

**MEDINA POLICE DEPARTMENT
STANDARDS**

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1.1 DEPARTMENT AUTHORITY AND JURISDICTION **CALEA 1.1.1**

1.1.1 CITY OF MEDINA

The City of Medina is an optional code city, authorized under the provisions of RCW Title 35A. Under the optional code non-charter provisions, the City of Medina may exercise any power that is granted to any city in the state of Washington so long as those powers are not prohibited by statute.

1.1.2 CITY OF MEDINA POLICE DEPARTMENT

The City of Medina Police Department is generally organized under the provisions of RCW 35A.13.090 and Article XI, Section 10, of the Washington State Constitution. Additionally, Medina Municipal Code 2.16.020, established the Police Department under the direction and control of a Chief of Police, subject to the supervision of the City Manager. The authority of officers derives from these provisions as conferred through the commission issued by the Police Chief.

1.1.3 COMMISSIONED PERSONNEL

Commissioned personnel are sworn to enforce the ordinances of the City of Medina, as well as state and federal law, and to protect public peace and safety within the City of Medina. Commissioned personnel are also sworn to enforce city or county laws of concurrent jurisdiction as defined within any mutual aid agreement or the Peace Officers Powers Act of 1985.

1.1.4 MEDINA POLICE COMMISSION

CALEA 1.1.2

All persons hired as Law Enforcement Officers for the Medina Police Department shall be commissioned as Police Officers for the City of Medina prior to being assigned to law enforcement duties.

- A. Oath of Office; prior to assuming a police commission, persons hired for a position that requires a commission will take an oath of office to enforce the law and uphold the Constitution of the United States and the State of Washington, before the Police Chief or a designee.
1. I, (name of employee), having been duly appointed to the office of Police Officer for the City of Medina, Washington, do solemnly swear that I will faithfully and impartially perform the duties of my office as prescribed by law and to the best of my ability, that I will abide by the Law Enforcement Code of Ethics, and that I will support and maintain the ordinances of the City of Medina, the laws and Constitution of the State of Washington and the United States of America.

1.1.5 ISSUANCE OF COMMISSION

A Medina Commission may be issued to any employee of the City of Medina who, by virtue of training and/or experience, has proven competence in the field of law enforcement and whose duties are Police related.

1.1.6 LIMITED POLICE COMMISSIONS

Limited Police commissions may be issued upon approval of the Police Chief to persons inside or outside the Department who have a need to have limited enforcement capabilities. These limited commissions will specifically state the authority of the holder to enforce specific identified ordinances.

1.1.7 OTHER POLICE COMMISSIONS

Police commissions from other law enforcement agencies may be issued to Medina Police Officers from time to time when necessary or desirable. No Officers may accept a commission from another agency without prior notice and permission from the Police Chief.

1.1.8 COMMISSION ABUSE

Any abuse or unjustified use of any police commission card or mutual aid peace officers powers will result in permission to carry the commission being withdrawn and/or subject the offending officer to Departmental discipline procedures.

1.1.9 LAW ENFORCEMENT CODE OF ETHICS

The Law Enforcement Code of Ethics is adopted by the Medina Police Department. Employees of the Department will adhere to the spirit as well as the letter of these ethical and performance standards.

1.2 USE OF FIREARMS/DEADLY FORCE

CALEA 1.3

The content of this policy is found in Chapter 1.3.

1.2.1 ENFORCEMENT AUTHORITY

CALEA 1.2.1

- A. The Federal Constitution, the Washington State Constitution and the Revised Codes of Washington define the scope and limits as it pertains to the enforcement of laws and ordinances.
- B. The Revised Code of Washington, Chapter 10.93.070, lists the circumstances when a general authority Washington Peace Officer may enforce the traffic or criminal laws of this State, including:
 - 1. Upon the prior written consent of the Sheriff or Chief of Police in whose territorial jurisdiction the exercise of powers occurs.

1.2.2 LEGAL AUTHORITY TO CARRY WEAPONS

CALEA 1.2.2

- A. Authority To Carry Weapons: The Revised Code of Washington (RCW) 9.41.270(3)(b) exempts law enforcement officers from the general prohibition against carrying and displaying firearms and other dangerous weapons. Under RCW 9.41.060(1), the general restriction on carrying concealed pistols does not apply to "marshals, sheriffs, prison or jail wardens or their deputies, or other Law Enforcement Officers of this state." RCW 9.41.300(6)(b) exempts law enforcement personnel from statutory prohibitions on possessing weapons in such sensitive areas as jails, courthouses, liquor stores, taverns, cocktail bars, and mental health facilities. Under RCW 9.41.280(3)(b) and (h), Officers may carry weapons on school property.
- B. Authority to Use Weapons: Washington law defines "deadly force" as the intentional application of force through the use of firearms or any other means reasonable likely to cause death or serious physical injury." Washington Revised Code 9A.16.010(2). Under RCW 9A.16.040, a peace officer may use deadly force when necessary to:
 - 1. Discharge a legal duty.
 - 2. Overcome actual resistance to the execution of a court order.
 - 3. Arrest or apprehend a suspected felon.

4. Prevent a felony inmate from escaping, or
 5. Lawfully suppress a riot by persons armed with deadly weapons.
- C. RCW 9A.16.040(2) authorizes a Peace Officer to use deadly force in arresting or apprehending a suspect where the Officer has "probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to the Officer or a threat of serious physical harm to others." An Officer may determine that a suspect poses a "threat of serious physical harm" where the suspect menacingly displays or threatens the officer with a weapon, or where probable cause exists to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm. RCW 9A.16.040(2) and 10.31.050 ("If after notice of the intention to arrest the defendant, he either flee or forcibly resist, the Officer may use any necessary means to effect the arrest.").

1.2.3 CONSTITUTIONAL REQUIREMENTS

CALEA 1.2.3

- A. In order to protect the constitutional rights of persons involved in criminal investigations and to allow Officers to interrogate suspects consistent with current case law, the following guidelines will be adhered to:
1. Officers shall not coerce or obtain involuntary confessions from persons suspected of criminal involvement.
 2. Prior to interrogating a suspect whenever he is in custody, or is otherwise deprived of his freedom, an Officer must first advise the suspect of his or her constitutional rights as required by the U.S. Supreme Court decision of *Miranda versus Arizona* (1966). The definition of a custodial interrogation can be a confusing concept. Whenever there is doubt about a custodial interrogation, the suspect should be advised of his constitutional rights.
- B. Miranda warnings are not necessary under the following circumstances:
1. Before questioning a person who was merely a witness to a crime or who may know something about a crime but is not a suspect.
 2. Before questioning a suspect who has not been deprived of his/her freedom in any significant way and realizes he/she is free to terminate the interview at any time.
 3. Before questioning a motorist who has been stopped for a routine traffic offense.
 4. Before asking questions reasonably motivated by concern for public safety.
 5. Without express questioning, or its functional equivalent, there is no "interrogation" within the meaning of *Miranda*, even though the suspect may be in custody.
- C. Right to counsel - once a defendant has expressed a desire to exercise the right to counsel, he/she shall not be interrogated until the defendant has obtained counsel, or a court-appointed attorney.

- D. Pre-trial hearing(s) - when a person is arrested with or without a warrant, if the person is not released on bond or his own recognizance, he/she shall be brought before the court having jurisdiction without unnecessary delay.

1.2.4 SEARCH AND SEIZURE

CALEA 1.2.4

A. Search by Consent

1. The consent must be “voluntary.”
2. The consent must be granted by a party having the authority to give consent.
3. The search must be limited to the scope of the consent granted.

- B. **Stop and frisk** searches fall within one of the exceptions to the warrant requirement as set forth in the 4th Amendment and Articles 1 and Section 7 of the Washington State Constitution. The Officer must be able to articulate circumstances where they have reason to fear for their safety in order to take such action.

C. Movable Vehicle Exception:

1. During the arrest process, including the time immediately after the suspect is placed in a patrol car, an officer may search the passenger compartment for weapons or destructible evidence.
2. The Officer may not unlock and search any locked containers or locked glove box without a search warrant, vehicle trunk included.

- D. At the **Scene of a Crime** the U. S. Supreme Court has ruled there is no exception to the 4th Amendment for crime scene searches. However, in responding to a homicide or serious assault scene, Officers may:

1. Make warrant-less entry where they reasonably believe a dead body or injured person will be found. A suspected dead body may still be alive and entry is justified under the Emergency Doctrine.
2. Examine the body itself.
3. Search the premises for other victims or suspects.
4. Seize any evidence in plain view while inside the residence pursuant to any of the above permissible activities.

E. Public Safety, Exigent Circumstances

1. The Emergency Doctrine allows warrantless entry.
2. The need to protect or preserve life, avoid serious injury or protect property in danger of damage justifies an entry that would otherwise be illegal.
3. Officers will render aid to individuals in danger and protect their property and premises. Motivation for entry triggers the assertion of the Emergency Doctrine.

- F. A vehicle may be impounded, and its contents inventoried in order to make note of items of value for the registered owner. However, such inventory searches cannot be used as a pretext for a search for evidence of a crime.
 - 1. If there is probable cause to believe the vehicle was used in the commission of a crime or contains evidence of a crime, the King County Prosecutors Office recommends use of a search warrant whenever possible.
- G. Other situations authorized by State and Federal constitutional provisions.

1.2.5 ARREST WITH/WITHOUT WARRANTS **CALEA 1.2.5**

- A. Medina Police Officers are required to apply all applicable legislative and case laws when making arrests with warrants.
- B. Medina Police Officers may make arrests without warrants under the following situations:
 - 1. Felonies and misdemeanors committed in their presence;
 - 2. Misdemeanors and gross misdemeanors listed in RCW 10.31.100, which do not occur in the presence of the officer;
 - 3. Felony investigations where probable cause exists to validate the arrest in accordance with current case law.
- C. Officers will conduct warrantless searches only in those areas within reach of the suspect, for weapons and contraband or other evidence, unless the search is otherwise dictated by current case law.
 - 1. If any doubt exists as to whether a search warrant is needed or not, the Officer will opt for obtaining such warrant.
- D. Officers will advise every person arrested of their constitutional rights as directed by current case law and prosecutorial direction. Officers will issue this advisement as soon as practical at the time of arrest.
- E. Whenever a question exists concerning the laws governing arrest, search and seizure, Officers should consult with supervisory personnel or legal staff.

1.2.6 ALTERNATIVES TO ARREST **CALEA 1.2.6**

- A. When no hazard(s) to the community, victim or suspect exists, Officers are encouraged to seek alternatives to physical arrests with incarceration.
- B. Officers will exercise arrest powers in felony situations. Depending on the offense and prosecutorial approval, certain felony arrestees may be released pending arraignment, after interview.

- C. Upon the arrest of a misdemeanor violator, an Officer has the option of issuing a misdemeanor citation and releasing the violator on his/her personal recognizance if it has been reasonably calculated that the violator will appear at the criminal proceedings. Consideration should be given to the accused's employment, character and mental condition, length of residence in the community, record of conviction, and record of appearance at court proceedings.
- D. Upon contacting a traffic violator, notice(s) of infraction(s) may be issued to the violator and copy(ies) of such infraction(s) filed with the appropriate court.
- E. In lieu of formal action, an Officer may exercise discretion, and choose informal action to solve the problem, such as referral, informal resolution and warning.
 - 1. **Referrals** - The Officer shall offer referrals to other agencies and organizations, when in the Officer's discretionary judgment, it is the most reasonable alternative for the offender and the violation.
 - 2. **Informal Resolution** - At the Officer's discretion, informal resolutions may be offered to resolve situations or conflicts when they can be adequately addressed by use of a verbal warning, informing the proper agency or organization, advising parents of juvenile activity, etc.
 - 3. **Warnings** - A warning may be issued when in the Officer's discretionary judgment, it is the most reasonable alternative for the offender and the violation.

