report.

(See 15.190-PRO-1)

6. Officers Document all Crimes in an Auto Theft Investigation Using the Same Case Number

When conducting a vehicle theft investigation with another crime(s), officers will complete a Report to document the crime and the vehicle theft using the case number under which the theft was reported.

Exception: If another crime is investigated under a vehicle recovery, officers will complete a Report for the investigation of the crime and a supplemental report to recover the vehicle using the Report Number under which it was reported stolen.

7. Officers Screen Certain Cases with the General Investigations Unit

Officers will refer complainants to the General Investigations Unit rather than complete a Report when:

- The complainant knows who has the vehicle.

- The complainant's child (juvenile or adult) took the vehicle. This also applies to family members over whom the complainant assumes a parent/guardian role and family members living in the same household.

- If the situation warrants a missing person/runaway report, officers will list the vehicle information in the narrative of that report.

- A rental car company is the complainant. This includes short term usage companies such as Car2Go and ZipCar.

8. Officers May Consult the General Investigations Sergeant

The General Investigations sergeant can be reached at (206) 684-8948 or via the Chief Dispatcher after hours.

9. Officers Write a "Suspicious Circumstance" Report if the Complainant Insists on Receiving a Report Number

Officers provide the Report Number of the report to the complainant on a business card, and the sergeant applies the Auto Theft label to the Report.

10. Officers Will Impound Recovered Vehicles Only in Certain Instances

If the Communications Section cannot contact the owner or the owner cannot respond, officers will only impound recovered vehicles originally reported stolen in Seattle if:

- The owner authorized the impound,
- The vehicle poses an immediate hazard, or
- It is illegally parked as described in SMC 11.30.040.

If none of the above applies, officers may leave the vehicle legally parked with a business card left in the vehicle.

Officers may also release the vehicle to another person specified by the owner.

11. Officers Will Complete a Supplement Report for Recovered SPD Stolen Vehicles

If a vehicle is originally reported stolen in Seattle and it is recovered in Seattle, officers will use the original Report Number for the recovery.

(See 15.190-PRO-2)

12. Officers Will Impound Vehicles Stolen Outside the City and Complete a New Report

Officers will immediately impound vehicles recovered in the city reported stolen outside the city. Officers will obtain a new Report Number for the Tow/Impound Record.

If a new crime is investigated with the recovery of an outside stolen, officers will use the same Report Number for the crime, recovery and impound.

15.190-PRO-1 Taking a Report of Stolen Vehicle or Plates

Communications Section

1. **Documents** the required information on CAD call.

2. **Dispatches** officer to take the report.

Officer

3. **Interviews** complainant.

3a. If the case falls under 15.190-POL-6, refers complainant to the General Investigations Unit at (206) 684-8940 or SPDAutoTheft@seattle.gov.

- If the complainant is referred to General Investigations or the investigation dictates that the vehicle should not be listed as stolen, notifies the Communications Section that the investigation is not a valid auto theft pending further investigation.

Or

3b. **Completes** the investigation (See 15.190-TSK-1 or 15.090-TSK-2).

3c. **Updates** required CAD information to the call if the Communications Section was unable to collect all of the required information prior to arrival.

Communications Section

4. **Forwards** the CAD call with information to the Data Center for processing.

Data Center

5. **Enters** the vehicle into WACIC/NCIC as stolen based on the information on the CAD call.

15.190-PRO-2 Recovering a Stolen Vehicle or Stolen License Plate(s)

Communications Section

1. **Screens** incoming call to determine information needed for dispatch of an officer.

2. **Dispatches** officer to take the report.

3. Once the officer has located the vehicle, **verifies** the vehicle as stolen, and

4. **Relays** the verification to the responding officer.

5. **Contacts** the victim once directed by the officer.

6. **Advises** victim to respond to the scene to reclaim the vehicle.

Officer

7. **Locates** the vehicle.

8. **Completes** the investigation (See 15.190-TSK-3).

Communications Section

9. **Notifies** Data Center of the recovery details provided by the officer which include:

- Location of the recovery
- Recovering officer's call sign
- Vehicle condition (damaged, stripped of wheels, plate, engine, transmission, other etc.)
- Number of plates on vehicle (specify if rear plate missing)
- Location of impound (if applicable)
- Time owner was notified
- Release to owner (if applicable)
- Recovery CAD event number (if SPD stolen)
- SPD Case number if outside agency stolen vehicle
- Dispatcher serial and zone.

10. **Calls** Data Center to advise that the hit was forwarded for processing.

11. **Updates** CAD event with notification that Data Center was notified.

15.190-TSK-1 Officer Documenting a Stolen Vehicle

After conducting a field investigation concerning the facts of the stolen vehicle report, the **officer**:

1. **Advises** the complainant of impound options at time of recovery and that the vehicle may be impounded if:

    - A responsible party cannot respond

    - It presents a hazard

    - It is illegally parked, or

    - Recovered outside Seattle's jurisdiction

2. **Determines** if the reporting party would like their vehicle impounded or not and whether or not they consent to officers performing a vehicle search upon recovery.

3. **Advises** Radio that the officer has a "verified stolen" and whether or not the complainant requests impound.

4. **Gives** a business card and case number to the complainant.

5. **Writes** a Report using the assigned case number on the call.

15.190-TSK-2 Officer Documenting a Stolen License Plate

After conducting a field investigation concerning the facts of the stolen license plate report, the **officer**:

1. **Removes** remaining license plate from the complainant's vehicle when feasible.

2. **Instructs** the complainant to comply with Washington State Department of Licensing guidelines for disposal of the removed license plate.

    - The complainant may:

- Take the old license plate to their local vehicle licensing office, or

- Remove or invalidate the month and year tabs, bend the plate so that it cannot be used on a vehicle and recycle the license plate at a recycling center. or

- Remove or invalidate the month and year tabs and keep the license plate as long as they do not display the old license plates on a vehicle, or

- Mail old license plates to:

  Department of Licensing
  1125 Washington St SW
  Olympia, WA 98504

3. **Advises** Communications Section with the number of license plates stolen, if it was the front or rear license plate, disposition of the license plate(s) and any arrests made.

4. **Gives** a business card and case number to the complainant.

5. **Writes** a Report using the assigned case number on the call.

(See Washington State Department of Licensing License Plate Disposal Guidelines)

15.190-TSK-3 Recovering a Vehicle or License Plate

The **officer**:

1. **Locates** the Vehicle.

2. **Verifies** that the vehicle or license plate is stolen with the Communications Section.

3. **Performs** an inventory search and fingerprint search of the vehicle.

4. **Notifies** the Communications Section of the number of license plates recovered, the condition of the vehicle and if any arrests were made.

5a. If only one license plate was recovered, **advises** if it was the front or the back plate.

5b. If the vehicle is recovered bearing a license plate of another vehicle, the officer **removes** the license plate. The officer

queries the plate to determine stolen status and **updates** the Communications Section.

- If the license plate returns stolen, the officer **places** the recovered plate(s) into SPD Evidence.

- If the license plate returns as not stolen, the officer **attempts to contact** the registered owner of the license plate, **enters** it into SPD evidence, and **documents** the license plate removal in a Report.

6a. If SPD stolen and owner can respond to retrieve vehicle, **releases** the vehicle to an authorized person.

6b. If SPD stolen and owner cannot respond to retrieve vehicle:

- **Impounds** the vehicle in a manner consistent with 6.120 Impounding Vehicles, or

- **Leaves** the vehicle parked with a business card attached.

6c. If outside agency stolen, **impounds** the vehicle.

7a. If the vehicle is an SPD Stolen, **completes** a supplemental report to the original Report Number to document the condition of the vehicle and circumstances of the recovery.

7b. If the vehicle is an outside agency stolen, **completes** a Report to document the condition of the vehicle and circumstances of the recovery.

Seattle Police Department Manual

15.200 – Retail Theft Program

Effective Date: 05/07/2019

15.200-POL

This policy applies to arrests made by security officers working for stores that participate in the Retail Theft Program (RTP).

1. Definitions

Retail Theft Program – A voluntary program which allows a security officer working for a participating store to file misdemeanor trespass and theft cases without patrol officer involvement.

Security Incident Report (SPD form 5.14A) – Form completed by store security routed directly to the Retail Theft Program for follow-up.

RTP Top Ten Offenders List – A list maintained by detectives assigned to the Retail Theft Program to identify chronic offenders.

- Officers will book Top Ten Offenders arrested for RTP incidents and obtain witness statements from store security.

2. RTP Detectives Review Security Incident Reports, Conduct Investigations & Forward Cases to the City Attorney's Office

3. Patrol Officers are Dispatched to RTP Calls in Certain Cases

Store security may request an officer response if the incident involves more than a misdemeanor theft or trespass, including:

- Felony theft of merchandise, over $1000 (Per K.C. Prosecutors Filing Standard)

- Additional criminal acts

- Suspect has an outstanding warrant over $750 bookable into the KCJ

- Store security cannot verify the identification of the subject

- Suspect is on the RTP Top Ten Offenders List

- Suspect is a juvenile and legal caretakers cannot be contacted (See manual section 6.290 - Juvenile Investigations & Arrests)

4. Officers May Assist Store Security in Verifying Suspect Identification

An officer may only be needed to verify a suspect's identity on an RTP. The officer will tell store security how they verified the suspect's identity and update the call in CAD.

5. Officers Must Make an Independent Determination of Probable Cause Before Arresting a Suspect

6. Officers Obtain a Statement or Security Incident Report if They Make an Arrest

These documents are faxed to Data.

7. Officers Complete all Reports Using the Same Number Used for the Security Incident Report

Store security may have a Report Number issued to them by Communications or responding officers may provide store security with the CAD Report Number.

Officers use the ***Report Number*** on related reports that is the same as the one used on the Security Incident Report.

Exception: If officers are only making a warrant arrest, officers will follow 6.280-Warrant Arrests (POL-14).

8. If Officers Book an RTP Suspect for Warrants or Other Misdemeanor Charges, they Will Also Book the Suspect for the RTP Theft/Trespass

Officers include all information regarding the theft/trespass incident and investigation (See 15.200-PRO-1 Misdemeanor Booking of RTP suspects).

9. Officers Obtain Witness Statements and a Statement of Value from the Store Security for Felony or Top Ten Offender Arrests

(See 15.200-PRO-2 Felony Booking of RTP suspects)

15.200-PRO-1 Booking a Suspect for a Misdemeanor RTP

Store Security

1. **Completes** Security Incident Report

Officer

2. **Verifies** any warrants

3. **Completes** a Report and a booking form including all information regarding the theft/trespass incident and investigation

4. If the suspect is booked on warrants, **clears** the incident as a warrant arrest

5. **Faxes** the security incident report or witness statements to the Data Center

   - If store security cannot provide the security incident report or witness statements at the scene, **advises** store security to fax the documents to the Data Center and mail the original documents to the Data Center as soon as possible.

     Seattle Police Department
     Data Center
     610 5th Ave
     P.O. Box 34986
     Mail Stop JC-05-01
     Seattle, WA 98124-4986
     Fax: (206) 684-5340

15.200-PRO-2 Booking a RTP Suspect for a Felony

Security

1. **Completes** a witness statement and value statement

Officer

2. **Verifies** any warrants

3. **Completes** a Report and a booking form including all information regarding the theft/trespass incident and investigation

4. **Faxes** the witness statements to the Data Center

   - If store security cannot provide the security incident report or witness statements at the scene, **advises** store security to fax the documents to the Data Center and mail the original documents to the Data Center as soon as possible.

     Seattle Police Department
     Data Center
     610 5th Ave
     P.O. Box 34986
     Mail Stop JC-05-01
     Seattle, WA 98124-4986
     Fax: (206) 684-5340

15.210 – Investigating Property Held by a Pawnshop or Used-Goods Store

Effective Date: 05/07/2019

15.210-POL

This policy applies to any investigation in which a licensed pawnshop or reseller of used goods is in possession of property believed to be reported lost or stolen. For the purposes of this policy, the term "pawnshop" will also include used-goods stores.

1. Patrol Officers Will Conduct the Initial Investigation

When patrol officers are contacted by a victim who claims their stolen property is being held by a pawnshop, officers will conduct the initial investigation.

(See 15.210-PRO-1 Investigation of Stolen Property Held by a Pawnshop)

2. Pawnshop and Appropriate Detective Units Conduct Follow-up Investigations

The Pawnshop Unit will review the Reports and assign them to detectives of either the Pawnshop Unit or Precinct Detective Units for follow-up.

If the original theft of the property has already been assigned to a follow-up detective, the pawnshop case will also be assigned to that detective.

> **For example**: If the property was previously reported stolen in a robbery case, and the robbery case was assigned to a robbery detective, the pawnshop case will be investigated by the robbery detective as well.

3. Officers Have the Right to Enter a Pawnshop to Inspect Property for the Purpose of Detecting Stolen Property

Officers will not allow victims to accompany them into a pawnshop for inspection of property. Victims will not be sent to a specific pawnshop with the purpose of identifying property known to be held there without the approval of a lieutenant.

4. An Officer May Place a "Police Hold" on Suspected Stolen Property Held by a Pawnshop

A police hold on pawnshop property compels the business to take certain actions to ensure that the property is retained and not altered, per SMC 6.288.090 Police Seizures—Police Holds—Duties and Obligations.

(See 15.210-TSK-1(A) Placing a Police Hold on Property Held by a Pawnshop)

5. Officer May Seize the Property as Evidence

Property shall only be seized from a pawn shop if:

1. The officer has probable cause to believe the property is lost or stolen.

2. There is an ongoing investigation, by patrol or follow-up detectives.

3. The officer can articulate reasons why he/she believes the article will not be kept by the pawnshop in accordance with a Police Hold.

(See manual section 7.020 – Evidence, Private Property Collection & Release for information on seizing private property as evidence)

6. Officers Cannot Return Stolen or Lost Property to the Owner

Officers cannot seize lost or stolen property from a pawnshop and return it to the owner. If ownership is not adjudicated in a criminal trial, the determination of ownership becomes a civil matter.

7. Assigned Follow-Up Detectives are Responsible for Tracking and Maintaining Police Investigatory Holds

8. Follow-up Detectives are Responsible for Releasing Any Seized Property or Police Holds

When seized or held property is no longer needed for investigation or prosecution, absent a court order, follow-up detectives will release the property to the pawnshop.

(See 15.210-TSK-1(B) Releasing a Police Hold on Property Held by a Pawnshop)

Refer to manual section 7.060 – Releasing Evidence for information on releasing seized property from evidence.

9. The Owner of the Property Must Claim Their Property From the Pawnshop

After the property has been released from police hold or evidence, the owner must claim the property from the pawnshop. The pawnshop may agree to release the property to the owner but is not legally obligated to do so without a court order. The owner may have to initiate a civil action against the pawnshop to reclaim the property.

Should any conflict arise in the return of the above-listed Property, the Owner may pursue civil action in accordance with RCW 19.60.062.

15.210-PRO-1 Investigation of Stolen Property Held by a Pawnshop

When an officer receives a complaint of stolen property posted for sale in a pawnshop:

Officer

1. **Determines** if the victim has filed a Report for the initial theft offense:

    a. **If** the theft occurred inside the city limits and has not been reported, **completes** a Report.

    b. **If** the theft occurred outside of city limits, **completes** a Report with a new case number. References the agency of jurisdiction's case number, if known.

    c. **If** a Report has already been filed, **completes** a Supplemental Report using the original Report Number and includes all current information.

2. **Includes** in the report a complete description of the property, including model/serial numbers and unique markings. Also includes information describing why the victim believes that the property belongs to them.

3. **Includes** copies of any supporting documentation, such as photographs or receipts.

4. **Explains** to the victim that the report will be forwarded to the Precinct Detective and Pawnshop Units, who will conduct the follow-up investigation.

5. After ending contact with the victim, **attempts to locate** the property, if possible.

    a. **If** the property is located in a pawnshop, either:

        i. **Places** a Police Hold on the property (see 15.210-TSK-1(A)).

        OR

        ii. **Seizes** the property as evidence (see manual section 7.020 – Found Property).

6. **If** property in a pawnshop is placed on police hold, **records** this information in the Report.

7. **Forwards** the report to the Precinct Detective and Pawnshop Units.

Pawnshop Unit

8. **Reviews** reports concerning pawnshop investigations.

8a. **Reviews** any Police Holds and seizures of property as evidence.

9. **If** a case will not be assigned for follow up:

9a. **Releases** any Police Holds on property (15.210-TSK-1(B)).

9b. **Releases** any seized property from evidence (see manual section 7.020 – Found Property).

10. **Assigns** cases to Pawnshop detectives.

10a. Or **forwards** report to appropriate Precinct Detective unit or follow-up detective.

Follow-Up Detective

11. **Tracks** and maintains Police Holds placed on Pawnshop property as necessary.

12. **Releases** Police Holds (15.210- TSK 1B) and seized property from evidence (see manual section 7.020 – Found Property) when it is no longer needed for the investigation.

15.210-TSK-1A Placing a Police Hold on Property Held by a Pawnshop

In order to place a Police Hold on property held by a pawnshop or used goods store, the **officer**:

1. **Places** a verbal hold on the property:

    1a. **Explains** to the pawnshop owner that the property is suspected to be lost or stolen.

    1b. **Tells** the pawnshop representative to place the property under a Police Hold in accordance with SMC 6.288 – Used Goods Dealers.

    1c. **Documents** the verbal request for Police Hold in a Department Report.

2. **Gives** written notice of Police Hold on the property within 10 business days of the verbal request for hold:

    2a. **Completes** the *Pawnshop Hold/Release Form* (form 23.2).

    2b. **Sends** a copy of the *Pawnshop Hold/Release Form* to the pawnshop.

    2c. **Documents** the written notice of Police Hold on a Department ***Report*** or ***Supplement*** report.

    2d. **Forwards** the original *Pawnshop Hold/Release Form* to Data.

15.210-TSK-1B Releasing a Police Hold on Property Held by a Pawnshop

As soon as an investigation is complete, or will not be further investigated, any "held" property must be released by the **detective**:

1. **If** the owner of the property is known, **completes** the *Pawnshop Release Letter* (form 23.3) and **sends** a copy to the property owner.

2. **Completes** the *Pawnshop Hold/Release* (form 23.2) and **sends** a copy to the pawnshop representative.

3. **Completes** a ***Supplement*** report documenting these actions and **forwards** copies of the above forms to Data.

15.215 – Seizing and Releasing Firearms

Original Effective Date: 09/01/2018
Online Manual Date: 05/07/2019
Revised Effective Date: 07/01/2023

15.215-POL

The following policy addresses the procedures for accepting, storing, and releasing firearms (see also RCW 9.41.345).

Washington courts may order parties to surrender firearms, other weapons, and concealed pistol licenses (CPL) to local law enforcement officers. Superior Courts, District Courts or Municipal Courts may issue Orders to Surrender Weapons (OTSW) with a Protection Order, No Contact Order, or an Extreme Risk Protection Order (ERPO).

Per RCW 10.99.030, at the scene of a domestic violence call, sworn employees are required to seize firearms under certain circumstances and will request consent to take temporary custody of any other firearms and ammunition to which the alleged abuser has access. Sworn employees may also encounter consenting parties requesting, for personal safety reasons, to surrender non-evidentiary firearms.

Sworn employees will submit evidentiary and loaded firearms per department firearms evidentiary procedures per manual section 7.030 – Firearms, Ammunition, & Shell Casings.

1. Definitions

Consenting Party: a party involved in an SPD incident who resides at the dwelling or works at the premises and has dominion and control over areas in which surrendered firearms are located. When two or more such parties are present at the scene, all such parties should provide consent for officers to accept voluntarily surrendered firearms.

Evidentiary Firearms: firearms that are evidence of a crime and may be required for future criminal prosecution.

Non-Evidentiary Firearms: a firearm that has no value as evidence. It appears to be legal to possess, and ownership of the firearm is established.

Surrendered Firearms: firearms surrendered voluntarily or by court order and are not known to be evidence of a crime.

2. The Department Assigns Responsibility for Orders to Surrender Firearms

3. Seizing Firearms When Responding to Domestic Violence Situations

Per RCW 10.99.030, a sworn employee responding to a domestic violence call who has probable cause to believe that a crime has been committed will:

- Seize all firearms and ammunition the sworn employee reasonably believes were used or threatened to be used in the commission of the offense;

- Seize all firearms in plain sight, or discovered during a lawful search; and

- Request consent to take temporary custody of any other firearms and ammunition to which the alleged abuser has access.

Seizing a firearm under the first two conditions does not require the consent of all parties.

Sworn employees responding to domestic violence calls will separate the parties and ask the victim:

- If there are any firearms or ammunition in the home that are owned or possessed by either party;

- If the suspect has access to any other firearms located off-site; and

- Whether the suspect has an active concealed pistol license, so that there is a complete record for future court proceedings.

The inquiry should make clear to the victim that the sworn employee is not asking only about whether a firearm was used at the time of the incident, but also under other circumstances, such as whether the suspect has kept a firearm in plain sight in a manner that is coercive, has threatened use of firearms in the past, or has additional firearms in a vehicle or other location.

The sworn employee will document all information about firearms and concealed pistol licenses in the incident report and in the "Object to Release" portion of the Superform.

(For more information, refer to manual section 15.410 – Domestic Violence Investigation)

4. Officers Screen Firearms Seizures with a Sergeant

Officers seizing a firearm when responding to a domestic violence call for community caretaking purposes, voluntary surrender, or court-ordered surrender will screen the incident with a sergeant.

5. Officers Will Route Reports Related to Firearms Seizures to the Unit Responsible for Follow-Up, as Defined in Manual Section 15.080 – Follow-Up Unit Notification and Follow-Up Investigation

Officers will articulate the facts supporting seizing the firearm, or the voluntary surrender of the firearm, in the report narrative.

If the firearm seizure or voluntary surrender takes place on a follow-up to an SPD event already reported, the officer will complete a supplemental report under the original report number.

Officers will route the report to the follow-up unit responsible for conducting follow-up to the incident.

6. Officers Will Document Requests for Notification from Family or Household Members

Officers must include information in the report on whether a family or household member requests notification when a firearm is returned to the individual from whom it was obtained, or to an authorized representative of that person. The report should list the best way to contact the family or household member, their phone number, and their email address.

7. Follow-Up Units Coordinate Release of Seized Firearms

Upon receiving a court order or request for a return of property to release a seized firearm, the unit responsible for follow-up to the incident will facilitate the release (see 15.215-PRO-1 Processing a Court Order to Release a Seized Firearm).

If a person other than the respondent claims title to any firearms surrendered under an Extreme Risk Protection Order (ERPO), and they determined by the department to be the lawful owner of the firearm, the follow-up unit will facilitate the release of the firearm to them, provided that:

- The firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner, so the respondent does not have access to or control of the firearm; and

- The firearm is not otherwise unlawfully possessed by the owner.

(See 15.215-PRO-2 Releasing a Firearm to a Person Other Than the Respondent to an ERPO)

8. Evidence Unit Personnel Verify Notification and Minimum 72 Hour Hold

When the Evidence Unit receives a Property Release Supplement, releasing a firearm, employees will verify that the firearms notification portion has been completed indicating whether notification was required and if applicable, the date and time of notification.

- If that portion has not been completed, the Evidence Unit will reject the form and return it.

Before physically releasing the firearm, Evidence Unit personnel will refer to the Property Release Supplement and ensure that at least 72 hours have elapsed from the time any required notifications were made and the release of the firearm.

15.215-PRO-1 Processing a Court Order to Release a Firearm

Sergeant

1. **Receives** an order from the court to release a firearm to the owner.
2. **Notifies** any family or household member that requested notification of the release of firearms by phone call, email, or letter.
3. **Contacts** the owner of the firearm by letter or e-mail advising the owner to contact the Evidence Unit to start a background check.
4. **Sends** a Property Release Supplement to the Evidence Unit releasing the firearm and documenting how notifications were made.
5. **Retains** the court order release document in unit files.

Evidence Unit

6. **Verifies** that the Property Release Supplement contains necessary date and time information on any required notifications for firearms release.

7. **Completes** a background form when contacted by the requesting firearm owner.

8. **Sends** the completed background form to the Public Request Unit.

Public Request Unit

9. **Completes** a background check and sends the results to the Evidence Unit.

Evidence Unit

10. **Verifies** that at least 72 hours has elapsed from the time notifications were made, according to the Property Release Supplement.

11. **Contacts** the requesting person and informs them that they may or may not receive the firearm.

15.215-PRO-2 Releasing a Firearm to a Person Other Than the Respondent to an ERPO

Upon determining that a person other than the respondent to an ERPO is the lawful owner of a seized firearm:

Sergeant

1. **Contacts** the owner of the firearm by letter or e-mail advising the owner to contact the Evidence Unit to start a background check.

2. **Notifies** any family or household member that requested notification of the release of firearms by phone call, email, or letter, specifying that the firearm is being released to a third party.

3. **Sends** a Property Release Supplement to the Evidence Unit releasing the firearm.

Evidence Unit

4. **Completes** a background form when contacted by the requesting firearm owner.

5. **Sends** the completed background form to the Public Request Unit.

Public Request Unit

6. **Completes** a background check and sends the results to the Evidence Unit.

Evidence Unit

7. **Contacts** the requesting person and informs them that they may or may not receive the firearm.

15.215-PRO-3 Follow-up Unit Service of an Order to Surrender a Firearm and/or CPL

Data

1. **Receives** the order, follows Data's internal procedures.

2. If the order is issued under an SPD report, then **assigns** to the appropriate follow-up unit.

Follow-Up Unit Supervisor or Detective

3. **Verifies** the order and determines whether it is firearms positive or not.

4. **Runs** petitioner for CPL and any registered firearms.

5. **Reviews** petition for any details indicating it is firearms positive.

6. **Evaluates** for factors that determine the risk associated with a court order:

   - Prior assault (domestic violence and non-domestic violence)

   - Prior assault or threat against children

   - Prior assault against law enforcement

   - Physical violence or sexual harm toward victim

- Threat to harm or kill victim
- Conviction involving violent acts
- Firearms conviction
- History of crimes involving alcohol or substance abuse
- Violence against pets
- Behavioral crisis incidents indicative of dangerousness to self or others

7. After the above evaluation, if necessary, **evaluates** the incident using the Warrant Risk Assessment Matrix (form 12.2) and follows instructions on the matrix.

8. If the follow-up unit serves the order, **attaches** the completed matrix to the order and **assigns** a detective the responsibility of attempting to serve the packet.

Detective

9. **Reads** the court order thoroughly.

10. **Verifies** that the correct person is being served.

11. If the respondent is served in the petitioner's presence, **takes reasonable steps** to ensure the petitioner's safety (see Washburn v. Federal Way, 178 Wn.2nd 732 (2013)). **Documents** steps taken to ensure petitioner's safety.

    - The steps may include:

        - If the order is served at the petitioner's home, the detective will remain on-scene until the respondent departs.
        - If the order is served at the respondent's home, the detective will remain on-scene until the petitioner departs.
        - If the order is served at a third-party location, the detective will remain on-scene until either the respondent or the petitioner departs.
        - If the petitioner has provided information that there are other firearms to which the respondent has access,

the detective will obtain them or will remain with the respondent if additional assistance is needed to obtain them.

12. **Attempts to determine** if the respondent understands the order.

13. **Gives** the respondent copies of all the forms EXCEPT:

- Law Enforcement Information sheet

- Motion and Order for Waiver of Fees (if in packet)

- Return of Service sheet

14. **Requests** that the respondent immediately surrender all firearms in their custody, control, or possession and any concealed pistol license issued under RCW 9.41.070.

- If respondent is not physically located where their firearms and CPL are located, to reduce risk of lethality and harm, **attempts to transport or follow** respondent to retrieve the firearms.

- **Explains** to the respondent this is a temporary court order, restricting the firearms and provide options on court appearance to contest restrictions.

- If the respondent refuses to surrender firearms and/or CPL, **advises** the respondent that possessing or acquiring a firearm or CPL is prohibited and that violating the order may subject the respondent to criminal and civil penalties.

- If respondent still refuses, **conducts** any lawfully authorized search.

15. **Takes** possession of all firearms, and CPL belonging to the respondent surrendered, in plain sight, or discovered under a lawful search.

16. If the respondent does not surrender any firearms, **completes** and has the **respondent sign** Declaration of Non-Surrender.

17. **Completes** the Receipt for Surrendered Weapons and Concealed Pistol License (form 28.4) and **provides** the respondent with the yellow copy of the form.

18. **Completes** Return of Service form.

- **Marks** all appropriate boxes for each document, if not already completed.

- **Notes** on the return of service form any other information observed regarding threat of harm or risk that would be important for the court to be aware of at the hearing, such as threats made by the respondent or other behaviors or evidence observed by the officer.

- **Signs** and **dates** the form.

19a. **Completes** a supplemental report with the report number of the original SPD case, or

19b. **Draws** a new report number and writes a report titled, "Gun-Surrender" for new or outside agency cases.

20. **Uses** the correct clearance code.

21. **Completes** a property report listing all firearm(s) and CPL.

22. **Submits** the firearm(s) to the Evidence Unit.

23. **Notifies** Data, by phone or e-mail, of date and time of service.

24. **Makes** two copies of Return of Service form.

- **Sends** or **e-Files** the return of service with the court directly. Also, includes any notes.

- **Mails** a copy to the petitioner (if requested by the petitioner).

25. **Scans** the Return of Service form as a document to the case file and as a document for the petitioner's and respondent's files.

15.215-PRO-4 Patrol Service of an Order to Surrender a Firearm and/or CPL

Precinct Front Desk Officer

1. **Logs** the order into the precinct Court Order logbook.

2. **Hand delivers** the packet to the watch lieutenant.

Watch Lieutenant

3. **Reviews** service packet.

4. If the order was not received from the DV Unit, may **screen** the order with DV Unit during normal business hours for completeness.

5. **Verifies** the order.

6. **Evaluates** for factors that determine the risk associated with a court order:

   - Prior assault (domestic violence and non-domestic violence).

   - Prior assault or threat against children.

   - Prior assault against law enforcement.

   - Physical violence or sexual harm toward the victim.

   - Threat to harm or kill victim.

   - Conviction involving violent acts.

   - Firearms conviction.

   - History of crimes involving alcohol or substance abuse.

   - Violence against pets.

   - Behavioral crisis incidents indicative of dangerousness to self or others.

7. After above evaluation, if necessary, **evaluates** the incident using the Warrant Risk Assessment Matrix (Form 12.2) and follows instructions on the matrix.

8. **If** patrol serves the order, **attaches** the completed matrix to the order and **assigns** the service of the order to a sector sergeant.

Sector Sergeant

9. **Retrieves** the packet from the watch lieutenant and **assigns** a patrol officer the responsibility of attempting to serve the packet.

Officer

10. **Reads** the court order thoroughly.

11. **Verifies** that the correct person is being served.

12. If the respondent is served in the petitioner's presence, **takes reasonable steps** to ensure the petitioner's safety (see Washburn v. Federal Way, 178 Wn.2nd 732 (2013)). **Documents** steps taken to ensure petitioner's safety.

    - The steps may include:

        - If the order is served at the petitioner's home, the officer will remain on-scene until the respondent departs.

        - If the order is served at the respondent's home, the officer will remain on-scene until the petitioner departs.

        - If the order is served at a third parry location, the officer will remain on-scene until either the respondent or the petitioner departs.

        - If the petitioner has provided information that there are other firearms to which the respondent has access, the officer will obtain them or will remain with the respondent if additional assistance is needed to obtain them.

13. **Attempts to determine** if the respondent understands the order.

14. **Gives** the respondent the Respondent Packet which includes copies of all the forms EXCEPT:

    - Law Enforcement Information sheet

    - Motion and Order for Waiver of Fees (if in packet)

    - Return of Service sheet

15. **Requests** that 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.

    - If respondent is not physically located where his/her firearms and CPL are located, to reduce risk of lethality and harm, **attempts to transport or follow** respondent

to retrieve the firearms. The intent of the law is to safeguard possible victims and there is an allowed 48-hour surrender period for firearms which are not in the immediate vicinity of the service of the order so only in rare circumstances should the respondent be given up to 48-hours to surrender firearm(s) and CPL to the LEA.

- **Explains** to the respondent this is a temporary court order, restricting the firearms and provide options on court appearance to contest restrictions.

- If the respondent refuses to surrender firearms and/or CPL, **advises** the respondent that possessing or acquiring a firearm or CPL is prohibited and that violating the order may subject the respondent to criminal and civil penalties.

- If respondent still refuses, **conducts** any lawfully authorized search.

16. **Takes** possession of all firearms, and CPL belonging to the respondent surrendered, in plain sight, or discovered under a lawful search. Does not take any magazines, ammunition, or cases.

    - If the service is for an ERPO, and the officer is unable to seize the firearm, the respondent has 48 hours to surrender the firearm to law enforcement.

    - **Instructs** the respondent to call 911 and arrange to surrender the firearm(s).

17. If the respondent does not surrender any firearms **completes** and has the **respondent sign** Declaration of Non-Surrender.

18. **Completes** the Receipt for Surrendered Weapons and Concealed Pistol License (form 28.4) and **provides** the respondent with the yellow copy of the form.

19. **Completes** Return of Service form.

    - **Marks** all appropriate boxes for each document

    - **Notes** on the return of service form any other information observed regarding threat of harm or risk that would be important for the court to be aware of at the hearing, such as threats made by the respondent or other behaviors or evidence observed by the officer.

- **Signs** and **dates** the form.

20a. **Completes** a supplemental report with the report number of the original SPD case, or

20b. **Draws** a new report number and writes a report titled, "Gun-Surrender" for new or outside agency cases.

21. **Uses** the correct clearance code.

22. **Completes** a property report listing all firearm(s) and CPL.

23. **Submits** the firearms to the Evidence Unit.

24. **Notifies** Data, by phone or e-mail, of date and time of service.

25. **Makes** two copies of Return of Service form.

- **Emails** the Return of Service to the DV Unit and **sends** the original through interdepartmental mail for forwarding to the appropriate court or e-file. Also, includes any notes.

- **Sends** a copy to the originating follow-up unit (if applicable).

- **Mails** a copy to the petitioner (if requested by the petitioner).

Precinct Front Desk Officer

26. For non-SPD ERPO only, **checks** the precinct log to see if an order has not been served within ten (10) days. If the order has not been served in ten (10) days, **notifies** the petitioner.

15.215-PRO-5 Unsuccessful Service of an Order to Surrender Firearms and/or CPL

If multiple attempts at service have failed:

Officer/Detective

1. **Completes** the Return of Service showing that the order was not served and the reason the order was not served.

2. **Includes** written notes of all attempts made to serve the respondent.

3. If completed by patrol, **sends** the Return of Service to the requesting follow-up unit or to the DV Unit email and the original through interdepartmental mail.

Follow-up Unit

4. **Sends** the original Return of Service form to the court via scanned email or e-file and **mails** a copy to the petitioner (If requested by the petitioner).

5. **Scans** the Return of Service form as a document to the case file and as a document to the petitioner's and respondent's files.

Seattle Police Department Manual

15.220 – Child Welfare

Effective Date: 05/07/2019

15.220-POL

1. The Department Works with the Department of Social and Health Services (DSHS)/Child Protective Services (CPS)

Officers will notify DSHS/CPS when a child is taken into custody on the report of:

- An abused or neglected child
- A runaway
- A child in dangerous circumstances

DSHS/CPS screens all placements of children taken into custody under these circumstances.

Employees will not provide aid to a child that is outside of the scope of Department policy or State Law.

- If an employee identifies a way to assist a child outside of policy or statute, they will screen the incident with their supervisor and CPS. If CPS agrees with the solution the employee will document the incident on a Report.

2. Terminology is Defined for this Policy

A child, juvenile, and youth means any un-emancipated individual who is under the chronological age of eighteen years.

An abused or neglected child refers to any injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances that indicate that the child's health, welfare, and safety is harmed.

An extended family member is an adult who is a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship, and is comfortable with, and who is willing and available to care for the child.

A parent is the person or persons who have the legal right to custody of the child. "Parent" includes custodians, guardians, or birth parents.

An officer may determine that a **child is in dangerous circumstances** based on:

- The child's physical condition
- The environment where the child is encountered
- The time of day and situation where the child is encountered

The officer's subjective opinion is the determining factor if the child is in a dangerous circumstance.

3. Employee's Transport Children in Appropriate Restraint Devices

Employees, in the course of their duty, will transport children in the appropriate restraint device depending on their age and weight as described in SMC 11.58.195.

Employees may call CPS for assistance in obtaining appropriate restraint devices.

If there is exigency to transport a child without the use of the appropriate restraint device, the employee will document the circumstances.

4. Officers May Place a Child in the Custody of a Crisis Residential Center (CRC) or Approved Youth Shelter

A Crisis Residential Center is a secure or semi-secure facility established pursuant to RCW 74.13.032.

An approved youth shelter is a facility under contract to DSHS, providing room and board in a supervised living arrangement, normally in a group or dormitory setting.

- Officers will call DSHS to verify a shelter's status prior to placing the child.

An officer may transfer custody of a child to a CRC or approved youth shelter under the following circumstances:

- If the child currently 12-17 years old, and

- Is a reported runaway or is found in dangerous circumstances.

A CRC or approved youth shelter will not accept a child with outstanding warrants or a child in need of medical attention or in need of an emotional or behavioral crisis evaluation, in accordance with RCW 71.05.153.

5. The Sexual Assault and Child Abuse Unit is Notified in Some Cases

An officer will contact their sergeant if the child has a serious injury and child abuse or neglect is suspected. The sergeant will contact the Sexual Assault and Child Abuse Unit.

6. Officers Take Custody of Runaway Children and Children in Dangerous Circumstances

RCW 13.32A.050 and RCW 13.32A.060 provides law enforcement's authority for taking runaway children and children in dangerous circumstances into custody.

Officers will take runaway children and children in dangerous circumstances into custody when any of the following circumstances apply:

- The child is a reported runaway from their home, or a law enforcement agency has been notified by the parent of the child that the child is absent from parental custody without consent.
- An officer reasonably believes that a child is in circumstances which constitutes a danger to the child's safety.
- An agency legally charged with the supervision of a child has notified a law enforcement agency that the child has runaway from placement.
- A juvenile court states that probable cause exists to believe that the child has violated a court placement order, or a court order has been issued that directs the police to take the child into custody.
- Officers will transport the child to the King County Youth Services Center (YSC) for violations of a court placement order.

In the case of runaway children and children in dangerous circumstances, an officer is immune from liability if, acting in good faith, they:

- Fail to take a child into custody.

- Take a child into custody.

- Take a child to DSHS, CRC, or a location approved by DSHS.

- Release a child to a person at the request of a parent.

Officers will follow the procedures for investigating child abuse if there is reason to believe, or the child reports, either child abuse or neglect during the investigation of runaway children and children in dangerous circumstances.

(See 15.220-TSK-2 Custody and Disposition of Runaway Children and Children in Dangerous Circumstances and 15.220-TSK-3 Officer Investigating the Harboring a Minor)

7. Officers Take Custody of Abused or Neglected Children

Officers may take a child into custody without a court order under RCW 26.44.050 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.

- CPS may ask law enforcement to take a child into custody without a court order if they believe that a child is at risk for further abuse or that the child's caretaker may hide or flee with the child to avoid investigation of child abuse.

(See 15.220-PRO-1-Investigating Child Abuse, Child Neglect and Child Exploitation as Defined by RCW. 26.44.020 and 15.220-TSK-1 Placing an Abused or Neglected Child into Protective Custody Without a Court Order)

8. Officers May Photograph a Child in Some Situations

Officers may photograph a child to document evidence of the child's physical condition.

15.220-PRO-1 Investigating Child Abuse, Child Neglect and Child Exploitation as Defined by RCW 26.44.020

Officer

1. **Follows** 14.060 – Serious Incident Plan if required by the incident.

2. **Screens** the incident with their sergeant.

Sergeant

3. If there is a serious injury to the child, **screens** the incident with the Sexual Assault and Child Abuse Unit.

Sexual Assault and Child Abuse Unit

4. **Determines** if they will respond to the location, **advises** the sergeant how to proceed with the investigation.

Sergeant

5. **Instructs** the officer on how to proceed with the investigation.

Officer

6. If the officer is conducting the investigation, **follows** 15.180-Primary Investigations.

15.220-TSK-1 Placing an Abused or Neglected Child into Protective Custody Without a Court Order

When an **officer** takes a child into protective custody they will:

1. **Screen** the incident with a sergeant.

2. **Determine** if there is a person capable and willing to take care of the child.

3. If the child is not admitted into the hospital, **arrange** placement of the child with CPS.

    - CPS must approve all field placements of children taken into protective custody for abuse or neglect.

4. **Call** the CPS centralized intake office at 1-800-609-8764 and then **press** '9' for daytime intake and 1-800-562-5624 and **press** '9' for afterhours intake.

    - This will alert the Central Intake social workers that law enforcement is waiting on the telephone line.

5. **Explain** the circumstances to the Central Intake social worker and **provide** the following information.

   - If a person is available to care for the child, CPS will need all of this person's information. CPS will complete a record check and determine if the child can be placed with the person.

   - If there is no one to place the child with, the Central Intake social worker will research available placement. If CPS is unable to place the child within 30 minutes, a CPS Field Response worker will respond to the officer's location to assume custody of the child.

   - **Inform** the Central Intake social worker if police cannot adequately care for the child, or equipment is unavailable to safely transport the child, and a Field Response worker will respond to the location.

6. **Document** all contact with CPS in the Report including the name of the person who received the intake information and the person who responds to take custody of the child.

7. **Complete** a Custody Without Court Order (form 9.45) and leave it at the residence or with the caretaker per RCW 26.44.110.

   - **Complete** a brief narrative on the form

   - **Distribute** the form as indicated

   - **Note** in the Report where copies were left

   - **Fax** a copy of the form to SAU (206) 684-0217

15.220-TSK-2 Custody and Disposition of Runaway Children and Children in Dangerous Circumstances

When taking custody and determining the disposition of runaway children and children in dangerous circumstances the **officer** will:

1. **Explain** to the child why they are in custody.

2. **Screen** the incident with a sergeant.

3. **Attempt** to contact the child's parent.

4a. **Transport** the child to the parent.

- The parent may request that the child is transported to an extended family member, responsible adult, or a licensed youth shelter.

or

4b. **Transport** the child to a Crisis Residential Center (or to DSHS if the child does not meet the CRC criteria) in the following circumstances:

- The parent of the child cannot be contacted.
- The parent of the child has been contacted but declines to take custody of the child and declines to provide directions to take the child to an acceptable person or youth shelter.
    - In this situation, **complete** a Report with "Child-Abandon" listed in the Offenses block.
    - **Link** the Report to previous runaway reports and **list** the Report Numbers in the narrative.
- The parents have been contacted but it is not practical to transport the child to their location and there is no other acceptable person or youth shelter.
- If the child expresses fear or distress about going back to their home.
- The officer believes that the child is endangered by being returned to their home.

15.220-TSK-3 Officer Investigating the Harboring of a Minor

If an **officer** has reasonable suspicion a child is being harbored (RCW 13.32A.080 Unlawful Harboring a Minor) they will:

1. **Remove** the child from the custody of the person harboring the child and take appropriate enforcement action.
    - RCW 13.32A.080 Unlawful Harboring a Minor is a gross misdemeanor.
2. If a child is a reported runaway, **take the child into custody**.
3. **Contact** the parents and inform them of the incident.

4. **Transfer** the custody of the child to a CRC or to DSHS.

5. At CRC/DSHS **complete** a transfer of custody form.

    - **Forward** a copy of this form to the Data Center.

6. **Complete** a Report.

    - A Supplemental Report may be used if there is already a Report on file.

Seattle Police Department Manual

15.230 – Animal Control

Effective Date: 05/07/2019

POLICY

If there has been an obvious infraction of City ordinances pertaining to animal control, officers may use their discretion in whether to issue a ticket, write a Report, give a verbal warning, or defer the matter for enforcement by the City of Seattle Animal Control Division. The Animal Control Division is available from 0700-2000 hours daily (206-386-7387).

I. Investigation of Animal Complaints

A. The following types of calls are the primary investigatory responsibility of Patrol:

1. Vicious animals presently endangering someone,
2. Theft of animals, and
3. Poisoning/shooting of animals.

B. Officers shall advise Animal Control when they are responding to an animal bite or a vicious animal, as Animal Control has the primary responsibility for follow-up in these cases.

C. Officers shall use whatever resources are available to them when handling animal control situations when Animal Control is not available. Extreme caution in handling these situations should be exercised, as officer safety is a concern.

II. Routing of Paperwork

A. Officers shall forward, via inter-departmental mail, copies of all Notice of Infractions and Criminal Citations (front and back of the Court Copy) concerning animals to Animal Control for follow-up.

B. When officers complete a Report concerning animals, Records will forward copies to Animal Control for follow-up.

III. Resources

A. Nuisance Wildlife

1. The Washington State Department of Fish and Wildlife will give advice and will offer referrals to the public concerning nuisance wildlife (e.g., raccoons, squirrels, etc.).

2. When the Fish and Wildlife office is closed, the Communications Section has a list of trappers and exterminators for referral. These trappers and exterminators offer their services to citizens for a fee.

B. Injured wildlife

1. Officers may call Animal Control (206-386-7387) in cases where wildlife is injured. Animal Control will respond on a case-by-case basis.

2. When Animal Control is unable to assist, the Communications Section has a resource list of rehabilitators. These resources offer assistance on a case-by-case basis, and often require that the animal be brought to their facility.

C. Injured Domesticated Animals

1. If an owner cannot be located, Animal Control is available during their hours of operation to pick up an injured domesticated animal and will take the animal to an emergency clinic.

2. After hours, officers may take injured animals to a city contract emergency clinic. The City of Seattle contracts with two veterinary clinics for emergency night service. Coordinate the delivery of an injured animal through the Communications Section.

D. Impounded Animals

1. Animal Control facilities are available to officers after hours, to kennel impounded animals. Prior to leaving the animal shelter, officers must complete an "Impound Form" and place it on the cage with the animal.

    a. These forms are available in the receiving area of the shelter.

    b. The Communications Section has instructions for officers leaving an animal in the animal shelter.

E. Dead Animals

1. Animal Control will respond to pick up dead animals during their hours of operation.

Seattle Police Department Manual

15.240 – Boating Accidents

Effective Date: 05/07/2019

POLICY

Seattle Municipal Code Title 16 (Harbor Code) defines the "Port Warden" of the City as the Chief of Police and any duly authorized deputies or assistants acting on the Chief's behalf. Listed as a specific duty is the investigation and reporting of marine and maritime accidents in the harbor. The Department's Harbor Patrol Unit has the primary responsibility of ensuring safety and security on the public waterways of the City. This includes investigating most boating accidents. If the Harbor Patrol Unit is unavailable, boating accidents will be investigated by other officers. Boating accident forms are available at all precincts. The Harbor Patrol Unit and Traffic Collision Investigation Squad (TCIS) may be contacted if further assistance is needed.

I. Definitions

A. **Boat**: Any vessel or watercraft used or capable of being used as a means of transportation on the water.

1. It does not include inner tubes, air mattresses, small flimsy rafts, or floatation devices used as toys by swimmers.

B. **Operator**: An individual who steers, directs, or otherwise has physical control of a vessel that is underway or exercises actual authority to control the person at the helm.

C. **Owner**: A person who has a lawful right to possession of a vessel by purchase, exchange, gift, lease, inheritance, or legal action whether or not the vessel is subject to a security interest.

II. Primary Investigating Officer at a Boating Accident Scene

A. The Harbor Patrol Unit shall be called to the scene of all boating accidents or collisions, and all water emergencies.

B. Officers who are not assigned to the Harbor Patrol Unit may be required to investigate a boating accident if the Harbor Patrol Unit is unavailable.

III. Documentation Requirements for Boating Accidents

A. Documentation requirements for boating accidents can be complicated and depending on the circumstances more than one report may be necessary.

B. The investigation of a boating accident may simply require a Report. However, more serious accidents will require that the boat operator or owner complete a Boating Accident Report (BAR) and submit it to the Harbor Patrol Unit. Boating accidents that result in death or injury requiring hospitalization will additionally require a Boating Accident Investigation Report (BAIR), which the primary investigating officer at the scene will complete.

1. Report

a. Boating accidents can be documented on a Report if they meet any of the following criteria:

(1) Damage greater than $500.00 to any involved boat or other property.

(2) "Hit and Run" with less than $500.00 damage and no injuries that require medical treatment beyond first aid.

(3) City property or boat is involved with less than $500.00 damage and no injuries that require medical treatment beyond first aid.

(4) Whenever a citizen requests that a report be taken.

2. Boating Accident Report (BAR)

a. The BAR is a Washington State Parks and Recreation Commission form.

b. The BAR is required when boating accidents meet any of the following criteria:

(1) Death.

(2) Injury which required medical treatment beyond first aid.

(3) Property damage in excess of $500.00, or the complete loss of a vessel.

(4) The disappearance of a person from a vessel under circumstances that indicate death or injury.

c. Officers will instruct the boat operator to complete a BAR and return it to the Harbor Patrol Unit (1717 N. Northlake Place, Seattle, WA 98103). The BAR has instructions printed on the front of the multi-page form.

(1) If the operator is incapacitated, deceased or otherwise unable to complete the BAR, it will be given to the boat owner to complete and submit to the Harbor Patrol Unit.

(2) If the operator and owner are both incapacitated, deceased or otherwise unable to complete the BAR, then the primary investigating officer will complete it and deliver it to the Harbor Patrol Unit.

d. The Harbor Patrol Unit is ultimately responsible for routing the BAR to the Washington State Parks and Recreation Commission office in Olympia.

e. Time requirements for completing and submitting the BAR:

(1) In cases of death or injury requiring medical treatment beyond first aid, the BAR must be forwarded to Olympia within 48 hours.

(a) In all other cases, the BAR must be forwarded to Olympia within ten days. Officers will instruct the operator or owner to complete the form as soon as possible and mail it or hand deliver it to the Harbor Patrol Unit.

3. Boat Accident Investigation Report (BAIR):

a. The BAIR is a Washington State Parks & Recreation form (P&R A-425).

b. The BAIR is always completed by the primary investigating officer and is required when boating accidents meet either of the following criteria:

(1) Death.

(2) Injury requiring hospitalization.

c. Complete the Boat Accident Investigation Report (BAIR) as thoroughly as possible, obtain supervisory approval and deliver it to the Harbor Patrol Unit.

(1) The BAIR must be forwarded to the Washington State Parks and Recreation Commission office in Olympia within 48 hours.

IV. Boating Accidents Requiring the Presence of the Traffic Collision Investigation Squad (TCIS)

A. Accidents which have resulted in the death of any person.

B. Accidents in which the officer feels the injuries are serious enough that someone may die.

C. Serious hit and run accidents which involve injuries.

D. Accidents involving City equipment where serious injuries or extensive property damage has occurred.

E. Missing persons under circumstances that indicate death or injury.

F. Notify the Harbor Patrol Unit any time TCIS is called out.

V. Impounds

A. Authority to Impound

1. Probable cause exists to believe that the boat constitutes evidence of a crime or contains evidence of a crime.

2. The operator appears incapable of safely operating the boat.

3. The operator refuses or neglects to obey an order to proceed from or to an area following a citation or in an emergency.

4. The operator operates a boat in a negligent, reckless, or other manner so as to endanger the safety of others or to interfere with the navigation of other watercraft; and the officer believes that impoundment is necessary to stop such operation.

5. The vessel, watercraft, or obstruction appears unsafe for water transportation.

6. The vessel, watercraft, or obstruction appears abandoned, or is anchored or moored in an anchorage, waterway or submerged

street area after expiration, cancellation, or violation of a permit, or in violation of SMC 16.32.020.D without a permit seventy-two (72) hours after an order to remove the same has been given as provided in SMC 16.32.020.E.

7. The vessel, watercraft, or obstruction is obstructing a launch ramp area or public dock.

B. Procedures

1. Complete the Vessel, Watercraft, or Obstruction Theft and Impound Report (Form 5.42).

2. Notify the Harbor Unit to arrange for the boat to be towed. All impounds will be stored at the Harbor Patrol Unit boat shed on Lake Union.

VI. Collisions involving a Harbor Patrol Unit Boat

A. Any collision involving a Harbor Patrol Unit boat shall be reported immediately and investigated regardless of injury, death, or degree of damage.

1. If a Harbor Patrol Unit boat is involved in a collision, the officer operating the boat will have the same basic responsibilities as an officer involved in an on-duty motor vehicle accident:

a. Check for injuries and render first aid.

b. Notify a Harbor Patrol Unit sergeant immediately.

c. Remain at the scene until relieved by a Harbor Patrol Unit sergeant.

d. Complete an Officer Statement (form 9.27) and a diagram.

2. The Harbor Patrol Unit sergeant's responsibilities:

a. Upon arrival, ensure that any injured persons have been cared for.

b. Ensure that a Harbor Patrol Unit officer (not involved in the collision) is assigned to complete the primary investigation and the appropriate reports (see II, III and IV).

(1) Determine if TCIS should be called (see IV).

(2) The Harbor Patrol Unit sergeant has the option of calling TCIS to request a response, even if the situation does not require their presence.

c. If TCIS is not responding to the collision, the HPU sergeant will ensure that:

(1) The collision scene is photographed with a minimum of four photographs to include:

(a) The Harbor Patrol Unit boat.

(b) The other boat or property involved.

(c) At least two different views of the scene.

3. Notify the Harbor Patrol Unit Lieutenant

a. This notification will be made at the earliest opportunity (on a twenty-four-hour basis) when the collision involves injuries or there is significant damage.

b. If the Harbor Patrol Unit Lieutenant is unavailable, the captain of the Homeland Security Bureau will be notified.

c. If the collision occurs after normal business hours, the Duty Captain will also be notified.

15.250 – Interpreters and Translators

Effective Date: 05/07/2019

POLICY

Our Department values exceptional responsiveness to special community needs, and equal protection in its service to all citizens. Whenever possible, sign language interpreters or a non-English translator shall be utilized when dealing with deaf persons or persons who are non-English speaking.

RCW 2.42.120(4) mandates when a law enforcement agency must provide sign language interpreters.

I. Definitions

A. **Deaf** – A person who has profound hearing loss and most often uses sign language.

B. **Deaf-Blind** – A person who is deaf and has significant vision loss. (Deaf-Blind use tactile interpreters, which sign in the palm of the hand).

C. **Hard of Hearing** – refers to people who have moderate to severe hearing loss but do not traditionally use sign language.

II. Contact with Deaf Persons

A. Interpreters will be used:

1. When interviewing a deaf person as a witness, victim, or suspect concerning a criminal investigation, or

2. When conducting a criminal investigation involving a minor child as a witness, victim, or suspect and the parent(s), guardian, or custodian is deaf.

B. If a deaf person is arrested, the arresting officer shall arrange at the earliest time for a qualified interpreter for notification of rights, warnings, interrogation, or the taking of a statement. The Seattle Police Department has an obligation under Federal law to offer an interpreter to the arrestee without cost and that

the agency will defer interrogation pending the appearance of an interpreter.

C. No Department employee who has responsibilities other than interpreting may be appointed as a qualified interpreter.

D. Use of an Intermediary Interpreter [RCW 2.42.120(4)]

1. An intermediary interpreter is a person who uses specific signs and gestures instead of actual sign language.

2. If the communications mode or language of the deaf person is not readily interpretable, the interpreter or deaf person shall notify the appointing authority who shall appoint and pay an intermediary interpreter to assist the qualified interpreter.

E. Responsibility for Interpreter Costs

1. When conducting a criminal investigation, the law enforcement agency shall pay for a qualified interpreter throughout the investigation in the following circumstances:

    a. Interviewing a deaf person, whether as a victim, witness, or suspect, or

    b. Interviewing a minor child whose parent, guardian, or custodian is deaf, whether as a victim, witness, or suspect.

F. Resources

1. All Field Units in need of sign language interpreter services should make their requests through the on-duty Chief Dispatcher.

2. Detective Units wishing to make appointments for interpreter services can contact the designated interpreter service during normal business hours. To locate interpreters, contact the Chief Dispatcher in the Communications Section.

3. When communications personnel receive a 911 call from a deaf person and the call requires the dispatch of patrol units to conduct a criminal investigation, the Communications Section will automatically contact an interpreter to respond. The Officer responding to the investigation will be notified via voice transmission that an interpreter will be enroute. Field Units desiring to cancel the response of an interpreter through Radio will normally require a field supervisor’s approval.

G. The Seattle Police Department's Deaf and Hard of Hearing Resource Card (form 20.3) provides officers a quick reference when encountering the deaf or hard of hearing.

III. Interview and Interrogation of Non-English-Speaking Persons

A. Ask the person if they understand, read, or write English. Ask the person what their native language is and if they can speak, read, or write in their native language. Document that these questions were asked and the response the person gave in the Report.

B. Request an employee who speaks the person's native language. Avoid casual use of persons at the scene to translate during interrogations. Current case law has disallowed admission of suspects' statements into court if the translation was done by a person at the scene.

1. The Communications Section maintains a current list of employees who can speak foreign languages.

C. Use the Voiance for interpreting if a Department employee is not available to translate.

D. For Spanish speaking persons, advise them of their Miranda rights from the SPD Explanation of the Constitutional Rights (Spanish version) (form 9.28.4), available from the Quartermaster. Have the person read the form out loud and sign the form to ensure they fully understand the rights and warnings. Document this in the Report.

1. For DUI incidents, use the Spanish version of the Implied Consent Warning (form 8.4). Have the subject read and sign the form to ensure they fully understand the warnings. Document this fact in the DUI paperwork or, if completed, the Report.

E. Voiance Interpreter service is also available for officers when interviewing non-English speaking citizens. The Voiance is a 24-hour service and provides translation in 140+ languages. To use Voiance:

1. Patrol officers shall dial 625-5011. Detectives shall dial 1 (866) 998-0338, provide account number 22108 and their unit's assigned PIN.

2. When the operator answers, state:

    a. Your name

b. Serial number

c. Unit number or call sign,

d. Your request to be connected with Voiance, and

e. The specific language you need translated. (If the language is not known, then say "unknown", and follow this with general information such as "Asian" or "East Indian", etc).

3. For patrol officers, the SPD 911 Center operator will dial Voiance. When the Voiance central operator answers, the SPD 911 operator will identify which agency is calling, what language is requested, and your serial number. The SPD 911 operator will then disconnect from the conference call.

4. The Voiance central operator will connect you with the appropriate interpreter and will then withdraw from the connection. The interpreter will give you their identification number.

a. Officers must inform all parties (through the interpreter) that the call is being recorded. Also state the current date and time, and the telephone number you are calling from. This is a matter of providing notice, not of requesting consent. If necessary, the tape recording can be subpoenaed.

b. Tell the translator the exact information you need.

c. When the translator has received your request (and if you are not using conference calling, on two phones, or a speaker phone) give the phone to the subject.

d. When the translator has obtained the information, they will instruct the subject to return the phone to you.

e. The translator will relay the information to you and await further requests.

f. When you have concluded your use of the service, say "end of call."

5. Include the following details in the Report:

a. The telephone number that you made the call from,

b. The starting time of the call,

c. The ending time of the call, and

d. The language of the subject.

15.260 – Collision Investigations

Original Effective Date: 04/01/2022
Revision Effective Date: 11/01/2022

15.260-POL

1. SECTOR-Trained Officers Complete an E-Collision Form to Document Collision Investigations, As Appropriate

(See manual section 15.380 - SECTOR)

2. Officers Take Collision Reports for All Mandatory Reportable Collisions

Officers report all accidents that occur on a "highway" (SMC 11.14.245), "roadway" (SMC 11.14.530) or "way open to the public" (SMC 11.14.715), and there is:

- Injury or death of any person
- Damage to the property of any one person to an apparent extent of $1,000 or more
- A hit-and-run is involved
- Enforcement action is taken against one or more of the parties involved
- The collision resulted in the release of hazardous material
- The operator of any involved vehicle is suspected of being under the influence of alcohol or drugs

Officers only complete a Washington State Police Traffic Collision Report (PTCR) or E-Collision (SECTOR) form for collisions meeting the above criteria.

- Officers complete a sketch of the collision scene and document the investigation in the narrative on the collision report.

Officers provide an incident number to the involved parties to include the sworn employee's name and serial number. Involved parties are

referred to the Public Request Unit to obtain a copy of the collision report.

3. Officers May Assist Motorists in Non-Reportable Collisions

Officers may provide the Exchange of Traffic Collision Information (Form 5.9) to facilitate the exchange of information between motorists.

When either party in a non-reportable collision requests a report, officers may either:

- Complete an incident report, or
- Provide information about completing a Civilian Report on the Washington State Patrol's Collision Reports website (Washington State Patrol Online Motor Vehicle Collision Reporting (OMVCR)).

4. Officers Take Enforcement Action in Reportable Non-Felony Collision Investigations

If the on-scene investigation yields evidence of a traffic violation, officers will issue a Criminal Citation or Notice of Infraction to the violator(s).

- If no enforcement action is taken, the officer will document the reason for no enforcement on the collision report.

Exception: If the collision involves a department vehicle during an emergency response, refer to manual section 13.030 - Emergency Vehicle Operations.

5. Officers Refer Felony Collision Investigations to Traffic Collision Investigation Squad (TCIS)

Officers do not issue tickets in a felony collision investigation.

Investigations that require no TCIS response at the time of on-scene investigation, but may develop into a felony, are referred to TCIS.

6. TCIS Responds to Certain Collisions

Serious Bodily Injury – involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part.

Special consideration should be given for a TCIS response for serious injuries to persons over 70-years-old or under 5-years-old.

TCIS is called for any collision involving:

- Death or injury likely to cause death
- Collisions where there is probable cause for vehicular homicide, vehicular assault, or hit-and-run investigations with serious bodily injury
- Collision during a police pursuit that results in serious injuries to any party
- Collisions involving City equipment with serious bodily injury

A sergeant may screen any incident with TCIS. Officers will document if TCIS was contacted and what direction was provided.

Sworn employees will try to protect the scene and secure evidence.

7. Officers Impound Vehicles in Certain Collisions

Officers will use a Washington State Tow/Impound and Inventory Record form to impound vehicles when:

- The driver is arrested during the investigation (mandatory for DUI arrests).
- The driver is injured and unable to move the vehicle.
- The vehicle is disabled and unable to be legally parked.

Officers document the tow company, storage location, and any holds placed on the vehicle in the collision report.

Officers may only place a TCIS hold on the suspect vehicle involved in a hit-and-run investigation when these conditions are met:

- An involved party has sustained serious bodily injury, and
- The suspect has not been identified.

(See manual section 6.120 – Impounding Vehicles)

8. Sworn Employees Do Not Recommend Tow Companies

Officers impound vehicles related to investigations through Communications.

9. Light Rail Vehicle (LRV) or Streetcar Collisions Require Additional Reporting

Policy regarding mandatory reportable collisions and TCIS call out applies to LRV or streetcar collisions.

(See 15.260-TSK-1 Officers Investigating an LRV Collision)

15.260-TSK-1 Officers Investigating an LRV or Streetcar Collision

When investigating and reporting a collision involving LRVs or streetcars and a vehicle, officers will:

1. **Report** collisions on a PTCR or SECTOR form.

    - Collisions with pedestrians are reported on an incident report and not on a PTCR or SECTOR form.

2. **List** the LRVs or streetcar's identifying number, located on the side of the coach, in the narrative.

    - Do not list the LRV or streetcar as either unit #1 or unit #2.

3. **List** the LRV or streetcar operator as a witness.

    - Do not list the LRV or streetcar operator as a driver.

4. **Record** in the narrative:

    - The operator's King County DOT Streetcar Certification card and King County Metro Insurance card.

5. **List** all passengers on the Collision Report, Multi-Passenger Vehicle Continuation Sheet (Form 19.4)

6. **Complete** a sketch of the collision.

15.265 – SR 99 Bore Tunnel Response

Effective Date: 07/29/2019

This SR 99 Bore Tunnel Response Plan was developed by the Seattle Police Department (SPD), the Seattle Fire Department (SFD), and the Washington State Department of Transportation (WSDOT). It is meant to provide guidance in the event there is a traffic incident in the tunnel (collision, disabled vehicle, etc.).

The new SR 99 Bore Tunnel is a limited access roadway that replaces the Alaskan Way Viaduct as an alternate north/south route through Seattle. It is a bored road tunnel that is approximately 2 miles long and travels approximately 250 feet underground at its lowest point. It is a double-decker highway with two lanes in each direction and an 8-foot west shoulder and a 2-foot east shoulder.

The northbound lanes are below the southbound lanes. There are only 4 entry points for vehicles to access the tunnel:

- Northbound and Southbound portals at S. Royal Brougham St.
- Northbound and Southbound portals at Harrison St (approx).

More information on the SR 99 Tunnel and its safety features can be found on WSDOT's website.

15.265-POL-1 Definitions

1. With Flow Entry – Responding police vehicles will enter the bore tunnel to an incident with the normal flow of traffic in the lanes affected by the incident. For example, a disabled vehicle in the northbound bore will have responding units enter the northbound tunnel with the traffic flow.

2. Opposite Direction Entry – Responding police vehicles will respond above or below the incident via the opposite direction roadway, but with the flow of that traffic for that portal. They will access the scene on foot via the emergency exit pedestrian corridors. For example, officers responding to a crash in the northbound bore will most likely not be able to get to the crash entering the northbound portal, With Flow. Instead, they will have to enter the southbound portal, stop at the location provided by

dispatch, and walk down the emergency egress corridor to the northbound lanes.

3. Wrong Way Entry – Due to certain emergent circumstances, responding officers and SFD personnel will have to enter the bore tunnel the wrong way, against oncoming traffic, to access the incident. However, Wrong Way Entry will not be made until a firefighter or police officer has made access to the scene utilizing the opposite direction entry and has visually verified that no vehicles can get through the incident and that all vehicles beyond the incident are clear from the tunnel.

> **Note**: Simple visual confirmation by WSDOT's Traffic Management Center (TMC) camera's **DOES NOT** constitute verification that all is clear. It is imperative that a Seattle police officer or Seattle firefighter, in conjunction with WSDOT's TMC cameras, physically confirm that there is a physical barrier halting traffic and that no traffic is still in the roadway downstream from the incident prior to any police or fire vehicles entering the tunnel the wrong way.

4. Standby Locations – There are two designated standby locations for units awaiting deployment into the tunnel for a Wrong Way Entry:

- South Portal Standby Location (for NB travel) – 1st Ave. S. and S. Royal Brougham Way

- North Portal Standby Location (for SB travel) – 6th Ave. N. between Harrison St. and Mercer St.

5. Fire Zone – The SR 99 Bore Tunnel has been divided into 109 Fire Zones, which are marked on the walls of the tunnel. The Fire Zones are stacked so that, whether the incident occurs in the northbound lanes or southbound lanes, the Fire Zones remain the same, either above or below each other.

6. Emergency Doors / Egress Doors – There are 16 Emergency/Egress doors in the tunnel that allow access into the emergency pedestrian corridors. These doors are located every 650 feet and the lead to emergency escape refuge areas that lead to the north and south portals. Again, the Emergency Doors are clearly numbered and are stacked so that they are in the same location whether they are in the northbound lanes or southbound lanes.

7. Deluge System – The SR 99 Bore Tunnel is equipped with a water deluge system in the event of a fire in the tunnel. It is an

automatic detection and activation system that can be manually overridden by the TMC. It only releases water, not foam or any other chemicals. However, the amount of water released creates poor visibility and may cause standing water of up to 6 inches on the roadway.

> **Warning**: Officers should not walk under or through the deluge system while it is activated.

8. Ventilation System – The SR 99 Bore Tunnel is equipped with a combination positive and negative pressure ventilation system that extracts smoke through louvers located in each Fire Zone. In the event of a fire, there are 8 fans capable of extracting smoke along with positive pressure jet fans forcing smoke into the louvers and out of the tunnel.

9. WSDOT Incident Response Team (IRT) – WSDOT will have staffed trucks that can assist with temporary traffic control, signage, or incident mitigation. They are dedicated to the tunnel during commuting hours but are not 24/7.

10. SDOT Serious Incident Response Teams (SIRT) – City-owned emergency response vehicles staffed similarly to WSDOT IRT that will provide assistance with incidents in the tunnel during off-hours or at the request of an SPD Commander.

11. Traffic Management Center (TMC) – The WSDOT statewide roadway management center located in Shoreline on Dayton Ave. N. They operate 24/7.

12. SDOT Traffic Operations Center (TOC) – Located on the 37th floor of Seattle Municipal Tower. They manage all traffic incidents on our surface streets and can assist in the SR 99 Bore Tunnel.

13. North Operations Building (NOB) – Located at 330 6th Ave. N. It is the SPD/SFD designated Unified Command Post for appropriate incidents. It contains the "Operations Center" on the second floor, which contains CCTV monitors of the tunnel cameras and a direct line to the TMC. It also has the North Portal pedestrian exit from the emergency exit corridors. The NOB is the primary location for Unified Command.

14. South Operations Building (SOB) – Located at 90 S. Dearborn St. It also has the South Portal pedestrian exit from the emergency exit corridors. The SOB will act as a secondary Unified Command Center in the event the NOB is somehow unavailable.

15. Headhouse – Street level exiting location for people exiting the lower roadways. There is one headhouse at the NOB, SW corner of the building and one at the SOB across Alaskan Way S. on the west side.

15.265-POL-2 General Policy

1. The Seattle Police Department is the Primary Responding Agency to Non-Fire or Non-Medical Emergency Incidents in the SR 99 Bore Tunnel

Both the WSDOT incident Response Team (IRT) and SDOT's Serious Incident Response Team (SIRT) shall be utilized, when available, to assist with:

- Temporary Traffic Control
- Tunnel Signage
- Incident Mitigation

Note: Both WSDOT IRT and SDOT SIRT trucks have the capability to push vehicles out of the roadway to clear traffic lanes, per TIM's protocols, and shall be utilized as such whenever possible.

2. The Seattle Fire Department is the Primary Responding Agency to Fire or Medical Emergency Incidents in the SR 99 Bore Tunnel

Seattle Fire will respond under their Standard Operating Guideline for SR 99 Tunnel.

3. The Washington State Department of Transportation Traffic Management Center Monitors and Maintains Primary Facilities Control of the SR 99 Bore Tunnel

Each of the following may be called upon to assist WSDOT for Variable Message signage activations and/or confirmation they are working.

- Seattle Police & Fire Operations Personnel
- WSDOT TMC
- Seattle Police Dispatch
- Seattle Fire Dispatch

15.265-POL-3 Types of Responses

1. With Flow Response

The primary strategy for most incidents will be a "With Flow" approach. Deviations may be made based on information received either through the SPD Communications Section or the Seattle Fire Alarm Center (FAC).

Officers will respond to an incident and determine the best course of action, keeping in mind that the objective is life safety first, then clearing the roadway as quickly as possible. If there are no injuries and the vehicles are drivable, direct the involved parties to a safe location (Steer It and Clear It) where they can either exchange information or a report can be taken. If it is a call of a disabled vehicle, call for a private tow (if it already hasn't been done) and see if WSDOT IRT can respond to push the vehicle out of the tunnel to a safe location.

If officers cannot access the scene due to congestion and traffic is at a stand-still, the officer should request an Opposite Direction Entry from another unit to enter the tunnel from the opposite direction and travel up or down the stairway to the incident based on the Fire Zone or Egress Door location provided on the call and check for injuries and report on the status of the incident.

> **Note**: SPD Communications dispatchers may have already dispatched as an Opposite Direction Entry based on 9-1-1 calls, reports from the TMC from camera views of the incident or from SFD's Fire FAC. A unit should still respond With Flow to mitigate any congestion upstream from the incident.

2. Opposite Direction Response

If With Flow is not possible, respond from the opposite direction and travel up or down one level to access the incident based on the Fire Zone number and/or the Emergency/Egress Door number. Park on the 8-foot shoulder for safety reasons.

If SFD is also responding to an Opposite Direction Response, keep in mind that they may already be on scene and may be occupying the 8-foot shoulder plus one lane of travel. Their objective is to leave one lane of travel open for a transportation corridor or apparatus access.

Irrespective of whether SFD is on scene or not, always assess the scene prior to entering the roadway that the incident is on. If it is not safe to access the scene, request additional units to respond utilizing the Opposite Direction Response. Units should also be dispatched to a With Flow response to be able to stop traffic from entering the incident scene or to access the scene itself. Officers should provide continual updates via radio as to arrival, access locations, incident location, traffic or lane clearance or movement, or where units may be needed to make the scene safe.

3. Wrong Way Entry

There are only three instances where SFD will start an automatic response to a Wrong Way Entry and will dispatch units to the standby location in addition to dispatching Fire Units to an Opposite Direction Response:

- Major Fire
- Rescue Extrication
- Hazmat

In those three instances, SPD Dispatchers should also dispatch units to the standby location to meet SFD, as well as dispatching units to an Opposite Direction Entry and a With Flow Entry. Units responding to the standby location shall not enter the tunnel, that the incident is in, the wrong way until they receive confirmation it is safe to do so either by SPD Communications, another SPD Unit that has "eyes on" the actual incident and can verify that it is safe to enter or by an SFD Firefighter/Chief that has "eyes on" the scene and can verify that it is safe to enter the wrong way and against the normal flow of traffic. SPD will then proceed cautiously and escort the SFD Units at the standby location.

SPD Communications Dispatchers will still dispatch units With Flow in order to clear out the tunnel upstream from the incident and to open up additional lanes of traffic for more SFD Units, if needed.

SPD Communications Dispatchers will also dispatch units to respond from the Opposite Direction to be able to accompany the SFD Units also responding from the Opposite Direction and to travel up or down to the scene to assess the incident and report back.

Note: No SPD personnel will enter the scene of a hazmat spill until the Seattle Fire Department has rendered it safe to enter. The TMC has the capability to view the scene via their tunnel

cameras and can provide visual updates to responding personnel.

In the event of a Wrong Way Entry response, the Seattle Police Communications Dispatcher will also dispatch a Supervisor to the scene and dispatch a Lieutenant to the NOB to be part of Unified Command.

4. Role of the TMC

WSDOT's Traffic Management Center will be monitoring all incidents in the tunnel. They have the ability to isolate the incident utilizing their cameras and can provide information to both SFD and SPD personnel responding to the incident. They can also manually override any system in the tunnel and extend any existing safety protocols (Deluge System and Ventilation System).

The SR 99 Bore Tunnel has three different types of fans to keep fresh air flowing in the tunnel and remove fumes from engines or fires. Under normal operations, vehicles traveling through the tunnel act like pistons, pushing fresh air into and through the tunnel. When environmental monitoring stations inside the tunnel detect increasing particulates in the air, jet fans automatically activate and supplement the air flow. In the event of a vehicle fire, the tunnel's eight large extraction fans pull smoke out via vents in the tunnel wall while the jet fans push fresh air inside. The extraction fans push the smoke out the tunnel's yellow ventilation stacks, located atop the operations buildings at both ends the tunnel. The TMC can also override the automatic sensors and activate the ventilation system.

Each emergency door leads to a refuge area/exit. The enclosed emergency walkways have an independent ventilation and fire control system. The pedestrian refuge areas have concrete walls and fire-resistant doors that separate it from the tunnel's roadway. Pedestrians can either shelter-in-place in the refuge areas or make their way to the exits at either the NOB or SOB. Responding SPD officers shall verify that there are no victims in the refuge areas prior to clearing the scene.

The TMC will activate overhead dynamic messaging signs in the tunnel and broadcast emergency instructions over loudspeakers in the tunnel to direct drivers and pedestrians in the event of an incident in the tunnel.

There are emergency push-to-talk phones inside the tunnel that connect directly to the Seattle Police Communications Section, if needed.

The TMC will also activate their overhead lane closure signs to warn drivers that a lane is closed or both lanes are closed. They will also activate their dynamic messaging signs upstream from the incident to warn drivers that the tunnel is closed. At the request of the Seattle Police Department, the TMC can also drop the roadway gates preventing cars from entering the tunnel.

15.265-POL-4 Responsibilities of the Communications Section

1. The Communications Section will Refer to Their Internal Manual

The Seattle Police Communications Center responses to incidents in the SR 99 Bore Tunnel have been outlined in their internal Policies and Procedures Manual under Section 5.201 – SR 99 Tunnel Responses.

Officers are reminded that the chief of police gives Communications dispatchers the authority and responsibility to manage field unit resources.

15.265-POL-5 Responsibilities of the Primary and Secondary Officers

1. Officer Responding to Minor Blocking Collisions, with no Injury Reported, or Disabled Vehicles will Respond to the Incident With Flow

Upon arriving, if possible, officers will attempt to clear the roadway as soon as possible utilizing either WDSOT IRT or SDOT SIRT.

If neither are available, then a tow should be called as soon as practical to clear the roadway.

There are “landing areas” just outside each portal entrance where vehicles can be pushed to clear the roadway while the vehicle owner is awaiting a private tow.

Officers will complete the necessary paperwork or clear the call with a “union” if no paper is written.

Whenever the roadway is blocked, once the roadway is clear, update that on CAD. If both lanes are blocked and one lane is able to get open, please note that time also.

2. Officers Responding to Unknown Injury Collisions or Other Incidents Involving Complete Lane Closures in One Direction will Respond Both With Flow and an Opposite Direction Entry

The units responding to the incident With Flow will assess the traffic flow and determine if re-routes need to be implemented to prevent additional vehicles from entering the tunnel.

The units responding with the Opposite Direction Entry will approach the scene from the tunnel either above or below the incident and will access the incident by traveling on foot through the pedestrian corridors.

An SPD supervisor will also be dispatched to any call involving an Opposite Entry Response.

SPD Communications will provide all responding personnel with the direction that the incident is in, the Fire Zone Number and Egress Door number.

> **Note**: The numbers are the same whether the incident is in the northbound or southbound tunnel.

The units responding via the Opposite Direction Entry will most likely be the first units on scene and can update the call accordingly.

Seattle Fire will also be responding to most injury collisions with the Opposite Direction Entry and will stage their rigs either above or below the incident and then proceed on foot to the scene with limited equipment to administer aid or fight any fires.

Seattle Fire has primary control of any Aid or Fire scenes; SPD will assist as needed with traffic mitigation.

The SPD Supervisor will contact the Seattle Fire Incident Commander and will coordinate police resources and assist Seattle Fire, as needed.