1.2.7 USE OF DISCRETION

CALEA 1.2.7

- A. Discretionary power is the power of free decision or latitude of choice within certain legal bounds. When this power is poorly exercised, discretionary power may be viewed by the public as favoritism, bias or corruption.
- B. It is imperative that Officers take into consideration, when exercising discretionary power, the goals and objectives of the Department, the best interests of the public they serve, any mitigating circumstances and the severity of the situation at hand.

1.2.8 STRIP SEARCHES

CALEA 1.2.8

- A. Authority for conducting strip searches and body cavity searches is provided in RCW 10.79.080 and RCW 10.79.130. Strip searches and body cavity searches will be conducted in accordance of RCW 10.79.080, RCW 10.79.130.
- B. Search Conditions
 - 1. Strip searches will be conducted in an appropriate area of the jail, by person(s) of the same gender as the inmate. No person may be present or observe during the body

cavity search, unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search.

2. No body cavity search shall be conducted, except with a valid search warrant. Body cavity searches will only be conducted at medical facilities, under sanitary conditions by a physician, registered nurse, or registered physician's assistant.

C. Reporting Requirements

1. Strip searches will be documented on a Strip Search Record form, which will indicate the circumstances supporting the need for the search. The search will also be documented in the Officer's case report.
2. Body cavity searches documented in the Officer's case report, with the following information included:
 - a. A copy of the search warrant and supporting documents;
 - b. The name and sex of all persons conducting or witnessing the search;
 - c. The time, date, place, and description of the search; and
 - d. A statement of the results of itemized list of concealed items.

1.3 USE OF NECESSARY FORCE

A. Definitions, as used in this policy:

1. **"Force"** – Any act aimed at detention or control. Actions taken through the use of a person's body, weapons, equipment, and/or other instruments, to assist in controlling a situation or the behavior of others.
2. **"Progressive Force"** - The escalation of force used in order to control a situation or the behavior of others, from minimal to maximum (i.e., verbal force, physical force, non-lethal force, deadly force).
3. **"Deadly or Lethal Force"** - The intentional application of force by whatever the means imposed, reasonably likely to cause death or serious physical injury.
4. **"Necessary"** means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force to be used is reasonable to accomplish the lawful purpose intended.
5. **"Carotid Submission Hold"** - Is any hold that restricts the flow of blood to the brain, and renders the subject unconscious.
6. **"Officer"** - means a commissioned Officer of the City of Medina Police Department.
7. **"Reasonable Belief"** - Facts, circumstances or knowledge present to the Officer sufficient to justify a thought or feeling.
8. **"Serious bodily injury"** - (as described in RCW 9A.04.110) is injury, which creates a probability of death or which causes significant, permanent loss or impairment of the function of any bodily part or organ.

B. Policy

1. The protection of life is at all times more important than either the apprehension of criminal offenders or the protection of property. The member's responsibility to protect life must include his/her own life.
2. The use of deadly force is authorized by RCW 9A.16.020 and 9A.16.040. In all cases, use of force is limited to the reasonable amount of force necessary to accomplish the arrest, overcome resistance to arrest, defend themselves from harm. Only the force necessary to effect lawful objectives will be used to control a situation. Facts unknown to an Officer, no matter how compelling, cannot be considered in later determining whether the use of deadly force was justified.
3. When the use of force is necessary, the degree of force used should be progressive in nature and in direct relationship to the amount of resistance used by the person, or the immediate threat the person poses to the member or others. This force may be in the form of advice, warnings, persuasion, verbal commands, physical contact, use of non-lethal weapons or the use of deadly force.

1.3.1 FORCE CONTINUUM

OFFICER PRESENCE

Vehicle and/or Officer (uniform/body language)

DIALOGUE

Verbal Direction (tone/command presence)

PASSIVE COUNTERMEASURES

Light subject control techniques (escort techniques/pressure points)

OLEORESIN CAPSICUM

Intermediate subject control

DECENTRALIZATION

Defensive tactics, heavy subject control (wrist locks, pain compliance, hair holds)

EMPTY HAND IMPACT

Strikes with hand, knee, elbow

INTERMEDIATE FORCE

Baton, impact weapons, chemical agents, Taser

LETHAL FORCE

Firearms, neck restraints

4. Neck chokeholds are considered deadly force.

- a. For the purpose of this policy, a choke hold is any physical hold applied to the neck of another person which is:
 1. Intended to inhibit blood flow through the carotid arteries of the neck by exerting pressure to one or both sides of the neck through the officers use of hands, arms, or any other instruments; *or*
 2. Intended to inhibit breathing by compressing the airway in the neck, by the officer's use of hands, arms, or any other instrument.
 3. The use of such hold is considered the use of potentially deadly force.
5. It is the policy of the Medina Police Department that to ensure Officer, public and suspect safety and to minimize escape risk, all persons under arrest or in custody shall have their hands secured with handcuffs, flex-cuffs or other approved temporary restraint devices. The Department recognizes that under certain very limited circumstances the use of handcuffs or temporary restraints may be inappropriate or inadvisable. In such instances the Officer must have articulated reasons for not securing the subject in question. Handcuffing is not considered as use of force but rather a restraint.
 - a. All persons will be handcuffed/flex-cuffed with their hands behind their backs in a manner consistent with methods recommended by the Washington State Criminal Justice Training Commission. Officers will apply handcuffs/flex-cuffs in a manner that properly secures the suspect's hands but does not create excessive restriction and/or tightness on the suspect's wrists. As a general rule handcuffs are properly applied if the officer is able to place the first joint of his/her finger between the handcuff and the suspect's wrist. All handcuffs shall be double locked both to ensure security of the suspect as well as to prevent excessive tightening.
 - b. Handcuffs/flex-cuffs will be removed at the discretion of the Officer responsible for the individual in custody. Officer safety, public safety and health of the detainee will be the primary considerations when doing so.
 - c. All Officers are required to carry a handcuff key with them and if flex-cuffs are used the Officer responsible for custody of persons so secured will have a proper tool for removing this restraint. Each patrol vehicle is equipped with side-cutting pliers for this purpose.
6. The Department recognizes that there are specific instances when Officers encounter persons who are unusually violent and/or out of control emotionally. In these situations the use of handcuffs or other temporary restraints alone may not be sufficient to control some individuals.
 - a. The following circumstances, though non-inclusive, may constitute situations in which total limb restraint is an appropriate use of force:
 1. Danger of self-inflicted injury to subject in custody.
 2. Danger of injury to Officer(s).

3. Danger of injury to others present at the scene.
4. Danger of escape.
5. Danger of property damage by subject in custody.
6. Danger of causing accident during transport.
7. When one or more of the above-noted circumstances is present Officers may at their discretion apply ankle cuffs, hobble cord or other approved chain or strap device to secure the subject's hands and legs behind his/her back. The hands and legs are then secured together behind the back by means of flexing the knees at an angle sufficient to join them together. This position in which all four limbs are immobilized behind the back as described is known as "total limb restraint."
8. Whenever possible, once total limb restraint has been applied, at least two Officers will carry him/her to the patrol vehicle. The individual will be placed in the back seat of the car on his/her side facing forward or sitting up but in no case will the individual be placed on his/her stomach or face down. **Once an individual has been placed in total limb restraint he/she will not be left unattended anywhere under any circumstances until released from restraint.**
9. If a subject in total limb restraint is transported in a Police vehicle it is **mandatory that the vehicle be occupied by two Officers.** The second Officer will be responsible for maintaining constant visual/verbal contact with the restrained subject during transport to monitor that the subject is able to breathe freely. Vomiting by a restrained subject shall require immediate attention by the observing Officer to check that the subject's airway is unobstructed by vomit.
10. Total limb restraint is considered a use of force and as such shall be applied in accordance with Department use of force policy.
11. Total limb restraints shall be removed prior to a subject being left alone in any jail or holding facility.
12. The use of a vehicle to make contact with a person or another vehicle in order to stop a fleeing offender is considered deadly force by this Department. Ramming is considered to be a use of deadly force and as such the policies and laws governing deadly force shall apply.

1.3.2 DEADLY FORCE

- A. Deadly force may only be used under the following circumstances:

When reasonably necessary to protect the member or others from what he or she reasonably believes is an immediate threat of death or serious physical injury.

- B. When a member uses deadly force, he/she or any other member present at the scene shall:
1. Ascertain if any person or property incurred injury or damage.
 2. Request necessary emergency medical assistance.
 3. Request a Supervisor at the scene.
 4. If uninjured, the member shall remain at the scene until instructed to respond or until transported to another location by or at the request of the Duty Supervisor or Command Officer.
 5. When injury or fatality occurs, the member is not required to discuss the incident with anyone other than his/her immediate supervisor, and an assigned investigator immediately following the incident.
 - a. The member shall not be required to submit a detailed report until 48 hours after the incident.
- C. The Supervisor shall:
1. Respond immediately and secure the scene.
 2. Call the Chief of Police if:
 - a. A firearm is discharged.
 - b. An injury, or, fatality, or property damage occurred.
 - c. There is a reason to believe the member perpetrated a criminal act.
 3. If the Officer's firearm was discharged, seize it and replace it immediately with any available Department weapon. If seized, the firearm will be submitted as evidence in accordance with existing policy away from view of the public.
 4. Initiate an investigation or otherwise render assistance to any assigned investigator.
- D. No Officer shall be allowed to carry a firearm or any other department weapon prior to completing the department approved qualifications and being trained in the limitations of the use of deadly force, as contained in this chapter.
- E. Firearms shall not be discharged under the following circumstances:
1. As a warning, in an attempt to induce surrender of a suspect.
 2. Killing an animal is only justified as follows:
 - a. For self defense;
 - b. To prevent serious or substantial harm to the Officer or another person;

- c. For humane purposes when no other alternative reasonably exists and after receiving approval from a Supervisor or Command Officer.

1.3.3 WARNING SHOTS ARE NOT AUTHORIZED

1.3.4 NON-LETHAL WEAPONS

- A. Use of non-lethal force is authorized by RCW 9A.16.020, and may be utilized when use of force is necessary and legally authorized. To successfully deal with situations requiring justifiable use of reasonable force, and minimize risk to the public and Officer(s) involved, certain non-lethal weapons are authorized for use by department personnel.
- B. A non-lethal weapon is any weapon other than a firearm or knife, used to control persons or defend the member or others from harm. Only authorized non-lethal weapons may be used:
 1. Non-lethal weapons include but are not limited to the straight stick baton, tactical baton, Taser and Oleoresin Capsicum (OC spray).
 2. No member will carry or use any lethal or non-lethal weapon without prior approval of the Department. No personnel will carry any weapon with unapproved modifications.
- C. Officers will receive annual re-training with non-lethal weapons. This re-training will be noted in the Department training files.
- D. Officers who are certified to carry an impact weapon are required to have it in ready access while working a uniform patrol assignment. Ready access requires the baton be at least available and carried in the patrol vehicle.
- E. Officers may carry their departmentally authorized non-lethal weapons while off duty, with prior approval of the Chief of Police. Any off duty use of non-lethal weapons by department members must comply with departmental guidelines, and must be reported in writing to the affected member's supervisor and Chief of Police.
- F. Aerosol OC is the only chemical agent to be carried by Officers. They are required to have it on their duty belt and in ready possession while working a uniform patrol assignment. OC aerosol canisters will be issued by the Department.
- G. Tasers shall be issued to and used only by Officers who have completed the Department's Taser Training Program. All Tasers and associated equipment shall be secured in the patrol vehicle.

1.3.5 RENDERING AID AFTER USE OF WEAPONS

- A. Appropriate medical treatment will be summoned through the Communications Center after lethal or less than lethal force is used, whenever:
 1. There is any obvious injury.

2. There is any complaint of injury.
3. The Officer or the Officer's Supervisor requests medical treatment be provided:
 - a. Initial medical treatment may be provided by the member depending on the training and expertise of that member.

1.3.6 USE OF FORCE - REPORTING

- A. A Use of Force Report will be completed whenever a member:
 1. Discharges a firearm for other than training or recreational purposes;
 2. Takes any action that results in, or is alleged to have resulted in, injury or death of another person;
 3. Applies force through the use of lethal or non-lethal weapons;
 4. Applies force when:
 - a. Medical treatment is requested or required; *or*
 - b. The force used results from a criminal charge (i.e. resisting arrest); *or*
 - c. Documentation is requested by the Officer or the Officer's Supervisor.
- B. The Use of Force Report shall be completed as soon as practical after the use of force occurs. Unless extenuating circumstances exist, the report will be completed prior to the involved employee(s) going off duty. The report shall be forwarded to the appropriate Supervisor, who will review and approve the report for completeness, accuracy, and compliance with policy, then forward up the chain-of-command for timely review.
 1. Photographs of the subject and injuries sustained as a result of the use of non-lethal force should be taken if possible and maintained in the incident case file.
- C. Officers are required to report any discharge of firearms, whether deliberate or accidental:
 1. Whenever an Officer discharges a firearm while performing any Police function with the exception of approved target practice, that Officer will report the facts of the incident orally to his/her immediate Supervisor as soon as practical after the incident in which the weapon was fired.
 2. A written report shall not be required of the Officer until 48 hours after the firearms discharge incident.
 3. If the Officer involved is injured, or unable to make the report, the Officer's immediate Supervisor will submit a written report prior to the end of the shift. This report will be submitted through the established chain of command to the Chief of Police, and will include a diagram as well as a detailed account of the incident.

- D. If an Officer discharges a firearm while off-duty for reasons other than legal sporting activities, target practice or other legal activity not involving the Police department, the member shall:
 - 1. As soon as practical and physically able, notify the Supervisor, who, in turn will notify the Chief of Police;
 - 2. File a written report through the chain of command to the Chief of Police upon the Officer's return to duty or upon the request of an Investigating Officer.

1.3.7 USE OF FORCE - REVIEW

- A. Use of Force Report forms will be forwarded to the Chief of Police via the Officer's Supervisor. When lethal or non-lethal weapons are used, a review of those actions will be conducted by the Chief of Police.
- B. The Chief of Police shall make a determination as to whether discipline, termination or criminal action may result from the incident, and if so, the Chief will order an internal investigation conducted.
- C. A complete investigation will be conducted into all shooting incidents, including any deliberate or accidental discharge of a firearm in the line of duty, except when firing on the Police range, unless an injury results from firing at the range.
 - 1. In the event of an accidental discharge of a firearm, the Officer's immediate Supervisor will notify the Chief of Police, complete an on scene investigation and prepare a report to the Chief of Police through the established chain of command.
 - a. In the event of an accidental discharge at the range, the presiding Firearms Instructor will prepare a report to the Chief of Police through the established chain of command.
- D. In the event that an Officer intentionally discharges a firearm or utilizes any other weapon while on duty, or while performing a Police function which injures or kills another person, the Officer shall comply with the provisions of 1.3.2.
 - 1. All Medina Police Officers will assist the investigator(s) or outside agency, and work under their direction in the conduct of the investigation.
 - a. The Medina Police Officer involved in a shooting incident will respond only to proper inquiries of other authorities and restrict comments only to facts. All inquiries from the news media shall be directed to the Chief of Police or his designee.
 - b. The Chief of Police will review the facts of the incident, and the findings and recommendations of the internal investigation. If the Chief of Police determines that a use of force with weapon is not within policy, and disciplinary action is warranted, the Chief of Police will determine the appropriate disciplinary action.
- E. The Department legal advisor will be available to provide information to the Officer and the Officer's family regarding various legal actions which may arise in connection with the death/serious injury incident, and to assist the Officer and the Officer's family in determining when to retain private legal counsel and what the Officer's rights to legal counsel are under

contract and City ordinance; and to provide other legal assistance as possible within the limitation that the legal advisor, as an attorney employed by the City, cannot ethically represent the Officer or the Officer's family.

1.3.8 REMOVAL FROM LINE OF DUTY

- A. When death or injury has resulted from the use of deadly force or fatal motor vehicle accident by an Officer, that Officer will immediately be placed on administrative leave by the Chief of Police. Administrative leave is in the interest of the department and the Officer and shall not be waived.
- B. An Officer involved in a death/serious injury incident will be removed from his line duty assignment and placed on mandatory administrative leave with pay for the duration of the Officer's shift and the following 48 hours.
 - 1. The involved Officer will meet for de-briefing and counseling with a departmentally designated psychologist or psychiatrist, experienced in assisting law enforcement personnel and their families to recognize and cope with the natural responses to a death or serious injury incident. The de-briefing meeting is mandatory and cannot be waived.
- C. The de-briefing meeting should take place as soon as possible following the incident and should occur within 48 hours after the incident unless the Officer's medical condition precludes the meeting within that period of time. All conversations between the Officer and the de-briefing psychologist or psychiatrist are considered confidential and subject to the doctor-patient privileges.
- D. When a member has been placed on administrative leave pursuant to this policy, the Chief of Police will determine:
 - 1. Whether or not the member should report to full duty on his/her regular assignment.
 - a. In determining the appropriate administrative action to take in terminating the Officer's administrative leave and returning the Officer to regular duty, the Chief of Police may seek and consider the professional opinion of a qualified Police Psychologist and/or treating physician as to:
 - 2. Whether the member needs additional recuperating time.
 - 3. Whether any modifications of the members' regularly assigned duties should be considered in order to facilitate the member's speedy return to full productivity.
- E. In the event of serious injury or death to an Officer, his family shall be notified in person by the Chief of Police, or other person(s) deemed most appropriate. In the event of an Officer's death or serious injury, the Department shall advise his/her family of appropriate professional assistance available and any benefits accruing to the family from the City of Medina and other governmental entities. The Chief of Police may grant administrative leave to a department employee for the purpose of assisting the involved Officer's family for such length of time as deemed appropriate.

1.3.9 AUTHORIZED WEAPONS AND AMMUNITION

A. Definitions

1. "**Member**" and "**commissioned personnel**" as used herein, means a full-time employee regardless of rank or position.
2. "**Uniformed commissioned personnel**" specifically refers to those members, who usually wear a police uniform for the majority of their hours of duty.
3. A "**primary**" **sidearm** means the basic firearm assigned to the member.
4. "**Secondary**" sidearm means a firearm carried while on duty in addition to the Officer's primary sidearm, and which is essentially intended for the self-defense of the Officer when his/her primary sidearm is unavailable or when circumstances reasonably preclude or restrict its use.
5. "**Proficiency**" means to demonstrate the proper loading, unloading, and safety techniques of the firearm and requires the attainment of a minimum passing shooting score on a familiarization course.
6. "**Qualified**" means to have attained a minimum passing shooting score in any qualification course of fire conducted by a Firearms Instructor.

B. Officers shall carry only those weapons authorized, lethal and non-lethal. Only weapons and ammunition meeting Department-authorized specifications may be used by department personnel in law enforcement responsibilities both on and off duty.

1. Firearms will not be displayed, exhibited, handled or placed in such a manner or position that would initiate valid criticism of the department, or violate public safety. In addition firearms will not be handled and/or placed in a manner, which endangers persons in the proximity of the firearm.
2. When employees are not carrying Department owned weapons on their persons, the weapon shall be kept in a locked and secured area, or in a secure place when off-duty and at home.
3. Side-arms (pistols/revolvers, both personally owned and Department issue) that are brought into the police station shall be carried in a safe manner. A holstered weapon will be carried loaded with a full magazine/cylinder of ammunition. Any weapon that is carried loaded and is not secured upon one's person shall be secured in a locked desk, locked locker or other suitable secured area. A weapon may be transferred from holster to holster or from locker to holster and back without using the clearing barrel, provided that the operator does not intend to manipulate the action at that time.
4. The clearing barrel will be used for the safe loading/unloading of weapons or as a place to point a weapon while performing a function check of any of the Department's weapons. The clearing barrel should be used for any type of maintenance, cleaning, rotation/changing of ammunition, or prior to long-term storage. It should also be used to

check the functioning and status of a weapon prior to the start of shift. No person shall load, unload or work the slide/open the cylinder of a weapon while inside the Police Department building or immediately outside the building - except at the clearing barrel. The weapon may only be loaded, unloaded or have the slide/cylinder worked while it is pointing directly at the opening of the clearing barrel. This policy does not limit anyone from using his or her weapon in accordance with Department Policy Section 1.2 Use of Force, nor does it apply to an authorized armorer who is working on a weapon within the Department armory.

5. All firearms intended for use by each department member shall first be inspected and approved by a Department armorer prior to authorization for use.
 - a. Prior to carrying weapons, including firearms and non-lethal, department members shall demonstrate proficiency as prescribed in 1.3.10.
 - b. Maintaining weapons in a safe and ready condition is the responsibility of the employee to whom the weapon is assigned for use. Unsafe weapons will be removed from service and reported immediately to the Officer's Supervisor. Unsafe weapons will be forwarded to the designated Firearms Instructor or Armorer for replacement and repair/disposal.
6. A complete record of each weapon, both lethal and non-lethal, approved for use by department members shall be maintained. Approval is conditional upon periodic re-qualification as required in 1.3.11, and each record shall include:
 - a. Weapon type, description, model, and serial number
 - b. Identity of owner and/or assignee
 - c. Name of person approving use, and date of approval
 - d. Record of demonstrated proficiency.
7. Employees shall immediately report the loss or theft of any Department or personally owned firearm to the Police Chief through the chain of command. The report will be in writing and will detail all the facts concerning the incident.

C. On-Duty: Every commissioned member in uniform shall carry a primary sidearm in service-ready conditions with two extra loaded magazines on his or her person during hours of duty. Every regular Officer employed by the Department will be issued a duty weapon. It is not required that a firearm be carried while inside the Medina Police Department.

1. Plain-clothes personnel assigned to enforcement and/or investigative activities shall carry a primary sidearm and an additional loaded magazine on his/her person during hours of duty. Plainclothes Officers shall carry their firearm concealed in a holster. It is not required that a firearm be carried while inside the Medina Police Department.
2. Undercover Officers may carry firearms consistent with their particular type of assignment, with the specific approval of the Chief of Police.
3. The sidearm for all commissioned personnel and/or for wear with the Police uniform by

all commissioned members, shall be a Sig Sauer Model 226, semiautomatic, caliber 40 S&W. The ammunition provided by the department for duty and training is Speer Gold Dot 180 grain hollow point duty ammunition.

4. Deviations from this may occur only with the written approval of the Chief of Police.
5. Firearms carried on duty shall be maintained in a clean serviceable condition, subject to any immediate inspection by a Supervisor or Firearms Instructor. The Firearms Instructor or Armorer shall inspect each firearm during firearms qualification.