Once SFD clears the scene, SPD will take the lead and will attempt to clear the vehicles as soon as possible and investigate the incident.

Updates to the Communications Section need to be broadcasted with anticipated roadway closure durations or when a traffic lane can be open.

If a TCIS response is required, SPD will shut down the tunnel in the direction of travel the incident has occurred, from the appropriate portal, until TCIS has cleared the scene.

Notify a patrol or traffic supervisor in the event the closure will go for an extended period beyond one hour in duration.

Once the incident is clear and traffic operations return to normal, note the time via a CAD entry.

3. Officers Dispatched to a Major Incident in the Tunnel will be Dispatched With Flow, Opposite Direction Entry and will Be Sent to the Standby Location to Prepare for a Wrong Way Entry Response with Seattle Fire

Wrong Way Entry Responses will automatically be dispatched for the following three circumstances:

- Major Fire
- Rescue Extrication
- Hazmat Situation

Wrong Way Entry Responses will also automatically trigger a Unified Command Response involving SPD, SFD, WSDOT and SDOT and the Command Center in the North Operations Building (NOB) will be activated and staffed.

An on-duty Lieutenant will be dispatched to the NOB as the police representative for Unified Command.

Officers sent to the Standby location will not enter the tunnel the wrong way until they received confirmation form a unit at the scene that it is safe to do so.

Once authorized to affect the Wrong Way Entry, officers will respond cautiously entering the tunnel against oncoming traffic and escort the Seattle Fire Department Vehicles to the scene.

Once arrived at the scene, SFD will continue to have Incident Command of the scene until they release the scene to SPD. Officers will assist the SFD On-Scene Incident Commander until Unified Command is established, and direction is conveyed through the Command Center.

Once Unified Command has been established in the Command Center in the NOB, all police activity will be controlled by the Police Incident Commander in the NOB.

After the scene has been stabilized and Seattle Fire has turned over command to the Police Incident Commander in the Command Center, officers will investigate the incident as directed.

Upon clearing the scene, the Unified Command will be demobilized, and the on-scene SPD supervisor will ensure that any necessary investigative steps are completed.

15.265-POL-6 Responsibilities of the Responding Sergeant

1. A Seattle Police Supervisor will Respond to all Scenes Involving an Opposite Direction Response

The sergeant will contact the on-scene Seattle Fire Commander and assist with coordinating police activities to mitigate traffic issues and to help Seattle Fire in looking for additional victims or scene control.

Once Seattle Fire has contained the scene and turned it over to the Seattle Police, the sergeant will coordinate police activity with the goal of:

- Restoring normal, safe traffic flow as quickly as possible and relaying any anticipated delays to the Communications Section.
- Establishing traffic reroutes for incidents that have extended tunnel lane closures.
- Clearing all police resources out of the scene as soon as practical.

15.265-POL-7 Responsibilities of the Responding Lieutenant (Unified Command)

1. A Seattle Police Lieutenant will Be Dispatched to Major Incidents in the Tunnel Requiring a Wrong Way Entry Response

The lieutenant will respond to the Command Center in WSDOT's North Operations Building (NOB), 333 6th Avenue N. on the second floor. After hours, request a WSDOT SR 99 Tunnel Engineer to respond and activate the NOB.

The lieutenant will assume his or her role as part of Unified Command involving Seattle Fire, Seattle Police, WSDOT and SDOT.

Seattle Fire will have overall scene command until the incident has been stabilized.

Once Seattle Fire stabilizes the scene, Seattle Police will take over Unified Command until the scene is clear.

Once we clear the scene, Unified Command will officially be turned over to WSDOT so that they can conduct infrastructure checks on the tunnel to ensure it is safe for use.

The lieutenant will ensure that all appropriate documentation is completed and forwarded accordingly.

15.270 – Trespass Warning Program

Effective Date: 05/07/2019

15.270-POL

This policy applies when an officer enforces the criminal trespass law through the Trespass Warning Program.

1. The Trespass Warning Program Does Not Replace Law

Officers may arrest for violations of SMC 12A.08.040 (Criminal Trespass) on private property regardless of the existence of a trespass warning agreement between the Department and the proprietor.

2. Defining Relevant Terms

For the purposes of this policy the following definitions apply:

Trespass Warning Program – The system that allows SPD officers to proactively issue behavior-based Trespass Warnings. The program's three components are the Trespass Warning & Enforcement Authorization, the "Conditions of Entry" signage, and the Trespass Warning.

Proprietor – The term proprietor includes the owner or operator of a business or property, and anyone delegated the authority to revoke an individual's permission to enter or remain on the property.

Admonishment – The admonishment is initiated by the proprietor. It revokes the permission for a specific individual to enter onto or remain on the property for any purpose. A proprietor may ask for SPD assistance in delivering the admonishment, but it is still initiated by the proprietor and not the officer.

Trespass Warning – A Trespass Warning (Form 5.34.1) is issued by SPD officers pursuant to a Trespass Warning & Enforcement Authorization. The warning is based on the behavior of the person being warned.

3. Businesses Must Sign Up for the Program Individually

To enter the program, each individual business must complete and sign a Trespass Warning & Enforcement Authorization. Captains will designate representatives to manage the Trespass Warning Program for their precinct (See 15.270-PRO-1).

Each authorization will apply to the single listed address. The Department will not complete group trespass authorizations.

4. Common Areas are Covered Under Separate Authorizations

On properties that have multiple businesses, such as strip malls, the individual business authorization may not include the common areas of the property, such as parking lots. The property owner may cover those areas in a separate trespass authorization.

Conversely, the property owner may not restrict persons from visiting individual businesses on the property under the authorization covering the common areas.

5. Businesses Must Display "Conditions of Entry" Signs

It is the proprietor's responsibility to obtain and conspicuously display the required "Conditions of Entry" signs. The signs must conform in format and language as shown on the City's website.

The manner of display is covered in the signed authorization. Officers have the discretion to determine if the proprietor has displayed the signs in a manner that meets those requirements.

6. Officers May Proactively Issue Written Warnings Under the Trespass Warning Program

Officers may initiate contact and issue a Trespass Warning for conduct occurring on private property (See 15.270-PRO-3).

All of the following must be present:

- A person is on private property that has a current Trespass Warning & Enforcement Authorization on file, and
- Conditions of Entry signs are posted, and
- The person is engaged in behavior prohibited by the posted signs.

7. Officers May Arrest Based on Previous Trespass Warnings

Officers may initiate contact and arrest a person for criminal trespass under the Trespass Warning Program if all of following requirements are met:

- The person is on a property that has a current Trespass Warning & Enforcement Authorization in RMS, and
- The person is engaged in prohibited behavior, and
- The person has been given a Trespass Warning so that a (TW) Field Contact Report appears in Mark 43 for that individual for that location.

8. Proprietors May Revoke Authorizations or Individual Warnings

The proprietor may revoke the entire Authorization or any individual Trespass Warning at any time and for any reason. The proprietor may do so by providing notice to SPD through the email address provided, by mail, or in person.

(See 15.270-PRO-2)

Under the program, the proprietor may also instruct SPD not to issue a Trespass Warning to an individual.

15.270-PRO-1 Setting Up the Trespass Warning & Enforcement Authorization

Proprietor

1. **Contacts** the Department in person or using the following email addresses to sign a Trespass Warning & Enforcement Authorization (form 5.34).

   NPrecinctTrespassProgram@seattle.gov

   WPrecinctTrespassProgram@seattle.gov

   SPrecinctTrespassProgram@seattle.gov

   SWPrecinctTrespassProgram@seattle.gov

   EPrecinctTrespassProgram@seattle.gov

SPD Representative

2. **Gives** a copy of the authorization to the proprietor with precinct contact information.

3. **Explains** the enforcement process to the proprietor.

4. **Explains** the process for revoking the authorization and individual trespass warnings (See 15.270-PRO-2).

Proprietor

5. **Obtains** "Conditions of Entry" sign(s) that must be conspicuously posted on the property.

Precinct Operations Administrative Specialist

6. **Files** the Trespass Warning & Enforcement Authorization at the precinct.

7. **Forwards** the authorization to Data Center.

8. **Enters** the information into Mark43 creating a Field Contact Report for the property.

15.270-PRO-2 Revoking the Trespass Authorization or Individual Warnings

Proprietor

1. **Contacts** the precinct by email, mail, or in person, and informs them of the desire to remove the entire authorization or an individual Trespass Warning.

SPD Representative

2. **Verifies** by email or written documentation that the proprietor wants the authorization or individual warning revoked.

3. **If** an entire trespass agreement is revoked, **coordinates** with precinct command to notify the precinct officers of the change.

4. **Arranges** for the request to be sent to Data Center.

Data Center

5. **Updates** Mark43 using the Field Contact Report.

15.270-PRO-3 Issuing a Trespass Warning Per the Trespass Warning Program

Officer

1. **Observes** a subject violating conditions of entry on a property participating in the Trespass Warning Program.
2. **Contacts** the individual to explain the prohibited behavior and point out the posted sign.
3. **Completes** a Trespass Warning (form 5.34.1).
4. **Gives** a copy of the warning to the subject.
5. **Submits** the warning to sergeant for review.

Sergeant

6. **Reviews** the Trespass Warning.
7. **Delivers** the warning to the Precinct Operations Administrative Specialist.

Precinct Operations Administrative Specialist

8. **Enters** the person's name into Mark43 using a Field Contact Report with a Trespass Warning (TW).
9. **Files** the Trespass Warning.

15.270-TSK-1 Processing the Criminal Trespass Arrest for a Previous Warning

When an officer makes an arrest under the Trespass Warning Program based on a previous Trespass Warning, the **officer**:

1. **Locates** the original Trespass Warning (form 5.34.1) at the precinct.
2. **Writes** the Report Number of the arrest on the original Trespass Warning.

3. **Sends** a copy of the original to Data for scanning and attaching onto the Report.

4. **Enters** the original Trespass Warning into evidence under the Report Number for the arrest.

5. **Completes** a new Trespass Warning for the individual.

   (See 15.270-PRO-3)

6. **Includes** the complainant's information as listed on the Trespass Warning Agreement & Enforcement Authorization on the Report.

7. **Lists** the officer who issued the original Trespass Warning as the secondary officer in the Report.

Seattle Police Department Manual

15.275 – Enforcing Trespass in Parks

Effective Date: 05/07/2019

15.275-POL

This policy applies when an officer enforces the criminal trespass law in a city park or Parks Department facility using the Parks Trespass Warning/Exclusion (form 23.4).

1. Parks Superintendent Authorizes SPD to Issue Warnings and Exclusions

The Seattle Parks and Recreation Superintendent has authorized police officers to issue a Parks Trespass Warning/Exclusion to anyone who violates the following within a city park or Parks facility:

- Any provision of the City of Seattle Parks Code (SMC Chapter 18.12)
- Any park rule as defined in SMC 18.12.030
- Any other provision of the SMC or RCW

2. Officers Will Issue Written Notice for Warnings and Exclusions

Officers will issue the Parks Trespass Warning/Exclusion to give notice to the offender of the trespass warning or exclusion. This is a three-part form:

- Original copy (White) – Routed to the Data Center after sergeant approval. The reverse side contains space for the officer's narrative.
- Offender's Copy (Gold) – Given to the offender. The reverse side of this copy contains information on how the offender may request a hearing and lists the park zones, including the names and addresses of the parks located in each zone.
- Precinct of Occurrence Copy (White Card Stock) – Filed at the precinct.

Officers will give the offender the opportunity to sign the original, but a refusal to sign does not invalidate the warning or exclusion.

3. The Offender's Conduct May Also Trigger Exclusion

In addition to a trespass warning, officers may include an exclusion on the same form for certain conduct.

If a person's conduct in a park or Parks facility is a threat to public safety, the officer may exclude that person from that park or facility for the remainder of the day.

If a person has committed a felony or criminal weapons violation in a park or Parks facility, the officer may exclude that person from that entire park zone for a period of one year.

4. Field Contact Reports Will Show Previous Parks Trespass Warnings/Exclusions

The precinct operations administrative specialist will enter the information from the Parks Trespass Warning/Exclusion into Mark43.

If Parks hearing officers rescind or shorten an exclusion period, they will send a copy of that order to the precinct of issuance. The precinct operations administrative specialist will update Mark43 to reflect the change and send a copy of the order to the Data Center Unit.

Officers who do not have immediate access to Mark43 may contact Communications to check for Field Contact Reports.

5. Officers May Arrest Based on Previous Parks Trespass Warnings/Exclusions

Officers may initiate contact and arrest a person for criminal trespass if:

- The person enters or remains in a park or Parks facility from which he or she has been excluded, during the period covered by a Parks Trespass Warning/Exclusion.
- The person has received a Parks Trespass Warning/Exclusion, remains in, or returns to any park or Parks facility, and violates any of the applicable rules or laws.

15.275-PRO-1 Completing the Parks Trespass Warning/Exclusion Process

Officer

1. **Completes** the front of the Parks Trespass Warning/Exclusion, including name and serial number at the top left.

2. **Provides** the offender the opportunity to sign the form.

    a. **Marks** the "Refused to sign" box if appropriate.

3. **Gives** the offender the gold copy of the form.

4. **Writes** a narrative on the reverse side of the original describing the offender's conduct that led to the warning or exclusion.

5. **Submits** both the original and the precinct of occurrence copy to the precinct ops administrative specialist.

Ops Administrative Specialist

6. **Enters** the information into Mark 43 creating a Field Contact Report. See 15.275-TSK-1

7. **Files** the precinct copy alphabetically.

8. **Forwards** the original to the Data Center.

15.275-TSK-1 Entering the Parks Exclusion/Trespass Warning

When entering Parks Trespass Warning/Exclusion information into Mark 43, the **ops administrative specialist**:

1. **Completes** a Field Contact Report to input the data.

a. If the warning contains no exclusion or an exclusion for the remainder of the day, the correct record type is Park Warning (PW).

Note: The exclusion for the remainder of the day is likely already expired by the time the Field Contact is entered. The warning remains in effect.

b. If the warning contains a one-year exclusion, the record type is Park Exclusion (PE).

2. **Formats** the narrative section according to the record type.

   a. Type PW-"PW,(Park name),(Reason)"

   b. Type PE-"PE,(Park Zone),(Park name),(Reason)"

3. **Scans** and **attaches** the Parks Trespass Warning/Exclusion to the Field Contact Report.

15.280 – DUI Investigations

Original Effective Date: 09/01/2020
Revised Effective Date: 05/01/2024

Sworn employees will follow this policy for investigating incidents of driving under the influence and physical control (DUI/PC). Additional guidance is provided by:

TD18-00001 DUI Detection & Investigation

TD18-00002 How to Use the DRAEGER ALCOTEST 9510

TD18-00003 How to Get a DUI Blood Warrant

15.280-POL-1 DUI Investigations

1. Sworn Employees are Responsible for DUI/PC Investigations

Sworn employees will complete investigations for DUI/PCs occurring within the City of Seattle.

Exception: An on-duty lieutenant or above may approve the request of an outside agency to conduct a DUI/PC investigation.

2. Sworn Employees Determine Whether a DUI/PC Subject Requires Mandatory Booking per RCW 10.31.100 (16)

Sworn employees will reasonably try to determine a DUI/PC subject's criminal history. The following DUI/PC subjects will be booked into KCJ:

- Those with a pending DUI/PC.
- Those with a conviction or deferred prosecution for a previous DUI/PC within the last ten years, in any state.
- Those with a prior Vehicular Homicide or Vehicular Assault conviction, or the equivalent in another state, in the subject's lifetime.

Exceptions: If an arrestee is admitted to a hospital, sworn employees are not required to provide a hospital guard. If an arrestee meets mandatory booking criteria but medical necessity or other exceptionally compelling circumstance prevents their incarceration, a watch lieutenant may approve release of the subject after reasonable steps have been taken to prevent the subject from driving.

3. Investigations Involving SPD Employees

If an SPD employee is detained under investigation of DUI/PC, an on-duty supervisor with the rank of lieutenant or higher will attempt, if feasible, to have an outside agency perform the DRE assessment.

15.280-POL-2 DUI/PC Breath Test Investigations

1. Sworn Employees Maintain a Breath Test Program Permit

Sergeants and officers assigned to Patrol or to Traffic, or who regularly wear a uniform while on duty, will maintain a current Breath Test Program Permit.

- Impaired driving recertification classes are required every three (3) years.

Only sworn employees with a current Breath Test Program Permit will administer an evidentiary breath test.

2. Sworn Employees Follow the Washington Administrative Code (WAC 448-16-040) Guidelines for DUI/PC Breath Test

Sworn employees will complete the DUI/PC investigation and paperwork following their training.

- The Washington State DUI packet and its Spanish translation can be found here and here.

3. Sworn Employees Will Use Only Approved Breath Test Instruments

15.280-POL-3 DUI/PC Blood Draw Investigations

1. Sworn Employees May Pursue a Search Warrant for Blood

Sworn employees may seek a search warrant for blood without offering or administering a breath test.

The SPD Advanced Training Impaired Driving Coordinator, the City of Seattle TSR prosecutor, or a DUI prosecutor may assist sworn employees in drafting the Search Warrant.

Sworn employees may screen with the King County Prosecuting Attorney's Office or the City of Seattle Attorney's Office Traffic Safety Resource (TSR) Prosecutor, through Communications, to consult regarding the further steps for a post exigency blood draw.

2. Sworn Employees Conduct Warrantless Blood Draws Only in Exigent Circumstances

Sworn employees seeking an exigency draw must articulate why destruction of the evidence is reasonably likely if a warrant is obtained.

Sworn employees may consider such factors as:

- Medical personnel inform the sworn employee that the subject will soon be medically unavailable and/or given a blood transfusion and/or provided drugs.

Sworn employees complete the search warrant for the blood once the blood is seized.

3. Only Qualified Persons May Conduct a Blood Draw

15.280-POL-4 Considerations and Options for DUI Investigations

1. Sworn Employees May Request a Drug Recognition Expert (DRE)

If a sworn employee has articulable facts to believe a subject's impairment is caused by drugs, they may request the assistance of a DRE.

- Prior to the DRE's arrival, the sworn employee will begin a DUI/PC investigation and attempt to assess the subject's impairment, including SFST's.

- The sworn employee will complete the primary investigation of the DUI/PC with the assistance of the DRE.

If an incident requires a TCI response (see manual section 15.260 - Collision Investigations), the primary sworn employee will request a DRE respond to complete the primary investigation of the DUI/PC.

- If a DRE response is required, and they are responding, the sworn employee will not begin the DUI/PC investigation.

Sworn employees request a DRE through Communications:

- Requests an on-duty SPD DRE to respond,

- If an on-duty SPD DRE is unavailable, with a supervisor's approval, requests an SPD DRE respond from home,

- If an SPD DRE is not available to respond from home, then requests an outside agency's DRE to respond.

- Sworn employees may begin to seek a warrant to draw blood while waiting for the DRE to respond.

- Sworn employees should articulate their request for a DRE in their report.

(See 15.280-PRO-1 Subject Arrested for DUI/Physical Control-Blood Draw)

2. Considerations for Impounding a Vehicle After a DUI /PC Arrest

Sworn employees will consider alternatives to impounding vehicles used for DUI/PC.

- For guidance on alternatives to impound, see manual section 6.120-Impounding Vehicles.

When impounding the vehicle of a driver arrested for DUI or Physical Control, sworn employees will cite RCW 46.55.360 and Hailey's Law requiring the 12-hour hold.

3. Sworn Employees Call Child Protective Services (CPS) in Certain DUI/PC Investigations

If a passenger is under the age of 16 and the DUI/PC subject is the parent, guardian, legal custodian, sibling, or half-sibling, sworn employees will notify Child Protective Services by calling the CPS centralized intake office at 1-800-609-8764 and then pressing '9' for daytime intake, or 1-800-562-5624 and pressing '9' for afterhours intake. Sworn employees will document the notification in the report.

15.280-POL-5 DUI Investigation Documentation

1. Sworn Employees Use Relevant Portions of the Washington State DUI Packet

Sworn employees will complete and submit to Data portions of the WA State DUI Packet that applies to the investigation. This will include the report of Breath/Blood Test for Alcohol and/or THC or Refusal to Submit to Breath Test for Alcohol form (front page of the WA State DUI Packet) if:

- The subject is 21 years of age or older and three of the four breath samples are .080 or above, or

- The subject is under 21 and three of the four breath samples are .020 or above, or

- The subject was operating a commercial motor vehicle with a Commercial Driver's License and three of the four breath samples are .040 or above, or

- The subject refuses by words or conduct to submit to a breath test after being advised of the Implied Consent Warning for Breath.

2. Sworn Employees Document DUI/PC Investigations in a Report

Sworn employees will document the incident in a report. Entities may include the subject, the person drawing the blood, the drinking location, and the seized vehicle. All crimes associated with the incident are documented under the same number as the DUI/PC investigation (see manual section 15.180 – Primary Investigations).

- If a blood draw is performed, the person who draws the blood will be entered as a "witness" entity.

- On the back of the ticket(s) in the narrative field, write the number, and "See related reports."

(See 15.280-TSK-2 Sworn Employee DUI/PC Documentation)

3. Sworn Employees Refer Citations to the Prosecutor if an Arrestee is Not Booked

4. Arrests for DUI/PC Cleared With an "Adam"

Sworn employees use an "Adam" disposition to clear the arrest whether the subject is booked into KCJ or released after processing.

5. Sworn Employees May Finish Paperwork the Following Day with a Supervisor's Approval (See Manual Section 5.001-POL-5)

Exception: If the subject is booked, the report must be completed prior to the end of shift.

15.280-PRO-1 Subject Arrested for DUI/Physical Control-Blood Draw

Sworn Employee

1. **Completes** the DUI/PC investigation and paperwork following 15.280-TSK-1 Sworn Employee Conducting a Blood Draw.

2. **Notifies** a sergeant of the DUI/PC arrest.

3. **Sends** a copy of all paperwork to Data.

4. **Compiles** copies of any paper documents from the investigation.

   - **Receives** the results of a blood test later.

5. When reportable, **completes** the DOL paperwork and a supplemental report with WSP examiner entity from the toxicology report found here and **forwards** to Records.

Data Center/Records

6. **Sends** DUI/PC-blood citations to TCI pending toxicology results.
7. **Receives** toxicology report and citation from TCI.
8. **Sends** a copy of the toxicology results to the officer listed on the report.
9. **Scans** the toxicology report into the electronic case file.
10. **Releases** a copy of the report/citation to the Law Department, if instructed.

TCI

11. **Receives** DUI/PC-blood citations from Data.
12. **Sends** WSP toxicology report and citation to Data.

15.280-TSK-1 Sworn Employee Conducting a Blood Draw

When conducting a blood draw during a DUI/PC investigation, a **sworn employee**:

1. **Obtains** a search warrant for blood, absent exigent circumstances.
2. **Completes** the blood draw using the instructions in the Blood Kit.
3. **Completes** a property report for the Blood Sample Kit.
4. **Submits** the Blood Kit to Evidence with the WA State Toxicology Laboratory – WSP DUI/DRE – Request for Analysis form found here.
5. **Files** the search warrant with the issuing court within 72 hours.

15.280-TSK-2 Sworn Employee DUI/PC Documentation

When compiling paperwork during a DUI/PC investigation, a **sworn employee**:

1. **Completes** a packet that contains:

   - A Criminal Citation, unless this is a felony.
   - A Notice of Infraction, if the investigating officer deems it appropriate.
   - Relevant portions of the Washington State DUI Packet, if any.
   - Completed search warrant hard-copy, if applicable.

- Medical professional credentials, if applicable.
- Collision report, if applicable.
- Tow/Impound form, unless submitted electronically.
- Medical Professional Affidavit.

2. **Completes** a report with entities and the incident narrative.
3. **Forwards** the packet to Data Center via department mail.

15.290 – Stay Out of Areas of Prostitution (SOAP)

Effective Date: 05/07/2019

POLICY

When an individual is convicted of a prostitution related offense, they may be placed on SOAP probation. The probationer is restricted from entering certain geographic areas that have been identified as areas of high prostitution activity. These restrictions are generally in effect between the hours of 1100 and 0600. At the discretion of the courts, certain areas may be added or deleted, and individual orders may contain modifications.

I. SOAP Violations - General

A. The violation of a SOAP order is not a new criminal offense. It is a violation of the terms of an offender's probation.

B. The issuing court will only enforce the order upon the appearance in court of the offender.

C. Citations will not be issued for SOAP violations.

D. Reports or Supplements should not be prepared unless the offender has been arrested for the SOAP violation.

II. Verifying SOAP Orders

A. Officers can verify the existence of a specific SOAP order and its terms by requesting that information from the Database radio operator or by telephoning either the Records Files Unit or the Human Trafficking Unit.

III. General Offense Numbers for SOAP Arrests

A. If a SOAP order exists and an arrest is made, write a Report referenced in the SOAP order. Officers should obtain the Report Number from the verifying source (Records Files Unit, Human Trafficking Unit, etc.).

B. If there are new criminal charges, obtain a new Report Number. Write a new Report and link it to the existing SOAP

order Report Number. List the existing SOAP order Report Number in the narrative.

IV. Reporting a SOAP Arrest

A. Superform

1. Complete the Superform using the existing SOAP order Report Number. List "Probation Violation (SOAP) 12A.56.020" in the offense data section of the Superform.

2. If the original SOAP order Report Number is listed on the Superform, it is not necessary to provide a copy of the SOAP order.

B. Supplement Report

1. Complete the Report using the SOAP order Report Number.

V. Reporting a SOAP Violation When There is a "New" Charge

A. Superform

1. If you arrest an individual for a crime other than SOAP and then determine that this individual is also in violation of an existing SOAP order, refer to the SOAP violation and include the SOAP order Report Number in the offense data section of the Superform.

B. Report

1. Include "SOAP – Viol" in the Offenses block of the Report bearing the Report Number for the offense which caused the arrest.

2. Link the new Report to the SOAP order Report Number. List the SOAP order Report Number in the report narrative for the benefit of the Court Unit.

15.300 – Stay out of Drug Areas (SODA)-Defined Boundaries

Effective Date: 05/07/2019

I. General

A. The following areas in the precincts are drug trafficking areas. At the beginning of the precinct's SODA zone listing, there is a definition of what areas are included in that particular precinct's SODA zones.

B. For detailed information about SODA, including arrest procedure, refer to Seattle Police Manual Section 15.150 - Narcotics [(subsection III B (adults) & C (juveniles)].

II. West Precinct SODA

A. All zones are identified starting at the northwest corner and move clockwise from that point. Unless specified, zone borders include both sides of the street, immediately adjoining sidewalks, alleys, and properties. All adjacent parks are included in the zone.

1. Zone 1

   Northeast on Broad St from Alaskan Way to Republican St.

   East on Republican St to I-5 South.

   South on I-5 to Madison St.

   West on Madison St to Alaskan Way.

   North on Alaskan Way to Broad St.

2. Zone 2

   East on Madison St from Alaskan Way to I-5 South.

   South on I-5 to S. Plummer St.

   West on S Plumber St to Airport Way S.

   Northwest on Airport Way S to 4th Ave S.

North on 4th Ave S to S King St.

West on S. King St to Alaskan Way S.

North on Alaskan Way S to Alaskan Way and Madison St.

III. North Precinct SODA

A. All zones are identified starting at the northwest corner and move clockwise from that point. Unless specified, zone borders include both sides of the street, immediately adjoining sidewalks, alleys, and properties. All adjacent parks are included in the zone.

1. Zone 1

East on NE 145th St from 23rd Pl NE to 37th Ave NE.

South on 37th Ave NE to NE 140th St.

East on NE 140th St to 39th Ave NE.

South On 39th Ave NE to NE 125th St.

West on NE125th St to 36th Ave NE.

South on 36th Ave NE to NE 115th St.

West on NE 115th St to 35th Ave NE.

South on 35 Ave NE to NE 105th St.

West on NE 105th St to Fischer Pl NE.

Southwest on Fischer Pl NE to NE 103rd St.

West on NE 103rd St to North bound I-5.

North on I-5 to NE 125th St.

East on NE 125th St from North bound I-5 to 25th Ave NE.

North on 25th Ave NE to NE 135th St.

West on NE 135th St to 23rd Pl NE.

North on 23rd Pl NE to NE 145th.

2. Zone 2

East on N 145th St from 3rd Ave NW to Meridian Ave N.

South on Meridian Ave N to N 130th St.

East on N 130th St to the N 130th St I-5 on ramp.

Southeast on the on ramp to I-5 south bound. I-5 South to NE 80th St.

West on NE 80th St to 15th Ave NW.

North on 15th Ave NW to NW 100th St.

East on NW 100th St to NW 100th Pl.

Northeast on NW 100th Pl to 3rd Ave NW.

North on 3rd Ave NW to N 145th St.

3. Zone 3

East on N 80th St from Ashworth Ave N. to South bound I-5.

South on I-5 to NE 75th St.

East on NE 75th St to 20th Ave NE.

South on 20th Ave NE to NE 45th St.

West on NE 45th St to Memorial Way NE.

South on Memorial Way NE to George Washington LN.

South on George Washington LN to NE 40th St.

West on NE 40th St to 15th Ave NE.

South on 15th Ave NE to NE Pacific St.

West on NE Pacific St. NE Pacific St turns into NE 38th St, NE 38th St turns back into NE Pacific St, which then turns into NE Northlake Way.

West on NE Northlake Way to N Northlake Way.

West on N Northlake Way to Stone Way N.

North on Stone Way N to Green Lake Way N.

North on Green Lake Way N to W Green Lake Way N.

West on W Green Lake Way N to Aurora Ave N.

North on Aurora Ave N to W Green Lake Dr N.

Northeast on W Green Lake Dr N to Ashworth Ave N.

North on Ashworth Ave N to N 80th St.

4. Zone 4

East on NW 61st St from 24th Ave NW to 14th Ave NW.

South on 14th Ave NW to NW 50th St.

East on NW 50th St to Stone Way N.

South on Stone Way N to N 35th St.

West on N 35th St to Freemont Pl N.

Northwest on Freemont Pl N to N 36th St.

West On N 36th St to Leary Way NW.

Northwest on Leary Way NW to NW 46th St.

West on NW 46th St to Shilshole Ave NW.

Northwest on Shilshole Ave NW to 24th Ave NW. North On 24th Ave NW to NW 61st St.

IV. South Precinct SODA

A. All zones are identified starting at the northwest corner and move clockwise from that point. Unless specified, zone borders include both sides of the street, immediately adjoining sidewalks, alleys, and properties. All adjacent parks are included in the zone.

1. Zone 1

East on I-90 from 12th Ave S. to Martin Luther King Jr. Way S.

South on Martin Luther King Jr. Way S to S Hanford St.

East on S Hanford St to 37th Ave S. South On 37th Ave S to S Andover St.

East on S Andover St to 42nd Ave S.

South on 42nd Ave S to S Alaska St.

West on S Alaska St to S Columbian Way. Continuing west on S Columbian Way to Beacon Ave S. North on Beacon Ave S to Cheasty Blvd S.

Northeast on Cheasty Blvd S to 24th Pl S.

North on 24th Pl S to S Andover St.

West on S Andover St to 24th Ave S.

North on 24th Ave S to S Spokane St.

West on S Spokane St to S Columbian Way. Continuing west on S Columbian Way to North I-5.

North on I-5 to the I-5 I-90 interchange.

East on I-90 to 12th Ave S.

2. Zone 2

East on S Alaska St from Martin Luther King Jr. Way S to 47th Ave S.

South on 47th Ave S to S Hudson St.

East on S Hudson St to 51st Ave S.

South on 51st Ave S to S Holly St.

West on S Holly St to Martin Luther King Jr. Way S.

North on Martin Luther King Jr. Way S to S. Alaska St.

3. Zone 3

East on S Holly St from Beacon Ave S to Seward Park Ave S.

South on Seward Park Ave S Cloverdale Pl S.

Southwest on Cloverdale Pl S to S Cloverdale St.

West on S Cloverdale St to Beacon Ave S.

North on Beacon Ave S to S Holly St.

4. Zone 4

East on S Cloverdale St from 44th Ave S to Cloverdale Pl S.

Northeast on Cloverdale Pl S to Seward Park Ave S.

South on Seward Park Ave S to Rainer Ave S.

East on Rainier Ave S to 57th Ave S.

South on 57th Ave S continue south to Waters Ave S.

South on Waters Ave S to S Bangor St.

West on S Bangor St to 61st Ave S.

South on 61st Ave to the Seattle City Limit.

West on the City Limit Line to S Leo St. Continuing west on S Leo St to 51st Ave S.

North on 51st Ave S to Renton Ave S.

Northwest on Renton Ave S to S Henderson St.

West on S Henderson St to 44th Ave S.

North on 44th Ave S to S Cloverdale St.

V. Southwest Precinct SODA

A. All zones are identified starting at the northwest corner and move clockwise from that point. Unless specified, zone borders include both sides of the street, immediately adjoining sidewalks, alleys, and properties. All adjacent parks are included in the zone.

1. Zone 1

East on SW Alaska St from 36th Ave SW to 21st Ave SW.

South on 21 Ave SW to SW Dawson St.

East on SW Dawson to 16th Ave SW.

South on 16th Ave SW to SW Graham St.

West on SW Graham St to Highpoint Dr SW.

South on Highpoint Dr SW to Sylvan Way SW.

West and north on Sylvan Way SW to SW Holly St.

West on SW Holly St to 36th Ave SW.

North on 36th Ave SW to SW Alaska St.

2. Zone 2

East on SW Myrtle St from a line approximating 26th Ave SW to Highland Park Way SW.

South on Highland Park Way SW to SW Kenyon St.

East on SW Kenyon St to 5th Ave SW.

South on 5th Ave SW to SW Roxbury St.

West on SW Roxbury St to 26th Ave SW.

North on 26th Ave SW to SW Myrtle St.

3. Zone 3

Northeast on S Michigan St from 1st Ave S to S Bailey St.

East on S Bailey St to Ellis Ave S.

South on Ellis St to East Marginal Way S.

Southeast on East Marginal Way S to 16th Ave S.

South on 16th Ave S to Dallas Ave S.

South on Dallas Ave S and following the Duwamish Waterway shoreline to S. Director St.

West on S Director St to SR509 North.

North on SR509 to 1st Ave S.

North on 1st Ave S to S Michigan St.

VI. East Precinct SODA

A. All zones are identified starting at the northwest corner and move clockwise from that point. Unless specified, zone borders include both sides of the street, immediately adjoining sidewalks, alleys, and properties. All adjacent parks are included in the zone.

1. Zone 1

East on E Mercer St from 17th Ave E to 28th Ave E.

South on 28th Ave E to Martin Luther King Way E.

South on Martin Luther King Way E to E Olive St.

East on E Olive St to 35th Ave.

South on 35th Ave to E Cherry St.

West on E Cherry St to 32nd Ave.

South on 32nd Ave to E Yesler Way.

West on E Yesler way to 12th Ave.

North on 12th Ave to E Madison St.

Northeast on E Madison St to 17th Ave.

North on 17th Ave to 17th Ave E and E Mercer St.

2. Zone 2

Northeast on Lakeview Blvd E from North bound I-5 to E Prospect St.

East on E Prospect St to 12th Ave E.

South on 12th Ave E to E Harrison St.

East on E Harrison St to 17th Ave E.

South on 17th Ave E to 17th Ave and E Madison St.

Southwest on E Madison St to I-5 North bound.

North on I-5 to Lakeview Blvd E.

3. Zone 3

East on E Yesler Way from I-5 North to 31st Ave S.

South on 31st Ave S to S Lane St.

East on S Lane St to Lakeside Ave S.

South on Lakeside Ave S to I-90.

West on I-90 to I-5 North.

North on I-5 to E Yesler Way

4. Zone 4

Northeast on E Madison St from I-5 North to 12th Ave.

South on 12th Ave to E Yesler Way.

West on E Yesler Way to I-5 North.

North on I-5 to E Madison St.

15.320 – Police Action on Military Property

Original Effective Date: 05/01/2019
Revised Effective Date: 12/01/2022

15.320-POL

There are no longer military "reservations" in Seattle, but there are still military properties such as the National Guard Armory and MEPS/Army Corps of Engineers facility. These locations may not have controlled access or a military law enforcement presence.

There could be circumstances where sworn employees may need to take police action on these military properties in the city limits and others nearby. This policy applies when taking such action on military property.

1. Sworn Employees Notify Military Authorities of Police Action on the Property

If the military property has personnel on duty, sworn employees will contact the property supervisor before conducting routine (non-emergency) police business, if practical. Checking in with security personnel would satisfy this requirement.

> Exception**:** This does not apply to activities unrelated to the property but take place in a common area open to the public, such as a traffic stop that happens to come to rest in a public parking lot of the military property.

When taking emergency action on military property, sworn employees will make the notification when practical and safe to do so.

2. Sworn Employees Will Notify Military Law Enforcement of Pursuits on Their Property

In addition to the Seattle Police Department's internal notification requirements, sworn employees pursuing subjects onto military property will notify the military's law enforcement agency, if one is present.

15.330 – Responding to Threats & Assaults on Officers

Original Effective Date: 05/07/2019
Revised Effective Date: 12/01/2022

15.330-POL

This policy applies to circumstances when an officer has been threatened and/or assaulted.

1. The Homicide Unit Will Respond, on a Callout Basis, to Investigate Serious Assaults on Sworn Employees

Serious assaults include:

- Any intentional assault where the officer sustains great bodily harm (RCW 9A.04.110.c) or substantial bodily harm (RCW 9A.04.110.b).

- Any assault where the officer loses consciousness as a result of the assault.

- Any incident approved for investigation by the Homicide lieutenant.

(See 15.330-PRO-1 Investigating Serious Assaults on Officers)

2. Sworn Employees Who Have Been the Subject of a Threat or Assault Will Ensure Completion of a Hazard Report

Sworn employees will ensure a Hazard Report (Form 5.38) is completed whenever a suspect has taken any actions that meet at least one of the following criteria for the WACIC Person of Interest (POI) File:

- Any physical assault or attempted physical assault on a sworn employee.

- Threats of physical violence toward a criminal justice employee or his/her family.

- Specific threats to a department, or multiple employees of a law enforcement agency.

- Threats of "suicide by cop."

- Threats to criminal justice personnel from other states.

- If a lateral hire from another state believes that a person of interest may follow him to Washington, he/she may complete a Hazard Report containing the information from the other state.

Sworn employees who were witnesses to an assault or threat will not submit a Hazard Report.

A new Hazard Report must be completed for each incident, even if the suspect is already in the WACIC POI file.

- Officers will submit completed Hazard Reports to their sergeant by the end of the shift, unless their sergeant approves an extension of time not more than 72 hours.

3. The Watch Lieutenant/Incident Commander Will Screen the Incident and Advise the Duty Captain

4. The Watch Lieutenant/Incident Commander Will Advise the Bureau Chief of the Incident via the Chain of Command

The watch lieutenant/incident commander will send an e-mail entitled "Officer Safety Hazard" through the chain of command to the Bureau Chief.

- The e-mail will contain the report number.

5. A Lieutenant or Captain Must Approve Hazard Reports and Forward Them to the Data Center as Soon as Possible

6. Data Center Personnel Will Enter the Information Into WACIC

Data Center personnel will enter the information into the WACIC POI File, and an Officer Safety Advisory will then be permanently attached to the suspect's name.

- If information is obtained that the individual is no longer a hazard to officers, officers may submit a written request through their chain of command to have the individual removed from the POI File.

15.330-PRO-1 Investigating Serious Assaults on Sworn Employees

Officer

1. **Notifies** a sergeant of the incident.

Sergeant

2. **Notifies** the watch lieutenant/incident commander.

Watch Lieutenant/Incident Commander

3. **Notifies** the duty captain.
4. **Notifies** the on-call Homicide sergeant or FIT, as appropriate.

15.330-PRO-2 Completing Hazard Reports and Entering Them Into WACIC

Officer

1. **Completes** a Hazard Report.
2. **Articulates** the POI File criteria in the narrative.
   a. If completing a Use-of-Force Report, **includes** a PDF copy of the original of the Hazard Report.
3. **Collects** all Hazard Reports from the same incident and creates a packet.
4. **Submits** Hazard Report packet to a sergeant by the end of shift.

Sergeant

5. **Reviews** Hazard Reports.
6. **Completes** Section I of Hazard Reports.
7. **Submits** Hazard Reports to a watch lieutenant or section captain.
8. **Sends** an email entitled "Officer Safety Hazard" and containing the Report Number through the chain of command to the Bureau Chief.

Lieutenant or Captain

9. **Reviews** Hazard Reports.

10. **Submits** Hazard Reports to the Data Center via inter-department mail.

Data Center

11. **Reviews** Hazard Reports.

12. **Completes** Section J of Hazard Reports.

13. **Verifies** that a lieutenant or captain has signed Section J.

14. **Enters** suspects from Hazard Reports into the WACIC POI File.

15.335 – CAD Cautions

Effective Date: 05/01/2022

CAD Cautions are pieces of information linked to addresses that assist responding employees by making them aware of potential concerns related to the location.

This policy applies when employees submit caution information about locations for placement in the CAD database and for employees who maintain caution records.

15.335-POL General Policy

1. Any Employee May Submit Caution Information

Any employee who has information related to a location that may be useful to responding personnel in the future may submit the information for evaluation and possible inclusion in CAD files.

All submissions require at least sergeant approval. Submissions recommending a minimum officer response require a lieutenant approval.

The approving sergeant or lieutenant will also recommend how long the caution will remain in effect.

- Cautions may remain in effect one month to three years
- Consider factors related to how frequently occupants are expected to remain. (e.g., Owner vs Renter)

Any employee may notify SPD Sustainment of any change at the location that would affect the caution.

2. CAD Cautions Must Contain Sufficient Information

Types of information typically included in CAD Cautions are:

- Officer safety concerns from persons associated with the location
- Hazmat, derelict building, or other concerns related to the location itself

- Location has an increased minimum officer response
- Location is hard to find or has access issues

Any CAD Caution that provides an access code must include the following:

- Name and contact information of the permanent agent that provided the access code
    - The agent should not be temporary personnel such as contracted security
- The date the code was given to SPD
- The date that SPD's authorization to use the code expires, if applicable

To submit caution information, the employee sends an email to SPDSustainment@seattle.gov that contains the details.

3. The CSCC Evaluates CAD Caution Submissions

The CSCC's Communications Analyst evaluates the information submitted by employees.

CSCC will not consider "no response" requests.

4. The CSCC Maintains CAD Caution Information

The CSCC's Communications Analyst maintains the CAD Caution database and is responsible for entering new information, updating existing entries as requested, and purging entries that are expired.

15.340 – Robbery Response

Original Effective Date: 02/20/2013
Revised Effective Date: 11/01/2022

15.340-POL

This policy applies to the immediate response to robberies.

Portions of this policy are available only to Seattle Police employees on the department's SharePoint site and are exempt from disclosure to the public by RCW 42.56.240(2).

1. Communications Will Assign Officers to Quadrants

Communications shall assign a primary officer and verify that a sergeant is responding to the scene.

2. Officers Will Continue to the Call for Containment Unless it is Positively Confirmed by Officers at the Scene That the Suspect is Gone

3. Plainclothes Officers Will Report to the Primary Officer and Identify Themselves

The primary officer may direct plainclothes officers to provide inside-premise intelligence. Plainclothes officers will not be used for containment positions.

4. In Cases of a False Alarm, Sworn Employees Will Not Enter the Building Until the False Alarm is Verified

Sworn employees will not enter the building until they are informed by Communications that the alarm is false and are met by a building representative outside.

The primary officer will talk to the chief dispatcher on the open telephone line inside the building and verify the false alarm.

5. Sworn Employees Will Follow Established Procedure

The following sections are available only to Seattle Police employees on the department's SharePoint site (internal link) and are exempt from disclosure to the public by RCW 42.56.240(2).

See 15.340-PRO-1 Patrol Response to Robberies,

See 15.340-PRO-2 Officer Hostage Situations, and

See 15.340-PRO-3 Home Invasion Robbery Response.

15.350 – Significant Incident Reports (SIRs)

Original Effective Date: 02/01/2016
Revised Effective Date: 12/01/2022

15.350-POL

This policy applies to the use of Significant Incident Reports (SIRs).

The purpose of SIRs is three-fold:

- To provide command staff with rapid notification of significant incidents,
- To inform sergeants, lieutenants, and captains of potential cross-precinct issues to enhance officer safety and incident investigation, and
- To make specific information about significant events directly and quickly available to officers and detectives, thereby improving officer communication and safety.

Significant incidents include the following:

- Assault with significant injury
- Bias crime
- Event likely to generate media attention
- Event likely to generate community concern
- Homicide
- Hostage/barricade
- In-custody death
- Officer assaulted
- Robbery
- Shots fired (with damage or evidence)

- Significant crisis events, including those resolved without force
- Type II and Type III use-of-force investigations
- Any other event a sergeant believes is significant

1. Sergeants Will Document Significant Incidents Via SIRs

When a follow-up unit responds to the scene of a significant incident, the detective sergeant will complete the SIR. The sergeant will complete and submit the SIR prior to the end of shift.

When a follow-up unit does not respond to the scene, the watch lieutenant will appoint a patrol sergeant to complete the SIR. The sergeant will complete and submit the SIR prior to the end of shift.

In either circumstance, the sergeant will ensure that the SIR is factually accurate, does not contain unnecessary commentary, and is designed to efficiently meet the purpose of an SIR.

2. Sergeants Will Not Document Sexual Assault Incidents Via SIRs

3. Sergeants Will Submit SIRs via the SIR Application

Sergeants shall submit SIRs via the SIR Application within Patrol Portal.

Seattle Police Department Manual

15.360 – Use of Mobile Fingerprint Identification Devices (Mobile IDs)

Effective Date: 05/07/2019

15.360-POL

This policy applies to the use of mobile fingerprint identification devices by Department employees.

1. Only Trained Officers May Use Mobile IDs

King County facilitates mobile ID training. Only officers who are trained in the use of the COBAN M7 system and the mobile ID device are allowed to use the mobile ID device.

2. Officers May Use Mobile IDs When Probable Cause for Arrest Exists, or the Subject is Required by Law to Present Identification

Officers may use mobile IDs when probable cause exists for the subject's arrest and/or one (or more) of the following circumstances occur:

- When an officer has probable cause to issue a Notice of Infraction for any City ordinance violation (RCW 7.80.060 and RCW 46.61.021)

  (see manual sections 6.220 – Voluntary Contacts, Terry Stops, and Detentions and 16.230 – Issuing Tickets and Traffic Warnings)

- When the subject is attempting to purchase liquor (RCW 66.20.180)

- When the subject is carrying a concealed pistol (RCW 9.41.050)

3. Officers May Use Mobile ID as a Community Caretaking Function to Identify a Person Under Certain Circumstances

An officer may use Mobile ID as a community caretaking function when:

1. The person is unable to identify himself/herself because they are unconscious, physically injured, intoxicated

(drugs or alcohol), or suffering from a mental illness or dementia (for instance, Alzheimer's walk-away patient); and

2. The officer does not find any identification; and

3. The officer takes the person into protective custody, to render aid such as having the person transported to the hospital, or to identify and protect an elderly dementia patient who is lost.

4. Officers May Use Mobile ID to Identify Deceased Persons Under Certain Circumstances

Officers may use Mobile ID to identify a deceased person at the direction of the follow up unit and/or the Medical Examiner.

5. In All Other Circumstances Not Listed in this Policy, Officers Shall Obtain Consent from a Subject in Order to Use a Mobile ID

Subjects must give their consent knowingly, intelligently, and voluntarily. Officers electing to use mobile ID by consent shall document the consent via in-car video and/or body worn, and by updating CAD.

Detectives and plain clothes officers may request patrol response to assist with a Mobile ID and documentation of use.

(See 15.360-TSK-1 Using Mobile ID with Consent)

6. Officers Shall Not Use Force to Identify a Subject Via Mobile ID

7. Officers Shall Document the Use of Mobile ID

Officers shall document the use of mobile ID via Report or Field Contact, as appropriate. When the device is used without probable cause or a legal requirement for the subject to present identification, officers shall document how consent was secured.

15.360-TSK-1 Using Mobile ID with Consent

When using mobile ID without probable cause for arrest or a legal requirement for the subject to present identification, the **officer:**

1. **Asks** the subject if he or she will provide fingerprints

2. If the subject consents, **documents** consent via in-car video, body worn video, or by updating CAD

3. **Uses** the mobile ID

4. **Documents** the use of mobile ID via Report or Field Contact, as appropriate, including how consent was secured

15.370 – Sexual Assault Investigation

Effective Date: 03/01/2021

15.370-POL

This policy applies to officers investigating sexual assaults.

1. Patrol Sergeants Screen Reports of Sexual Assault to Determine Police Response

Sergeants will screen sexual assault calls with SAU when:

- The suspect is unknown and there is a crime scene

- There is a serious injury to a victim 12 years old or younger

(See manual section 14.060 – Serious Incident Plan)

2. Officers May Interview Sexual Assault Victims

Officers may conduct and record an interview of a sexual assault victim to establish the elements of the offense and capture the victim's initial account of the event. These interviews are not in-depth written statements.

Victim interviews constitute a law enforcement purpose and may be recorded with body-worn video inside a medical facility.

3. Patrol Officers Process Some Sexual Assault Scenes for Evidence

Officers will process sexual assaults crime scenes for evidence, or request an Evidence Specialist, when SAU or CSI does not respond.

Officers may interview sexual assault suspects (see manual section 6.150 - Advising Persons of Right to Counsel and Miranda)

- Officers will record in the Report if the suspect was interviewed, given Miranda and if an attorney was requested.

Also see: SPD Evidence Packaging/Submission Guide

4. Officers Complete a Report and an Officer Statement

Officers will complete a brief report to include:

- Whether sexual penetration occurred;
- The identification of the suspect if known;
- Whether there was forcible compulsion.

Officers will complete a detailed officer statement.

Officers will ask a victim, witness, or complainant if they want their information disclosed or not disclosed (see Seattle Police Manual 12.080 – Disclosure of Department Records and Public Records Act (RCW 42.56))

5. Officers Check Indecent Exposure Arrestees' Criminal History

If the suspect has prior convictions for any sex crime, including indecent exposure, any new offense becomes a felony.

- The prior conviction can be from out-of-state
- If there is a prior conviction, the suspect is booked for Investigation of Indecent Exposure

15.370-TSK-1 Patrol Officer Investigating a Sexual Assault Incident

1. **Contacts** the victim and **determines** immediate medical need.
2. **Determines** suspect identity and/or description.
3. **Updates** Communications with suspect information.
4. **Requests** a sergeant and additional support if needed.
5. **Determines** location of the crime scene.
6. **Processes** crime scene, or **requests** an Evidence Specialist, if SAU or CSI does not respond.
7. **Identifies** witnesses.

8. **Collects** addresses and phone numbers of the victim and witnesses.

9. **Obtains** a signed *Authorization to Disclose Protected Health Information* (form 3.2.2) from the victim.

   Note: If the victim is at the hospital, **checks** with the hospital staff to determine if the release is already signed.

10. **Collects** all of the victim's clothing worn during and after the assault and submits to Evidence.

    Exception: If the victim's clothing is collected by the hospital, the clothing stays with the hospital for pick-up by SAU who will place it into Evidence.

11. **Completes** a brief Report.

12. **Establishes** elements of the crime.

13. **Completes** a detailed officer's statement.

15.380 – SECTOR

Original Effective Date: 02/01/2015
Online Manual Date: 05/07/2019
Revised Effective Date: 07/15/2023

15.380-POL

This policy applies to the use of SECTOR (Statewide Electronic Collision & Ticket Online Records) by department employees.

1. SECTOR Users Must Be Trained

SECTOR training is coordinated by the Education and Training Section (ETS).

2. Sworn Employees Will Not Use SECTOR to Cite Under Revised Code of Washington (RCW)

Sworn employees will only use SECTOR to cite under Seattle Municipal Code (SMC).

3. Sworn Employees Will Not Use SECTOR to Issue Criminal Citations

4. Sworn Employees Will Only Use SECTOR When an Investigation Does Not Include a Hard-Copy Ticket, or Police Traffic Collision Report (PTCR)

When a report is completed electronically (in Mark43), a SECTOR impound may be completed. If it is a paper report (citation), a paper impound report will be completed.

When an investigation includes a hard copy of the following, officers must complete and submit all other forms (not to include a report) on paper:

- Criminal Citation,
- Notice of Infraction, or
- PTCR.

5. Sworn Employees Will Not Use SECTOR for DUI Investigations

Impounds for DUI criminal citations will not be completed in SECTOR.

15.390 – Domestic Violence Incidents Involving Department Employees

Effective Date: 05/07/2019

15.390-POL

This applies to employees investigating a domestic violence incident involving an employee of a law enforcement agency.

1. All Domestic Violence Calls Involving an Employee of Any Law Enforcement Agency, Including SPD, Require an In-Person Response by an On-Duty Lieutenant

Officers responding to a domestic violence call will determine if a domestic violence crime has occurred and if the involved parties are employees of the Seattle Police Department or another law enforcement agency.

2. Employees Report Domestic Violence Incidents

An employee who learns of a domestic violence incident involving another SPD employee will notify an on-duty lieutenant.

3. The Responding Lieutenant Will Coordinate the Investigation and Resources

The responding lieutenant has additional responsibilities if a Seattle Police Department employee is identified as the primary aggressor.

(See 15.390-PRO-1 Coordinating Department-Involved Domestic Violence Investigation)

4. Employees May Seek Assistance from the Victim Support Team

Employees who may be affected by domestic violence are encouraged to contact the Victim Support Team Advocate in the Domestic Violence Unit, or the EAP administrator within Human Resources.

The Department will provide confidential support and assistance to employees affected by a domestic violence incident.

15.390-PRO-1 Coordinating Department-Involved Domestic Violence Investigation

Officer

1. **Identifies** that the domestic violence investigation involves a Department employee.

2. **Contacts** a patrol sergeant.

Sergeant

3. **Responds** to the location of the incident and **assists** the patrol officer with the investigation, as needed.

4. **Screens** arrests and **approves** the Report.

5. **Sends** an *Alert Email* to the Domestic Violence Unit, the employee's chain of command, and Records transcription.

   - The ***Alert Email*** will contain the *Report Number*.

   - ***Scans*** of any ***paper documents of the investigation*** into an ***Email.***

   - ***Submits the Email*** to the ***Domestic Violence Unit*** and the employee's chain of command.

   - ***Routes original paper documents*** to the Data Center through normal distribution processes.

   - ***Completes*** a ***Report*** if additional Alert information becomes available.

   - ***Follows*** the same ***Alert*** procedures to forward new information.

6 **Notifies** a lieutenant of the incident.

Lieutenant

7. **Responds** to the location of the incident and oversees the investigation and resources.

8. If a non-SPD law enforcement employee is involved in a domestic violence incident, **contacts** the appropriate law enforcement agency, and obtains information about the

employee to include unit of assignment and who to contact within their department.

9. **Reviews** all reports related to the incident and **obtains** copies of all reports.

10. If an SPD employee has been placed under arrest, the lieutenant **notifies**:

    - Duty Captain

    - The arrested employee's section and bureau commanders

    - Public Affairs Unit

    - OPA Director

    - Chief of Police

11. **Informs** the arrested employee his/her duty status is suspended under the Seattle Police Manual and applicable collective bargaining agreements.

12. If the employee is in physical possession of his/her duty weapon, badge, and/or identification card, **takes** these items and **delivers** them to the involved employee's bureau chief at the beginning of the next business day.

13. **Oversees** the investigation to include:

    - Ensuring that the Report is completed (as mandated by RCW 10.99.030)

    - Ensuring that the primary aggressor is identified

    - Screening the arrest

    - Assessing the victim's safety and providing resources to the victim by contacting the Victim Support Team Manager via Communications

    - Calling Domestic Violence detectives and/or other personnel, as necessary

    - Verifying that a thorough primary investigation is conducted, to include statements, photographs, and evidence collection

14. **Notifies** the Duty Captain of all the details of the investigation when possible.

15. **Verifies** that the following notifications are made:

- The arrested employee's section and bureau commanders
- Public Affairs Unit
- OPA Director
- Chief of Police

15.400 – Domestic Violence Court Orders

Effective Date: 05/07/2019

15.400-POL

This policy applies to Officers responding to the service and enforcement of court orders.

1. Officers Encounter Various Court Orders

Officers may encounter these court orders:

No Contact Order

- Issued by the court subsequent to a domestic violence arrest.
- The court serves the order during a suspect's release from custody.

Protection Order

- This order is obtained by a family or household member assaulted or fears abuse.

Restraining Order

- This order is usually obtained upon filing a petition for dissolution, legal separation, or child custody.

Vulnerable Adult Order

- This order is obtained by a vulnerable adult or an interested person on behalf of the vulnerable adult.

Stalking Protection Order

- This order is obtained by a person who does not qualify for a protection order under RCW 26.50 and who is a victim of stalking conduct.
- The order can also be obtained by an interested person on behalf of a vulnerable adult or the legal guardian of a minor child.

Anti-Harassment Order

- This order is obtained by a person alarmed, annoyed, or harassed by another person

Sexual Assault Protection Order

- This order is obtained by a family or household member sexually assaulted or fears sexual abuse.

Firearms Surrender Order

- The court ordered surrender of a firearm or concealed pistol permit may also accompany the service of other court orders. Officers will refer to 15.215 – Seizing and Releasing Firearms - 15.215-TSK-1 Officers Dispatched to Pick Up a Court-Ordered Surrendered Firearm.

2. Officers Verify Some Orders Before Enforcement

Officers will verify through Communications that the order exists, and has been served on the respondent when enforcing a violation of:

- Protection order
- Restraining order
- Vulnerable Adult order
- Stalking Protection order
- Anti-Harassment orders

Exception: No Contact orders require no verification of service prior to enforcement.

Officers request a computer (WACIC) check using either the respondent's or petitioner's identifiers as an outstanding warrant check, or

Check the petitioner's copy of the Court Order to determine if it has been served on the respondent, (e.g., checking for respondent's signature or a notation by officers), or

If the petitioner indicates that the order was recently served, officers will contact the Data Center to determine if service information exists but has not yet been entered into WACIC.

- The Data Center may also read the criminal legend and the restraint/exclusion terms if the petitioner has no copy for the officer to review.

Officers will contact the precinct desk officer to check the precinct's Court Order logbook.

- The logbook will have a record of service if the order was served by a patrol officer in that precinct.

- Officer may contact the Domestic Violence Unit with questions during regular business hours, 684-0330.

If an officer does not have probable cause to believe that a valid order exists or cannot verify that it has been served, an arrest for violation of the order will not be made.

3. Officers Make Mandatory Arrests for Court Order Violations

Officers will attempt to gather evidence when investigating the violation of a court order such as text messages, e-mails, call logs.

No Contact Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has violated the terms of a No Contact Order which:

- Restrain the suspect from acts or threats of violence; or

- Restrain the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare; or

- Restrain the suspect from intentional contact with the victim.

Violating a no contact order with any assault or reckless endangerment is a felony.

Violating a no contact order where the suspect has at least two prior convictions for violating a No Contact is a felony.

- The previous convictions need not involve the same victim.

If the order is violated with the permission or consent of the victim, the terms of the order are still valid.

Protection Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has knowledge of a Protection Order and violated the terms of an order which:

- Restrains the suspect from acts or threats of violence; or
- Restrains the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare; or
- Restrains the suspect from intentional contact with the victim.

Violating a protection order with any assault or reckless endangerment is a felony.

Violating a protection order where the suspect has at least two prior convictions for violating a Protection Order is a felony.

- The previous convictions need not involve the same victim.

Exceptions: Officers will not arrest the subject if only other provisions of a Protection Order are violated, (e.g., visitation hours or obtaining counseling). This is contempt of court.

If the order is violated with the permission or consent of the victim, the terms of the order are still valid.

Sexual Assault Protection Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has knowledge of a Sexual Assault Protection Order and violated the terms of an order which:

- Restrains the suspect from acts or threats of violence; or
- Restrains the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare; or
- Restrains the suspect from intentional contact with the victim.

Violating a sexual assault protection order with any assault or reckless endangerment is a felony.

Violating a protection order where the suspect has at least two prior convictions for violating a Sexual Assault Protection Order is a felony.

- The previous convictions need not involve the same victim.

Exceptions: Officers will not arrest the subject if only other provisions of a Sexual Assault Protection Order are violated, (e.g., visitation hours or obtaining counseling). This is contempt of court.

If the order is violated with the permission or consent of the victim, the terms of the order are still valid.

Restraining Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has knowledge of a Restraining Order and violated the terms of an order which:

- Restrains the suspect from acts or threats of violence; or

- Restrains the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare.

Officers will ask the petitioner to provide a copy of the Restraining Order to verify if other provisions exist that make the violation criminal.

Officers will not make an arrest if the subject only violates non-criminal provisions of a Restraining Order.

- Non-criminal violations may include not adhering to visitation hours for children or the ordered division of property. This is a civil violation and contempt of court.

Vulnerable Adult Protection Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has knowledge of a Vulnerable Adult Protection Order and violated the terms of an order which:

- Restrains the suspect from acts or threats of violence: or

- Restrains the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare; or

- Restrains the suspect from intentional contact with the victim

An assault or reckless endangerment that violates a Vulnerable Adult Protection Order is a felony.

Any violation where the suspect has at least two prior convictions for violating a No Contact, or any Protection Order is a felony.

Previous convictions need not involve the same victim.

Stalking Protection Order (mandatory arrest)

Officers will make a mandatory arrest if there is probable cause to believe the suspect, of any age, has knowledge of a Stalking Protection Order and violated the terms of an order which:

- Restrains the suspect from acts or threats of violence: or
- Restrains the suspect from going onto the grounds of or entering a residence, workplace, school, or daycare; or
- Restrains the suspect from intentional contact with the victim

An assault or reckless endangerment that violates a Stalking Protection Order is a felony.

Any violation where the suspect has at least two prior convictions for violating a No Contact, or any Protection Order is a felony.

Previous convictions need not involve the same victim.

Discretionary Arrests for Violation of Anti-Harassment Order

While not included in those offenses which mandate arrest, officers may arrest for violations of an Anti-Harassment Orders when there is probable cause that the suspect has knowledge of the order and violates its terms.

Violation of an Anti-Harassment Order is a gross misdemeanor.

Other Orders

Child Physical/Sexual Abuse Orders (RCW 26.44.063). Arrest is mandatory for any violation of this order. A violation is a misdemeanor.

Paternity Action Orders (RCW 26.26.590). Arrest is mandatory for any violation restraining the suspect from acts or threats of violence or excluding the suspect from a residence. A violation is a misdemeanor.

Child Physical/Sexual Abuse Orders and Paternity Action Orders are uncommon. Officers should consult with a supervisor if necessary.

4. Officers Will Serve Court Orders

(See 15.400-PRO-1 Precinct Assigned Service of Court Orders & 15.400-TSK-1 Officer Serving Court Orders on the Respondent. Also see 15.215-Seizing and Releasing Firearms)

Officers assigned to the Domestic Violence Unit and patrol officers will serve court orders. On rare occasions the Domestic Violence Unit may hand deliver, or fax court orders to the precincts for service by patrol officers.

If the respondent is served in the petitioner's presence, officers will take reasonable steps to determine that the respondent understands the order (i.e., officers will call an interpreter if needed) and, if the respondent is in the presence of the petitioner when the order is served, takes reasonable steps to make sure the respondent separates. See *Washburn v. Federal Way, 178 Wn.2d 732 (2013)*. Officers will document the steps taken.

The petitioner or the petitioner's representative; or an outside agency may also hand deliver or fax a court order to the precincts for service.

Officers will not serve expired or unsigned court orders.

5. Officers Record Information on the Return of Service Report to Document Attempted Service of the Order

Officers will record dates, times, and addresses of attempted service of the order on the Return of Service Report.

6. Officers May Serve a Protection or Anti-Harassment Order During an Investigation of Violation of the Order

(See 15.400-TSK-2 Officer Serving a Protection or Anti-Harassment Order During an Investigation)

If during investigation of an alleged violation of a Protection Order or Anti-Harassment Order, the officer determines that the respondent has not been served and did not know about the order, the officers will reasonably try to obtain a copy of the

order from the petitioner and serve it on the respondent if the respondent is present.

If the respondent is not present, officers will reasonably try to locate the respondent and serve the order (RCW 26.50.115 and RCW 10.14.115). The petitioner's copy can be served on the respondent.

15.400-PRO-1 Precinct Assigned Service of Court Orders

Domestic Violence Unit

1. **Receives** the order and assigns to the precinct for service.

Precinct Front Desk Officer

2. **Logs** the order into the precinct Court Order logbook.

3. **Verifies** that that packet is complete.

Each packet must contain:

- Law Enforcement Information sheet

- Return of Service sheet

- This form may be provided by the precinct desk officer if it is not included in the packet

Most packets may also contain:

-Temporary Order for Protection with a Petition for Order for Protection

- Permanent Order for Protection

- Notice of Hearing

- Re-issuance of Temporary Order for Protection with a copy of the original Temporary Order for Protection

- Motion/Order for Waiver of Fees (do not serve this form as part of the packet)

- Other less common forms, (e.g., Modification Order or Application for Modification Order; Order

Transferring Action to Superior Court; Order to Surrender Weapons)

4. **Places** the packet on the roll call board.

Sergeant

5. **Retrieves** the packet from the roll call board

6 **Assigns** an officer the responsibility of attempting to serve the packet.

Officer

7. **Reviews** the Law Enforcement Information Sheet for officer safety information and a physical description of the respondent. If an order to surrender a firearm or concealed weapons permit (CPL) is included, **refers** to 15.215-Seizing and Releasing Firearms - 15.215-TSK-1 Officers Dispatched to Pick Up a Court-Ordered Surrendered Firearm.

8. **Checks** the respondent in WACIC and NCIC to check if:

- The order has already been served
- There are outstanding warrants
- Hazard flags are associated with the respondent or address
- The respondent has two or more convictions for violating court orders, the third violation is a felony

9. **Verifies** the packet includes a Return of Service sheet. If not, **obtains** one from the precinct's Court Order logbook.

10. **Checks** the date of the Temporary Order for Protection to ensure the order has a judicial signature and the hearing date has not expired.

- If the hearing date has expired or the order is unsigned, **sends** the packet to the Domestic Violence Unit, noting the problem.

11. **Checks** the Permanent Order for Protection to ensure the order has a judicial signature and has not expired.

- The effective date is usually on page one of the order above the judicial signature. If the effective date has expired or the order is unassigned, **sends** the packet to the Domestic Violence Unit, noting the problem.

15.400-TSK-1 Officer Serving Court Orders on the Respondent

Officers assigned to service a court order on a respondent will:

1. **Verify** that the correct person is being served.

2. **Give** the respondent copies of all the forms EXCEPT:

   - Law Enforcement Information sheet

   - Motion and Order for Waiver of Fees (if in packet)

   - Return of Service sheet

3. **If** the petitioner is present, **remains** on the scene to ensure the petitioners safety.

   a. If the order is served at the petitioner's home, the officer will **remain** on-scene until the respondent departs.

   b. If the order is served at the respondent's home, the officer will **remain** on-scene until the petitioner departs.

   c. If the order is served at a third-party location, the officer will **remain** on-scene until either the respondent or the petitioner depart.

4. **Complete and sign** the Return of Service sheet and **mark** the appropriate boxes with an "X" for each document served.

   Note: The title is located in the upper right corner of each document.

5. **Note** in the precinct logbook whether or not service was completed.

   - If service was not completed, **returns** the entire packet to the Domestic Violence Unit:

Completes and signs the Return of Service

   - **Documents** the reason the order was not served on the Return of Service

- If the order was served, then **returns** these items to the Domestic Violence Unit:
  - Law Enforcement Information sheet
  - Motion/Order for Waiver of Fees (if in packet)
  - Completed/signed Return of Service sheet

6. If the respondent is served, **calls** Data Center so the appropriate entry can be updated in WACIC/NCIC.

15.400-TSK-2 Officer Serving a Protection or Anti-Harassment Order During an Investigation

If during the investigation of a violation of a Protection Order or Anti-Harassment Order, and the officer determines that the respondent has not been served, the **officer** will:

1. **Serve** the order to the respondent (See 15.400-TSK-1 Officer Servicing Court orders on the Respondent).
2. **Complete** the Return of Service sheet and **send** to the Domestic Violence Unit.
3. If the petitioner's copy is served on the respondent, **give** the petitioner a business card noting the service, plus the court cause number, issuing court, and type of order.
4. **Advise** the petitioner to obtain another copy from the issuing court.

15.400-TSK-3 Officer Completing a Report for a Violation of a Court Order

When writing a Report for a Violation of a Court Order, **officers** will:

1. **Articulate** in the narrative that the suspect violated the order.
2. **Document** information about the order in the narrative to include:
   - Type of Court Order
   - Which court issued the order
   - The Court Order number and issue date

3. **Document** in the narrative how service was verified or that the respondent had knowledge of the order:

   - Computer verification through WACIC

   - Notation on petitioner's copy of the order or other receipt

   - Precinct Court Order logbook

   - Data Center

15.405 – Extreme Risk Protection Order (ERPO)

Effective Date: 10/01/2020

15.405-POL

Extreme Risk Protection Orders (ERPO) prevent individuals at high risk of harming themselves or others from accessing firearms by allowing family, household members, and police to obtain a court order when there is demonstrated evidence that the person poses a significant danger.

Family or household members and Law Enforcement Officers may obtain an ERPO when there is evidence that the person poses a significant danger, including danger because of a dangerous mental health crisis or violent behavior. The purpose and intent is to reduce gun deaths and injuries through an order temporarily restricting a person's access to firearms.

This does not affect the ability of the law enforcement officer to remove a firearm or concealed pistol license from any person or conduct any search and seizure for firearms under other lawful authority.

1. Extreme Risk Protection Order Definitions

"**Extreme Risk Protection Order**" means a temporary order, or a final order granted by the court

"**Ex Parte Order**" is a temporary order issued by a court pending a formal hearing. If the court finds there is a significant danger of the respondent injuring self or others soon by having in his or her custody or control, purchasing, possessing, or receiving a firearm, the court will issue an ex parte order without notice to the respondent.

- This temporary order lasts up to 14 days. There must be a hearing within 14 days. At the hearing the court can then issue a final order. Final orders must last for a period of one year.

"**Petitioner**" means the person who asks the court to issue the ERPO. The Petitioner can be a family member or law enforcement.

"**Family or household member**" means, regarding a respondent:

- Persons related by blood, marriage, or adoption;
- Dating partners;
- Persons with a child in common, regardless of whether such persons have been married or have lived together;
- Persons who reside or have resided together within the past year;
- Domestic partners;
- Persons in a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren; and
- Persons acting or have acted as the respondent's legal guardian.

"**Respondent**" means the person to whom the ERPO applies who is prohibited from having access to firearms and having a CPL.

2. The Department Coordinates the Service of ERPO's

The Department will provide personal service of the notice of hearing and petition to the respondent not less than five court days prior to the hearing.

The Department must, if requested, provide prior notice of the return of a firearm to a respondent to family or household members of the respondent in the manner provided in RCW 9.41.340 and 9.41.345.

Service of an ERPO will take priority over other orders needed to be served unless the other orders are of a similar emergency nature and those respondents present an equivalent or greater risk of harm if not immediately served.

Service is not considered valid unless the respondent is personally served, or unless the court specifies otherwise.

The first attempt at service will occur within 24 hours of receiving the order and service packet.

- If the first attempt failed, at least three attempts will be made to serve the order. If the order was determined to be a high risk, additional attempts at service will be made.

Each attempt at service is noted in the service packet, with the date, time, address, officer's/detective's name, and reason service was not completed.

Court orders that have expired or are unsigned will not be served.

Officers will screen with a sergeant, any order received from an outside agency, presented at a precinct or directly to an officer

(See manual section 15.215 – Seizing and Releasing Firearms, (15.215-PRO-3 Follow-up Unit Service of an Order to Surrender a Firearm and/or CPL and 15.215-PRO-4 Patrol Service of an Order to Surrender a Firearm and/or CPL Assigned by an SPD Follow-up Unit))

3. Law Enforcement Officers May Petition for an ERPO and/or Refer the Public to Pursue an ERPO

When an officer encounters a situation where an ERPO may be appropriate the officer will record the incident in a Report with information supporting the pursuit of an ERPO by follow up units.

- Patrol officers may work with the designated follow up unit to pursue an ERPO following the procedures of this policy.
- Follow up units will generally be responsible for pursuing an ERPO when appropriate and for handling all administrative requirements of the order.

(See 15.405-PRO-1 Law Enforcement Officer Reporting the Need for an Extreme Risk Protection Order & 15.405-TSK-1 Completing and Filing the Petition)

15.405-PRO-1 Law Enforcement Officer Reporting the Need for an Extreme Risk Protection Order

Patrol Officer

1. **Identifies** a situation where an ERPO may be appropriate.
   - Demonstrated evidence the person poses an immediate, significant danger; to include threatening or violent behavior (to self or others) where there is a nexus to a firearm.

2a. If encountering a person where an ERPO may assist their situation, **explains** to the person what an ERPO is and how to obtain one at the King County Courthouse

2b. If encountering a situation that requires a primary investigation, **completes** a Report and the LEA Addendum.

- **Articulates** facts supporting the ERPO in the Report and thoroughly completes the LEA Addendum.

- If a Behavioral Crisis report is completed for the incident, Selects "ERPO Crisis" label, in addition to any other applicable Report labels

Sergeant

3. **Screens** and **approves** all associated reports.

4. **Completes** an SIR for the incident.

Patrol Officer

5a. **Completes** an Alert Email with a copy of the Report and the original LEA Addendum and forwards to the appropriate follow-up unit.

- If a Behavioral Crisis report is completed for the incident, **sends** an email notification to SPD_Crisis_Response@Seattle.gov including "ERPO" and the case number in the 'Subject' line.

or

5b. With the approval of their sergeant, **seeks the petition** for an ERPO by following the steps below.

- Generally, Patrol will not proceed beyond completing the Report, LEA Addendum and forwarding the Alert Email.

Assigned Detective

6. **Determines** if petitioning for an ERPO is appropriate.

7. **Petitions** for the ERPO using the courts guidelines. (15.405-TSK-1 Completing and Filing the Petition)

15.405-TSK-1 Completing and Filing the Petition

When completing an ERPO petition the **Law Enforcement Officer** will:

1. **Access** the required forms Extreme Risk Protection Order Forms

2. **Completes** a petition and the LEA Addendum (if not completed by patrol) that contains:

   - A detailed explanation why the respondent poses a significant danger of injuring self or others by having in his or her custody or control, purchasing, possessing, or receiving a firearm.

   - Identify the number, types, and locations of any firearms the officer believes to be in the respondent's current ownership, possession, custody, or control;

   - Identify whether a known existing protection order governs the respondent.

   - Makes the address of record on the petition
     Seattle Police Department,
     610 5th Ave,
     P.O. Box 34986,
     Seattle, WA 98124-4986

   - If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner' s family or household, the petitioner's address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address, the petitioner must designate an alternative address at which the respondent may serve notice of any motions. If the petitioner is a law enforcement officer or agency, the address of record must be that of the law enforcement agency.

   Additional considerations for the petition:

   - A recent act or threat of violence by the respondent against self or others, whether or not such violence or threat of violence involves a firearm;

   - A pattern of acts or threats of violence by the respondent within the past twelve months including, but not limited to, acts or threats of violence by the respondent against self or others;

- A violation by the respondent of a protection order or a no contact order issued under chapter 7.90, 7.92, 10.14, 9A.46, 10.99, 26.50, or 26.52 RCW;

- A previous or existing extreme risk protection order issued against the respondent;

- A violation of a previous or existing extreme risk protection order issued against the respondent;

- A conviction of the respondent for a crime that constitutes domestic violence as defined in RCW 10.99.020;

- The respondent's ownership or access to, or intent to possess firearms;

- The unlawful or reckless use, display, or brandishing of a firearm by the respondent;

- The history of use, attempted use, or threatened use of physical force by the respondent against another person, or the respondent's history of stalking another person;

- Any prior arrest of the respondent for a felony offense or violent crime;

- Corroborated evidence of the abuse of controlled substances or alcohol by the respondent; and

- Evidence of recent acquisition of firearms by the respondent.

3. **Completes** the required information on the Return of Service and the Extreme Risk Protection Order or Temporary Extreme Risk Protection Order-Without Notice. Makes sure every box is marked for each document showing service was complete.

4. **Submits** the completed forms to the Superior Court clerk at the King County Courthouse in Seattle, room C-607.

    - The clerk will assign the petition a case number and provide a date and time for the hearing.

    - If a temporary order is not sought, the court may take up to 14 days to issue the order.

5. Once the order is signed by a judge, **submits** the paperwork back to the court clerk who will enter the order and provide certified copies.

6. **Compiles** copies of any paper documents from the investigation. ***This does not include the Report or Supplement(s) entered via Mark43.***

    - **Routes** original paper documents to Data Center through normal distribution processes.

7. **Makes** a good faith effort to provide notice to a family or household member of the respondent and to any known third party who may be at risk of violence.

    - The notice must state that the petitioner intends to petition the court for an ERPO or has already done so, and includes referrals to appropriate resources, including mental health, domestic violence, and counseling resources.

    - The petitioner must attest in the petition to having provided such notice or attest to the steps that will be taken to provide such notice.

8. **Records** in the Report or Supplement, where and when and any attempts to notify the involved parties

9. If an ex parte ERPO is sought and given, **serves** the order.

    (See manual section 15.215- Seizing and Releasing Firearms)

10. If patrol seeks the petition, **sends** the packet to the follow-up unit using an Alert Packet.

15.410 – Domestic Violence Investigation

Effective Date: 05/07/2019

15.410-POL

The Department is dedicated to assisting and protecting people victimized by domestic violence and to identify and arrest people who commit crimes of domestic violence.

Employees of the Department will support victims of domestic violence in their efforts to take action to protect themselves and their families by seeking alternative living arrangements, social services, utilization of the state's legal system to obtain protection, and to hold abusers accountable (See RCW10.99.010).