D. **Off-Duty:** Officers may, at their option, carry their employer provided duty handgun while off duty.

1. If an off duty firearm is carried, it must comply with the provisions of this procedure.
2. A **secondary sidearm** may be worn by Commissioned Officers at their discretion, provided that the secondary sidearm conforms to the following specifications, and is carried in a concealed manner:
3. All secondary sidearms shall first be inspected and approved by a Department Armorer for safety. A Department Firearms Instructor must certify that the Officer has demonstrated the required proficiency, and on the basis of safety, the method by which the secondary sidearm is to be carried.
4. Any Officer electing to carry a secondary sidearm must first initiate a "Firearms Authorization" form obtaining the required clearances indicated on that form.
5. A semi-automatic pistol or double-action revolver with a minimum of five round capacity in any of the following calibers:
 - a. .380 ACP, 9mm Luger, .38 SPL, .357 Magnum, .40 S&W, .45 ACP, or 10 mm.

E. Inspections of firearms shall be done by the department's designated Firearms Instructor or Armorer.

1. Mechanically unsafe firearms shall not be knowingly carried on duty.
2. Any malfunction of a firearm shall be reported immediately to the shift Supervisor who will see that a replacement is issued and that the unsafe departmental firearm is submitted to the agency Armorer for repair. Personally owned weapons will be repaired at the Officer's expense before being used on duty. Once repaired, the Armorer shall inspect the repair, if done by a private gunsmith, prior to allowing the Officer to carry it on duty.

F. The only authorized shotgun is a department issue 12-gauge shotgun, Remington Model 870. Officers shall use only Department issued ammunition.

- G. A "Patrol Car Ready" Shotgun shall be in each vehicle used for patrol purposes.
1. The shotgun will be carried and securely locked in the electric gun rack with:
 - a. Safety on
 - b. Empty chamber, cocked condition
 - c. 6 Rounds 00-Buck in the magazine
 - d. 5 slugs mounted on the butt stock
 2. Shotguns will be kept unloaded while stored in the Police building. A designated safety barrel will be used for loading and unloading the shotgun.
 3. Rounds will not be carried in the chamber until such a time as it becomes obvious that a threat will or may be encountered by an Officer.

NOTE: Nothing in this policy prohibits the officer from conducting a more complete inspection. The Department recognizes that emergencies, such as calls in progress at the beginning of a shift, may preclude an inspection. Officers should endeavor to conduct an inspection at their earliest possible opportunity in such circumstances.

- H. The shotgun electric lock rack will be unlocked only when the weapon is to be removed from the vehicle in preparation for authorized use, cleaning, and storage.
- I. During certain situations when authorized by the Chief of Police, designated Department members may carry special weapons such as rifles and automatic weapons.
1. No Officer will be authorized to carry any special weapon unless currently qualified on a Department certified qualification course.
- J. Only that ammunition most recently issued by the Department shall be carried or used in a primary sidearm. Officers are prohibited from modifying any ammunition provided.
1. On-duty uniform members shall carry at least 2 magazines of extra rounds of authorized duty ammunition on their person.

- K. Each Officer shall be issued an appropriate number of rounds each year.
 - 1. Officers who utilize ammunition in the course of their duty shall request replacement ammunition from a Firearms Instructor. If issued ammunition is physically damaged, it will immediately be replaced as well.
- L. Ammunition for a secondary or off-duty sidearm shall be limited to approved unmodified factory loaded commercial ammunition other than fully jacketed or a solid lead bullet.

1.3.10 WEAPONS PROFICIENCY - REQUIRED

- A. Only Officers demonstrating proficiency in the use of Department authorized weapons, both lethal and non-lethal, both on and off duty will be approved to carry such weapons.
- B. In addition to every Officer meeting the minimum Department shooting qualifications, each sworn Officer shall receive instruction on the operation, safety, cleaning, and the proper policies and procedures governing the use of Department approved Police firearms;
 - 1. All Officers who are required to carry a firearm shall qualify at least annually with all firearms carried.
 - 2. Officers who are unable to participate on the assigned qualification date will give a written notice to the Administrative Lieutenant prior to the scheduled time. This notice will explain the conflict and if approved, a make up date for qualification will be scheduled.
- C. All Officers are required to participate in Department firearms qualifications.
 - 1. No Officer shall be allowed to carry a Department firearm prior to achieving the minimum proficiency qualification. Minimum proficiency is a condition of employment for Officers who must carry a firearm in the performance of their duties.
 - 2. Any Officer who is unable to achieve the minimum required proficiency shall be reported to the Chief of Police. This Officer will have 30 days from the last qualification date in which he/she shall qualify. Efforts toward remediation at the direction of a Firearms Instructor shall occur during this period. The Officer shall not otherwise be assigned to limited duties during this period, unless directed by the Chief of Police.
- D. All Officers will demonstrate knowledge of:
 - 1. The laws concerning the use of authorized weapons;
 - 2. Department policy on use of force, escalating force, and deadly force;
 - 3. Recognized safe-handling procedures for the use of these weapons.

1.3.11 WEAPONS PROFICIENCY – ANNUAL TRAINING

- A. The Department shall provide safe and comprehensive firearm training to all commissioned personnel.
- B. Firearm qualification sessions will be conducted twice each calendar year.
 - 1. Subdued Light Qualification - At least one of the annual firearms qualifications shall be under subdued light conditions.
 - 2. These sessions shall include weapon maintenance and sighting, individual coaching, and additional practice opportunities (time permitting).
 - 3. At least one session will be designated as a daytime "qualification" session.
 - 4. Scoring procedures will include both marksmanship and stress factors.
 - 5. Shotgun and/or rifle qualifications shall be a part of Department firearms qualifications.
 - 6. Qualification courses for secondary weapons shall be conducted on a yearly basis.
- C. All commissioned personnel shall be proficient in the use of firearm(s) regularly carried as their primary weapon.
 - 1. Participation in all firearm training sessions is mandatory for all commissioned personnel and nonparticipation shall be reported to the Chief of Police.
- D. All participating personnel shall be subordinate to the Firearms Instructor; Instructors and Coaches while on the range.
- E. The Administrative Lieutenant shall be responsible for:
 - 1. Overall administration of the firearms training program.
 - 2. Maintenance of individual firearm performance records.
 - 3. Recommendation of appointment and certification of Firearms Instructors.
 - 4. Ensure constant and complete inventory of all Department owned firearms, firearms equipment, holsters, handcuffs, nylon leather gear, ballistic vests, ammunition, and other related equipment is maintained.
- F. The Firearms Instructor(s) shall:
 - 1. Ensure that the department armory is secure and will authorize the removal of any firearm or other items from the armory.
 - 2. Suggest firearm training standards and methods of attainment, and prepare a lesson plan for approval by the Chief of Police.
 - 3. Review weapon and ammunition needs; submitting a comprehensive analysis to the Chief of Police when appropriate.

4. Establish responsibilities for range rules for the safety and protection of the participants and others.
5. Assist in the preparation of a preliminary firearms equipment and training budget.

G. During each firearms training session, the Firearms Instructor(s) shall:

1. Provide adequate training and supervision to participants;
2. Provide regular firearm training in accordance with the approved course of fire;
3. Provide individual instruction to participants when necessary or requested.
4. Ensure compliance with all range safety rules and procedures, and maintain range discipline;
5. Provide firearm training reports to the Administrative Lieutenant.

1.3.12 INSTRUCTION PRIOR TO CARRYING WEAPON

- A. All Officers authorized to carry weapons will be issued copies of and be instructed in the policies described in 1.3.1 through 1.3.5, and demonstrate their understanding before being authorized to carry a weapon.
- B. The issuance and instruction shall be documented, and maintained by the Training Officer.

1.3.13 USE OF FORCE REPORTS - ANNUAL ANALYSIS

- A. In January of each year, the Chief will direct that an annual analysis of use-of-force incidents occurring the prior calendar year be conducted. The analysis will include the number and types of Use-of-Force Reports as required by 1.3.6.
- B. The Chief will review the annual analysis to determine if there are patterns or trends that could indicate training needs and/or policy modifications.

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|--|---|---------------|
| Effective Date July 13, 2001 | Number WASPC Chapter 2 | |
| Subject Agency Jurisdiction & Mutual Aid | | |
| Reference CALEA Chapter 2 | Special Instructions First Draft - Issued January 16, 2001 | |
| Distribution February 22, 2002 | Approval | No. Pages - 4 |

{tc \l 1 "AGENCY JURISDICTION, MUTUAL AID, REGIONAL SERVICES"}

**2.1 {PRIVATE }AGENCY JURISDICTION
2 "AGENCY JURISDICTION "}**

CALEA 2.1.1}{tc \l

2.1.1 ON DUTY AUTHORITY

On Duty Officers of Medina may exercise their authority when on duty anywhere outside the City of Medina and in the State of Washington when any of the following conditions exist:

- A. Where the written consent of the Sheriff or Police Chief in whose primary jurisdiction the exercise of authority occurs;
- B. In response to an emergency involving the immediate threat to human life and property;
- C. In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a Peace Officer with enforcement authority;
- D. When the Officer is transporting a prisoner;
- E. When the Officer is executing an arrest or search warrant;
- F. When the Officer is in fresh pursuit. Any Peace Officer that has statutory authority under Washington law to make an arrest may proceed in fresh pursuit of a person:
 - 1. Who is reasonably believed to have committed a violation of traffic or criminal law or;
 - 2. For whom such Officer holds a warrant of arrest.

The Officer in fresh pursuit shall have the authority to arrest and to hold such person in custody anywhere in the state. The term fresh pursuit includes, without limitations, fresh pursuit as defined by the common law. Fresh pursuit does not imply immediate pursuit, but pursuit without unreasonable delay.

2.1.2 OFF DUTY AUTHORITY

An Officer of the Medina Police Department may exercise the authority when off duty anywhere outside of the City of Medina and in the State of Washington when the following circumstances exist:

A. In response to an emergency involving the immediate threat to human life, or serious threat to property, or

B. In response to the request of a Peace Officer with enforcement authority.

2.1.3 OFF DUTY EMPLOYMENT

Officers of Medina may not use the authority for any off-duty employment outside the City of Medina except by the express permission of the Police Chief with the concurrence of the Chief Executive of the other jurisdiction.

2.1.4 NOTIFICATION

Officers are required to notify their immediate Supervisor any time they exercise any authority under the Act outside of the City of Medina. The Supervisor may require a written report.

2.2 {PRIVATE }PARTICIPATION IN CHRI SYSTEM {tc \ 2 "PARTICIPATION IN CHRI SYSTEM"}

2.2.1 STATUS

The agency maintains full participation within the State fingerprint/criminal history records system.

2.3 {PRIVATE }TASK FORCES

{tc ¶ 2 "TASK FORCES"}

2.3.1 GOVERNING AND AUTHORIZATION

The Medina Police Department's participation in any task force shall be governed by Inter-local agreements and an operating procedures manual. The Department shall not participate in any task force unless authorized by the Chief of Police.

**2.4 {PRIVATE }PEACE OFFICERS POWERS ACT
"PEACE OFFICERS POWERS ACT"}**

CALEA 2.1.3{tc ¶ 2

2.4.1 AUTHORIZATION

As a general authority Washington law enforcement agency, the City of Medina is authorized to commission its Police so they may enforce the laws of the State of Washington and the ordinances of the City of Medina. The Act of 1985 extends the authority to enforce State law throughout the State of Washington to all fully Commissioned Officers of a general authority law enforcement agency under specific conditions. This policy is intended to identify when a Medina Police Officer may exercise his/her authority under the Act of 1985. It should be noted that nothing in the Act requires action by a Commissioned Officer. Copies of all agreements are kept in a binder maintained by the Records Manager in the Records Section.

2.4.2 {PRIVATE }RESTRICTION AND REQUIREMENTS{tc ¶ 3 "RESTRICTION AND REQUIREMENTS"}

All Medina Police officers who possess a certificate of equivalency, or have been exempted from the requirement by the Washington State Criminal Justice Training Commission, may enforce the traffic or criminal laws of the State throughout all jurisdictions under the following circumstances:

- A. Upon prior written consent of the Sheriff or Police Chief in whose primary territorial jurisdiction the exercises of the powers occur;
- B. In response to an agency involving an immediate threat to human life or property;
- C. In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary jurisdiction, or in response to the request of a Peace Officer with enforcement authority;
- D. When the Officer is transporting a prisoner;
- E. When the Officer is in fresh pursuit;

F. When the Officer is executing an arrest warrant or search warrant;

2.4.3 REPORTING

The circumstances surrounding exercise of Police Officer authority shall be reported to the law enforcement agency with primary jurisdiction in a timely manner.

2.4.4 SUPERVISION

All Officers exercising their authority outside the City limits of Medina are subject to supervisory control and limitations of the Medina Police Department. By agreement with another agency, supervision may be temporarily delegated to the agency, i.e. the King County Narcotics Task Force.

2.4.5 LIABILITY

Liability that arises out of the exercise of Police authority in another jurisdiction remains with the Medina Police Department, unless the Officer acts under the direction of another agency.

2.4.6 AUTHORIZED FUNCTIONS AND BENEFITS

All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension relief, disability, workers compensation insurance, and other benefits which apply to the activity of the Officers of the Medina Police Department when performing their respective functions, within the City of Medina shall apply to them and to the Medina Police Department to the same degree and extent while such Officers are engaged in the performance of authorized functions and duties under Chapter 89 RCW.

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|-----------------------------------|--|---------------|
| Effective Date July 13, 2001 | Number WASPC Chapter 3 | |
| Subject | Contractual Services | |
| Reference CALEA Chapter 3 | Special Instructions Last Reviewed January 10, 2002 | |
| Distribution February 22, 2002 | Approval | No. Pages - 1 |

3.1 CONTRACTUAL SERVICES

CALEA 3.1.1

3.1.1 APPROVAL AND DIRECTION

Only the City Manager, with City Council approval and direction, may contract for any services. The Chief of Police or designee may request contracted services or products. If approved in concept by the Council, the City Manager may direct the City Attorney to develop a contract, using such input from the Chief of Police and Finance Officer as is necessary to meet the needs of the Department.

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|--|----------------------|---------------------------|
| <u>Effective Date</u> July 13, 2001 | | Number WASPC Chapter 4 |
| Subject Legal Advice & Liability | | |
| Reference CALEA Chapter 22 | Special Instructions | |
| Distribution February 22, 2002 | Approved | No. Pages - 1 |

4.1 LEGAL ADVICE

4.1.1 CITY ATTORNEY/CITY PROSECUTOR

Legal advice for the Medina Police Department is provided by the City Attorney and/or City Prosecutor.

4.2 LIABILITY INSURANCE

CALEA 22.2.7

4.2.1 WASHINGTON CITIES INSURANCE AUTHORITY

The City of Medina provides liability insurance for all its employees including Police employees through Washington Cities Insurance Authority. The Authority is a pool of many governmental entities in Washington State. The Authority is self-funded. Punitive damages are NOT covered or provided by the City of Medina nor by the Washington Cities Insurance Authority.

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|---|---|---------------------------|
| <u>Effective Date</u> July 13, 2001 | | Number WASPC Chapter 5 |
| Subject Organization | | |
| Reference CALEA Chapter 11 & 12 | Special Instructions Last Reviewed February 20, 2002 | |
| Distribution February 22, 2002 | Approval | No. Pages - 9 |

5.1 ORGANIZATIONAL STRUCTURE

CALEA 11.1.1

The Medina Police Department is organized along departmental and functional lines, combining the advantages of direct lines of authority with assistance from various specialized positions. The following ranks of authority (in descending order) shall establish the chain of command within the Medina Police Department.

1. Chief of Police
2. Captain
3. Lieutenant
4. Corporal/Detective
5. Police Officer

A. Command

The Chief of Police is appointed by and reports directly to the City Manager of the City of Medina. The Chief of Police has overall authority and management responsibility of the Police Department. All personnel report to the Chief through their respective Supervisors. The Chief is responsible for establishing and monitoring plans, goals, standards, and operating procedures for the department. The Chief of Police is also responsible for assuring the financial well-being of the department by performing cost control activities, monitors all fiscal operations of the Department, and prepares the annual budget. The Chief of Police is the liaison between the City Council and the Department, and communicates City's programs and policies to department staff.

B. Supervision

The Captain reports directly to the Chief of Police. The Captain assists the Chief of Police by coordinating all department functions and activities through the direction of the Lieutenant. The Captain will generally oversee department investigations through the Corporal/Detective. The Captain will perform the duties of the Chief of Police in his absence.

The Lieutenant reports directly to the Captain conducting the department's budgetary, operational and planning activities. The Lieutenant assists in developing department policies and procedures. The Lieutenant plans, organizes, directs and supervises the Corporal and Officers assigned patrol

responsibilities by function. The Lieutenant exercises management control over specific functions that support the administrative and operational needs of the Department.

C. Non –Supervisory Positions

The Corporal/Detective exercises periodic supervisory control, and contributes to the rating of officers vis-à-vis quarterly and annual performance appraisals.

Dependent upon department needs, patrol officers are designated as detectives for purposes of conducting complex or community sensitive criminal investigations.

Patrol officers are responsible for responding for primary calls for service and exercise no supervisory control unless assigned temporary duties as a Field Training Officer.

5.2 PERSONNEL RESPONSIBILITIES

CALEA 21.1.1

The duties and responsibilities of each position in the Medina Police Department are established and validated through the process of job task analysis. The essential functions, scope of work, job conditions, knowledge, skills and abilities and special licensing or certification requirements are identified through this process. Job descriptions are maintained by the Records Manager and are updated as required.

5.3 DIVISION RESPONSIBILITIES

CALEA 11.1.1

5.3.1 OPERATIONAL RESPONSIBILITIES

A. The Patrol Function, through pro-active and reactive Police patrol measures, provides the initial response capability to the majority of calls for service received by the Department, and performs a substantial amount of case investigation and follow up.

Patrol Functions shall provide, but not be limited to, activities relating to the following:

1. Preventive patrol directed at the prevention of criminal acts, vehicle related violations (including accidents), the maintenance of public order, and the discovery of hazardous situations.
2. Inspectional services to determine compliance with various statutes including City permit requirements.
3. Community policing activities such as watch programs, residential surveys, and other problem solving strategies implemented in partnership with the community and with other law enforcement, public, and private agencies.
4. Calls for service, both routine and emergency in nature, on a 24-hour basis.
5. Investigation of both criminal and non-criminal acts within the City of Medina's jurisdiction.
6. The arrest of criminal offenders.

7. Assist the Washington State Department of Corrections in monitoring persons who reside within the City limits who are community custody inmates, as well as maintain a regular information exchange on other contacts with persons who are under D.O.C. supervision.

8. The sharing of information between all police personnel within the Department, as well as outside and other governmental agencies.

9. Personnel may operate both as an individual and in teams as directed by a Supervisor. Either as individuals or as teams, personnel shall take an active role in solving problems within the scope of patrol response capability as well as on a Department wide basis through efforts in improvement and innovation.

B. The School Resource Officer function is performed or otherwise coordinated by an assigned officer. The duties associated with the School Resource Officer are to teach personal safety at the elementary school(s) located in the City of Medina. Personnel assigned to the School Resource Officer function assume patrol duties based on departmental needs.

C. The Bicycle Patrol Officer function is performed or otherwise coordinated by three officers assigned. The Bicycle Patrol duties are to enforce traffic laws in the City of Medina during months weather permitting. Personnel assigned to Bicycle Patrol are based on departmental needs.

D. Criminal Investigations – Patrol Officers, the Detective and Corporal will be assigned preliminary, follow-up and special investigations as conditions and availability require. Included within this process is the objective of establishing an information base of criminal activity, encompassing the identification and apprehension of offenders. Level of training and experience may be used to determine the assignment of specific cases to different personnel.

E. Juvenile Crimes Investigation – Patrol Officers, the Detective and the Corporal will be assigned preliminary, follow-up and special investigations as conditions and availability require. Level of training and experience may be used to determine the assignment of specific cases to different personnel. The duties associated with juvenile crimes investigation include, but are not limited to, the following:

1. Conducting investigations and follow-up investigations of child abuse and/or neglect.
2. Conducting investigations and follow-up investigations in cases where juveniles are named or are specific suspects.
3. Conducting investigations and follow-up investigations in cases where juveniles are crime victims.
4. Conducting investigations and follow-up investigations of all runaways.
5. Coordinating, recording, and routing of all juvenile cases to the appropriate prosecution agency.
6. Function as department liaison with King County Juvenile Court, Child Protective Services, DSHS, and other governmental and private agencies related to juveniles, and with other divisions of this, and other agencies.

7. Function as Training Officer on Juvenile Code, inter-agency procedure, and other related juvenile matters.
8. Conduct parent/offender interviews, if needed or requested.
9. Function as resource officer to other members of this Department and to assist them in juvenile matters and investigations.
10. Coordinate, develop, implement, and monitor programs which are designed to prevent and control juvenile delinquency.

F. Criminal Intelligence - Intelligence information gathering will be conducted in accordance with standard and accepted Department practices and procedures. Intelligence information collected through standard reporting procedures such as case crime reports and criminal information, and field information reports will be analyzed by the detective and disseminated through crime information bulletins and similar reports. Intelligence information collected and analyzed will be disseminated to law enforcement community members only after Captain's approval and the following have been established:

1. The accuracy and reliability of information.
2. Whether the dissemination of information would compromise the identity of the source of information.
3. Requester's right and "need to know."

Intelligence information will not be disseminated, formally or informally, to any non-law enforcement agency or individual.

5.3.2 ADMINISTRATIVE RESPONSIBILITIES

Administrative responsibilities include the support of the records function, property and evidence function, FTO Program and in-service training, recruitment, public information and WASPC accreditation.

A. Records Function - The Lieutenant is responsible for reviewing all submitted reports for accuracy and completeness. From these, statistical information for the Uniform Crime Report (UCR) is recorded, which is done according to the reporting guidelines and/or requirements of the Uniform Crime Reporting Handbook and the Washington Association of Sheriffs and Police (WASPC).

1. Investigative reports are placed into a numbered file folder corresponding to the chronological case number which has been assigned (i.e., 99-1234 – beginning with the year, and case number for the year). An audit trail form is included to provide control, tracking, and dissemination of copies of each report.

2. Non-investigative reports are maintained according to Departmental standards and state law in order to provide security and authorized access. Records are maintained in alphabetical systems. (Reference RCW 10.97, 42.17, and 13.50)

3. Copies of Washington Uniform Criminal and Notice of Infractions are maintained numerically.

4. Records personnel will be responsible for the issuance and records management, including fingerprinting when appropriate, of all licenses and permits. All requests for information from the Police Department will be managed and processed in accordance with the Freedom of Information Act and other applicable statutory provisions.

B. Property Management Function - All evidence and found property items are the sole responsibility of the Property/Evidence Manager - Lieutenant, who reports directly to the Captain. The Lieutenant is solely responsible for evidence and found property from the time of receipt from the submitting officer through disposition. All records, whether computerized or documentary, shall be kept in a secure/tamper proof condition to prevent removal or record manipulation.