1. Domestic Violence Terms are Defined by Statute (RCW 10.99.020(3))

Domestic violence includes, but is not limited to these crimes when committed by one family or household member against another:

- Assault 1st through 4th
- Reckless Endangerment
- Coercion
- Burglary 1st & 2nd
- Trespass 1st & 2nd
- Malicious Mischief 1st, 2nd, and 3rd
- Kidnapping 1st & 2nd
- Drive-by Shooting
- Unlawful Imprisonment
- Rape 1st & 2nd
- Stalking

- Interference with the Reporting of Domestic Violence
- Violation of a Restraining Order
- Violation of a Protection Order
- Violation of a No Contact Order
- Residential Burglary

Domestic violence also means:

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, between family or household members; or
- Sexual assault of one family or household member by another; or
- Stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

Family or household members means:

- Spouses,
- Former spouses,
- State registered domestic partners,
- Former state registered domestic partners,
- Persons with a child in common regardless of whether they have been married or have lived together,
- Adult persons related by blood or marriage,
- Adult persons presently residing together or who have resided together in the past,
- Persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship,
- Persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship,

- Persons with a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

Dating relationship means a social romantic relationship. In making this determination include (see RCW 26.50.010):

- The time the relationship has existed;
- The nature of the relationship;
- The frequency of interaction between the parties.

Victim means a family or household member subjected to domestic violence (see RCW 10.99.020(8)).

2. Officers Make Arrests with Probable Cause (RCW 10.31.100)

A police officer will arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

Assault-Mandatory Arrests:

A mandatory arrest is required under RCW 10.31.100(2)(c) when these factors are present:

- The person is eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes:
- A felonious assault has occurred;
- An assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or
- That any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death.
    - Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer does not have to arrest both persons. The officer will arrest the person whom the officer believes to be the primary physical aggressor.

- In making this determination of the primary physical aggressor, the officer will try to consider:

- That the primary physical aggressor is not always the person who struck first

- The intent to protect victims of domestic violence under RCW 10.99.010;

- The comparative extent of injuries inflicted or serious threats creating fear of physical injury; and

- The history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

Violation of Court Orders

(See manual section 15.400 – Court Orders)

Discretionary Arrests

Even when arrest is not mandated by statute, a police officer with probable cause to believe that a person has committed or is committing a felony has the authority to arrest the person without a warrant (RCW 10.31.100).

A police officer may also arrest a person without a warrant for committing a misdemeanor or gross misdemeanor when:

- The offense is committed in the presence of the officer,

- The offense involves physical harm or threats of harm to any person or property,

- The offense involves the unlawful taking of property,

- The offense involves criminal trespass under RCW 9A.52.070 or 9A.52.080,

- The offense violates a chapter 10.14 RCW anti-harassment order.

Arresting Juveniles

A police officer may, at his or her discretion, arrest a sixteen or seventeen-year-old child if the officer has probable cause to believe

that the child has assaulted a family or household member as defined in RCW 10.99.020 in the preceding four hours.

3. Officers Will Make a Reasonable Effort to Protect the Victim and Arrest the Suspect

When responding to a domestic violence incident, officers will:

- Determine if the call is a domestic violence incident. A call may be dispatched as domestic violence related, but upon further investigation the officer may find that the incident is not domestic violence as defined by statute.

- If it is determined that the DV call involves a sexual assault, officers will refer to manual section 15.370 – Sexual Assault Investigation. Both a DV and a Sexual Assault investigation will take place.

- All domestic violence calls are handled with a minimum of two officers.

- Conduct a primary investigation.

- Arrest the offender if the officer has probable cause to believe that a crime has been committed for which arrest is mandatory, under RCW 10.31.100.

- Notify the victim that the suspect may be arrested at a later time even if he/she has left the scene prior to officers' arrival.

- Document appropriately.

- Advise the victim of resources available to prevent further abuse, such as shelters or other services in the community.

- Provide the victim the SPD DV Resource Guide (RCW 10.99.030).

- Explain to the victim the process for seeking an order for protection from domestic violence.

- Ask the victim if there are firearms or other deadly weapons accessible to the suspect (see manual section 15.215 – Seizing and Releasing Firearms).

- Facilitate transportation for the victim to a hospital for treatment or to a place of safety or shelter (VST, AMR, patrol vehicle).

- If there is a report of, or evidence of, a neck compression of any form, officers will request that the Seattle Fire Department respond.

- Officers will inform Communications to tell SFD that the victim suffered a neck compression/suffocation/strangulation.

4. The Department Utilizes the Victim Support Team (VST)

Officers may request VST services to assist in meeting the immediate crisis needs of domestic violence victims and their children. VST respond city-wide and may provide on-scene and/or over-the-phone support for victims and their families.

The VST operate on weekdays through the VST Victim Advocate and weekends through the VST Volunteers. The VST Victim Advocate provides the same services for victims as the weekend VST Volunteers. VST personnel have unmarked vehicles, radios, cell phones and emergency resources for victims.

Officers may contact the weekday VST advocate by calling (206) 258-1008 or through Communications.

- Monday- Friday / 0800-1600 Hours

Officers may contact the weekend VST volunteers through Communications.

- Friday / 1900-0300 Hours

- Saturday / 1100-0300 Hours

- Sunday / 1100-0000 Hours

Note: A VST Supervisor is on-call during the weekend hours

Officers may request that the VST respond to a domestic violence scene.

- If the suspect is at large, officers will stay with VST personnel at the scene until VST can relocate the victim.

If the VST does not respond to the scene, officers may refer the incident for VST follow-up by leaving a message on the VST voicemail (206) 684-7721. Officers will leave the Report number and specific instructions for the victim follow-up.

Officers may also leave a copy of the Report in the VST mailbox at the precinct.

VST personnel do not have access *Mark43* or the MDT. Officers will assist VST personnel by providing printed Reports when requested. VST has authority from the Chief of Police to access printed domestic violence police reports and officers will cooperate with these VST requests.

5. The Department is Committed to a Thorough Primary Investigation of Domestic Violence Incidents (See Manual Section 15.180 – Primary Investigations)

Besides following 15.180-Primary Investigations officers will:

- Attempt to obtain the domestic violence history of the involved suspect. This may include information about previous victims.
- Complete the Domestic Violence Supplement, including an assessment of the presence/ownership of firearms.
- Use the Sworn Affirmation (form 25.3) when taking a statement from a victim or witness.

(See 15.410-TSK-1 Patrol Officer Primary Investigation of a Domestic Violence Incident and 15.410-TSK-2 Officer's Report and Narrative)

6. Officers Will Standby to Assure the Peace

Officers dispatched to standby to assure the peace will attempt to determine if unreported domestic violence has occurred and if a current court order involves any of the parties.

Officers will not determine disputed property ownership without specific court ordered instructions (RCW 26.50.060).

- Officers will document the violation of a court ordered surrender of property on a Report.

Officers will not facilitate entering a locked premise without both resident's consent.

Officers will stay present with both parties while property is being gathered and transported and will remain on the scene until the parties have separated.

Officers do not have to assist in moving property.

15.410-TSK-1 Patrol Officer Primary Investigation of a Domestic Violence Incident

When an **officer** is completing a domestic violence investigation they will:

1. **Respond** to the scene and **determine** the type of call and if additional resources are needed.

2. **Attend** to injured persons and request SFD if needed.

- If there is any indication or report of strangulation, suffocation or neck compression, **requests** SFD respond and **informs** Communications that the victim suffered a neck compression/choking/strangulation.

3. **Coordinate** the possible arrest of the suspect.

4. **Check** the victim and suspect for current court orders

5. **Follow** manual section 15.180-Primary Investigations

    - See manual section 15.080 – Follow-Up Unit Notification & Follow-Up Investigation for information on requesting that a follow-up unit respond to a scene.

    - See manual section 14.060 – Serious Incident Plan for information on responses to serious incidents.

    - See manual section 6.220 – Voluntary Contacts and Terry Stops for information on non-probable cause investigative contacts.

- **Process** the scene for evidence

- **Capture** sufficient photographs (see manual section 7.090 - Photographic Evidence).

- **Photograph** the scene to include any damaged or disrupted property and the presence of alcohol or drug use.

- **Photograph** the victim's injuries and their appearance, such as, physical marks, torn or damaged clothing, evidence of a physical struggle such as damaged furniture, defects in walls, clumps of hair, blood spatter, etc."

- Only photograph a victim with their permission. If a victim wishes not to be photographed, **document** the reason photographs of the victim were not captured.

- If possible, **photograph** the suspect's injuries, their hands, and their appearance, such as torn or damaged clothing or pulled hair.

- **Flag** the photographs in DEMS with the DV flag.

6. **Instruct** the victim to take additional photographs of injuries days after the incident to show bruising and to **call 911** to request an officer to place the photographs into evidence (see manual section 7.090 – Photographic Evidence).

7. **Complete** victim and witness statements using the Sworn Affirmation.

8. **Complete** the Domestic Violence Supplement, including an assessment of the presence/ownership of firearms.

9. **Ask** the victim, to sign an Authorization to Disclose Protected Health Information (form 3.2.2), this may be done at the scene or the hospital.

10. **Request** the Victim Support Team if needed.

11. **Provide** the victim with a copy of the Domestic Violence Resource Guide (form 18.6). The guide is available in English, Spanish, Chinese, Tagalog, Russian, Vietnamese, and Korean.

12. **Assist** the victim in seeking shelter if needed.

13. **Canvass** the neighborhood for witnesses if applicable.

14. If a suspect is arrested, try to **obtain** a statement from the suspect (see manual section 6.150 – Advising Persons of Right to Counsel and Miranda).

15. **Ask** the victims and witnesses if they want their identifying information disclosed or not disclosed (see 12.080 – Department Records Access, Inspection and Dissemination).

16. **Complete** a Report for a domestic violence crime (see 15.410-TSK-2 Officer's Report and Narrative).

15.410-TSK-2 Officer's Report and Narrative

When an officer is completing the Report of a domestic violence investigation they will strive to **document**:

1. What information was dispatched with the call.

2. Where the victim was upon arrival.

3. The victim's physical appearance upon arrival.

    - Initial indications of injuries, marks, redness

    - Disheveled clothing, lack of clothing, smeared makeup, etc.

    - Evidence or report of neck compression

4. The victim's demeanor or emotional state of mind to include:

    - Any of the victim's "excited utterances"

    - Direct quotes from the victim indicating state of mind and feeling of pain.

5. A description of the scene where the incident took place.

    - Damage to property or signs of a struggle

    - The presence of alcohol or drugs

    - Animals or signs of animal neglect

6. The history of the relationship between the victim and the suspect. The history includes:

    - Length of relationship

    - Type of relationship

    - Any other communities/states the couple has resided in

    - Any past incidents of violence

    - The existence of any court orders

    - If the suspect has ever been charged with a crime in the past and, if so, what charges were filed, where was the prosecution conducted and was the suspect ever convicted of the charges

7. The victim's injuries (Photographs are captured and submitted per manual section 15.180 – Primary Investigations)

    - All injuries, regardless of how "insignificant."

8. All the witness information and anyone that spoke with the victim or suspect.

9. Witness observations of the victim's appearance and demeanor.

10. The witness relationship to the victim and suspect.

11. All children present at the scene (name, DOB, etc.).

12. Alternative contact information for the victim.

13. That statements were taken, and the Sworn Affirmation is signed.

14. If a suspect is arrested.

15. The suspect's description, appearance, emotional state and their demeanor.

16. The sobriety of the suspect.

17. Their claim of self-defense (if stated).

18. Verify the victim's current address. Witness address. Suspect address. Emergency contact information.

Seattle Police Department Manual

15.415 – Prostitution Investigations

Effective Date: 05/07/2019

Given the complexity, special investigative requirements and the challenges related to prostitution investigations, officers are directed not to take enforcement action under the following circumstances unless directed to do so by the High-Risk Victims Section/Human Trafficking Unit:

- Adult Entertainment: The Adult Entertainment Ordinance regulates nude dancing / clubs (SMC Chapter 6.270).
- Illicit Massage Parlors/Businesses, (IMB's).
- Online investigations involving prostitution and prostitution-related crimes.
- Escort/Brothel investigations: These investigations include commercial property, motels, apartments, or residences involved in prostitution or prostitution-related crimes.

Refer any complaints to the Human Trafficking Unit (206) 684-8660.

16.020 - Alley Closure

Effective Date: 04/01/2019
Revised Effective Date: 12/15/2022

16.020-POL

1. Seattle Department of Transportation Authority

The Seattle Department of Transportation (SDOT) has the authority to close designated alleys during certain time periods for reasons of public safety. Department employees who encounter alleys that may be appropriate for closure under this authority should submit a request for closure through their chain of command to SDOT.

2. Employees May Request Alley Closure

Employees may request an alley closure by submitting a memorandum to the SDOT Director through the chain of command that includes the following:

- Type of criminal activity occurring in the alley. Include any enforcement action that has taken place and how closing the alley will assist in decreasing criminal activity.

- Location of the alley and time of day the criminal activity is taking place.

- A list of property owners or business owners adjoining the alley who have been contacted about the alley closure. Include their concerns or comments on the proposed closure.

3. Sworn Employees May Take Enforcement Action After SDOT Posts Alley Closure Signs

Individuals in the alley during the hours of closure are in violation of SMC 11.40.430 - Prohibited entry to no-admittance area, and SMC 11.16.125 - Director of Transportation - Authority - Street and alley closures. These are non-traffic crimes and will be handled with a report or a physical booking.

When sworn employees contact individuals in a closed alley, the sworn employees will advise that the alley is closed and give the

individual(s) the opportunity to leave. If the individual(s) remains or returns to the alley during the hours of closure, they may be arrested.

- **Exception:** The requirement to leave the alley does not apply to the following:
  - Owners and occupants of the abutting properties and their guests.
  - Agents of utilities with facilities in the alley or serving abutting properties.
  - Government employees and emergency personnel in the performance of their duties.
  - Individuals who have obtained a street use permit issued pursuant to SMC Title 15.

Seattle Police Department Manual

16.030 – Ride Along Program

Effective Date: 02/01/2021

The Ride Along Program allows an observer to accompany an officer during an assigned shift. The Seattle Police Department sees value in allowing a firsthand observation of some daily police operations and looks to provide a safe and informative experience.

16.030-POL

1. Observers Must Meet Eligibility Requirements

Generally, only persons 18 years of age and older may participate in the ride along program.

Persons 16-17 years of age may participate if the following conditions are met:

- Written permission from the juvenile's parent/guardian with the reason for the request, such as being related to the explorer program or a school project.

- The precinct captain or unit commander must contact the juvenile's parent/guardian and explain that the ride along may expose the juvenile to scenes of violence, obscene language, nudity, and other adult situations.

    * Even if both requirements are met, the precinct captain or unit commander has the discretion to deny any ride along request.

A person is only allowed one ride along per year unless the person is participating as part of the SPD hiring process under the direction of the Background Unit.

Persons requesting to ride along must agree to a criminal history inquiry and warrant check.

2. There are Disqualifiers to Participation as an Observer

A criminal history that includes violent crimes or crimes against government order will automatically disqualify a person from being a ride along observer.

If the requestor has other criminal history, the watch or unit lieutenant decides, on a case-by-case basis, whether the person will be allowed to participate.

- If the request is approved, the watch or unit lieutenant will inform the assigned officer of the observer's criminal history before the ride along takes place. The officer may refuse to take the observer based on this information.

3. Precincts and Units Retain Ride Along Requests

Each precinct and section will retain ride along requests for the current year plus three.

With these requests, the precincts and sections will maintain a list of individuals who have been disqualified or restricted from participating in ride alongs.

4. Requestors Submit Ride Along Requests and Waivers to Affected Precincts and Units

A person requesting a ride along submits the request to the precinct or section captain where the ride along will take place.

Requests will include the Ride Along Request and Waiver form 7.11.

The precinct or section captain may issue a conditional approval allowing the request to proceed through the screening process.

5. Staff Schedules Ride Alongs After Conditional Approval

After a request is conditionally approved, the precinct or section captain will have staff contact the requestor and schedule a date and time for the ride along.

- If staff are unable to contact the requestor after three documented attempts, they will notify the captain for final disposition of the request. The requestor must reinitiate the ride along process.

The precinct or section captain will delegate scheduled ride along requests to a watch commander or unit lieutenant to facilitate.

6. Observers Sign Waivers and Undergo Criminal History and Warrant Checks on the Day of the Ride Along

On the day of the ride along, the assigned sergeant will run a warrant check and an NCIC III criminal history check on the observer.

Purpose code J is for applicants with "applicant ride along" in the ATTN field. Purpose code C is for all others with "ride along" for the ATTN field.

The sergeant will print the completed request/waiver form for the observer to sign before the ride along begins.

7. The Department Maintains Discretion to Cancel, Reschedule or Terminate Ride Alongs

On the date of a scheduled ride along, the watch or unit lieutenant will decide to allow the ride along or reschedule based on staffing levels or any unforeseen circumstances.

During the ride along, if the observer behaves in a manner that is inappropriate or endangers any person's safety, the assigned officer may terminate the ride along. If this occurs, the officer will inform his or her chain of command.

- The precinct or section captain decide whether the observer should be denied future ride along requests.

8. The Department Sets Guidelines for Observer Conduct and Activities

Observers will not ride along if they have outstanding warrants.

Observers will not ride along if they appear impaired by drugs or alcohol.

Observers will not ride with an officer with whom they have a significant relationship such as a spouse, domestic partner, or other close relative.

Observers will not wear any part of a police uniform or any inappropriate clothing or accessory.

Observers will not carry firearms or any other weapons.

Observers will not attend roll call.

Observers will not accompany department personnel serving a search warrant.

9. Officers Have Additional Responsibilities When Assigned an Observer

Officers will not engage in vehicle pursuits or emergency driving while an observer is in the vehicle.

If there is a known emergency, where it is reasonable to assume that the ride along observer will be in danger, the officer will attempt to drop the observer off in a safe place before responding. The officer will inform dispatch so that the observer may be picked up as soon as possible once the emergency is under control and resources allow.

If the officer is unable to drop the observer off at a safe location, the officer will not respond to the emergency.

If an incident occurred during the ride along where the observer may be asked to be a witness, the officer will inform the sergeant and fully document the circumstances in any relevant paperwork.

10. Assigned Officers Document Concerns About Observer Behavior

The assigned officer will notify his or her supervisor of any concerns he or she may have about the ride along. The precinct or section captain will ensure these concerns are noted with the archived request for future reference.

16.030-PRO-1 The Ride Along Process

Requestor

1. **Submits** a ride along request including Ride Along Request and Waiver form 7.11.

Precinct or Section Captain

2. **Receives** the request.

3. **Contacts** the parent/guardian of any requestors under 18 years of age to explain that the ride along may expose the juvenile to scenes of violence, obscene language, nudity, and other adult situations.

4. **Assigns** the request to staff for scheduling if the request is approved to proceed for further screening.

OR

Notes the disposition in the file and **notifies** the requestor if the request is denied.

Precinct or Unit Staff

5. **Creates** a file or folder to archive the request.

6. **Contacts** the requestor to arrange a date and time for the ride along.

7. **Documents** each scheduling attempt on the request form.

8. **Forwards** the request to the watch or unit lieutenant with the scheduled ride along information.

OR

Documents and **notifies** the captain if unable to contact the requestor after three attempts.

Watch or Unit Lieutenant

9. **Forwards** the request to the assigned sergeant.

Sergeant

10. **Performs** a warrant and criminal history check on the day of the ride along.

11. **Assigns** the ride along to an officer if checks are clear.

or

Confers with the lieutenant on canceling the ride along if warrants or disqualifying criminal history are found.

12. **Prints** the completed request/waiver for the observer to sign.

Officer

13. **Meets** with the ride along observer, and ensures the observer understands conduct requirements and activity restrictions of participation in the ride along program.

14. **Notifies** a supervisor if there are any issues during the ride along.

Sergeant

15. **Sends** scanned or paper copy of the completed and signed request/waiver to the captain via chain of command after the ride along is completed.

Precinct or Unit Staff

16. **Archives** the completed and signed request along with any relevant documentation.

16.050 – Death Notifications

Original Effective Date: 06/20/2003
Revised Effective Date: 03/01/2023

16.050-POL

According to RCW 68.50.300, the Medical Examiner's Office conducts next-of-kin notifications for most deaths occurring in King County. Occasionally, the Seattle Police Department is asked to conduct a notification, or to convey an emergency message. To the extent that the request will not interfere with either the statutory duties of the medical examiner or any investigation, the department will attempt to provide this service to the community.

1. Sworn Employees Notifying Next-of-Kin

When requested to do so, sworn employees will notify next-of-kin in the event of a death or imminent death of a person. It is recognized that these notifications are "crisis" service calls; therefore, sworn employees may take any reasonable action to assist the person through what is often an overwhelming time (this may include transport, phone calls, chaplain services, etc.).

In the case of a sworn employee's death see manual section 3.050 – Coordinating Officer Fatalities.

16.050-PRO-1

Chief Dispatcher

1. **Notifies** the appropriate watch lieutenant of a request to provide a notification, and the nature or circumstances of the notification.

Watch Lieutenant

2. **Determines** whether to approve the request. Generally, notifications for deaths occurring within King County will be handled by the medical examiner. If approved, the watch lieutenant will direct the chief dispatcher to dispatch the call, or alternatively, may elect to personally handle the notification.

3. **Personally notifies** the next-of-kin of a non-sworn employee's death or serious injury.

16.060 – King County Sheriff's Office Air Support Unit

Original Effective Date: 03/01/2016
Revised Effective Date: 12/01/2022

16.060-POL

1. The King County Sheriff's Office Operates the Air Support Unit with Helicopters Available for Selected Missions

Guardian One offers air support for patrol and specialized missions.

Guardian Two offers air support for special operations such as search and rescue (SAR) and tactical missions.

The Air Support Unit operates throughout King County and is available to assist the Seattle Police Department at no charge.

2. The Community Safety Communications Center (CSCC) May Advise Sworn Employees When the Air Support Unit is Available

When Guardian One is operational, they normally monitor several frequencies, including MARS.

The CSCC may advise sworn employees that Guardian One is in service and available to assist.

Guardian Two is normally available as a call-out resource; however, Guardian One can be utilized for missing children and vulnerable adults.

When sworn employees initially contact Guardian One on the MARS channel, they must be specific as to what type of event they are responding, to let the aircrew determine what equipment will best resolve the incident.

3. Sworn Employees May Request Assistance from the Air Support Unit

When Guardian One is on-duty and operating, sworn employees may request air support assistance directly from Guardian One on the MARS frequency or through the CSCC.

If Guardian One is off duty, but their assistance is required for a police operation, a sergeant will screen the request and coordinate with the CSCC.

16.060-PRO-1 Off-Duty Call-out of the Air Support Unit

Officer

1. **Notifies** their sergeant of an incident that would benefit from the assistance of the Air Support Unit and the Air Support Unit is not on-duty.

   - Examples for a call-out include a life safety incident or a serious crime incident where air support would be beneficial.

Sergeant

2. **Screens** the incident and makes the request through the CSCC, if appropriate.

   - Includes contact information and relevant information as to why air support is needed.

CSCC

3. **Contacts** the Air Support Unit and notifies them of the request for assistance.

4. **Notifies** the sworn employee if the Air Support Unit will assist and provides an estimated time of arrival over the scene.

16.070 – Responding to Monitored Alarms

Effective Date: 05/07/2019

16.070-POL

This section applies to alarms monitored by an alarm company. This does not include Voice-Activated Radio-Dispatched Alarms (VARDA), vehicle alarms, or mobile security devices.

1. The False Alarm Detail Will Oversee Alarm Systems Ordinance Enforcement

Officers will route all reports concerning alarm activation to the False Alarm Detail.

Officers who have questions or concerns regarding an alarm may contact the False Alarm Detail.

2. Officers Will not Grant Warnings or Waive the False Alarm Fee

Under certain circumstances, the alarm owner may be granted a waiver, but the owner's alarm company must contact the False Alarm Detail to obtain the waiver.

3. Officers Will Determine if an Alarm Activation is Valid or False Based on Physical Evidence

If responding officers discover physical evidence of a crime, attempted crime, or emergency situation, the alarm is considered valid.

If no physical evidence is found, or physical evidence is not documented, the alarm is considered false, and the alarm company will be fined.

4. Officers Will Document Valid Alarm Activations and Physical Evidence in a Report.

Clear the call with the situation-appropriate Final Type Code, such as for "Burglary" or "Robbery", and an "A" (Physical arrest

made), “C” (Report submitted), or “D” (Evidence submitted) designation.

5. When Officers Determine an Alarm Activation is False, They Will Document Their Investigatory Actions on the Call Log

Clear False Alarm incidents with the appropriate “False Alarm” final type and an “M” (False complaint/unfounded) designation.

6. Officers May Leave Notice of a False Alarm

In the case of a false alarm, a *Notice of False Alarm* (Form 7.27) may be left for the owner or subscriber of the premises.

Cross out any specific fine amount listed on the notice.

16.080 – Fireworks Disposal and Disposition

Effective Date: 11/01/2019
Revised Effective Date: 07/01/2023

The department will facilitate the collection and disposal/disposition of fireworks.

16.080-POL

1. The Arson/Bomb Squad (ABS) Will Dispose of Recovered Fireworks

2. Officers Will Place All Fireworks Inside the Provided Fireworks Barrels

Each precinct provides a marked fireworks collection barrel.

Officers will use only the provided barrels to store and dispose of fireworks.

The Seattle Fire Department (SFD) will not accept fireworks for disposal. Employees will direct people to the nearest precinct for disposal of fireworks.

If questions arise about the appropriateness of placing any item in the fireworks barrel, employees will contact ABS immediately.

3. Officers Will Not Take Fireworks to the Evidence Section

4. Officers Will Not Place Fireworks Outside of the Provided Fireworks Barrels for Disposal

5. Sergeants Will Notify ABS Immediately if the Quantity of Fireworks is too Large to Safely Fit in the Barrel

6. Sergeants Will Immediately Notify ABS for Response if Collecting M-80 Size Devices, or Larger

If the size of the device is uncertain, sergeants will contact ABS for screening.

7. Officers Will Document Found or Surrendered Fireworks in a Report and Label the Fireworks "Not Needed As Evidence" When Placing them in the Fireworks Barrel

16.080-PRO-1 Handling Fireworks as Evidence

Officer

1. **Places** the fireworks in an envelope or paper bag.

   - Do not use plastic containers, or plastic bags, due to possible explosions caused by static electricity.

2. **Attaches** a copy of the related citation or report number to the envelope or paper bag.

3. **Gets** the key to the fireworks barrel from the precinct desk officer.

4. **Secures** the evidence in the locked barrel.

5. **Returns** the key to the fireworks barrel to the precinct desk officer.

Sergeant

6. **Notifies** ABS (206-684-8980) immediately if the quantity of fireworks is too large to safely fit in a barrel.

ABS

7. **Responds** and takes the fireworks into custody.

16.080-PRO-2 Handling Fireworks Turned in, or Confiscated, Not Needed as Evidence

Officer

1. **Places** the fireworks in an envelope or paper bag.

2. **Attaches** a copy of a memorandum documenting the circumstances under which the fireworks were recovered to the envelope or paper bag.

3. **Places** the fireworks and related paperwork into the fireworks barrel and secures the barrel with padlock provided.

4. **Notifies** ABS immediately if the quantity of fireworks is too large to safely fit into the barrel.

ABS

5. **Responds** and takes charge of all items for disposal.

16.090 – In-Car and Body-Worn Video

Original Effective Date: 10/01/2020
Revised Effective Date: 07/01/2023
Revised Effective Date: 01/12/2024

This policy section applies to all on-duty sworn employees who operate In-Car Video (ICV) or Body-Worn Video (BWV) systems. The goal of these systems is to enhance public trust in the Seattle Police Department by providing greater transparency into sworn employee actions. Recording law enforcement interactions between sworn employees and members of the public provides valuable information for sworn employee accountability and effective criminal investigations.

The department will continually review both in-car and body-worn video programs, including this manual section and related training, considering changes in best practices, technology, and legal standards.

16.090-POL-1 Recording with ICV and BWV

1. The Department Assigns BWV Cameras and Installs Chargers

Each precinct will position BWV camera docks in a way that allows sworn employees to access their equipment.

The department will assign BWV cameras to sworn employees individually. Sworn employees may not wear any personally owned camera device. The department only authorizes those camera units issued by SPD.

2. Sworn Employees Who Have Been Trained and Have Been Issued BWV Equipment Must Carry It During Their Shift

Before sworn employees deploy with an ICV-equipped vehicle or BWV camera, they will complete department training on the proper use of the equipment and procedures for uploading recorded video. This training will include:

- System preparation and operation.
- Department policy on camera usage.
- Pointing of the ICV camera and placement of the BWV camera.

As public and sworn employee safety considerations permit, sworn employees will make reasonable efforts to position the vehicle and camera to obtain useful

recordings and capture critical evidence. Sworn employees will not position vehicles to avoid recording an event.

Sworn employees will wear the BWV camera on the upper torso.

Once sworn employees have completed ICV/BWV training and have been issued the equipment, sworn employees will deploy for their assignments with BWV cameras. When required to record an event, both ICV and BWV will be used.

Exception: SPMA members will deploy with BWV in a manner consistent with the existing labor agreements.

3. All Sworn Employees Operating ICV and/or BWV Will Be In Uniform

Field Training Officers in plainclothes do not need to wear a BWV camera.

4. Sworn Employees Assigned to Federal/Multi-Agency Task Forces

Sworn employees assigned to Federal/Multi-Agency Task Forces will wear and operate body worn cameras, if it is safe and feasible to do so, during the following:

- When engaged in a planned attempt to serve an arrest warrant, execute a search or seizure warrant or order, or engage in another planned arrest.
- If they take law enforcement action while wearing a body camera.
- When doing so does not compromise the safety of law enforcement personnel or other persons.

If body worn video is not worn and/or not activated, sworn employees must document the reason why.

If working an assignment with an associated SPD report number, the sworn employee will complete a supplemental report in Mark 43. If working an assignment with no associated SPD report, the sworn employee will complete a memo and submit it to their SPD chain of command for review and retention.

(See also RCW 9.73.090(1)(c))

5. Sworn Employees Address and Note System Malfunctions

At the start of the shift, sworn employees will prepare ICV and BWV systems as outlined in the training and 16.090-TSK-1.

Both officers in two-officer cars will log into the ICV system.

If an employee discovers an operational issue with ICV or BWV at any time during the shift, the employee will contact Seattle ITD for troubleshooting (if applicable), note the issue in a CAD update, and notify a supervisor as soon as practicable.

6. Sworn Employees Will Document the Existence of Video or Reason for Lack of Video

Sworn employees will document the existence or absence of any BWV and/or ICV video in any related paperwork. (e.g., Reports, Supplements, Field Contacts, NOI, Criminal Citation, TCR, etc.)

When sworn employees are aware that there is no recording or there was a delay in recording, sworn employees will explain why in the submitted paperwork. When sworn employees are not submitting any paperwork, they will enter a CAD update with this explanation.

Employees not logged to a call or event, but who knowingly capture video of the event, will log to the call, and note in a CAD updated that the event was recorded.

7. Sworn Employees Will Initiate Upload of Recorded Video and Recharging of Equipment Before Going Out of Service

Before going out of service, sworn employees will dock their BWV cameras to initiate upload of BWV video and recharging. If the video upload process is not initiated before the end of shift, sworn employees will notify a supervisor.

Exception: Sworn employees assigned take home vehicles will upload their ICV (if equipped) and BWV by the end of their next scheduled work shift.

8. Specialized Units May Request Exceptions

The department recognizes that in relatively rare circumstances units may perform specific tasks during their normal duties that make using the ICV or BWV impractical. Units may request exceptions to recording with ICV and/or BWV, for those specific tasks, from the Chief of Police. Any exceptions granted are valid for a term not to exceed one year and may be renewed annually at the discretion of the Chief of Police by a showing of good cause.

Units will request the exceptions by department memorandum outlining the specific tasks and good cause justification. All approvals will be in writing and signed and dated expressly by the Chief of Police. The Chief of Police and affected section commanders will maintain a file of approved exceptions. Section commanders will provide a copy to the Office of Police Accountability and may provide copies of the exceptions to the affected personnel under their command.

16.090-POL-2 Sworn Employees Recording Police Activity

1. Notification of Recording

Sworn employees will notify persons that they are being recorded as soon as practical, and the notification will be on the recording. Sworn employees will make reasonable efforts to communicate to non-English speakers, those with limited English proficiency, deaf persons, or persons hard of hearing that they are being recorded.

Sworn employees will make reasonable efforts to repeat the notification, if practical, for additional people that become involved in the recording.

Consistent with RCW 9.73.090(1)(b), sworn employees will again notify persons placed under arrest they are being recorded and verbally give Miranda warnings on the recording.

- Sworn employees must read Miranda warnings to arrestees when recording an interrogation. As an example, when BWV is activated in the holding cell area for an interrogation, sworn employees will read Miranda again.

2. When Sworn Employees Record Activity

When safe and practical, sworn employees will record the following police activity, even if the event is out of view of the camera:

- Dispatched calls, starting before the employee arrives on the call to ensure adequate time to turn on cameras
- Traffic and Terry stops
- On-view infractions and criminal activity
- Arrests and seizures
- Supervisor arrest screenings and interviews of arrestees
- Searches and inventories of vehicles, persons, or premises
- Handling and counting of currency up to the point it is sealed in a currency envelope or air-dry bag (see manual section 7.080 – Money Evidence)
- Transports (excluding ride-a-longs and passengers for meetings)
- Following or riding in ambulances or medic units that are transporting persons involved in an event to a medical facility
- Vehicle eluding/pursuits

- Questioning victims, suspects, or witnesses (this does not include conversations with persons merely wishing to pass on information about general criminal activity not tied to a specific event)

If circumstances prevent recording at the start of an event, the employee will record as soon as practical.

Sworn employees will record the entire event to its conclusion unless specifically instructed otherwise by this manual section.

If the sworn employee is on a perimeter post at an extended major incident investigation, the on-scene supervisor, or FIT commander where FIT has been notified and is responding, may authorize ICV and BWV recording to be stopped when he or she reasonably believes further recording will not capture audio/visual evidence regarding the incident or enforcement efforts.

Sworn employees may briefly stop BWV (not ICV) during an event to view video that would assist in an investigation.

- Sworn employees will restart recording with BWV as soon as feasible after gathering the desired information.

3. Recording in Sensitive Areas

Sworn employees will not record in restrooms, jails and the interiors of medical, mental health, counseling, or therapeutic facilities unless for a direct law enforcement purpose.

Examples of law enforcement purposes include:

- Conducting an interview with a suspect or victim
- Crime(s) in progress
- Taking resistant arrestees into custody
- Ongoing or impending use(s) of force
- Recording an allegation of misconduct
- Supervisor interviews of arrestees for use of force investigations and arrest screenings

Note: Sworn employees will record in the interiors of ambulances or medic units.

4. Recording in Residences and Private Areas

Sworn employees will ask for consent to record with BWV in residences or other private areas not open to the public unless there is a crime in progress, or other circumstances exist that would allow the sworn employee to be lawfully present without a warrant. The request and any response will be recorded.

If any person with legal standing denies permission to record, sworn employees will stop recording with BWV while they are in the private area.

5. Protecting Privacy and Dignity

There may be limited circumstances when the respect for an individual's privacy or dignity outweighs the need to record an event.

Such circumstances may include natural death scenes, death notifications, child interviews, cultural or religious objections to being recorded, and when the use of BWV would impede or limit the cooperation of a victim or witness.

When an employee believes such circumstances exist, the employee may deactivate the BWV.

In exceptional circumstances video inadvertently recorded in sensitive areas or situations will be flagged and forwarded to the Legal Unit for review. The Legal Unit may then approve deletion of the relevant section of video by the Video Unit.

6. Discretion in Recording

Sworn employees reasonably exercising discretion under department policy, for the above sections, Recording in Sensitive Areas, Recording in Residences and Private Areas, and Protecting Privacy and Dignity, will not be subject to discipline for the decision to record or not record those portions of an event.

Unless otherwise prohibited by this policy, sworn employees may initiate recording any time they determine it would be beneficial to capture an event or activity.

BWV may be used to record interviews related to a use of force investigation covered under manual section 8.400 - Use of Force Reporting and Investigation Interim Policy.

7. Recording Demonstrations

Sworn employees who have been issued BWV cameras and who have been assigned to work demonstrations will record with body-worn video activated during demonstrations when they are facing and/or in contact with the public.

8. Sworn Employees Stating the Reasons for Stopping BWV

Sworn employees who stop recording during an event will state on the recording their intention to stop recording and explain the basis for that decision. Sworn employees will also document the reason(s) in the report and/or CAD update.

Supervisors who direct that recordings cease will direct sworn employees to document the order in the report and/or CAD update.

9. Determining the Conclusion of an Event

An event has concluded when both of the following apply:

- The sworn employee has completed his or her part of the active investigation; and

- There is little possibility that the sworn employee will have further contact with any person involved in the event

For transports to a King County jail facility, the event concludes just before the sworn employee enters the sally port of the facility.

For transports to medical facilities, the event concludes when the sworn employee reaches the transport destination, and the sworn employee is exiting the vehicle.

For transports to other locations, the event concludes when the sworn employee reaches the transport destination, and the subject has been taken into the destination.

16.090-POL-3 Reviewing Department Video

This policy applies to all employees who review ICV and BWV recordings.

1. All ICV and BWV Recordings and Related Data are the Property of the Seattle Police Department

Department policy governs all access, review, and release of in-car and body-worn video.

SPD manual section 12.080 – Disclosure of Department Records addresses video retention periods and release of video to the public, including persons wishing to file misconduct complaints.

Employees will not make copies of videos, by any means, for personal use.

2. Employees Will Not Tamper With, Alter, or Delete Video

Exception: This does not apply to personnel tasked with system maintenance who purge videos under established retention guidelines.

3. Employees May Review Recorded Video

Sworn employees may review their own recorded video except in instances of FIT investigations. The FIT manual outlines when sworn employees may view video in those cases.

The department, including supervisors, OPA, Training, Audit, and investigatory personnel may view ICV and BWV recordings for these purposes:

- Complaint
- Criminal investigation
- Officer-involved collision
- Vehicle pursuit investigation or review
- Public disclosure request
- Use of force review or investigation (See FIT Manual if applicable)
- Performance appraisal
- As part of the Early Intervention System (EIS)
- Training purposes, with the permission of the involved employees
- Audit and Quality Control/Troubleshooting

4. Minor Misconduct Discovered During ICV and BWV Review Will Not Result in Discipline

If, while viewing in-car or body-worn video, minor acts of misconduct unrelated to the original reason for viewing the video are discovered, they will not result in discipline or a sustained finding.

However, such acts may result in a training referral, or counseling, mentoring, or coaching and may be included in an employee's performance evaluation.

In the context of in-car and/or body-worn video review, acts of misconduct that do not rise to the level of serious policy violations as defined in manual section 5.002 – Responsibilities of Employees Concerning Alleged Policy Violations will be handled pursuant to that manual section.

5. Users Will Note the Purpose for Viewing Video

Any employee viewing a video after it has been uploaded will manually make an entry in the viewer application at the beginning of the viewing session stating the purpose for viewing the video.

Employees will refer members of the public who wish to view video to file a public disclosure request.

16.090-TSK-1 Preparing the In-Car and Body-Worn Video Systems

When deploying with body-worn video (BWV) or a vehicle equipped with an in-car video (ICV) system, an **employee**:

1. **Opens** the Axon View XL application, and **signs-in** at the start of their shift, unless exigent circumstances prevent sign on.