1. All evidence and found property access is controlled by the Lieutenant by limiting access to evidence and found property storage facilities, files, and locations.

C. Training Management - The Lieutenant will report all issues relative to training to the Captain and has the primary responsibility for all training of sworn and civilian personnel. The Lieutenant is assisted by the Records Manager who maintains training records and assists in coordinating in-service training.

D. Recruitment Activities - The Captain is responsible for the administration and supervision of all phases of the selection process. The various phases are:

1. Recruitment
2. Testing
3. Eligibility lists
4. Background investigations
5. Offers of employment
6. Appropriate liaison with the City of Medina

The Captain may delegate any of the above listed duties to the Training Officer.

E. Public Information/Media Relations - The Captain will be the primary Public Information Coordinator. If the situation warrants, other personnel may be designated to this function, preferably someone who has previous Public Information Officer (PIO) or media release experience.

F. Accreditation Management - The Captain will function as the WASPC Accreditation Manager. It is the responsibility of the Accreditation Manager, to ensure compliance with the policies and procedures that have been adopted and signed by the Chief of Police. Any changes to the department's Manual of Standards can be recommended in writing by any department personnel and forwarded, through their supervisor, to the Accreditation Manager.

5.4 COMMAND PROTOCOL

CALEA 12.1.2

5.4.1 CHAIN OF COMMAND

The chain of command for the Medina Police Department consists of the Chief of Police as the Department Head. Next in command during the Chief's absence, unless otherwise designated by the Chief of Police, the Captain, the Lieutenant, the Corporal/Detective and then the day shift non-probationary Officer on-duty.

- A. Direct Command - Each patrol/operational component of the department is under the command and control of the Lieutenant who reports to the Captain. The Corporal/Detective who will report directly to the Captain will generally handle investigative cases. The Captain reports directly to the Chief of Police. The Records Specialist reports directly to the Records Manager. The Records Manager reports directly to the Captain. Each employee of the Medina Police Department is under the direct command of only one Supervisor.
- B. Limits of Span of Control - As a general rule, no Supervisor shall have more than six personnel assigned within their span of control. Occasions may arise for short periods where exceptions to this rule may be necessary for efficient operations.
- C. Interdepartmental Cooperation – When a part or all of the Department is engaged in a single operation that requires the deployment of personnel and resources in the field, the Captain will assume primary responsibility, unless otherwise directed by the Chief of Police.

5.5 ORGANIZATIONAL SUB-DIVISIONS

CALEA 11.3.2

5.5.1 MANAGEMENT CONTROL

The Chief of Police maintains an immediate and direct line of management control through the Captain.

5.5.2 INTERNAL AFFAIRS

The Medina Police Department operates the Internal Affairs function at the direction of the Chief of Police. The purpose of the Internal Affairs function is to maintain a procedure for receiving, recording, and investigating complaints against the Department or alleged employee misconduct.

In addition, but not limited to this, the Chief of Police or his designee will investigate allegations of corruption, brutality, use of force, breach of civil rights, insubordination, or criminal misconduct. It may include performance for duty, discourtesy, or sexual harassment, etc., covered under Civil Service Rules and the Manual of Standards.

Conduct is typically not a matter subject to Department review. Exceptions to this guideline exist when an alleged act(s) occurred under color of office or official capacity, or when the act impairs the efficiency and operation of the Department, or when an off duty act is criminal or is specifically prohibited by policy, i.e., private vehicle pursuits, carrying an unauthorized weapon, etc.

5.6 ACCOUNTABILITY OF AUTHORITY

CALEA 11.3.1

5.6.1 DELEGATION OF AUTHORITY

It is the expectation of this Department that all persons delegated authority to act in an assignment will make the necessary decisions needed to achieve successful results. To aid in this, the Department will assist in the decision making process by providing adequate training and/or clear direction(s) necessary to function in the assignment(s).

5.6.2 ACCOUNTABILITY

Officers and supervisory/management staff will abide by department standards, laws, and directions in exercising this authority, and will keep superior officers aware of problems and/or issues/problems that occur. It is the expectation of this Department that any member delegated authority will recognize and accept the need for individual accountability for actions resulting from delegated authority. This accountability extends to any employee delegated authority who fails to use the responsibility when warranted and/or expected. Each employee is accountable for the use of delegated authority.

all employees are expected to be aware of Department standards, orders and written directives, as well as Civil Service Rules and Regulations.

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|-----------------------------------|---------------------------|---------------|
| Effective Date July 13, 2001 | Number WASPC Chapter 6 | |
| Subject COMMAND | | |
| Reference CALEA Chapter 12 | Special Instructions | |
| | Last Reviewed | |
| Distribution February 22, 2002 | Approval | No. Pages – 8 |

6.1 CHIEF EXECUTIVE OFFICER AUTHORITY CALEA 12.1.1

The rank of Chief of Police of the department was created under the City of Medina Code Section 2.16.030 as an appointed position. Appointments to this position are made by and report to the City Manager.

The authority to make this appointment derives from Medina’s status as an optional municipal code city, under RCW 35A. State statute RCW 35A.12.020, entitled Appointive Officers – Duties – Compensation, and state Constitution Article XI, section 11, stipulate the office and enforcement.

The Chief’s job description describes the authority and management responsibilities of the position. See job description notebook for a copy.

6.2 CHAIN OF COMMAND CALEA 12.1.2

- A. Normally, the Chief of Police will identify the Command Officer who will assume all responsibilities and duties by nature of rank, with the exception of discipline concerning suspension, demotion, and dismissal. Emergency suspension is authorized for serious rule violations.
- B. The order of precedence for operational command authority in absence of the Chief of Police in an emergency will be the Captain, on-duty Lieutenant, off-duty Lieutenant, Corporal, then the full-time non-probationary Patrol Officer working the shift.
- C. Major operations or emergencies will normally be under the direction of the Chief of Police, or in his/her absence, the assigned Captain.
- D. The Operations Lieutenant will be the ranking Officer while on duty. When an Operations Lieutenant is not on duty, the senior ranking Officer will be the ranking Officer on duty.

6.3 SUPERVISOR ACCOUNTABILITY

CALEA 11.3.2

The job description(s) applicable to the ranks of supervision shall cover the areas of responsibility and accountability for the particular position. Each Supervisor shall be issued a copy of their job description upon promotion and/or when changes are made. The Chief of Police may also issue directives to Supervisors which specify additional responsibilities and limits of authority. Supervisors are encouraged to exercise the authority and responsibility of their position as a means of professional and personal growth. Along with this expectation is the realization by the Supervisors that they also accept the responsibility, and are held accountable for their subordinates, and their own actions.

6.4 DUTY TO OBEY LAWFUL ORDERS

CALEA 12.1.3

- A. All employees will promptly obey any lawful order of a superior, including orders relayed from a Supervisor by an employee of the same or lesser rank. Failure to obey a lawful order shall be judged to be insubordination.
- B. Orders from superior to subordinate shall be in clear, understandable language, civil in tone, and issued in pursuit of departmental business. No Superior Officer shall knowingly issue any order that is in violation of any law or ordinance or departmental rule. Should an order conflict with any order given previously by another Superior Officer or department order, the Officer to whom such order is given shall call attention to the conflict. If the Superior Officer giving such order does not change his order to eliminate the conflict, the Superior Officer's order shall stand and the Superior Officer shall be responsible for same.
- C. No employee is required to obey any order that is contrary to Federal or State law, or local ordinance. Responsibility for refusal to obey rests with the employee, who shall be required to justify the refusal. Employees who are given orders which they believe to be unjust or contrary to established Departmental rules and regulations, must first obey the order to the best of their ability, and then may proceed with an appeal. Any employee receiving an unlawful, unjust, or improper order which violates established Federal law, State law, City ordinance, or Department rule or regulation, shall at first opportunity, report in writing to the immediate Supervisor of the employee who issued the order. This report shall contain the facts of the incident and the unlawful, or unjust, or improper order believed issued. Appeals for relief from such orders may be made at that time.

- A. Pursuant to authority granted to the Chief of Police, the Manual of Standards is hereby established for the operation of the Medina Police Department. These standards and all orders are approved and issued by the Chief of Police of the City of Medina.
1. Responsibility to issue, modify or approve these standards, General Orders, Special Orders or Personnel Orders rests with the Chief of Police or a designee. This manual supersedes all previous rules and regulations, general orders, special orders and/or other written directives issued under the legal authority of the Chief of Police.
 2. This manual is written by order of the Medina Chief of Police to standardize the operation of the Department and increase the level of professionalism and competency of department employees.
 3. The most effective approach to improving the operation and maintenance of the department is that of trained and informed personnel. This manual will be an aid to increasing efficiency and job knowledge. The Chief of Police's goal is to create a better understanding of Department policy and procedures, and of principles of sound department administration.
 4. The electronic method of transmitting General Orders, Special Orders, Personnel Orders and Intra-Office Memoranda will be an accepted practice. The opening of e-mail serves as verification of each employee's receipt and understanding of any order delivered electronically.

B. Department publications are restricted to the following:

1. General Orders are intended to implement new Police Department operating procedures or expand upon existing rules and regulations of the Department. General Orders are issued by the Chief of Police and are considered as an addition to the current rules and regulations. It is the responsibility of the Chief of Police to issue a copy of the valid General Orders to all officers or civilians who will be affected by that Order.

The electronic method of transmitting General Orders via e-mail will be an accepted practice. The opening of the e-mail serves as verification of each employee's receipt and understanding of this and any other order delivered electronically. The Chief of Police issues a binder to hold all valid General Orders. Employees are responsible for keeping the binder up-to-date. Binders containing the General Orders are subject to inspection by the Captain and the Chief of Police or his designee. Department General Orders that have not been rescinded in writing shall be considered valid and in full effect.

2. Special Orders are intended to direct a specific Officer(s), a Division, or all Police employees to comply with an Order or instruction. These Orders are issued by the Chief of Police and remain in effect until rescinded, until a new Order is issued, or the Order has been complied with to the satisfaction of the Chief of Police.
3. Personnel Orders will be prepared by the office of the Chief of Police as outlined in M.O.S.

6.5.A., above. Personnel Orders will be numbered with the last two digits of the calendar year, followed by the sequential number. They will be issued, by the Chief of Police or his designee, to direct a personnel status change such as:

- a. Appointment or assignment of new personnel
- b. Promotions or demotions.
- c. Transfer between department divisions.
- d. Suspension, dismissal or restoration to duty.
- e. Termination of personnel.
- f. Training assignments.
- g. Appointment to specialized departmental duty assignments.
- h. Extended leaves of absence.

4. Intra-departmental Memoranda are intended to relay written messages within the Police Department. These communications are used to inform Department personnel of information that is not considered a General, Special, or Personnel Order.

5. Bulletins will be issued as a Department publication. Bulletins will be issued under the authority of the Chief of Police. Bulletin headings will indicate the major subject, (Crime Analysis, Training, Traffic Analysis, etc.), and the issued date.

- a. The body of the bulletin may be designed as required to best depict the information presented. This may vary from narrative, to formats using tabs, to illustrations, or any combination of the above. Since the objective is to impart information, the only rule for content is that it be of maximum clarity and simplicity.
- b. Bulletins are issued to convey information of specific interest pertinent to performance of law enforcement tasks and other department responsibilities. Bulletins would be appropriate for: daily bulletin information, a periodic publication of crime analysis, training bulletins, and information and descriptions of wanted criminals.