2. **Verifies** that all indicators show that BWV camera is fully charged.

3. **Positions** cameras correctly.

4. If the system malfunctions, **troubleshoots** using steps included in the initial training such as system reboot, or re-synching of cameras.

5. If the initial troubleshooting does not fix the problem, **contacts** the IT Section, and follows their instructions.

6. If the problem is resolved, **makes** an entry in the MDC log of the malfunction and steps taken to resolve it.

7. If the problem is not resolved, **notifies** supervisor of the malfunction (see 16.090-TSK-2).

16.090-TSK-2 Supervisor Responding to a Malfunction of ICV or BWV

After receiving a report that an ICV system or BWV camera has malfunctioned, a **supervisor**:

1. For BWV, **arranges** for the sworn employee to get a replacement BWV camera, if one is available.

2. For ICV, **assigns** the sworn employee(s) to visit Seattle ITD, or switches the sworn employee(s) to a vehicle with a functioning ICV system if one is available.

3. **Approves** the employee working without use of ICV and/or BWV if there are no vehicles with a functioning ICV system or spare body cameras available.

4. **Flags** the vehicle with the malfunctioning ICV system as "out-of-service".

5. **Requests** repair of the malfunctioning system by Seattle ITD.

16.110 - Crisis Intervention

Effective Date: 10/01/2020

The intent of this policy is to provide all officers with resources to deal with subjects who are in behavioral crisis. This includes people exhibiting signs of mental illness, as well as people living with substance use disorder and those experiencing personal crises.

For the purposes of this policy, a behavioral health crisis is defined as an episode of mental and/or emotional distress in a person that is creating significant or repeated disturbances and is considered disruptive by the community, friends, family, or the person themselves.

For further guidance, see 16.110-POL-3.2 (for CIT-Certified Officers), POL-5.1 (for non-CIT-Certified Officers), POL-5.2 (for Communications personnel), and POL-5.9 (for documentation).

The Seattle Police Department recognizes the need to bring community resources together for the purpose of safety and to assist and resolve behavioral crisis issues. The Department further recognizes that many people suffer crises, and that only a small percentage have committed crimes or qualify for an involuntary evaluation. Persons suffering crises will be treated with dignity and will be given access to the same law enforcement, government, and community service provided to all members of the public.

Seattle Police officers are instructed to consider the crises that subjects may be experiencing during all encounters. Officers must recognize that subjects may require law enforcement assistance and access to community mental health and substance abuse resources. The ideal resolution for a crisis incident is that the subject is connected with resources that can provide long-term stabilizing support.

Officers are trusted to use their best judgment during behavioral crisis incidents, and the Department recognizes that individual officers will apply their unique set of education, training, and experience when handling crisis intervention. The Department acknowledges that officers are not mental health professionals. Officers are not expected to diagnose a subject with a mental illness, nor are they expected to counsel a distraught subject into composure. When officers need to engage with a subject in behavioral crisis, the Department's expectation is that they will

attempt to de-escalate the situation, when safe and feasible. The purpose of de-escalation is to provide the opportunity to refer the subject to the appropriate services. This expectation does not restrict an officer's discretion to make an arrest when probable cause exists, nor are officers expected to attempt de-escalation when faced with an imminent safety risk that requires immediate response. An officer's use of de-escalation will be judged by the standard of objective reasonableness, from the perspective of a reasonable officer's perceptions at the time of the incident.

16.110-POL-1 Crisis Intervention Committee (CIC)

1. CIC is a Community and Regional Partnership

The purpose of the CIC is to build an effective regional crisis incident response built upon best practices, innovation, and experience. The CIC works in cooperation with the Department to make sure that crisis intervention training and policies are consistent with legal standards, best practices, and community expectations. The intent is to include representatives of entities that can assist the Department in achieving the purpose of the CIC. These entities will come from several categories: city and county government (including law enforcement agencies and line patrol officers), mental health professionals and advocates, academia, and others deemed appropriate.

2. CIC Works Collaboratively with the Department to Advise on Crisis Intervention Training and Policies

The CIC has five specific tasks:

- Evaluate SPD's overall CIT program, study national models, and make recommendations on whether SPD should modify the structure and design of its crisis intervention program

- Develop a checklist of resources available to refer individuals in crisis

- Review and validate the Department's CIT training

- Develop policy and procedures for the disposition or voluntary referral of individuals to jails, receiving facilities and local mental health and/or social service agencies that clearly describe the roles and responsibilities of those entities and of the SPD CIT-Certified officers in the process

- Enhance community connections with advocates and social service professionals, as well as provide for a seamless system of care for persons in crisis

16.110-POL-2 CIT Program

1. CIT Program is Responsible for Implementing and Sustaining Department's Response to Subjects in Behavioral Crisis

The CIT (Crisis Intervention Team) program is responsible for working with community partners to establish and sustain the Department's response to subjects in behavioral crisis. This includes the Department's response involving both CIT-Certified officers and officers who are not CIT-Certified, the Crisis Response Unit (CRU,) and the CIT Coordinator.

2. CIT Commander Oversees CIT Program

The CIT Program is aligned under the Collaborative Policing Bureau Chain of Command. Leadership, planning, and problem-solving skills are essential attributes for the CIT Commander. The CIT Commander supervises two sergeants: the CRU Sergeant and the CIT Coordinator.

The CIT Commander examines, reviews, and makes recommendations to ensure the CIT program is implemented and sustained as a community program. The CIT Commander is the Department's command-level representative on the Crisis Intervention Committee (CIC) and will ensure their input about the CIT program is addressed. The CIT Commander will meet with law enforcement leadership, review, and make recommendations to Department CIT policy and procedures, and be responsible to develop and review CIT training. The CIT Commander will monitor and remain familiar with state commitment laws; transportation policies; and state, county, and local issues that may affect community crisis services. The CIT Commander will maintain familiarity with CIT grant requirements at the federal, state, and county level. The CIT Commander will assist with developing the data collecting program and will present the data outcome measures to Department leadership and the CIC. The CIT Commander will also oversee the internal and external methods of CIT-related communication.

3. CIT Coordinator is Responsible for Implementing and Sustaining CIT Program

The CIT Coordinator is responsible for the day-to-day operations of the CIT program. At the direction of the CIT Commander, the CIT

Coordinator ensures that the CIT program is implemented and sustained as a community program. The CIT Coordinator serves as a community liaison and is the primary point of contact for the program, both for law enforcement and other community partnerships to the residents of Seattle.

At the direction of and in coordination with the CIT Commander, the CIT Coordinator will develop agendas for and participate in the CIC meetings. The CIT Coordinator will coordinate the CIT program's response to feedback from patrol officers and community partners. Operational issues raised will be addressed through problem-solving efforts by the CIT Coordinator. The CIT Coordinator will participate in developing and providing CIT training to sustain the CIT program at both the Department and state levels.

Officers may contact the CIT Coordinator at SPD_CIT_Coordinator@seattle.gov with any questions and/or feedback.

In their respective roles, the CIT Commander and the CIT Coordinator will work closely with patrol, detectives, the Professional Standards Section, the Education & Training Section, Command Staff, Crisis Intervention Committee, community partners, mental health providers and advocates, academia, WSCJTC, the courts, and others involved in providing crisis response.

16.110-POL-3 CIT-Certified Officers

1. CIT-Certified Officers Undergo Specific Training

All SPD officers will receive 8 hours of crisis intervention training annually. To be considered "CIT-Certified," officers are required to successfully pass a 40-hour initial comprehensive CIT training via WSCJTC and eight hours of annual CIT-specific in-service training thereafter.

2. CIT-Certified Officers Will Take the Lead, When Appropriate, In Interacting with Subjects in Behavioral Crisis

3. The Department Will Ensure That CIT-Certified Officers Are Available on All Shifts

16.110-POL-4 Crisis Response Unit (CRU)

1. CRU is a Unit of the Collaborative Policing Bureau

The Crisis Response Unit is distinct from officers who are CIT-Certified and assigned to other units (see 16.110-POL-3).

2. CRU has Two Areas of Focus: The Crisis Response Team (CRT) Responds to Incidents in the Field and the Crisis Follow-Up Team (CFT) has Follow-Up Responsibility for Incidents Involving Subjects in Crisis

CRT Units primarily respond to in-progress calls, when available, in an effort to support Patrol, and conduct outreach with identified individuals. They also are available to respond, at the request of the incident commander, to critical incidents that involve subjects who are in extreme states of behavioral crisis.

CFT follows-up on cases involving behavioral crisis through intervention at the lowest-level, least-intrusive intercept point, in order to prevent and reduce harm. CFT works to gain a subject's behavioral self-control through engagement with treatment.

a. CFT Utilizes an Intercept Continuum

1. Harmless symptomatic behavior
    - Non-criminal: Provide contact information for obtaining services/treatment
    - Criminal: Verbal warning
2. Indication of mental-health needs
    - Non-criminal: Refer to appropriate service partner for outreach
    - Criminal: Document crime, warn
3. Indication of urgent mental-health needs
    - Non-criminal: Contact subject's case manager, CRT outreach, transport to voluntary services
    - Criminal: Document crime, warn
4. Imminent risk of serious harm to self, others, or property
    - Non-criminal: Emergent detention, involuntary transport to hospital

- Criminal: Request charges through Mental Health Court or refer to CSC

5. Escalation of harmful symptomatic behavior

    - Non-criminal: Coordinate with DCRs, commit for involuntary treatment

    - Criminal: Arrest and booking with referral to Mental Health Court

6. Escalated risk of serious harm to others, resistant to all other interventions

    - Non-criminal: Coordinate with DCRs, commit for involuntary treatment

    - Criminal: Arrest and booking

b. CFT Utilizes a Descending Scale of Urgency When Prioritizing Cases

1. Imminent risk of serious harm

    - Subject is out of custody or possible release following serious incident, danger to public or victims.

2. Pattern of escalation

    - Subject has been involved in a series of incidents indicating decompensation or decline in behavioral self-control, which constitutes an increased risk of serious harm to self or others.

3. High utilization of police resources

    - Subject has made or been the reason for frequent, unfounded calls which unreasonably exploit patrol resources.

4. Request from officers or service provider

    - A patrol officer or service provider requests CIT assistance for problem-solving.

3. When a Subject Attempts or Threatens Suicide, the CRU Sergeant is Responsible for Follow-Up to Ensure That the Subject is Directed to the Appropriate Resources, in Accordance with RCW 71.05.457

16.110-POL-5 Responding to Subjects in Behavioral Crisis

1. Upon Encountering a Subject in Any Type of Behavioral Crisis During Any Type of Incident (On-View or Dispatched), Officers Shall Make Reasonable Efforts to Request the Assistance of CIT-Certified Officers

Officers are reminded to assess situations and individuals where an Extreme Risk Protection Order (ERPO) might be applicable.

(See manual section 15.405 – Extreme Risk Protection Orders (ERPO))

2. Communications Shall Dispatch at Least One CIT-Certified Officer to Each Call That Appears to Involve a Subject in Behavioral Crisis

If circumstances dictate that there is not a CIT-Certified officer available to respond to a call that appears to involve a subject in behavioral crisis, non-CIT-Certified officers shall be dispatched to handle the call and a CIT-Certified officer shall respond as soon as possible.

- Calls that appear to involve a subject in behavioral crisis shall be dispatched in accordance with communications center protocol, even when a CIT-Certified Officer is not available.

CIT-Certified Officers will take the lead, when appropriate, in interacting with subjects in behavioral crisis. If a Sergeant or above has assumed responsibility for the scene, he or she will seek the input of CIT-Certified Officers on strategies for resolving the crisis event when it is reasonable and practical to do so.

- CIT-Certified officers are not obligated to serve as the primary officer during incidents that involve a subject in behavioral crisis. Unless a Sergeant or above approves another arrangement, the primary officer (as designated by dispatch / beat assignment) shall handle the necessary paperwork and provide Communications with the final call disposition.

a. Where feasible, a Sergeant and at Least Two Officers Shall Respond to High-Risk Suicide Calls

A high-risk suicide call is one where the likelihood of suicide is imminent, and the subject may be armed with a weapon or may be barricaded.

If, during the course of an incident, an officer determines that a subject meets the above criteria, he or she shall advise dispatch and request a sergeant and back-up if said personnel are not already enroute.

3. Officers May Call Crisis Connections to Connect with the On-Duty Designated Crisis Responder (DCR) During any Incident Involving a Subject in Behavioral Crisis

Officers may call Crisis Connections for an on-site evaluation by the on-duty Designated Crisis Responder (DCR).

- When communicating with a DCR, the officer calls (206) 263-9202
- If the incident requires immediate action, officers may take the subject into protective custody and arrange for a transport to the nearest appropriate hospital (see 16.110–PRO–1 Involuntary Behavioral Health Evaluation).

a. Officers Are Encouraged to Call Crisis Connections When Contacting Subjects Who Are in a Behavioral Crisis but Are Not Going to Be Referred for Involuntary Behavioral Health Evaluation or Criminal Charges

Crisis Connections is the resource through which officers can be referred to the available resources that are located throughout the region.

Crisis Connections can be reached at (206) 461-3210 ext. 1.

(See 16.110-PRO-5 Contacting Subjects Who are in a Behavioral Crisis but are Not Going to Be Referred for Involuntary Behavioral Health Evaluation or Criminal Charges)

4. Officers May Refer Eligible Subjects with Mental Illness and/or Substance Use Disorders to the Crisis Solutions Center (CSC) or Crisis Diversion Facility (CDF)

(See 16.110-PRO-4 Referring a Subject to CSC/CDF)

Voluntary referrals may take place:

- As part of an officer's community caretaking function, or

- During a Terry stop, or

- When an officer has probable cause to believe that an individual has committed a misdemeanor, gross misdemeanor or VUCSA possession (3 grams or less) offense.

a. Certain Subjects are not Eligible for CSC/CDF Referral

All jail diversion referrals require additional screening. Individuals are not eligible for a jail diversion to the CDF when a standard WACIC check returns as:

- Having a conviction history (as defined in RCW 9.94A.030) within the past 10 years of a violent felony offense, or sexual offense, *or*

- Being identified as a level 2 or 3 sexual offender.

b. Officers Shall Notify Potential Crime Victim(s) of the Diversion Option

Officers shall consider any strong opposition presented by the potential crime victim(s) when determining whether to make the referral. This does not negate officer discretion.

c. Officers Shall Inform Subjects that Referral is Voluntary

5. Officers May Facilitate Voluntary Behavioral Health Hospitalizations

Officers shall document officer-facilitated voluntary behavioral health hospitalizations (see 16.110-TSK-1 Voluntary Behavioral Health Hospitalizations).

6. Officers May Facilitate Involuntary Behavioral Health Evaluations

(See 16.110-PRO-2 Referring a Subject for an Involuntary Behavioral Health Evaluation)

7. Officers Shall Complete the Emergent Evaluation Card When Referring a Subject in Behavioral Crisis to a Hospital, Whether for Voluntary or Involuntary Evaluation

8. Officers May Take a Subject into Custody Based on a Written or Verbal Order from a DCR

When feasible, sergeants respond to screen DCR requests and consider if:

- The subject is likely to resist custody,
- The subject is barricaded,
- The subject has a history of violence or weapons, or
- Forced entry is necessary

(See 16.110-PRO-3 Taking a Subject into Custody by Order or Verbal/Written Request of a DCR)

*__NOTE__ – A court order for detention or verbal order from a DCR does not grant legal authority to enter a constitutionally protected area. An order may add to the overall exigency of an incident but should not be used as the only motivator to force entry into a protected area.

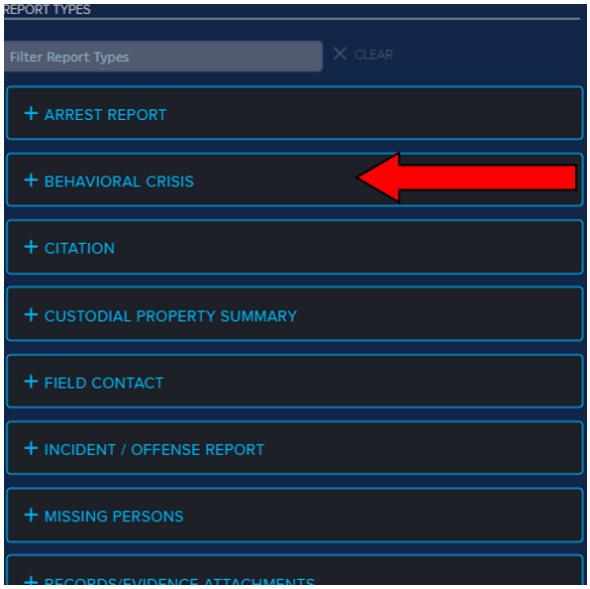
9. Officers Shall Document All Contacts With Subjects Who are in Any Type of Behavioral Crisis

Officers will complete a Behavioral Crisis Report for all Crisis related incidents.

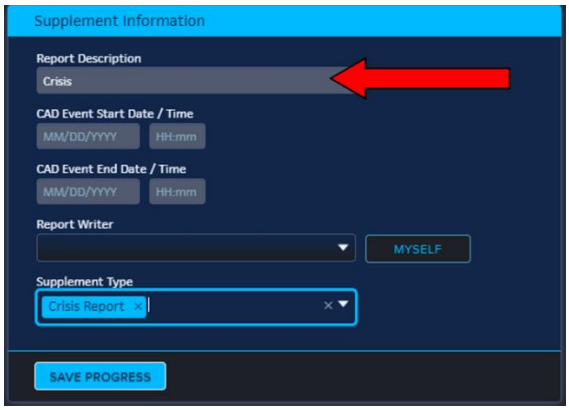
Some examples include:

- Hospitalizations initiated by Patrol (voluntary and involuntary),
- When facilitating a detention for the DCR's,
- Interactions with persons in crisis when their behavior is deemed "baseline", and
- When the subject attempts or threatens suicide.

These reports are routed to CRU.



Officers should list "Crisis" in the Report Description block and then select "Crisis Report" in the Supplement Type block.

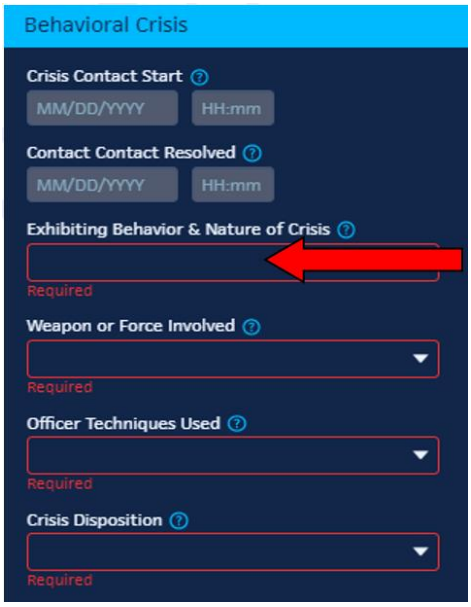


For behavioral crisis calls or contacts that involve any additional issues (such as a Crime, CBO, Arrest, Jail Diversion Option, Use of Force, Specific request for follow up, etc.), officers will document the contact by using the appropriate Report (Arrest, Offense, etc.) in conjunction with a Behavioral Crisis Report, and any other applicable documentation. These reports should be routed to the appropriate follow-up unit.

a. Officers Shall Use the Behavioral Crisis Report for Every Incident Involving a Person in Behavioral Crisis

Officers must complete the Behavioral Crisis Report as thoroughly as possible. Only fields that do not apply to the specific incident may be left blank.

- Officers shall select at least one (1) of each 'Behavior' and 'Nature' (and as many that apply) when utilizing the "Exhibiting Behavior & Nature of Crisis" section of the report.



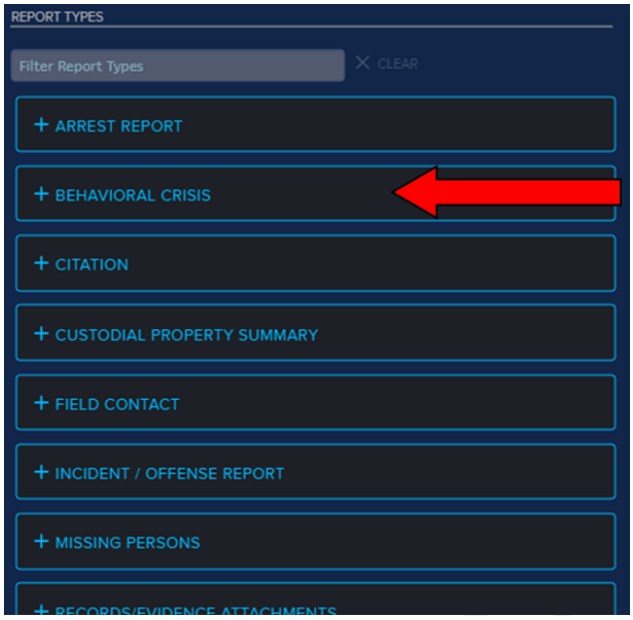
b. Officers Shall Document All Suicide Attempts or Threats on a Behavioral Crisis Report routed to the CRU, in Accordance with RCW 71.05.457

Officers shall document all suicide attempts or threats, regardless of how vague they are, on a Behavioral Crisis Report listing "Crisis" in the Report Description block and selecting "Crisis Report" in the Supplemental Type block. This will ensure that CRU can follow-up on the incident.

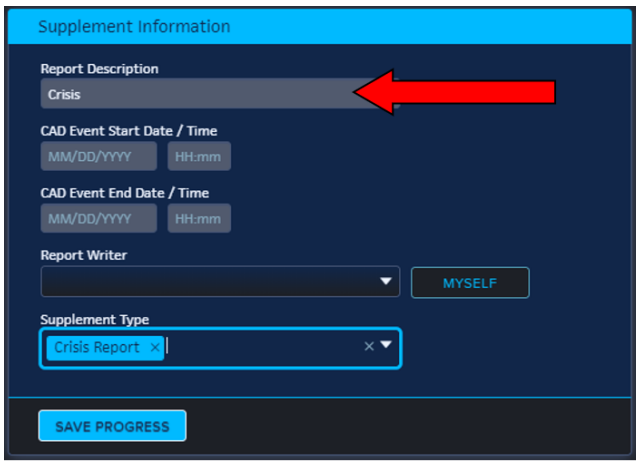
Officer must select "Behavior – Suicide Threat / Attempt" from the drop-down list in the "Exhibiting Behavior & Nature of Crisis" field of the report to ensure accuracy.

Seattle Police Manual

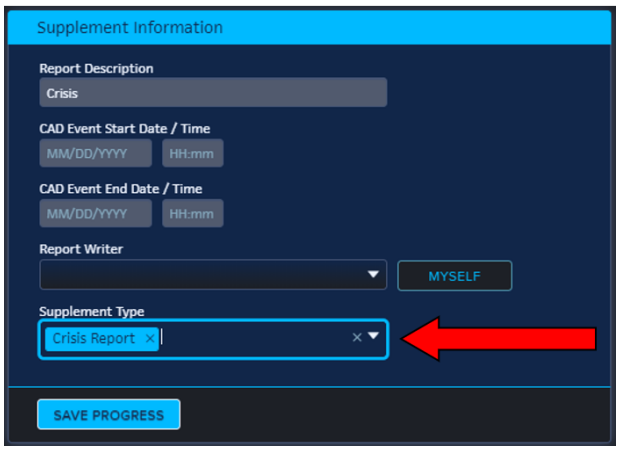
Behavioral Crisis Reports are located here in Mark43:



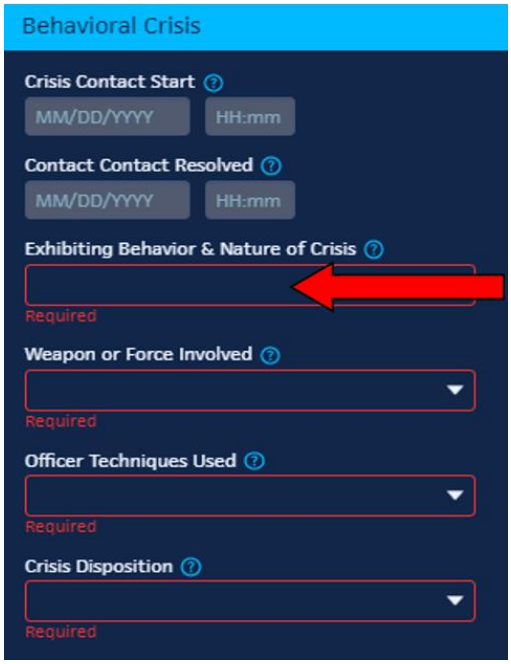
The Report Description field is located here:



The Supplement Type field is located here:



The Exhibiting Behavior & Nature of Crisis field is located here:



10. There Are Five Options for Resolving Behavioral Crisis-Related Misdemeanor Crimes

- Investigate and release with routing to CRU for follow-up

- Referral to the Crisis Solutions Center (see policy statement 4 and 16.110-PRO-4 Referring a Subject to CSC/CDF)

- Investigate and release with a request for charges through Seattle Municipal Mental Health Court (MHC)

- Jail booking with MHC flag

- Investigate and detain for a behavioral health evaluation, with a request for charges through Seattle Municipal Mental Health Court (MHC)

11. When an Officer has Made the Decision to Book a Felony Suspect into Jail, the Suspect Shall Not Be Diverted for a Behavioral Health Evaluation

Exceptions must be screened by the CRU sergeant.

If the jail refuses to accept a suspect due to a behavioral crisis, officers shall have the suspect sent to the hospital. Document the reason given for rejection and the name of jail personnel denying booking.

(See manual section 11.025 – Jail Booking Declines)

12. CRU Triages Cases for Follow-Up

(See 16.110-POL-4.2.b)

13. SPD Collects and Analyzes Data

The Department's intent with collecting data is two-fold:

- To collect data based on the capabilities of existing and future software, and

- To evaluate the overall CIT program

a. There Are Five Components That Are Analyzed to Answer Key Questions

Communication procedures

- Ensure that communications procedures are effective in appropriately identifying people in behavioral crisis.

CIT-Certified officers

- Ensure that CIT-Certified officers are effective in responding to incidents involving people in behavioral crisis.

Crisis Response Unit

- Ensure that the CRU is effective in terms of improving efficiency of police response to and the resolution of incidents involving people in behavioral crisis.

- Subjects are being appropriately referred to services

- Call volume and patrol workload identified and measures toward reduction implemented

CIT curriculum

- Ensure that the CIT curriculum is delivering in terms of its intended goals and learning outcomes.

SPD culture

- Determine how each aspect of the CIT program is viewed within the SPD culture.

- Training

- Response

- Follow-up

16.110-PRO-1 Referring a Subject for an Involuntary Behavioral Health Evaluation

Officer

1. **Determines** that the subject may be eligible for evaluation

2. **Determines** (with or without the assistance of a DCR) that the subject meets the involuntary behavioral health evaluation criteria, per RCW 71.05.153(2): Emergent Detention of Persons with Mental Disorders

3. **Screens** the incident with a sergeant, either at the scene or telephonically

Sergeant

4. **Reviews** the incident and advises the officer whether to order the evaluation

Officer

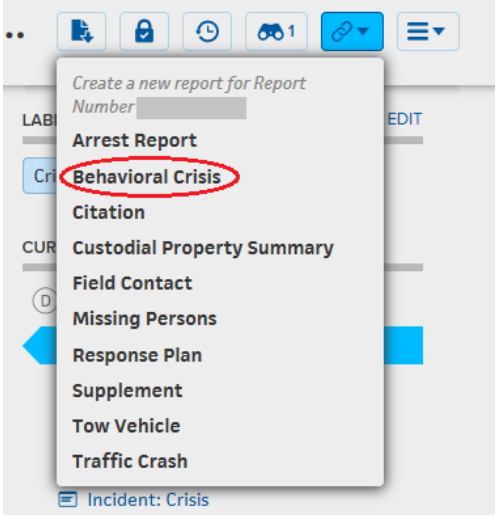
5. **Takes** the subject into protective custody

6. **Arranges** for the subject to be transported via ambulance or patrol car to the closest appropriate hospital

7. **Completes** the Emergent Evaluation Card

8. **Provides** the Emergent Evaluation Card to the ambulance driver or hospital social worker

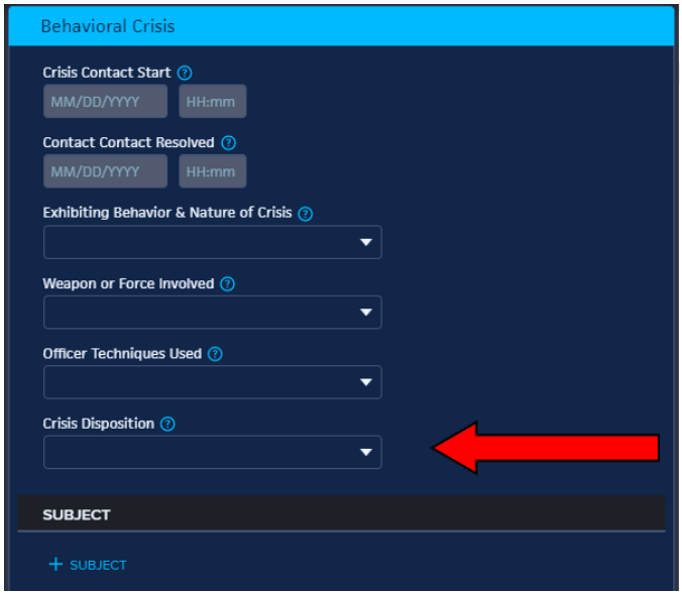
9. **Completes** a Behavioral Crisis Report only, if no additional issues (see 16.110-POL-5.9)



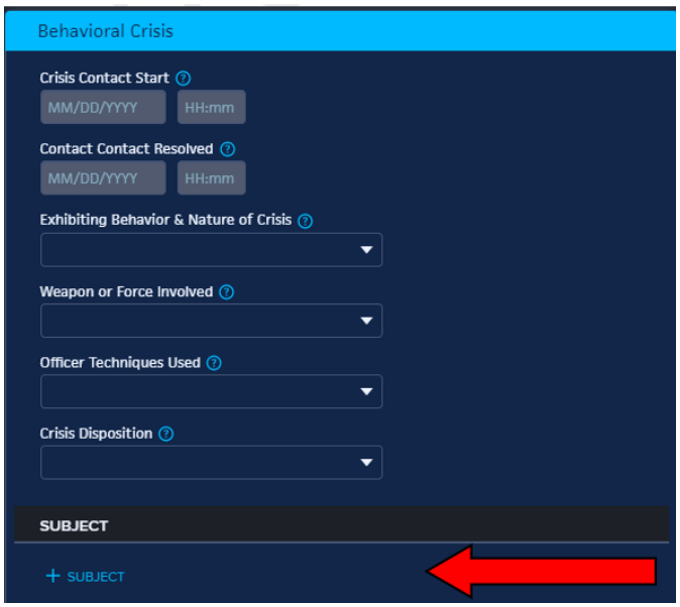
a. **Lists** "Crisis" in the Report Description block of the Behavioral Crisis Card; in addition to any offenses that were committed in the Report as applicable

b. **Selects** "Crisis Report" in the Supplement Type block

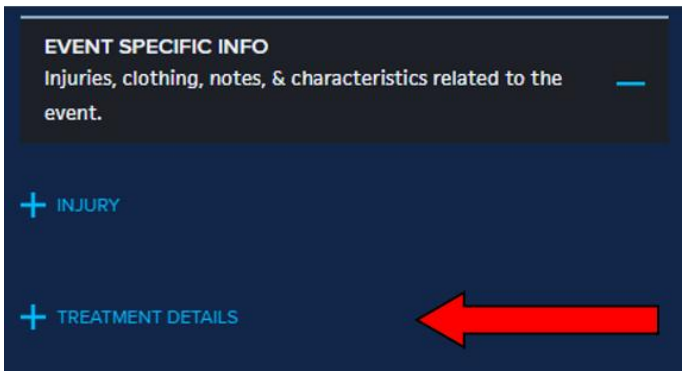
c. **Selects** "Hospital – Emergent Detention" in the "Crisis Dispositions" field:



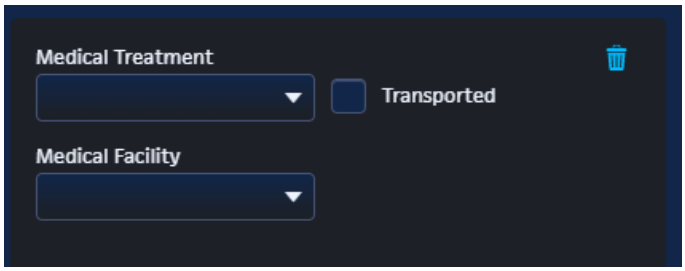
d. **Adds** Subject information



e. **Selects** "TREATMENT DETAILS" under EVENT SPECIFIC INFO of the Subject card



f. **Selects** the appropriate details from "Medical Treatment" and "Medical Facility" drop-down lists



g. **Describes** the circumstances of the incident and the disposition of the subject

h. **Includes** witness information

Sergeant

10. **Applies** investigative unit label for routing

11. **Approves** Report

Data Center

12. If the hospital requests a copy of the Report, **faxes** the report to the hospital

16.110-PRO-2 Taking a Subject into Custody by Order or Verbal/Written Request of a Designated Crisis Responder (DCR)

Communications Section

1. **Receives** request from a DCR for officers to assist with field evaluation, an emergent detention, or service of a court order

2. **Obtains** the full name, date of birth, and location of the subject being taken into custody

3. **Runs** the subject's name and determines if any officer safety hazards apply

4. **Advises** the nearest patrol sector sergeant of the DCR request and any officer safety information regarding the name or address of the subject

Sergeant

5. **Determines** appropriate Department response

5a. **Approves** patrol response

Communications Section

6. **Dispatches** two officers and when feasible, the approving sergeant to the call

6a. **Dispatches** at least one CIT-Certified officer, if one is available

Sergeant

7.**Verifies** the DCR court order, or verbal/written DCR request to take the subject into custody

8. **Screens** the incident before taking the subject into custody or entering if:

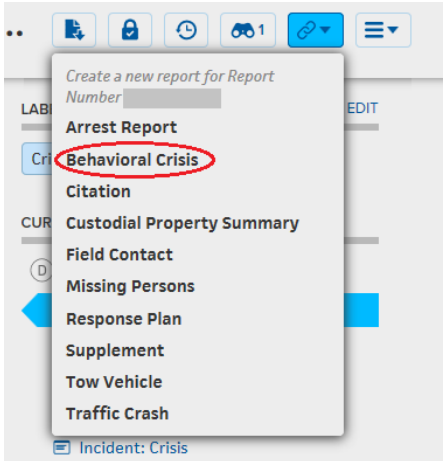
- The subject is likely to resist custody,
- The subject is barricaded,
- The subject has a history of violence or weapons, or
- Forced entry is necessary.