C. The written directives system must encompass a range of publications from permanent standards to temporary, and from mandatory instructions to informational memoranda. Effort is to be exerted to minimize the number and complexity of publications while providing centralized information and direction toward common organizational objectives. To provide a framework for the development of written Departmental publications, certain general guidelines have been adopted:

1. Publications shall not conflict with established rules, regulations, or policies of the Department or with administrative regulations and statutory law imposed by higher authority.
2. All publications will be stated in precise and positive terms with grammatical accuracy and simplified language.

3. When applicable, cross-references will be made to other related and published documents. Publications that cancel or supersede other issued documents will reference the affected document.
4. All Departmental publications will be reviewed by the Chief of Police prior to issuance. The Chief may also require that certain publications be reviewed by the Captain prior to issuance.

D. The Records Manager is responsible for maintaining a master file of publications one through four as listed above. One copy of each publication issued will be filed for this purpose. Publications other than provided for in this standard are not an official document of the Medina Police Department.

6.5.1 MANUAL OF STANDARDS

A. The Manual of Standards will be inspected on an annual basis by the Accreditation Manager to insure that it is current and that the Department is in compliance with its policies. The Accreditation Manager shall also review all Orders that were issued in the last year to determine if they should be:

- Cancelled
- Incorporated into the Manual of Standards or other manuals
- Revised
- Continued in their present form

B. Cancellations will be accomplished by Special Order. Manuals, including the Field Training Manual, will be reviewed and updated yearly by the responsible Lieutenant. Each employee's Manual of Standards will be inspected periodically by the Captain, or by other personnel as designated by the Chief of Police. Inspections will normally involve the physical examination of the standards manual to determine that all current standards are filed in the appropriate manual section and cancelled or rescinded standards have been removed.

C. The content of standards occasionally requires an amendment to comply with legal changes, to update operational procedures or to conform to revised policies. Amendments are expedited to assure maximum currency of reference materials.

1. Where an amendment is relatively minor and involves a restatement or replacement of existing information, without change to pages or length, a revision page(s) may be issued. The revised page(s) will be inserted in proper order in place of the former page(s). Amended standards will contain the date of revision on the top right hand corner. Removed pages will be disposed of. Officers will sign for receipt and acknowledgment of any new and/or revised standards.

2. Where the amendment or revision is of sufficient size and length to require major restructuring of the standard, a complete new standard will be issued. The new standard will replace the entire

old standard that may then be disposed of. The revised date and method of the replacement will be as outlined above.

3. When it is necessary to cancel or rescind a standard, the cancellation will be issued in the Special Order format. Cancelled standards will contain the date, statement of cancellation, and will require proper disposal of the previous standard.

D. Standards adopted by the Medina Police Department will be issued in official form when signed by the Chief of Police. When a standard or directive is issued it is to be considered by all Department personnel to be in full force and effective as of the date noted. All personnel shall be expected to effect compliance with standards contained herein. Upon issuance of standards in the form of policy and procedures, revisions and other written directives, all employees will sign receipt of such materials, agreeing to the following:

1. To maintain an up-to-date manual
2. To be knowledgeable of the contents of the manual
3. To comply with written standards

E. Procedures for carrying out Department activities are contained within the Manual of Standards, the Field Training Manuals and the City of Medina Personnel Manual. General Orders and Special Orders shall not conflict with established policies and procedures directed by a higher authority.

F. Terminology and Meaning:

1. No provision or item is to be construed to mean something other than the plain meaning of the language used.
2. No provision or item is to be construed so as to defeat its obvious intent.
3. "Standard" includes policies, procedures, rules, regulations, and directives.
4. The word "shall" and "will" are mandatory.
5. The word "may" is permissive.
6. "Should" is used where it is intended that while a procedure is not mandatory, it would be in the best interests of the Department if it were followed.
7. Any statement in the manual found to be illegal, incorrect, or inapplicable, shall not affect the validity of the remaining contents.

G. All standards will be subject to review before final publishing. The person(s) designated to develop a standard or set of standards will submit a typed draft to the Accreditation Manager by a stipulated date. Certain standards of interest to the bargaining unit representative(s) will be forwarded to them for review. Upon completion of the review and comment phase, a final draft will be completed by the Accreditation Manager, forwarded through the chain of command, and signed by the Chief of Police for distribution.

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| <u>Effective Date</u> July 13, 2001 | | Number WASPC Chapter 7 |
| Subject General Management | | |
| Reference CALEA Chapter 11 | Special Instructions | |
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7.1 DATA SOURCES FOR REPORTING

CALEA 11.4.1

7.1.1 EXAMPLES

The City of Medina Police utilize a number of reporting documents to function properly, isolate and identify problems and trends, and develop a pro-active approach to solving police related community problems. Examples of data sources that can be used to create administrative reports are:

- A. UCR Reports
- B. Case Reports
- C. Arrest Reports
- D. Calls for Service
- E. Population of City

7.1.2 DAILY LOGS

The Kirkland Police Communications Center will, as requested, provide daily logs generated by CAD to appropriate Medina Police Department staff. Daily logs provide specific data on productivity, problems, training, cases of interest, and noteworthy performance.

7.1.3 MONTHLY REPORT

The Records Manager will compile a monthly report of the activities of the agency and submit these to the Chief of Police by the tenth (10th) of the following month. Monthly reports provide specific information on Officer activity, noteworthy cases or performance, and crime trends that would require the attention of the Chief.

A. The Records Manager will keep a record of all monthly reports in a three-ring binder, available for all employees and their respective Supervisors. These reports can also be routed to other City Departments and officials.

7.1.4 RECORDS MANAGEMENT SYSTEM

Daily activities as recorded by the Communications Center will be maintained in the Department's computerized Records Management System (RMS). A daily and monthly report in computerized format will serve as the basis for the administrative reporting system.

7.1.5 ANNUAL REPORT

The Chief of Police or his/her designee will be responsible for developing an annual report produced by the agency. The annual report may be a summary of the monthly reports. The report should provide comparative data and statistics, and account for the activities of the Department. This report should also reflect the status of the goals set by the agency for the year. It will be the responsibility of the Records manager to maintain permanent copies of all annual reports.

7.1.6 INCIDENT/CASE REPORT REQUESTS

All requests for incident or case reports by outside parties must be approved by the Chief of Police or his/her designee for public release. The Captain or other designee will distribute them.

7.2 AGENCY FORMS

7.2.1 ACCOUNTABILITY

The accountability of Department forms is the responsibility of the Captain. The Captain will coordinate the development, modification, approval, and review of all report forms utilized by the Department.

7.2.2 ANNUAL FORM REVIEW

The Captain or a designee will conduct an annual review of all agency forms in January of each year. The purpose of this review is to ensure the quality, function and validity of all reports in use.

7.2.3 NEW FORMS

Prior to implementation of a new form, the Captain or designee shall ensure that the information gathered in the form is not being duplicated; that all personnel who will be using the form have had an opportunity to review it; and that the format is consistent with the data processing requirements of the agency.

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| Effective Date July 13, 2001 | Number WASPC Chapter 8 | |
| Subject Planning and Research | | |
| Reference CALEA Chapter 11 | Special Instructions Last Reviewed January 25, 2002 | |
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{PRIVATE } {tc \l1 "PLANNING AND RESEARCH"}

**8.1 {PRIVATE }PLANNING AND RESEARCH FUNCTION
2 "PLANNING AND RESEARCH FUNCTION"}**

CALEA 11.6.1{tc \l

8.1.1 RESPONSIBILITY

The Captain is assigned the responsibility for the research and planning function. This function includes, but is not limited to the preparation of staff research studies of proposed programs and equipment.

8.1.2 ANNUAL TRAINING PLAN

With the advice and approval of the Police Chief and Captain, a Lieutenant shall prepare an annual training plan that identifies training priorities and establishes the proposed curriculum for the year's in-service training program.

8.1.3 ANNUAL CRIME ANALYSIS BULLETINS

With the advice and approval of the Captain, the Records Manager will prepare annual crime analysis bulletins that include an analysis of police activity and crime by type of activity, location, time and date. These bulletins will be distributed to each of the Lieutenants for their information.

**8.2 {PRIVATE }MULTI-YEAR PLAN
11.6.4{tc \l2 "MULTI-YEAR PLAN"}**

CALEA

8.2.1 DEPARTMENTAL GOALS & OBJECTIVES

The annual budget will include Departmental goals and objectives by program. Those goals will be multi-year goals and the objectives will include both single and multi-year statements.

8.2.2 STAFFING PLANS

The Department will prepare multi-year staffing plans that include projected workloads, population and staffing needs. The Department's workload analysis and staffing formula will be identified in the multi-year plan and will be used to project future staffing needs. The Department will also prepare and annually update a 5-year staffing estimate that will be used to develop the capital improvement plan.

8.2.3 CAPITAL IMPROVEMENT PLAN (CIP)

The Department will participate in the development of the City Capital Improvement Plan (CIP) that identifies the capital needs of the Police Department.

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|-----------------------------------|---------------------------|---------------|
| Effective Date July 13, 2001 | Number WASPC Chapter 9 | |
| Subject | Crime Analysis | |
| Reference | Special Instructions | |
| CALEA Chapter 15 | Last reviewed May 4, 2001 | |
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9.1 CRIME ANALYSIS FUNCTION **CALEA 15.1.1**

9.1.1 REPORTS

All members of the Medina Police Department shall participate in the collection of criminal data by completing the necessary reports on individuals suspected of criminal activity, and during preliminary investigation of reported crimes.

9.1.2 DISSEMINATION OF INFORMATION

The information collected shall be entered into the Department's computer system. Information may also be collected from the Records Division. This information will be collated and analyzed by the Records Manager unless otherwise designated by the Chief of Police. The information will be disseminated as necessary by weekly bulletins, monthly statistical reports, directed patrol assignments, crime alerts, criminal profiles, and annual reports.

9.1.3 CRIME ANALYSIS BULLETINS

The Records Manager will prepare quarterly crime analysis bulletins that include an analysis of police activity and crime by type of activity, location, time and date. These bulletins will be distributed to each Officer for their information.

9.1.4 UTILIZATION OF CRIME ANALYSIS INFORMATION

The Department's Administration shall utilize crime analysis information when developing the goals and objectives of the Department and annual strategies.

9.2 REGULAR AND SPECIAL BRIEFINGS

CALEA 15.1.1

9.2.1 TRENDS OR PATTERNS

The Records Manager will report periodically to the Captain any crime trends or patterns revealed by the Department's crime analysis review.

9.2.2 NEW, UNUSUAL OR DANGEROUS TRENDS

Special briefings may be conducted to inform the Chief of Police, whenever new, unusual, or dangerous trends are discovered through the crime analysis function.

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| Effective Date July 13, 2001 | Number WASPC Chapter 10 | |
| Subject Personnel Allocation & Alternatives | | |
| Reference CALEA Chapter 16 | Special Instructions Last reviewed May 4, 2001 | |
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10.1 AGENCY STAFFING TABLE

CALEA 16.1.1

10.1.1 EMPLOYEE DATA BASE

The Employee Data Base is maintained by the Records Manager.

10.2 RESERVE OFFICERS

CALEA 16.3.1

10.2.1 MEDINA POLICE DEPARTMENT

The Medina Police Department does not operate a Reserve Officer program.

10.3 AUXILIARY PERSONNEL

CALEA 16.4.1

10.3.1 MEDINA POLICE DEPARTMENT

The Medina Police Department does not operate with any auxiliary personnel.

10.4 VOLUNTEERS

10.4.1 MEDINA POLICE DEPARTMENT

The Medina Police Department does not currently operate with volunteers.