9. If necessary, **consults** with the CRU sergeant or a CIT-Certified sergeant via Communications

Officer

10. **Arranges** for the subject to be transported via ambulance or patrol car to the closest appropriate hospital, or the hospital requested by the DCR

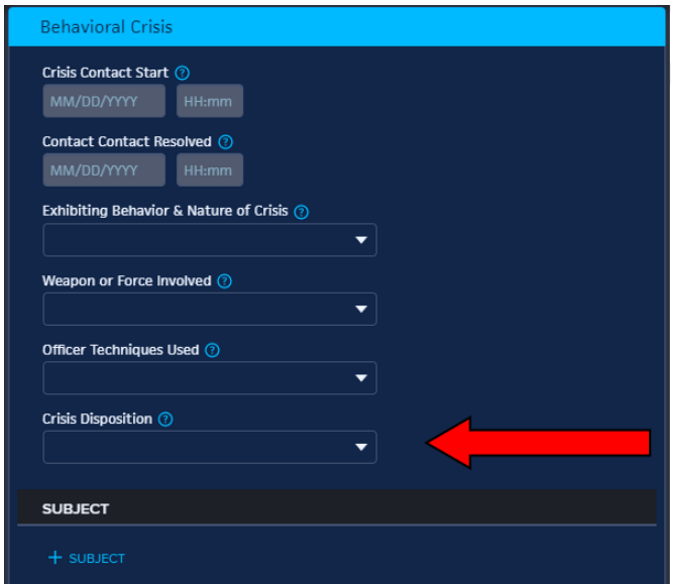
11. **Completes** a Behavioral Crisis Report only, if no additional issues (see 16.110-POL-5.9)



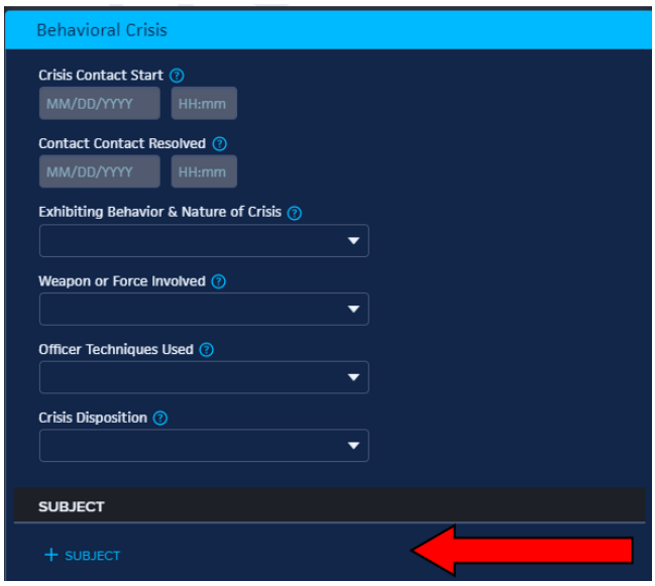
11a. **Lists** "Crisis"in the Report Description block of the Behavioral Crisis Card

11b. **Selects** "Crisis Report" in the Supplement Type block

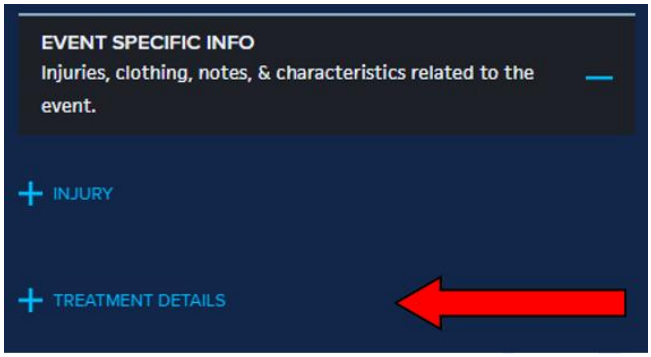
11c. **Selects** "DCR Assist" in the Crisis Dispositions block:



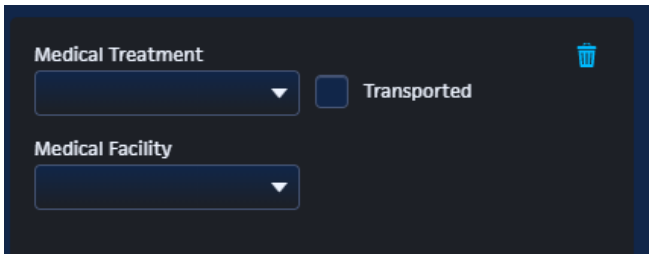
11d. **Adds** Subject information



11e. **Selects** "TREATMENT DETAILS" under EVENT SPECIFIC INFO of the Subject card



11f. **Selects** the appropriate details from "Medical Treatment" and "Medical Facility" drop-down lists



11g. **Describes** the circumstances of the incident and the disposition of the subject

11h. **Includes** DCR's under witness information

Sergeant

12. **Applies** investigative unit label for routing

13. **Approves** Report

Data Center

14. If the DCR requests a copy of the Report, **faxes** the report to the DCR

16.110-PRO-3 Referring a Subject to CSC/CDF

Officer

1. **Conducts** a complete investigation

   a. **Checks** subject's name through WACIC for excluding factors:

      - Having a conviction history (as defined in RCW 9.94A.030) within the past 10 years of a violent felony offense, or sexual offense, or

      - Being identified as a level 2 or 3 sexual offender.

b. **Assesses** subject's imminent danger of serious harm to self, others, or property, or grave disability

c. **Identifies** elements of crime, if any

2. **Determines** that the subject is appropriate for CSC/CDF referral (see 16.110-POL-5.4.a)

3. **Notifies** potential crime victim(s) of the diversion option

a. **Considers** any objection to diversion

4. **Asks** the subject if he or she is interested in being referred to CSC/CDF

a. **Emphasizes** that referral is voluntary

b. If the subject does not want to be referred and arrest is possible, **considers** making the arrest

5. **Screens** incident with sergeant (either in-person or telephonically, unless this Manual requires an in-person screening, i.e.:

   - The subject was handcuffed

   - The subject was placed under arrest

   - The officer will be transporting the subject to CSC/CDF

   - There was a use of reportable force

   - The officer is unsure as to if the subject meets the intake criteria

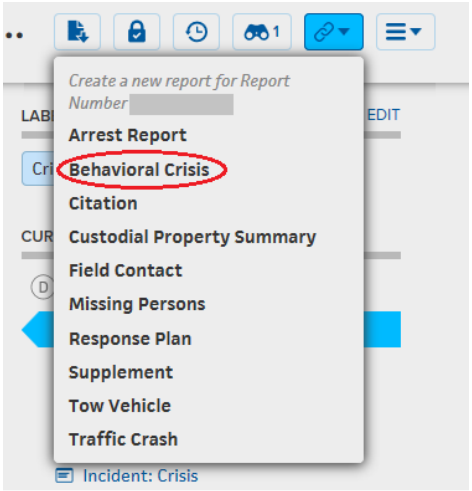
   - The officer will be diverting the subject to CSC/CDF instead of KCJ

6. **Advises** Communications to contact the CSC, or contacts the CSC via phone (206) 682-2371 to screen for availability

7. **Arranges** for transport to CSC, either in a patrol car or the Mobile Crisis Team (MCT) vehicle

   - If the subject is being referred to CSC/CDF instead of jail, it is preferable, but not necessary, for an officer to make the transport

8. **Completes** a Report including an Arrest Report and a Behavioral Crisis Card

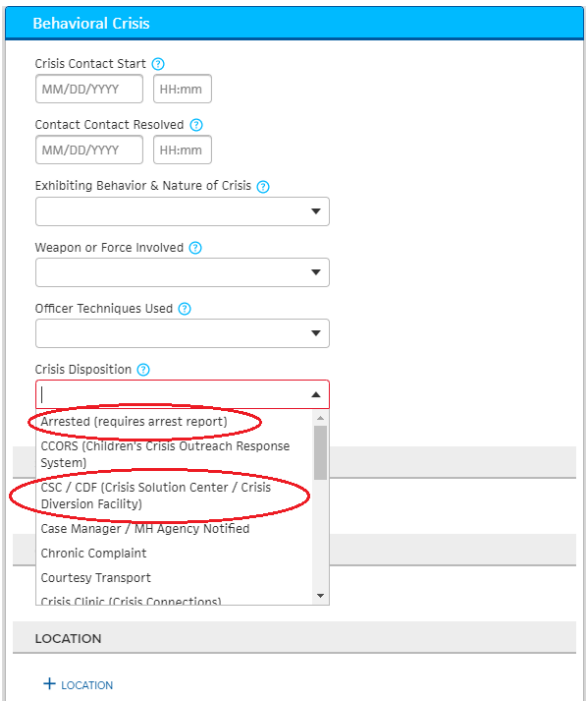


- **Documents** the incident, including witnesses and victims

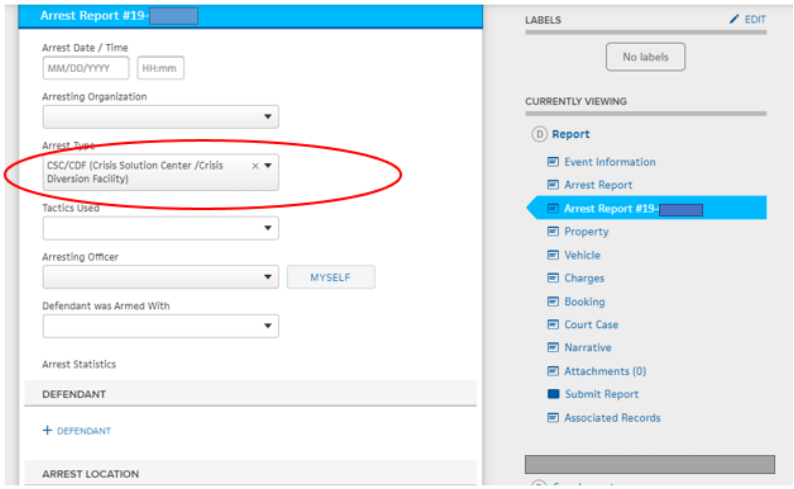
- **Describes** elements of crime, if applicable

- **Confirms** that no disqualifying criteria exist

- On the Behavioral Crisis Card, **Selects** "CSC/CDF (Crisis Solutions Center/ Crisis Diversion Facility) and Arrested" from the "Crisis Disposition" box



- On the Arrest Card, **Selects** "CSC/CDF (Crisis Solutions Center/ Crisis Diversion Facility) under the Arrest Type



9. **Lists** "Crisis," in the incident block

Sergeant

10. **Applies** investigative unit label to route the Report

11. **Approves** Report

16.110-PRO-4 Contacting Subjects Who are in a Behavioral Crisis but Who Do Not Qualify to be Referred to the Crisis Solutions Center, Referred for Involuntary Behavioral Health Evaluation, or Booked for Criminal Charges

When contacting subjects who are in a behavioral crisis but who do not qualify to be referred for an involuntary evaluation or criminal charges:

Officer

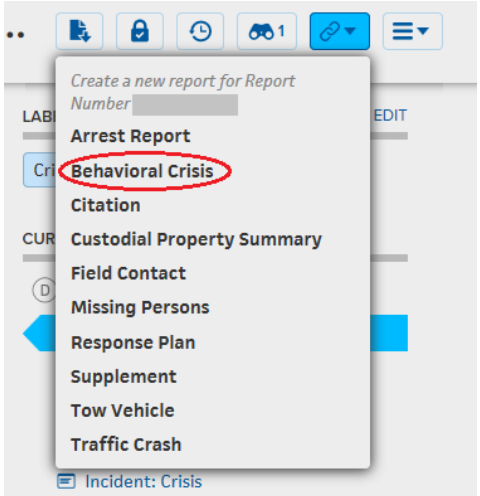
1. **Contacts** the Crisis Connections Supervisor at (206) 461-3210 ext. 1

2. **Obtains** case management history, as applicable

3. **Obtains** contact information for the case manager, as applicable

4. **Contacts** the case manager (or after-hours staff) to advise of police contact, if feasible

5. **Completes** a Behavioral Crisis Report, routed to CRU (all behavioral crisis contacts, must be documented consistent with 16.110-POL-5.9).



6. **Lists** "Crisis" in the Report Description block of the Behavioral Crisis Card

6a. **Selects** "Crisis Report" in the Supplement Type block

Sergeant

7. **Applies** Investigative Unit Label for routing

8. **Approves** Report

CRU Sergeant

9. If the subject threatened suicide, even flippantly, **follows-up** to ensure that he or she is directed to the appropriate resources.

16.110-TSK-1 Voluntary Behavioral Health Hospitalization

When facilitating a voluntary behavioral health hospitalization, the **officer**:

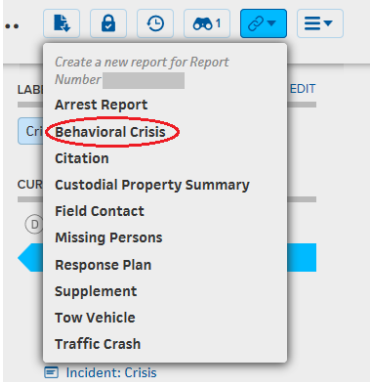
1. **Receives** request from a subject for voluntary behavioral health hospitalization

2. **Arranges** for the subject to be transported via ambulance to the closest appropriate hospital

3. **Completes** the Emergent Evaluation Card; checking the "Voluntary Evaluation" box

4. **Provides** the Emergent Evaluation Card to the ambulance driver

5. **Completes** a Behavioral Crisis Report



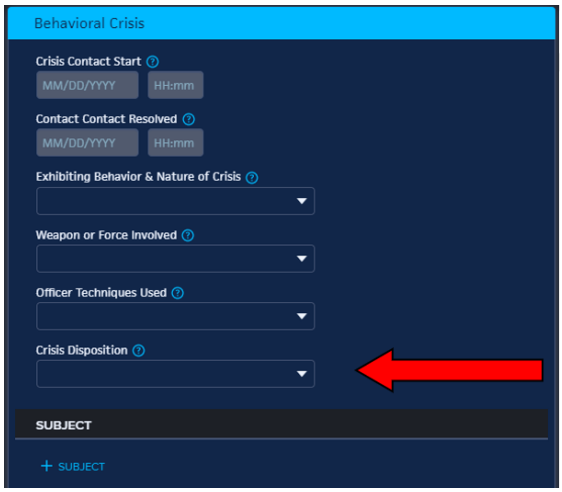
a. **Lists** "Crisis," in the Report Description block.

- If any criteria for an Emergent Detention are present, the incident should be documented as an Involuntary Hospitalization (see 16.110-Pro-1).

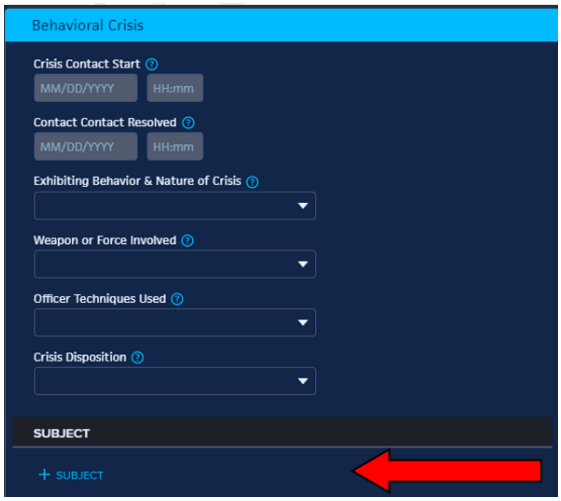
- The subject's willingness to receive hospital services is not what makes the encounter voluntary.

b. **Selects** "Crisis Report" in the Supplement Type block:

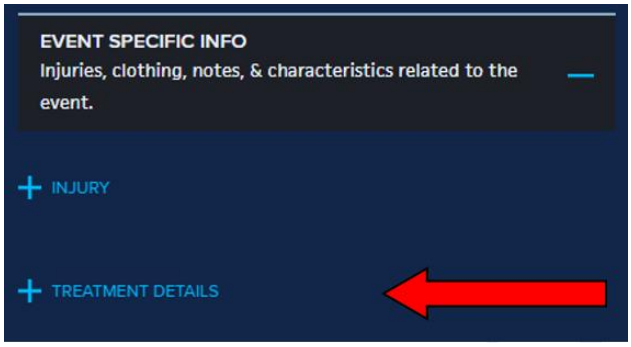
c. **Selects** "Hospital – Voluntary" in the "Crisis Dispositions" field:



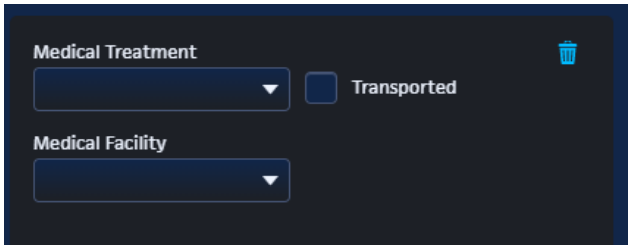
d. **Adds** Subject information



e. **Selects** "TREATMENT DETAILS" under EVENT SPECIFIC INFO of the Subject card



f. **Selects** the appropriate details from "Medical Treatment" and "Medical Facility" drop-down lists



g. **Describes** the circumstances of the incident and the disposition of the subject

16.110-TSK-2 Requesting AMR for Transportation

When requesting AMR for transportation to a local hospital, the **officer**:

1. **Requests** the AMR transport through either the zone dispatcher or the Data Channel

2. When making the request, **discloses** the nature (crisis or behaviorally out of control subject) of the incident as well as the desired transportation destination

3. If applicable, **reports** if the person to be transported is wheelchair bound.

    a. If the person to be transported is bound by a wheelchair, **reports** if it is a folding chair or electric.

(See manual section 11.020 – Transportation of Detainees)

16.130 – Providing Medical Aid

Effective Date: 01/01/2020
Revised Effective Date: 04/01/2023

16.130-POL-1 Definitions

Emergency Medical Technician (EMT) Officer – A Seattle Police Officer that is certified through the State of Washington as an EMT and currently possesses a license to practice medicine.

Emergency Medical Services (EMS) Coordinator – An EMT Police Officer appointed by, and who reports to, the commander of the Training Section. The Assistant Chief of the Professional Standards Bureau shall have final authority over the appointment, and duties assigned to, the EMS Training Coordinator.

16.130-POL-2 Sworn Employees Providing Medical Aid

1. Recognizing the Urgency of Providing Medical Aid and the Importance of Preserving Human Life, Sworn Employees Will Request Medical Aid, if Needed, and Render Appropriate Medical Aid Within Their Training as Soon as Reasonably Possible

Sworn employees assisting a sick and/or injured person will attempt to determine the nature and cause of the person's injury or illness, provide first aid, and initiate EMS, as needed.

After requesting a medical aid response, sworn employees will render aid within the scope of their training unless aid is declined.

Sworn employees will provide medical aid within their training until an EMT officer or qualified medical personnel takes over patient care. Certified EMT officers should be given priority to render care, when feasible. Consent should be assumed for unconscious subjects or subjects' incapable of providing consent.

Exception: A call for medical aid is not required for apparent injuries that can be treated by basic first aid (e.g., minor cuts and abrasions).

Sworn employees will follow their training and this manual section, and standing orders provided by the SPD/SFD Medical Director when applying CPR, the AED, and/or Naloxone.

SPD's medical standing orders are provided by the SPD/SFD Medical Director, who is a licensed medical practitioner in the State of Washington.

2. Officers Respond to Reports of a Heart Attack and Provide CPR/AED as Needed

(See 16.130-POL-3 #7 Standing Orders for Use of Nasal Naloxone)

3. Sworn Employees Cooperate with Medical Personnel

Sworn employees provide care to sick or injured people until transferring care to EMS.

Sworn employees will remain on the scene to assist medical personnel, as necessary.

4. Officers May Transport Sick or Injured Persons in a Department Vehicle

Officers may use a department vehicle to transport a sick or injured person if, in the officer's opinion, the transport will save the person's life, and SFD or other medical transport is unavailable.

5. Officers Report Their Use of First-Aid, CPR, the AED, and/or Nasal Naloxone

Officers will obtain the names and addresses of witnesses to the medical emergency when available, practical, and safe to do so.

If known, officers will update the call on the MDC with the victim's name, witness names and the names of responding SFD personnel when:

- Responding to a dispatched call to assist a sick or injured person
- When first aid is provided
- When responding to a report of sudden cardiac arrest
- When transporting a sick or injured person in a department vehicle

Officers will complete a report when:

- The injury or illness is caused by a criminal act
- The injury or illness involves city property
- CPR, the AED, and/or nasal naloxone is used (see 16.130-TSK-1 Employees Reporting the Use of an AED and 16.130-TSK-2 Using Nasal Naloxone)

Officers will document the use of tourniquets, nasal naloxone, pressure bandages, CPR, AEDs, and other trained medical techniques to the EMS Coordinator via online RedCAP reporting. If documenting the incident in Mark43, officers will also select the corresponding check boxes, as appropriate.

RedCAP reporting can be found on the SharePoint home page, VMDT links and on the Policy Unit SharePoint webpage here.

- Select the link SPD - First Aid Reporting

- EMT officers will also complete the SOAP (Subjective, Objective, Assessment, and Plan) section within the RedCAP report, as instructed by the EMS Coordinator.

16.130-POL-3 Officers Administrating Naloxone

1. Officers May Use Nasal Naloxone at a Scene Where, Based on Their Training and Experience, They Reasonably Believe That a Subject is in an Opioid-Induced Overdose

To carry and be issued nasal naloxone, officers must complete the online SPD – Issuance of Naloxone eLearning in Cornerstone. This training must be completed annually to maintain certification to carry nasal naloxone. This requirement is set forth by the SPD Medical Director.

2. Officers Will Only Use Department Issued Nasal Naloxone

3. Officers Provide Information to Medical Personnel

Officers will provide SFD personnel, hospital staff or other medical transport personnel the names of all sworn employees that assisted with the person's care.

Note: This information is used to notify involved Sworn employees of possible exposure to pathogens discovered on further medical examination of the treated person.

Medical facilities will notify the Employment Services Lieutenant of any possible infectious exposures to officers (see 3.040 – Infectious Diseases Exposure Control).

4. The Quartermaster, or Their Trained Designee, Will Maintain Department Nasal Naloxone Distribution Logs

When nasal naloxone is used, the Quartermaster or their trained designee will issue the officer a new kit and log the information.

5. Officers Must Carry Nasal Naloxone Kits in One of Three Ways

Officers will carry their kits in one of these manners:

- Cargo pants pocket
- On their duty belt or vest carrier in a pouch or carrier that will secure the device
- Secured in a patrol vehicle or mountain bike bag

At the end of shift, officers will secure their kits with their other equipment. Kits will not be left in patrol vehicles.

6. Officers Will Periodically Check the Manufacturer's Expiration Date on their Issued Nasal Naloxone

If beyond the expiration date, officers will exchange the expired naloxone for a new one from the Quartermaster or their trained designee.

7. Standing Orders for Use of Nasal Naloxone

These standing orders provide guidelines and authorize a properly qualified Seattle Police Department or criminal justice employee to use nasal naloxone on a subject who is reasonably believed to be suffering an opioid-induced overdose.

These orders were issued on March 15th, 2016, and remain in effect until modified or rescinded by the SPD/SFD Medical Director.

The Department EMS Coordinator oversees the Nasal Naloxone Program.

Upon encountering the patient:

1. **Establish** patient unresponsiveness.
2. **Discover** signs of opioid overdose (behavior, paraphernalia, witness statements).
3. **Activate** the EMS (Emergency Medical Services) System (CALL FOR MEDICS).
4. **Administer** nasal naloxone to the patient in accordance with training.
5. **Notify** SPD Communications that naloxone has been administered.
6. **Provide** basic life support care, per training.

Upon arrival of EMS:

Patient care is the responsibility of EMS.

- Officers may assist as needed.

7. **Provide** a verbal report of findings and actions to EMS member in charge.

16.130-POL-4 EMT Unit

Many emergency situations occur in which sworn employees are first on the scene, or where the sworn employees are the only personnel on scene because the scene is deemed unsafe for EMS to enter. In many of these cases, medical treatment is necessary, but EMS has not arrived or is unable to do so. The SPD EMT Unit serves to bridge this gap in patient care and provide life-saving medical aid until EMS arrives on scene.

The SPD EMT Unit does not replace the care rendered by the Seattle Fire Department. The goal of the SPD EMT Unit is to render care in places that traditional EMS organizations cannot go due to the scene safety or time proximity.

All sworn employees are required to provide medical aid within their level of training. The SPD EMT Unit does not replace immediate life-saving medical interventions of patrol officers.

1. EMS Coordinator's Roles and Responsibilities

The role of the EMS Coordinator is to manage the training, logistics and deployment of the SPD EMTs.

The EMS Coordinator reviews and approves all medical devices used by the Seattle Police Department via the SPD/SFD Medical Director, serves as a subject matter expert as it pertains to medical interventions, and acts as a liaison between the SPD/SFD Medical Director, Seattle Fire Department, Medic One, and various other EMS entities as it pertains to care rendered by the Seattle Police Department.

The EMS Coordinator creates, approves, and maintains all SPD medical training to include but not limited to Automated External Defibrillation, Infectious Disease Prevention, Cardiopulmonary Resuscitation, Law Enforcement Casualty Care, and naloxone.

The EMS Coordinator manages the certification, training, and deployment of the EMT unit sworn employees and the use /deployment of SPD EMT Unit equipment.

2. EMT Officers Will Complete Required Training

EMTs within the State of Washington are required to attend mandatory training to maintain their state certification. EMT mandatory training is governed by the Washington State Department of Health.

EMT officers must meet the mandatory training requirement, or the State of Washington will revoke their EMT License.

Upon completion of mandatory training, the EMS Coordinator will submit EMT training records to the Washington State Department of Health.

3. EMT Officers Will Document Patient Care at the Direction of the SPD/SFD Medical Director and the EMS Coordinator

EMT officers will document their patient care via RedCAP reporting. RedCAP reporting can be found on the VMDT links and on the Policy Unit SharePoint webpage here, titled SPD - First Aid Reporting.

EMT officers will also complete the SOAP (Subjective, Objective, Assessment, and Plan) section within the RedCAP report.

4. Supervisors Will Grant EMT Officers Priority to Render Life-Saving Medical Aid, When Feasible

5. The EMS Coordinator Manages the Use and Deployment of Designated EMT Unit Equipment

16.130-TSK-1 Using Nasal Naloxone

Before or immediately after using nasal naloxone, the **officer**:

1. **Verifies** with Communications that SFD is enroute.

After using nasal naloxone, the **officer**:

2. **Advises** Communications that they used nasal naloxone and asks for SFD.
3. **Monitors** the subject until SFD arrives.
4. **Provides** basic life support care, per training.
5. **Informs** SFD personnel of the use of nasal naloxone.
6. **Disposes** of the used kit in a sharps container.
7. **Completes** a report in Mark43 and checks the box indicating that nasal naloxone was administered by SPD.
8. **Completes** an online SPD - First Aid Reporting form via RedCAP which can be found on the Policy Unit webpage here.

    - Select the link SPD - First Aid Reporting

16.135 – Acute Behavior Disorder

Original Effective Date: 04/01/2018
Online Manual Date: 05/07/2019
Revised Effective Date: 03/01/2023

16.135-POL

This policy applies to the department's response to subjects who appear to be suffering from acute behavior disorder (ABD).

Acute behavior disorder is defined as: a potentially life-threatening syndrome of delirium, dysregulated physiological responses, and aggressive behavior.

1. A Sergeant and at Least Two Officers Will Respond to Each Call That Appears to Involve a Subject With An Acute Behavior Disorder

2. When Feasible, Responding Units Request Seattle Fire Department and On Duty SPD EMT Response to Standby at a Safe Distance Until the Subject is Under Control

Research has shown that stress reduction, body positioning and immediate medical treatment increases the survivability of subjects experiencing ABD and therefore decreases the potential for in-custody death.

3. Officers Will Address the Medical Crisis at the Earliest Safe Opportunity

4. When Feasible, Officers Will Place or Hold the Subject in the Recovery Position While Waiting for Medical Response

If the recovery position is not feasible, every attempt will be made to monitor the consciousness and breathing of the subject until medical personnel arrive.

5. Officers Will Complete a Report Documenting the Incident

The report will include signs and symptoms observed, particularly the subject's:

- Altered level of consciousness,
- Paranoia, hallucinations, delusions,
- Extreme agitation, disorientation,
- Shouting or keening (animal noises), unintelligible speech,
- Panic,
- Eyes wide open (bug eyes),
- Insensitivity to pain,
- Bizarre and/or aggressive behavior,
- Hyperthermia (overheating),
- Sweating, hot to the touch,
- Seeking water,
- Inappropriate attire or no clothing,
- Danger to self or others,
- Violence towards others,
- Unexpected physical strength and stamina,
- Self-harm,
- Violence or attraction to glass, reflection, or lights including emergency vehicle lights,
- Actual body temperature reading (to document hyperthermia, which is a significant indicator of ABD), if available,
- Any other vital information (pulse rate, blood oxygen level, blood temperature, etc.), if available,
- Elements of the criminal offense, if applicable, and
- Witness information, if applicable.

16.140 – Traffic Direction and Control

Original Effective Date: 06/30/2003
Revised Effective Date: 12/15/2022

16.140-POL

Traffic Direction and Control

Sworn employees may take personal charge of traffic control and direct traffic depending on the needs of the incident.

When directing traffic, the following rules will be observed:

- Sworn employees will ensure that they are visible by utilizing flashlights, reflective clothing, and flares, especially during hours of darkness or adverse weather conditions.

- Sworn employees will utilize the police whistle or voice commands depending on the situation.

- Sworn employees will use uniform hand signals and gestures for manual traffic direction and control. It is important that sworn employees position themselves so that their hand signals can be seen from a long distance.

- Two basic hand signals should be used.

    - Sworn employees should use an open hand, palm out sign to indicate “STOP”.

    - To start traffic from a stopped position, sworn employees should point towards the first stopped vehicle. Once the driver’s attention is gained, use either hand to motion the driver to proceed.

- When utilizing flares and cones, set them far enough from the collision scene to give sufficient warning to approaching traffic.

- Sworn employees will have the responsibility of manually overriding traffic control devices when there is an excessive amount of traffic congestion (for example, special events or sporting events).

- Sworn employees should be prepared to stop traffic and give priority to other vehicles that may also be responding to the scene (for example, the Seattle Fire Department, tow companies, or Seattle Department of Transportation).

- Sworn employees assisting at a fire or rescue scene shall ensure that civilian traffic does not interfere with the respective operation. In no case should vehicles be allowed to drive over a fire hose, unless specifically directed by fire department personnel on the scene.

Seattle Police Department Manual

16.160 – Ticket Vendors

Effective Date: 08/15/2012

16.160-POL

1. Officers Will Use NOIs for Ticket Vending Enforcement

Officers may enforce ticket vending around Safeco Field and other venues by issuing a Notice of Infraction (NOI) under SMC 15.17.005.

- Officers may issue multiple NOIs to one person within the same day.

- Officers will not use Criminal Citations to enforce ticket vending.

2. SMC Prohibits Vending on Foot Near Safeco

It is a violation of SMC 15.17.050 to sell items on foot on the block around Safeco Field. SMC 15.17.050 Map A shows the restricted area.

Exception: SMC allows the selling on foot of newspapers, magazines, event programs, or similar publications in this area.

(Map on Page 2)

Map A of 15.17.050: Restricted Stadium Event Vending Area
S MAIN ST
AINE PL S
S KING ST
2ND AV
5TH AV S
MAYNARD AV S
7TH AV S
RAILROAD WY S
Restricted Vending Area
S ROYAL BROUGHAM WY
Restricted Vending Area Boundary
S ATLANTIC ST
S HOLGATE ST
N
W
E
S
SDOT

16.170 – Automatic License Plate Readers

Effective Date: 02/01/2019

16.170-POL

This policy applies to the use of automatic license plate readers (ALPR) by all Department employees.

This policy defines a minimum set of binding guidelines to govern the use of ALPR data, to enable the collection and use of such data in a manner consistent with respect for individuals' privacy and civil liberties.

ALPR uses high speed cameras to photograph vehicle license plates. ALPR technology will only be placed on law enforcement and parking enforcement vehicles for authorized law enforcement and public safety purposes as set forth in this policy.

ALPR data is law enforcement information and will be used solely for law enforcement purposes. Any non-law enforcement usage of ALPR data is strictly prohibited.

Any data obtained from ALPR technology will be used and handled pursuant to this policy and applicable city, state, and federal laws. A search warrant will be obtained when legally required.

16.170-POL-1 Definitions

ALPR Administrator: A trained Department employee who manages the utilization of the ALPR software from the end user through training, reporting, and monitoring. The PEO and Patrol ALPR Administrators work closely with Seattle ITD staff versed in the ALPR system.

The Department will have two ALPR Administrators: one for Parking Enforcement personnel who use Autovu, and one for personnel who use the Back Office System Software (BOSS).

Autovu data is used during a PEO's shift and is not retained at the completion of their shift. BOSS retains data for 90 days.

Automated License Plate Reader (ALPR): A device that uses cameras and computer technology to compare digital images of license plates to lists of known plates of interest.

Back Office System Software (BOSS): ALPR network data storage system accessible only to trained and authorized Department employees. The BOSS software resides on the BOSS server.

Hit: Alert from the ALPR system that a scanned license plate number may be in the NCIC or other law enforcement database for a specific reason including, but not limited to, being related to a stolen vehicle, wanted person, missing person, domestic violence protective order, other criminal activity, or parking violation.

Hot List: License plate(s) associated with vehicles of interest from an associated database, including, but not limited to: National Crime Information Center (NCIC), Washington Crime Information Center (WACIC), Department of Licensing (DOL) databases, and local Be on the Lookout notices (BOLOs).

Reads: Data obtained by an ALPR of license plates within public view that were read by the device, including images of the plate and vehicle on which it was displayed, and information regarding the location of the police vehicle at the time of the ALPR read.

SCOFFLAW: License plate associated with four or more unpaid parking citations subject to City Scofflaw Ordinance, SMC 11.35.

16.170-POL-2 General Policy

1. Only Employees Trained in the Use of ALPR Equipment Will Use and Access ALPR Devices and Data

Before employees operate the ALPR system or access ALPR data, they will complete Department training on the proper and lawful use of the system.

2. The Education and Training Section Will Coordinate with the Two Department ALPR Administrators to Provide Department ALPR Training and Document Approved Users

Training will include:

- Instruction on the appropriate use and collection of ALPR data with emphasis on the requirement to document the reason for

any data inquiry in BOSS, whether through the BOSS client or the BOSS server.

- Requirements of any Surveillance Impact Report regarding ALPR adopted by the City Council.

Additionally, all ALPR Operators will maintain ACCESS Level 1 Certification pursuant to ACCESS WACIC and NCIC.

The Education and Training Section will coordinate with the two ALPR Administrators to maintain a roster of approved ALPR users.

- The Parking Enforcement ALPR Administrator will maintain a list of all employees trained in the use of Parking Enforcement ALPR equipment.

- The Patrol ALPR Administrator will maintain a list of all employees trained in the use of Patrol ALPR equipment and the BOSS client software.

3. Authorized and Prohibited Uses

ALPR systems will only be deployed for official law enforcement purposes. These deployments are limited to:

- Locating stolen vehicles;

- Locating stolen license plates;

- Locating wanted, endangered or missing persons; or those violating protection orders;

- Canvassing the area around a crime scene;

- Locating vehicles under SCOFFLAW; and

- Electronically chalking vehicles for parking enforcement purposes.

ALPR data maintained on BOSS will only be accessed by trained, SPD employees for official law enforcement purposes. This access is limited to:

- Search of specific or partial plate(s) and/or vehicle identifiers as related to:

- A crime in-progress;

- A search of a specific area as it relates to a crime in-progress;
- A criminal investigation; or
- A search for a wanted person; or
- Community caretaking functions such as, locating an endangered or missing person.
- Officers/detectives conducting searches in the system will complete the Read Query screen documenting the justification for the search and applicable case number.

ALPR will not be used to intentionally capture images in private area or areas where a reasonable expectation of privacy exists, nor shall it be used to harass, intimidate, or discriminate against any individual or group.

4. ALPR Operators Will Respond to Hits/Alerts by Confirming the ALPR Information

When an operator receives a Hit/alert indicating a positive Hit from the Hotlist database, a digital image of the license plate will be displayed on the mobile data computer screen.

- ALPR operators will compare the digital image of the license plate to the Hotlist information to verify the Hit for both the state and characters on the plate.
- ALPR operators will confirm the ALPR information by radio or Mobile Data Computer (MDC) to immediately confirm the Hit prior to taking enforcement or other type of police action (absent exigent circumstances).
- ALPR operators will enter a disposition for all ALPR Hits by selecting either "Accept" or "Misread" before removing the Hit from the computer screen.

Dispositions include:

- Stolen Recovery – Arrest;
- Stolen Recovery – No Arrest;
- Eluded – Lost;
- Plates only;
- SCOFLAW; and

- Wanted person or vehicle Misread/Twin plate

- Positive ALPR hits leading to action requiring an incident report will be documented within the report narrative.

16.170-POL-3 ALPR Equipment

1. ALPR Operators Will Ensure ALPR Cameras Are Properly Affixed to the Assigned Police Vehicle Prior to the Start of Their Shift

Operators will inspect cameras for damage or excessive wear.

2. Operators Will Notify the ALPR Administrator Upon Discovery of any Damaged or Inoperable ALPR Equipment

Operators will document the damage/issue on the Vehicle Damage Report form 1.35 found in Word Templates.

3. Operators Will Activate the ALPR Software and Receive the Automatic Updated Hot List at the Start of Each Shift

ALPR units installed on marked patrol and PEO vehicles will be activated and used at all times unless the operator of the vehicle has not been trained.

4. Operators Will Ensure that the ALPR System is Operational by Confirming all Three Cameras and GPS are Functioning Properly at the Beginning of Their Shift

Operators will alert Seattle ITD and the ALPR administrator of any equipment defects.

5. Operators Will Upload, Their ALPR Data Accumulated from Their Shift to the BOSS Server Prior to Shutting Down Their Computer

16.170-POL-4 ALPR Administrator Roles and Responsibilities

1. The Parking Enforcement Unit Will Assign and Support a Parking Enforcement ALPR Administrator for ALPR Electronic Vehicle Chalking

PEOs may use ALPR electronic vehicle chalking to assist in enforcing parking restrictions in time-limited, no pay parking zones and electronic parking permit management in restricted parking zones (RPZ).

PEOs will not have access to stored ALPR data in BOSS.

2. Technical and Electronic Support Unit (TESU) Will Assign and Support the Patrol ALPR System and Parking Enforcement Vehicles used for Scofflaw Enforcement

3. The ALPR Administrators Will Update Access for Approved, Trained Users

4. The ALPR Administrators Will Assist the Office of Inspector General in Conducting Periodic Audits of the Department's ALPR Systems

16.170-POL-5 ALPR Data Storage and Retention

ALPR technology collects digital images of license plates and associated license plate numbers. The technology collects the date and time that the license plate passes a digital-image site where an ALPR is located. The Department will store ALPR data in a secured law enforcement facility with multiple layers of security protection. Firewalls, authentication, and other reasonable security measures will be utilized. Only trained Department employees can access stored ALPR data and all data search requests are logged within the system.

1. Except for Hits and Data Used for a Parking Enforcement Action, No Data Collected by Parking Enforcement ALPR Used for Electronic Vehicle Chalking to Enforce Parking Restrictions in Time-Limited, No Pay Parking Zones and Electronic Parking Permit Management in RPZs will be Accessed after the Shift in which it was Collected

Metadata and images of detections will be deleted from the server within 24 hours of collection.

2. TESU Maintains Operational Control Over Patrol ALPR and ALPR Used for Scofflaw Enforcement

3. The Department Will Store Read Data from Patrol ALPR and ALPR Used for Scofflaw Enforcement for 90 days on the BOSS Server

After the 90-day retention period, the BOSS server will purge the data unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In those circumstances the applicable data should be downloaded from the BOSS server onto portable media and entered into evidence.

4. ALPR Data Related to a Criminal Investigation Will be Retained by the Case Detective in the Investigation Case File for a Period of Time in Accordance with State Retention Laws

16.170-POL-6 Stored Read Data from Patrol ALPR and ALPR Used for Scofflaw Enforcement Access and Use

1. Employees Accessing ALPR Data Must Login Through the ALPR Password-Protected System

This system records when an employee accesses ALPR data by logging the employee's name, the date, and the time of the request.

2. Employees Conducting Searches in the ALPR System Will Provide a Case Number and Justification for the Search

If a case number does not exist, the employees will provide thorough justification for the legitimacy and lawful purpose of the search.

3. Employees Will Not Share ALPR Passwords and Login Credentials

16.170-POL-7 Releasing or Sharing ALPR Data

ALPR data will only be shared with other law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.

Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed by the Legal Unit pursuant to the applicable Rules of Civil or Criminal Discovery or the Washington Public Records Act, Chapt. 42.56 RCW. The Legal Unit will maintain requests for ALPR data by non-law enforcement or non-prosecutorial agencies.

The Office of the Inspector General may audit Department records at any time to ensure compliance with this policy.

Seattle Police Department Manual

16.180 – Patrol Operations Order

Effective Date: 04/25/2019
Revised Effective Date: 12/15/2022

16.180-POL

All extraordinary events requiring special patrol intervention and control where there is sufficient time for planning, will be planned and staffed utilizing a sequentially numbered Patrol Operations Order form obtained from SPOC.

1. All Operations Orders Will Comply With the Approved Six Paragraph Format

The approved six paragraph format is as follows:

- Mission: what is to be accomplished.
- Situation: the "why" of the mission and those factors bearing on the mission.
- Concept of Operations: operations plan and instructions on directives and policy to accomplish the mission including the "how" and "where."
- Command Control: list the chain of command.
- Task Organization: units' serials numbers, names, sub-units of forces utilized, and reporting of post time.
- Coordinating Instructions: include the names of key contact persons.
    - Radio channel
    - Signal, if extra radios were needed, or were obtained
    - Meals in the field, if applicable
    - Transportation if extra vehicles were needed, where were they obtained
    - Special equipment to be utilized location and issuance procedures
    - Applicable laws and ordinances and governing enforcement

- Precinct Captain's Signature

- Patrol Operations Bureau Chief Signature

2. Patrol Operations Orders Will be Forwarded Appropriately

Distribute copies of the completed order in a timely manner. The copies should be distributed to the following:

- Patrol Operations Bureau Chief

- Special Operations Bureau Chief

- Participating unit captains, lieutenants, and sergeants

Submit an after action reports using the same format to the Special Operations Bureau Chief & Patrol Operations Bureau Chief upon conclusion of the operations for critique and budget purposes.

Forward Patrol Operation Order to SPOC upon termination of the event.

If time precludes the preparation of a Patrol Operations Order, submit an After-Action Report.

3. Any Force Used During an Event Requiring a Patrol Operations Order Will Be Reported Consistent with Title 8

A supervisor performing a review of the force will ensure a copy of the patrol operations order is included in the review.

16.190 – Labor Management Disputes

Original Effective Date: 05/07/2019
Revised Effective Date: 04/01/2023

16.190-POL

This policy applies to the department's response to strike scenes and handbilling scenes.

1. Definitions

Handbilling – Handbilling is the practice of handing out flyers or pamphlets which encourage employees to unionize.

Injunction – An injunction is a legal and equitable remedy in the form of a special court order that compels a party to do or refrain from specific acts.

Parties – The opposing sides in a labor dispute, typically including an employer and its employees, but this may extend to any individuals affiliated with either side.

2. When Responding to Labor Management Disputes Remaining Neutral is a Priority

Sworn employees will not:

- Fraternize with involved parties.
- Park police vehicles on company property, if feasible.
- Use company resources.
- Accept food from involved parties.

3. Sworn Employees Should Attempt to Prevent the Blocking of Access Points

If the picket line is closed to restrict movement, the incident commander may request the picketers to open the line.

Officers will use force only if it is necessary to protect public safety or property, and only at the direction of the incident commander or watch lieutenant (see also manual section 14.090 – Demonstration Management).

4. Officers Will Make Arrests Only as a Last Resort

When disturbances occur, those involved will be separated and asked to leave the area. If more serious crimes occur, arrests at the scene may be appropriate.

- When an arrest is deemed appropriate, officers will carefully articulate in the report why an arrest was necessary to resolve the situation.

5. Sworn Employees May Enforce Injunctions with Supervisor Approval

If a party to the labor management dispute has an injunction (as evidenced by a court order signed by a judge), sworn employees may enforce any condition contained in the injunction, after obtaining supervisor approval. If time allows, the incident commander may consult the department legal advisors.

- Sworn employees must verify that they are addressing subjects that are identified in the injunction.

- Sworn employees will use force to enforce an injunction only if it is necessary to protect public safety or property, and only at the direction of the incident commander or watch lieutenant.

6. Sworn Employees Will Only Take Enforcement Action About Handbilling That is Specified by an Injunction

7. Whether Union Organizers Are Permitted to Recruit on the Employer's Property is a Case-by-Case Determination

Sworn employees should be aware that whether union organizers are permitted to recruit on the employer's property is a case-by-case determination made by either the National Labor Relations Board or a court.

- Sworn employees will take a report and inform both parties that it will be available if either side seeks to utilize the legal remedies available.

8. Labor Management Disputes Will be Handled in Accordance with 14.090 – Crowd Management, Intervention, and Control, and 14.100 – Special Event Planning, When Appropriate

While not all labor management disputes will require a crowd management response when the number of parties involved grows large enough the incident commander will implement the Incident Command System (ICS), as necessary.

16.200 – Interaction with Gender-Diverse Individuals

Original Effective Date: 01/01/2016
Online Manual Date: 05/07/2019
Revised Effective Date: 11/01/2022

This policy applies to all employees and establishes guidelines for the appropriate treatment of gender-diverse individuals who come in contact with the Seattle Police Department. Employees will consider a person to be gender-diverse if the person identifies themselves as such, or, if upon reasonable belief that a person may be gender-diverse, the employee asks and receives an affirmative response. Employees will use their own discretion on whether to ask a person of their gender identity.

The policy of the Seattle Police Department is to treat all individuals with dignity, respect, and professionalism.

16.200-POL-1 Definitions

For purposes of this manual section, and when interacting with gender-diverse individuals, the following definitions apply:

Adopted Name: non-birth name that a gender-diverse individual uses in self-reference (this may or may not be in the individual's legal name). May also be called 'Chosen Name'.

Dead Name: a gendered name that transgender individuals no longer identify as, typically when referring to their birth name, which might still be their legal name.

Gender Diverse: a person whose gender identity, gender expression, or sexuality does not conform to socially defined male or female gender norms.

Gender Expression: the external manifestation of one's gender identity and expression of one's gender identity to others.

Gender Identity: the internal perception of one's gender, and how they label themselves, based on how much they align or do not align with what they understand their options for gender to be.

Intersex: people who possess or develop physical sex characteristics that do not fit into conventional medical definitions of male or female; a general term used to refer to individuals born with, or who develop naturally in puberty, biological sex characteristics which are not typically male or female.

- This can include chromosomes, genitals, hormones and more. Intersex people have been referred to in the past as "hermaphrodites;" however, "Intersex" is the appropriate term.

Sexual Orientation: a term describing a person's physical and/or emotional attraction to members of the same sex or gender and/or a different birth sex or gender; includes homosexual, bisexual, and pansexual.

Transgender Individual: a gender description for someone who has transitioned from living as one gender to another; anyone whose sex assigned at birth and gender identity do not correspond in the expected way.

- **Transgender Man or Female-to-Male (FTM):** a person who transitions from female to male, meaning a person who was assigned female at birth, but identifies and lives as male or as a man.

- **Transgender Woman or Male-to Female (MTF):** a person who transitions from male to female, meaning a person who was assigned male at birth, but identifies and lives as female or as a woman.

16.200-POL-2 Interaction with Gender-Diverse Individuals

1. Employees Will Not Discriminate When Handling Calls for Service

Employees will comply with the Seattle Police Department's and the City of Seattle's non-discrimination policies.

2. Gender-Diverse Status is Never by Itself a Lawful Basis for a Stop, Search, or Arrest

3. Employees Will Address and Refer to Gender-Diverse Individuals by Their Preferred Names, Gender Identity, and Preferred Pronouns

Employees will not assume a person's transgender status or being gender-diverse based solely on appearance.

Employees will use the adopted name (even if that name is not legally recognized) and preferred pronouns in all conversations with the gender-diverse individual or with any other person when referring to the gender-diverse individual.

If employees are uncertain about which pronouns are appropriate, employees will respectfully ask the individual which pronouns are preferred.

Examples: *She, her, hers* for an individual who is a transgender woman; *He, him, his* for an individual who is a transgender man; *They, them, theirs, zie, zir* for an individual who is gender non-conforming and/or prefers gender-neutral pronouns.

Exception: If a subject requests an employee to call them by a preferred name that could be considered a derogatory name or racial slur, the employee will use their discretion.

4. Officers Will Not Conduct Any Searches to Determine an Individual's Sex

Officers will not subject gender-diverse individuals to more invasive pat-downs and/or search procedures than non- gender-diverse individuals.

5. Two Officers Will be Present for Searches of Gender-Diverse Individuals

Exception: Under emergency circumstances, one officer may perform a search but will document the reason for doing so.

6. Officers Will Inform Gender-Diverse Individuals of Their Right to Express a Preference of Officer Gender for Searches

Absent exigent circumstances, and before performing any level of search of gender-diverse individuals, officers will inform the individual of the right to express a preference for the gender of the officer who will conduct the search.

Officers will record the following information on the report or Field Contact and on the In-Car Video (ICV)/Body-Worn Video (BWV):

- The advisement and request for preference,

- The individual's response,

- Whether or not the request was granted, and

- Reason for not granting the request, if applicable.

If the gender-diverse individual has a preference, at least one officer of the gender requested will conduct the search, whenever possible.

Officers must consider the reasonableness of any delay created by waiting for another officer. If an officer of the preferred gender is not available, officers will proceed with the search per manual section 6.180 – Searches-General.

If the gender-diverse individual does not specify a preference, at least one officer of the same gender as the gender-diverse individual's gender expression will conduct the search.

Example: A male officer would search a transgender male who indicates no preference for the search.

When in doubt regarding any searches of a gender-diverse individual, officers will call a supervisor to the scene prior to searching.

(See also manual section 6.210 – Strip Searches)

7. Officers will not Seize or Remove Appearance-Related Items

Officers will not seize or remove appearance-related items, such as clothing and undergarments, wigs, prosthetics, or make-up, if those items would not be confiscated from non- gender-diverse individuals.

Exception: Appearance-related items may be seized if the items are evidence or a safety hazard.

8. Officers Will Make a Reasonable Attempt to Recover Transition-Related Medication

Officers will ask an arrestee who identifies as transgender if they have any transition-related medication on their person or in their immediate vicinity that they would like to go with them to the detention facility or facility they are being transported to. Officers will deliver any medications collected at the request of the arrestee to the screening nurse or advise booking personnel it is with their property.

9. Officers Will Transport and House Gender-Diverse Individuals Alone, Whenever Possible

If necessary, officers will call additional resources to the scene to assist with transporting gender-diverse individuals.

Officers will house gender-diverse suspects/prisoners in SPD holding cells alone, whenever possible.

If there are no individual holding cells available, a supervisor will arrange for the gender-diverse suspect/prisoner to have a cell, be transported, or released, when practical.

(See also manual sections 11.010 – Detainee Management and 11.020 – Transportation of Detainees)

10. When Transferring Custody of Gender-Diverse Individuals, Officers Will Relay Information

When officers transport a gender-diverse individual to the King County Jail, or otherwise transfers custody to another law enforcement agency, or other facility, the officer will verbally advise the receiving agency/officer that the individual is gender-diverse.

The officer will relay any relevant identification related information, including how the individual would like to be addressed.

16.300-POL-3 Documentation for Gender-Diverse Individuals

1. Employees Will Document the Gender-Diverse Individual's Legal/Adopted Name

When completing official handwritten or electronic SPD documents, the employee will include the individual's adopted name as the "Also Known As (A.K.A)" name.

- Any information obtained about an individual's gender-diverse status or gender non-binary status (ex. preferred name or pronoun) will be documented and provided to relevant employees for the purpose of ensuring continuity of appropriate treatment.

- The employee may initially use the individual's legal name or legal gender once in the narrative of the report but will use the preferred name and gender for the remainder of the report.

If no identification is available, and the employee cannot determine the gender-diverse individual's legal name, employees will use the adopted name for either the primary or the A.K.A. name.

2. Officer Documentation for Booking Gender-Diverse Individuals

When booking a gender-diverse individual into jail, officers will book the individual under the legal name on the jail booking form and enter any adopted name as the A.K.A. name.

16.230 – Issuing Tickets and Traffic Warnings

Original Effective Date: 08/01/2021
Revised Effective Date: 12/01/2023

This policy applies when sworn employees address traffic or non-traffic infractions and/or criminal traffic offenses.

16.230-POL-1 Definitions

Criminal Citation: used to enforce criminal traffic offenses as defined in Seattle Municipal Code (SMC) Title 11; Revised Code of Washington (RCW) Title 46 traffic crimes; and SMC Title 16 Harbor Codes.

- Allows sworn employees to release a violator pending filing of criminal charges
- Issued if the offense occurs in the sworn employee's presence or if the sworn employee has probable cause to believe that the violator committed a crime listed as an exception under RCW 10.31.100.

Notice of Infraction (NOI): used to enforce non-criminal offenses designated as civil infractions. These include, but are not limited to, traffic and non-traffic violations as defined in the Seattle Municipal Code (SMC) and the Revised Code of Washington (RCW).

- Issued if the offense occurs in the sworn employee's presence or issued as an exception under SMC 11.31.020 or RCW 46.63.030

Parking Infraction: used to enforce SMC parking violations.

- Only issued if the offense occurs in the sworn employee's presence

Traffic Warning (electronic): documentation of a warning given for traffic infractions. Traffic warnings are entered into Mark43.

- Not used when an infraction must be written (e.g., traffic collision)
- Not used for Terry stops on a vehicle
- Not used for traffic stops conducted by a sworn employee working off-duty for a non-SPD employer

16.230-POL-2 Discretion and Documentation

1. Sworn Employees May Use Discretion When Issuing Tickets

The department appropriately warns, cites, or arrests, traffic violators to gain compliance with traffic laws and to develop driver awareness of the causes of traffic accidents.

Rather than ignore a minor violation, sworn employees may stop the vehicle and call the violation to the driver's attention. Sworn employees have discretion to issue a traffic warning to urge caution and alertness in the operation of the vehicle.

2. Sworn Employees Will Identify Themselves During all Detentions

Notification will occur as early in the contact as is safe to do so, pursuant to requirements in manual section 6.220 – Voluntary Contacts, Terry Stops, and Detentions.

3. Sworn Employees May Detain a Violating Driver for a Reasonable Period of Time

Sworn employees may use a mobile identification device as appropriate and in accordance with manual section 15.360 – Use of Mobile Fingerprint Identification Devices. If the sworn employee cannot determine the violator's identity at the scene, they may take the violator to the SPD Identification Unit.

Exception: Juveniles will only be fingerprinted for gross misdemeanor and felony offenses (see manual section 6.290 – Juvenile Investigations and Arrests or manual section 7.100 – Fingerprint Evidence).

(See 16.230-PRO-1 Utilizing the SPD Identification Unit)

4. Sworn Employees Will Document All Traffic Stops

Sworn employees will document all traffic stops by using:

- An NOI for civil infractions,
- A Criminal Citation for criminal traffic offenses, or
- A Traffic Warning and giving the driver a business card with the sworn employee's name, serial number, and event number (see 16.230–TSK-7 Issuing a Traffic Warning)

5. Sworn Employees Will Complete All Fields on the Front and Back of the Court Copy of the Ticket

Sworn employees will write "not applicable" or draw a line through any field that they are otherwise unable to complete.

For all types of traffic stop documentation, before selecting "unknown" as an option for a form field, sworn employees will make a reasonable effort to gather the necessary information.

Sworn employees will write "unknown" in the address field when they are unable to determine a current address for the violator.

If the violator does not have a valid driver's license, including only possessing an identification card, sworn employees will write "none" in the operator's license number field.

If necessary, sworn employees will use the perceived race, perceived ethnicity, perceived age, and perceived gender of the subject to complete the form.

6. An Event Number is Required for All Traffic Warnings and on Tickets in Certain Circumstances

All Traffic Warnings must have an event number to be entered into Mark43.

Criminal Citations and/or NOIs must have an event number when completed or issued in association with:

- A report, Collision Report, or Vehicle Report
- A criminal or traffic misdemeanor case
- Evidence submittal

7. SECTOR-Trained Sworn Employees Issue E-Tickets for Infractions, As Appropriate

Sworn employees will not use SECTOR to issue or refer Criminal Citations.

When issuing an e-ticket for speeding, sworn employees must write the following information in the "Officer's Notes" section:

- The defendant's speed
- The posted speed

- How the speed was determined (SMD, Pace, or Aircraft)

- Distance

- SMC 11.52.040

(See manual section 15.380 – SECTOR)

If a violator is booked into jail during an investigation related to the ticket, sworn employees must still complete paper tickets and utilize the delayed issuance procedure below.

(See 16.230-TSK-2 Issuing completed E-Tickets (SECTOR))

(See 16.230-TSK-4 Delayed Issuance of Tickets)

8. Sworn Employees Complete and Submit Tickets and Traffic Warnings by the End of Their Shift

9. Sergeants Approve Paper Criminal Citations and Notice of Infractions

Sergeants will verify that all information from the stop is documented on the court copy of the ticket, including but not limited to:

- All fields on the front of the ticket are completed.

- A narrative, including whether in-car video exists for the stop.

16.230-POL-3 Separation of Tickets and Ticket Issuance Delay

1. Sworn Employees Cite Different Types of Violations on Separate Tickets

When issuing tickets for different types of violations, sworn employees will use separate tickets.

- Parking infractions cannot be on the same ticket with traffic or non-traffic infractions.

2. Sworn Employees Will Not Serve Completed Tickets to Violators Booked into Jail

(See 16.230-TSK-3 Completing Tickets for Violators Booked into Jail)

3. Sworn Employees May Delay the Issuance of Tickets in Certain Circumstances

The delayed issuance of a ticket occurs when:

- A Criminal Citation is referred to the Law Department for review,
- An NOI is sent to the court for mailing to the violator, or
- A sworn employee completes a citation, and a driver removes the vehicle from the location before the sworn employee can place the citation on the windshield.

(See 16.230-TSK-4 Delayed Issuance of Tickets)

4. Sworn Employees Submit Tickets to the Evidence Unit That Are Evidence in a Crime

(See 16.230-TSK-5 Submitting Tickets to the Evidence Unit)

16.230-POL-4 Other Types of Notices for Violations

1. Sworn Employees May Issue Notices of Infraction (NOIs) to Juveniles Aged 16 and 17

Sworn employees must include parental information and disposition of the juvenile in the court copy narrative.

Sworn employees will write a report to request criminal charges on a juvenile and/or to have a juvenile under the age of 16 charged with an infraction.

(See also manual sections 6.150 – Advising Persons of Right to Counsel and Miranda, 6.290 – Juvenile Investigations and Arrests, and SMC 3.28.147).

2. Sworn Employees Cite SMC 11.44.020 "Rights and Duties of Rider" When Issuing Traffic Violations to Bicyclists

(See 16.230-TSK-6 Issuing Tickets to Bicyclists)

3. Sworn Employees Place Completed Parking Infractions on the Offending Vehicle

Sworn employees will write a narrative with the element(s) of the offense on the court's copy. A diagram is optional.

Sworn employees must complete a Washington State Tow/Impound Record if the vehicle will be impounded.

(See manual section 6.120 – Impounding Vehicles)

16.230-PRO-1 Utilizing the SPD Identification Unit to Identify a Traffic Violator

Any print request outside of business hours (M-F 0730-1530 hrs.) is no longer handled by the Identification (ID) Unit. Sworn Employees should radio for a Mobile ID to respond to their location (see manual section 15.360 – Use of Mobile Fingerprint Identification Devices (Mobile IDs)).

Sworn Employee

1. **Contacts** their sergeant to request the violator be fingerprinted.

Sergeant

2. **Confirms** the request meets the authority to detain and identify a person as outlined in SMC 11.59.090, SMC 12A.02.140, and/or RCW 7.80.060.

3. **Authorizes** the sworn employee to transport the violator to the Identification Unit, if during business hours.

Sworn Employee(s)

4. **Contacts** the ID Unit at (206) 684-5514 prior to transport.

5. (Two (2) sworn employees) **Transports** the violator to 5th Floor HQ or to the Identification Unit.

6. **Stands by** with the violator while they are being fingerprinted.

7. **Provides** the Identification Technician with the event number.

8. **Takes** appropriate enforcement action once the violator is identified.

9. **Completes** a report documenting the fingerprint procedure and the result (see manual section 6.010 - Arrests).

16.230-TSK-1 Issuing Completed Paper Tickets

When a sworn employee elects to issue a paper ticket to an adult or eligible juvenile (see 16.230-POL-2(4)), the **sworn employee**:

1. **Completes** the ticket(s).

   - **Corrects** any error(s) made on the ticket by crossing it out and initialing it.

2. **Marks** the "Served on Violator" box.

3. **Enters** the date issued.

   - **Marks** the "Mandatory Court Appearance" box for criminal citations but does not enter an appearance date unless the offense is for misdemeanor DUI, in which case refer to manual section 15.280 – DUI Investigations.

4. **Serves** the violator with the "Defendant Copy" of the ticket.

5. **Includes** on the first line of the ticket's narrative if the stop or contact was recorded by the in-car or body-worn video system.

6. **Writes** the element(s) of the offense(s) in the ticket's narrative.

7. **Enters** the "Related #" on each companion ticket, if applicable.

8. **Enters** the report number on each ticket, if applicable.

9. **Retains** the ticket's Law Enforcement Agency (LEA) copy.

10. **Paper clips** all related tickets and reports together, if applicable.

11. **Submits** all tickets to a sergeant for review.

16.230-TSK-2 Issuing Completed E-Tickets (SECTOR)

When a sworn employee elects to issue an E-Ticket (through SECTOR) to an adult or eligible juvenile (see 16.230-POL-1-(3)), the **sworn employee**:

1. **Completes** the ticket(s).

   - **Corrects** any error(s) made on the ticket by editing the ticket in the SECTOR interface.

2. **Enters** the date issued.

3. **Serves** the violator with the printed SECTOR copy of the ticket.

4. **Includes** on the first line of the ticket's narrative if the stop or contact was recorded by the in-car or body-worn video system.

5. **Writes** the element(s) of the offense(s) in the ticket's narrative.

6. **Enters** the "Related #" on each companion ticket narrative, if applicable.

7. **Enters** the report number on each ticket narrative, if applicable.

8. **Submits** all tickets through SECTOR.

16.230-TSK-3 Completing Tickets for Violators Booked into Jail

When completing ticket(s) for violators who are booked into jail, the **sworn employee**:

1. For Criminal Citations:

   Writes "Book Direct" in the blank box next to the completed Criminal Citation's bar code if the violator is booked into jail.

   Exception: If the violator is booked for felony DUI or a potential felony traffic investigation, then the sworn employee does not complete any tickets.

   Marks the "Referred to Prosecutor" box.

   Leaves the "Appearance Date" box blank.

2. For NOIs:

   Marks the "Referred to Prosecutor Infraction Companion to Crime" box.

   Exception: If the violator is booked for felony DUI or a potential felony traffic investigation, then the sworn employee does not complete any tickets.

3. **Does not issue** the violator their copy of the ticket(s).

4. **Leaves** the "Date Issued" box on the tickets blank.

5. **Writes** the report number on each ticket.

6. **Writes** the "Related #" on each ticket, if applicable.

7. **Completes** the ticket's narrative.

   Includes on the first line of the narrative if the stop or contact was recorded by the in-car or body-worn video system.

8. **Retains** the LEA copy of the completed ticket(s).

9. **Paper clips** all related ticket(s) and reports together.

10. **Forwards** the ticket(s) and related reports to their sergeant for review.

11. **Routes** the ticket(s) and related reports to the Data Center in an Alert Email.

16.230-TSK-4 Delayed Issuance of Tickets

When there is a delayed issuance of a ticket, the **sworn employee**:

1. For drivers of vehicles who drive away prior to being issued parking ticket(s):

    Returns paper violator's copy of SECTOR ticket (if applicable) to office/precinct for destruction.

    Submits ticket or **uploads** digital copy of ticket as usual for processing.

2. For NOIs:

    Marks the "Sent to Court for Mailing" box.

    Enters the date when referred to the court for mailing in the "Date Issued" box.

3. For Criminal Citations:

    Marks the "Referred to Prosecutor" box.

    Does not enter the date when referred to the Prosecutor.

4. **Enters** related ticket numbers and the report number on each ticket, if applicable.

5. **Completes** the ticket's narrative including the elements of the offense(s).

    Includes on the first line of the ticket's narrative if the stop or contact was recorded by the in-car or body-worn video system.

6. **Retains** the LEA copy of the completed tickets.

7. **Paper clips** all related tickets and related reports together, if applicable.

8. **Submits** the tickets and related reports to their sergeant for review if there is a Criminal Citation or NOI with a report number.

9. **Forwards** all tickets and any related reports together to the Data Center.

16.230-TSK-5 Submitting Tickets to the Evidence Unit

When an issued ticket becomes evidence in a crime, the **sworn employee**:

1. **Photocopies** the ticket.
2. **Completes** an SPD Voided Ticket Report.

   Marks the "Other" box in justification field.

   Lists in the "Explanation" section that the ticket was placed into evidence.
3. **Retains** the LEA copy of the ticket.
4. **Packages** and submits to the Evidence Unit the original ticket.
5. **Includes** the ticket's number in the report narrative.
6. **Forwards** the SPD Voided Ticket Report, photocopy of the ticket, and related reports to their sergeant for review prior to submittal to Data.
7. **Submits** all paperwork to Data.

16.230-TSK-6 Issuing Tickets to Bicyclists

When completing a NOI to a bicyclist for a traffic violation, the **sworn employee**:

1. **Writes** "bicycle" in the "Vehicle/Motor Vehicle" field.
2. **Cites** "SMC 11.44.020 Rights and Duties of Rider" in the "Violation/Statute" field.
3. **Writes** the underlying traffic violation on the front of the NOI below the cited violation listed in #2.
4. **Enters** the current penalty amount.

   - This penalty amount also applies if the bicyclist is determined to be at fault in a collision.
5. **Issues** the NOI to the bicyclist.

16.230-TSK-7 Issuing a Traffic Warning

When issuing a Traffic Warning, the **sworn employee**:

1. **Gives** the driver a business card with the sworn employee's name, serial number, and event number.

2. **Releases** the driver.

3. **Begins** a new report in Mark 43.

4. **Enters** the event number for the stop.

5. **Selects** "Citation" as the type of report.

6. **Completes** the report fields, selecting "Traffic Warning" under the Citation Type field.

7. **Submits** report by end of shift.

16.231 – Cancelling and Voiding Tickets

Original Effective Date: 05/07/2019
Previously Revised: 11/15/2022
Revised Effective Date: 07/15/2023

16.231-POL

This policy applies whenever paper tickets must be voided or canceled.

1. Sworn Employees Will Void Paper Tickets Ineligible For Use

Sworn employees will void tickets in the following circumstances:

- Sworn employee makes a significant error prior to issuing the ticket (see manual section 16.230 - Issuing Tickets and Traffic Contact Reports concerning minor errors).

- Sworn employee transfers to an assignment in which they no longer write tickets as a normal part of their unit's function prior to utilizing the entire ticket book.

- Sworn employee damages the ticket.

- Sworn employee enters the ticket as evidence.

Sworn employees will complete a Voided Ticket Report (form 1.52) when voiding tickets (see 16.231-PRO-1 Voiding Tickets).

2. Sworn Employees Will Void Electronic Tickets Using SECTOR

Sworn employees do not need to use the procedures outlined in 16.231-PRO-1 Voiding Tickets to void electronic tickets from SECTOR.

3. Sworn Employees Will Only Cancel Tickets in Special Circumstances

Sworn employees will only cancel tickets issued to defendants when charges are no longer justified (see 16.231-PRO-2 Canceling Tickets).

Sworn employees will only cancel parking tickets in the following circumstances:

- Government vehicles parked while on official business.

- Vehicle operator left vehicle to assist in police function.

- Owner advises issuing officer that the vehicle experienced a mechanical failure while parked illegally.

- Operator cannot move the vehicle due to illness or injury.

- Vehicle parked illegally due to an emergency.

4. Sworn Employees Will Return All Unused Tickets to the Stationmaster Before Transferring to a Unit in Which Ticket Writing Is Not a Normal Function

If a sworn employee leaves the department without voiding tickets, a supervisor at the sworn employee's last precinct of assignment will void partially used ticket books if the ticket book is unserviceable (see 16.231-PRO-1 Voiding Tickets). If it is serviceable, the ticket book will be given to the Stationmaster for reissuance.

5. Stationmasters Will Reissue Unused and Used Ticket Books in Serviceable Condition

Unused and used ticket books will be placed back into the precinct stores for reissuance.

- Stationmasters should update the ticket book register with the new issuance information. The original issued to information will be retained as normal. Add necessary columns to the ticket book register to document the reissuance.

16.231-PRO-1 Voiding Tickets

Sworn Employee

1. **Completes** a Voided Ticket Report (VTR) (form 1.52).

   - If ticket series are in numerical order, **uses** one VTR for the series.

2. **Writes** VOID across all copies of the ticket.

3. **Attaches** the Law Enforcement Agency (LEA) copy to a copy of the VTR.

4. **Submits** the documents to their immediate supervisor.

Sworn Supervisor

5. **Submits** copy of the VTR and LEA copy to the precinct administrator to be added to the precinct archives.

Precinct Administrator

6. **Files** the VTR, LEA, and memos at the precinct.

7. **Retains** the VTR, LEA, and memos for three (3) years plus the current year before purging the documents in an official document shred bin or other official means.

8. **Sends** all VTRs, LEAs, and memos requested by the Audit Unit through electronic means (scan and e-mail), unless otherwise requested by the Audit Unit.

16.231-PRO-2 Canceling Tickets

Sworn Employee

1. **Submits** ticket to their immediate supervisor with reason for cancellation request attached in a memorandum.

Sworn Supervisor

2. **Approves** the request and **returns** to the sworn employee.

Sworn Employee

3. **Forwards** the request for cancellation.

   - If a criminal citation or NOI, forward the ticket to Law Department with a completed Cancellation Request (form 1.51) attached.

   - If a parking ticket, forward to SMC with a completed Cancellation Request (form 1.51) attached.

16.232 – Traffic Stops

Effective Date: 07/01/2023

16.232-POL

The Seattle Police Department is committed to the safety of community members in the City of Seattle.

After extensive research and data collection by a cross section of members of our community, including members of the SPD, Seattle DOT, elected officials, the federal monitoring team, OPA, public and private lawyers, and others, there were recommended changes for how the SPD responds to non-criminal traffic violations.

These violations do not apply to vessels or boat licenses.

1. Sworn Employees with Probable Cause that a Driver or Rider is Committing a Criminal Infraction or any other Safety Issue Are Expected to Use Discretion within Policy and Training

2. Sworn Employees Will no Longer Treat the Following Portions of the Below Municipal Codes as *Primary Violations*

The below listed violations, on their own, do not have a direct connection to the safety of other individuals on roads, paths, or sidewalks. However, if there is another primary violation observed, the listed violations can still be enforced:

- Expired or missing vehicle registration (Title: License and plates required – SMC 11.22.070)
    - A vehicle will not be stopped if it has no front license plate.
    - A primary stop can be conducted on a vehicle without a rear plate.
- Issues with the display of registration plates (Title: Vehicle license plates displayed – SMC 11.22.080)
    - A vehicle will not be stopped for the following: no front plate, improper positioning of the front plate, license tabs obscured or not properly displayed, or failing to sign registration.

- The remaining elements of this municipal code can be used as primary violations.

- Technical violations of SMC 11.84.140 (Title: Windshield obstruction)

  - A vehicle will not be stopped for items hanging from the rear-view mirror or cracks in the windshield.

  - A primary stop and enforcement can be conducted on a vehicle with actual visual obstructions, such as snow, fog, non-transparent material, or shattered windshields.

Seattle Police Department Manual

16.240 – Mutual Aid

Effective Date: 08/01/2022

16.240-POL

The Seattle Police Department (SPD) has agreements with outside agencies that govern assistance with public safety operations. This manual section applies to the workflow of official mutual aid requests between SPD and outside agencies and does not alter those agreements.

This manual section is not intended to apply to routine operations such as providing backup to a neighboring agency officer on a traffic stop or investigating an incident that begins in one jurisdiction that happens to cross into another.

1. Classifying Small-Scale Mutual Aid Requests

Small-scale requests cover support between agencies as a part of planned short-term operations. These operations do not involve committing a large number of personnel or significant resources.

2. Classifying Large-Scale Event Requests

Large-scale events are typically planned in advance and cover support between agencies as part of larger planned operations. These operations are longer in duration or require a significant commitment of personnel or other resources.

3. Watch or Unit Commanders Screen Small-Scale Mutual Aid Requests

Patrol watch commanders or specialty/follow up unit commanders with the rank of lieutenant or above screen incoming and outgoing small-scale requests for assistance.

These commanders may authorize sending SPD personnel and resources under their command to assist an outside agency.

- If after screening an incoming request the watch or unit commander determines that the request rises to the level of a large-scale event, the commander will follow the screening procedure for large-scale events.

4. The Seattle Police Operations Center (SPOC) Screens Large-Scale Requests

Employees receiving a request for assistance from another agency for a planned or large-scale event happening in the future will forward that request to SPOC. SPOC will evaluate the request and coordinate the response.

The Patrol Operations Bureau Chief or the Night Duty Captain, if after hours, screens time-sensitive mutual aid requests that arrive outside of SPOC's operating hours.

5. Mutual Aid Requests Must Contain Sufficient Information

When receiving an incoming request for assistance from another agency, the request must include detailed information to accurately determine if SPD can accommodate the request.

When SPD sends an outgoing request for assistance to another agency, SPD will include this same information.

Both incoming and outgoing requests must include the following:

- The nature of the event or situation
- Available and appropriate planning document such as an IAP or Briefing Sheet
- Specific tasks the responding agency is being asked to perform
- Any limitations that the responding agency is being asked to observe such as conforming to SPD's Use of Force Policy
- Estimated number of personnel requested
- List of other equipment, uniforms, vehicles, or resources requested
- Estimated duration the personnel and/or resources will be needed
- An agreement that the responding agency will notify the requesting agency of any enforcement activity and uses of force during the event and provide paperwork related to the enforcement or use of force

6. Only Designated Personnel May Formally Grant or Request Mutual Aid Assistance

The Chief of Police, the Metropolitan Safety Services Bureau Chief, and the Patrol Operations Bureau Chief may formally approve or request large-scale mutual aid assistance on behalf of the department.

In exigent circumstances, if the Chief of Police and Bureau Chiefs listed above are unreachable, another Assistant Chief, the Night Duty Captain, or Incident Commander may give the approval or make the request.

7. SPD Tracks All Mutual Aid Assistance and Requests

Commanders will document all incoming and outgoing mutual aid requests on a Mutual Aid Request Tracking form (form 28.9) and send the form to SPOC.

8. SPD Retains Primary Investigative Responsibility

When other agencies provide enforcement assistance to SPD, SPD personnel will assume primary investigative responsibility.

Whenever an outside agency, provides enforcement assistance to the department, SPD officers will complete any citations issued for municipal offenses. The outside agency officer will be listed as a witness.

SPD will investigate force used by SPD officers assisting another jurisdiction while providing mutual aid.

9. SPD Routine Interaction with Washington State Patrol (WSP)

In order to ensure uniformity in an investigation and to expedite the processing of a suspect, SPD personnel assigned to assist WSP will complete any required reports and citations.

For felony arrests, WSP personnel will work under the direction of an SPD sergeant or above who will ensure that the processing of the arrest and reports are completed expeditiously, to return the WSP Trooper(s) to their duties without undue delay.

The WSP Trooper will be provided with the event number. Records will provide copies of relevant reports to WSP.

16.250 – Interactions with SFD

Effective Date: 11/01/2023

16.250-POL

The City of Seattle adopted Ordinance No. 126814 (05/17/2023) amending Section 12A.16.010 – Obstructing a Public Officer, of the Seattle Municipal Code (SMC), to include obstructing Seattle firefighters and Seattle Fire Department (SFD) personnel, and required both agencies to cooperatively develop policies for its enforcement.

Nothing in this policy is intended to supersede a sworn employee's authority or responsibility to directly and timely deliver medical or public safety services. Nor is anything in this section intended to mandate SPD employees to take enforcement action or relieve them of their authority and responsibility to independently investigate and decide on appropriate action, including whether to take enforcement action or the form of any such action.

When a subject is receiving medical treatment by SFD, obstructing, hindering, delaying, or compromising their own medical treatment is not a basis for an obstruction arrest (SMC 12A.16.010).

1. Interactions with SFD

As is current procedure, when responding to emergency scenes whether SFD is the primary responding agency, or in a secondary role, SPD personnel will continue to coordinate their response and actions as needed with SFD commanders to ensure the safe and effective delivery of public safety services.

SFD may advise sworn personnel whether a subject is obstructing fire department personnel. Sworn personnel may make an arrest for a subject obstructing fire department personnel when there is probable cause the crime of obstruction has occurred (see manual section 6.010 - Arrests).

- This does not preclude sworn employees from making an arrest for obstructing other public officers or for any other applicable crimes where articulable probable cause for such crimes exists.

For radio communications with SFD, see manual section 12.010 - Communications.

Seattle Police Department Manual

16.300 – Patrol Canines

Effective Date: 09/15/2019

The purpose of this policy is to regulate the use of Seattle Police canines. It sets out the duties and responsibilities of supervisors and canine handlers for use, approval, and deployment of Department canines. The use of canines requires adherence to procedures that control their use of force potential and that direct their specialized capabilities into legally acceptable crime detection, prevention, and control activities.

1. The Canine Unit Has Operational Control

The Canine Unit will maintain a unit manual.

The Canine Unit Manual is designed to ensure that the canine handler and canine are trained to the point at which the handler can demonstrate total control over the canine's actions.

2. A Police Canine is Primarily a Locating Tool

Using its extraordinary olfactory skills, a canine may aid officers in locating a concealed subject.

When a canine is used to physically apprehend a suspect, it is an instrumentality of force and will only be used consistent with the Department policy.

(See 8.300-POL-1 Use of Patrol Canines for guidance)

3. Sergeants Supervising the Canine Unit Will Have Significant Knowledge About Police Canine Operations

4. All Department Canines Will be Deployed in a Manner That Complies With Applicable Law and Department Policy

Canine teams will be trained and will demonstrate proficiency such that the handler has control over the canine's actions.

Canine teams must complete annual testing requirements.

16.300-POL-1 Guidelines for the Use of Canines

Police Canines are a multi-functional asset that may be used in appropriate circumstances to assist officers in the search for criminal suspects, narcotics, explosives, or evidence.

The use of canines by the Seattle Police Department requires adherence to procedures that properly control their use of force potential and that channel their specialized capabilities into legally acceptable activities.

1. Non-Tactical Use of Canine

Canines may be deployed in non-aggressive work such as:

- Searching for evidence, narcotics, explosives, contraband; or
- Officers may use a trained detection canine in accordance with Department search and seizure policy and current search and seizure laws

2. A Canine Officer Will Be Available for Call-Out Under Conditions Specified by the Canine Unit

3. Department Personnel May Request the Use of the Canines

16.300-POL-2 Canine Training

1. Canine Unit Will Train Regularly and Certify its Canine Teams as required by Washington Administrative Code 139-05-915

No handler is permitted to train the police canine in methods, techniques, or activities contrary to the accepted methods used by the Canine Unit. Strict handler control is the overriding goal of canine training such that a handler must be able to cause the police canine to follow the handler's orders.

- When the police canine is on lead and off lead;
- When the police canine is ordered to release a bite;
- When the police canine is ordered to bite; and
- For the police canine to stay and guard without a bite.

Handlers who are not capable of demonstrating such control will not be active in the field until the situation is rectified.

16.300-POL-3 Assignment of Canines

1. Canine Teams Will be Assigned to the Special Operations Bureau and Used to Aid and Assist All Personnel of the Seattle Police Department

2. Canine Teams Will Function Primarily as Support Units

Canine officers should not be assigned to handle matters that will take them out of service for extended periods of time unless approved by the commander of the Canine Unit.

3. Canine Unit Officers are Viewed as a Single Officer Unit and Should Perform Under That Premise When Making Decisions Regarding Contact of Suspects

16.300-POL-4 Requests for Public Demonstrations

1. All Canine Demonstrations Will be Approved by the Canine Unit Commander

Canine demonstrations, when authorized, will follow this Policy and Canine Unit Manual.

16.300-POL-5 Canines in Public Areas

1. Canine Handlers Will Maintain Control Over their Canines in Public Areas at all Times

When not specifically deployed, all canines will be kept on leashes when in areas that allow access to the public

Exception: This does not apply to canine training, approved demonstrations, or SPD secure facilities.

2. When the Canine Unit is Left Unattended in a Vehicle, The Vehicle Will Be Secured in Such a Manner as to Prevent Unauthorized Access to the Canine

16.300-PRO-1 Accidental Canine Bite or Injury

In the event of an accidental canine bite or injury, the

Canine Handler

1. **Requests** medical aid for the injured subject

2. **Renders** first aid within the handler's training

3. **Calls** a supervisor to the scene

4. **Notifies** the canine sergeant if not on scene

The Responding Supervisor:

5. **Takes** photos of the injury

6. **Gathers** witness information, if available

Canine Handler

7. **Prepares** a Blue Team and routes through the Chain of Command

Canine Sergeant

8. **Conducts** an investigation of the incident to determine if a change in procedure or additional training is needed

Canine Lieutenant

9. **Reviews** the incident and ensures the investigation is complete and there are no policy violations

Canine Captain

10. **Reviews** the incident with the Canine Unit sergeant and lieutenant

11. **Forwards** the report and Accidental Injury Memorandum and any findings to Special Operations' Bureau Chief

Canine Handler

12. **Closely observes** the canine for ten days immediately following the incident

    - If the canine officer observes the canine exhibiting any abnormal behavior during the ten-day period, the canine officer will **take** the canine to the veterinarian for an examination

Administration

13. All accidental bites will result in the canine being removed from active service until the chain of command and the canine trainer have **reviewed** the incident, remedial training has been conducted (if warranted), and the canine responded to training