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| Effective Date July 13, 2001 | Number WASPC Chapter 11 | |
| Subject Fiscal Management | | |
| Reference CALEA Chapter 17 | Special Instructions | |
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11.1 CHIEF EXECUTIVE OFFICER

CALEA 17.1.1

11.1.1 RESPONSIBILITY

The City Manager is charged with selecting a Department head who is charged with the administration of the affected Department. For the Police Department, the Chief of Police is designated as the Chief Executive Officer. The Police Chief shall have the ultimate responsibility for the fiscal management of the Police Department.

11.2 OTHER AUTHORIZED PERSONNEL

CALEA 17.2.1

11.2.1 PURCHASE AUTHORIZATION

The fiscal management of the overall police budget is one of the duties of the Chief of Police. Purchase authorization in any amount may be approved by the Captain.

11.3 BUDGET PREPARATION

CALEA 17.2.2

11.3.1 PROCESS

All financial considerations in the operation of the City are reserved to the City Council with administration by the City Manager. Following City Council policy direction and utilizing input from organizational personnel, including operational and activity analysis, the Chief of Police is responsible for budget preparation and presentation to the City Council for approval.

11.4 ACCOUNTING SYSTEM

CALEA 17.4.1

11.4.1 REQUIREMENTS

The Finance Director is charged with maintaining accounting records and conducting internal audits. The State of Washington will periodically audit cash balances and controls as they deem necessary in fulfilling statutory requirements for municipal governments and generally accepted auditing standards. The Chief of Police will at least annually conduct an unannounced audit of the "Investigative Fund".

11.5 AUDITS

CALEA 17.4.3

11.5.1 FUNDS/ACCOUNTS

Under the direction of the Finance Director, the City Treasurer will maintain a petty cash fund including an audit trail of appropriation and disbursement. The City Treasurer will maintain a financial statement of all accounts that will be updated periodically.

11.5.2 CASH COLLECTIONS/EXCEPTIONS

Normally, all cash collections will be made by the personnel in the Finance Department and will be covered by their policies and procedures. The exception will be the collection of fingerprinting fees, fees for copies of reports, and fees associated with Concealed Pistol License. These will be receipted by the Records Manager with the pre-printed receipt book. The money and a copy of all receipts will be forwarded to the Finance Department at least monthly for processing by them. The Finance Director or his/her designee will periodically reconcile the receipts issued by the Police Department with the money turned over to them.

11.5.3 STATE OF WASHINGTON AUDITS

The State of Washington will periodically audit cash balances and controls as they deem necessary in fulfilling statutory requirements for municipal governments and generally accepted auditing standards.

11.6 CASH

CALEA 17.4.2

11.6.1 CITY POLICY

All cash funds and accounts within the Police Department where personnel receive, maintain, or disburse cash, or will become City funds, will be handled in accordance with City Code 3.42. All such funds and accounts will include:

A. A system, such as a ledger or balance sheet that identifies initial balance, cash received, cash disbursed, and the balance on hand;

B. Receipts or documentation for cash received;

C. Authorization for cash disbursement from the appropriate Command official;

D. Maintenance of records, documentation, and/or invoice requirements for cash expenditures;

E. The following personnel are responsible for the appropriate handling and collection of cash:

1. Captain: Investigative Fund, Petty Cash Fund, SRO Program sales and contributions

2. Records Manager: Fingerprinting fees, fees for copies of reports, and fees associated with Concealed Pistol License.

F. A monthly accounting of cash activities, to include internal audits and preparation of financial statements as needed.

11.7 INVENTORY CONTROL

11.7.1 PROPERTY/EQUIPMENT/OTHER ASSETS

Police Department property, equipment, and other assets will be maintained and accounted for in a manner prescribed by the Finance Director.

11.8 PURCHASING

11.8.1 REQUESTS AND COORDINATION

Request for purchases and repairs will in most instances be made via a written or oral request of the Chief of Police. Any request for purchase over \$ _____ will require approval of the City Manager. The request will include the item to be purchased, the vendor, total cost including tax and any other information necessary to explain/justify the purchase. Upon approval of the request, the Captain will be advised and the purchase will be coordinated through him/her.

11.8.2 QUOTES/BIDDING PROCEDURES

Items that have a cost of more than \$ _____ will require 3 telephone or written quotations for purchase of the item, equipment or service. Items that have a cost of \$ _____ or more will require formal bidding procedures. The Finance Director will coordinate the bidding process and all bidding procedures will be in compliance with applicable State law and City Ordinances/Resolutions

11.8.3 SELECTION OF BIDDERS AND VENDORS

When the bidding procedure has been followed, the selection of bidders and vendors shall be in accordance with City Ordinances/Resolution. Quoted vendors will be selected when such vendor has quoted the lowest price. Bid vendor will be selected by the City Council on recommendation of requesting Department head.

11.9 EMERGENCY PURCHASES

11.9.1 APPROVAL

When reasonable effort has failed to produce three (3) quotations or in an emergency situation, in which event the quotations which have been obtained by such means shall be approved by the City Manager as per City Resolution.

11.10 SUPPLEMENTAL APPROPRIATIONS

11.10.1 PROCEDURE

When approved by the Chief of Police, supplemental or emergency appropriations will be sought from the City Council. The Chief of Police will prepare an Agenda summary for submission to the Council. The office of the Finance Director will prepare the actual ordinance for inclusion with the Agenda summary. Fund transfers shall be accomplished, on request through approval of the City Manager using the appropriate budget transfer process/form specified by the Finance Director.

11.11 FISCAL SYSTEM

11.11.1 WASHINGTON STATE BUDGET ACCOUNTING & REPORTING SYSTEM (BARS)

All fiscal management and reporting by the Police Department shall comply with the Washington State Budget Accounting and Reporting System (BARS) as ordered by the City Finance Director.

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11.1 CHIEF EXECUTIVE OFFICER CALEA 17.1.1

11.1.1 RESPONSIBILITY

The City Manager is charged with selecting a Department head who is charged with the administration of the affected Department. For the Police Department, the Chief of Police is designated as the Chief Executive Officer. The Police Chief shall have the ultimate responsibility for the fiscal management of the Police Department.

11.2 OTHER AUTHORIZED PERSONNEL CALEA 17.2.1

11.2.1 PURCHASE AUTHORIZATION

The fiscal management of the overall police budget is one of the duties of the Chief of Police. Purchase authorization in any amount may be approved by the Captain.

11.3 BUDGET PREPARATION CALEA 17.2.2

11.3.1 PROCESS

All financial considerations in the operation of the City are reserved to the City Council with administration by the City Manager. Following City Council policy direction and utilizing input from organizational personnel, including operational and activity analysis, the Chief of Police is responsible for budget preparation and presentation to the City Council for approval.

11.4 ACCOUNTING SYSTEM

CALEA 17.4.1

11.4.1 REQUIREMENTS

The Finance Director is charged with maintaining accounting records and conducting internal audits. The State of Washington will periodically audit cash balances and controls as they deem necessary in fulfilling statutory requirements for municipal governments and generally accepted auditing standards. The Chief of Police will at least annually conduct an unannounced audit of the "Investigative Fund".

11.5 AUDITS

CALEA 17.4.3

11.5.1 FUNDS/ACCOUNTS

Under the direction of the Finance Director, the City Treasurer will maintain a petty cash fund including an audit trail of appropriation and disbursement. The City Treasurer will maintain a financial statement of all accounts that will be updated periodically.

11.5.2 CASH COLLECTIONS/EXCEPTIONS

Normally, all cash collections will be made by the personnel in the Finance Department and will be covered by their policies and procedures. The exception will be the collection of fingerprinting fees, fees for copies of reports, and fees associated with Concealed Pistol License. These will be receipted by the Records Manager with the pre-printed receipt book. The money and a copy of all receipts will be forwarded to the Finance Department at least monthly for processing by them. The Finance Director or his/her designee will periodically reconcile the receipts issued by the Police Department with the money turned over to them.

11.5.4 STATE OF WASHINGTON AUDITS

The State of Washington will periodically audit cash balances and controls as they deem necessary in fulfilling statutory requirements for municipal governments and generally accepted auditing standards.

11.6 CASH

CALEA 17.4.2

11.6.2 CITY POLICY

All cash funds and accounts within the Police Department where personnel receive, maintain, or disburse cash, or will become City funds, will be handled in accordance with City Code 3.42. All such funds and accounts will include:

A. A system, such as a ledger or balance sheet that identifies initial balance, cash received, cash disbursed, and the balance on hand;

F. Receipts or documentation for cash received;

G. Authorization for cash disbursement from the appropriate Command official;

H. Maintenance of records, documentation, and/or invoice requirements for cash expenditures;

I. The following personnel are responsible for the appropriate handling and collection of cash:

1. Captain: Investigative Fund, Petty Cash Fund, SRO Program sales and contributions

2. Records Manager: Fingerprinting fees, fees for copies of reports, and fees associated with Concealed Pistol License.

F. A monthly accounting of cash activities, to include internal audits and preparation of financial statements as needed.

11.7 INVENTORY CONTROL

11.7.1 PROPERTY/EQUIPMENT/OTHER ASSETS

Police Department property, equipment, and other assets will be maintained and accounted for in a manner prescribed by the Finance Director.

11.8 PURCHASING

11.8.1 REQUESTS AND COORDINATION

Request for purchases and repairs will in most instances be made via a written or oral request of the Chief of Police. Any request for purchase over \$ _____ will require approval of the City Manager. The request will include the item to be purchased, the vendor, total cost including tax and any other information necessary to explain/justify the purchase. Upon approval of the request, the Captain will be advised and the purchase will be coordinated through him/her.

11.8.2 QUOTES/BIDDING PROCEDURES

Items that have a cost of more than \$ _____ will require 3 telephone or written quotations for purchase of the item, equipment or service. Items that have a cost of \$ _____ or more will require formal bidding procedures. The Finance Director will coordinate the bidding process and all bidding procedures will be in compliance with applicable State law and City Ordinances/Resolutions

11.8.3 SELECTION OF BIDDERS AND VENDORS

When the bidding procedure has been followed, the selection of bidders and vendors shall be in accordance with City Ordinances/Resolution. Quoted vendors will be selected when such vendor has quoted the lowest price. Bid vendor will be selected by the City Council on recommendation of requesting Department head.

11.9 EMERGENCY PURCHASES

11.9.1 APPROVAL

When reasonable effort has failed to produce three (3) quotations or in an emergency situation, in which event the quotations which have been obtained by such means shall be approved by the City Manager as per City Resolution.

11.10 SUPPLEMENTAL APPROPRIATIONS

11.10.1 PROCEDURE

When approved by the Chief of Police, supplemental or emergency appropriations will be sought from the City Council. The Chief of Police will prepare an Agenda summary for submission to the Council. The office of the Finance Director will prepare the actual ordinance for inclusion with the Agenda summary. Fund transfers shall be accomplished, on request through approval of the City Manager using the appropriate budget transfer process/form specified by the Finance Director.

11.11 FISCAL SYSTEM

11.11.2 WASHINGTON STATE BUDGET ACCOUNTING & REPORTING SYSTEM (BARS)

All fiscal management and reporting by the Police Department shall comply with the Washington State Budget Accounting and Reporting System (BARS) as ordered by the City Finance Director.

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|--|---|----------------|
| Effective Date October 23, 2001 | Number WASPC Chapter 13 | |
| Subject Compensation, Benefits, Conditions of Work | | |
| Reference CALEA Chapter 22 | Special Instructions Last Reviewed – June 27, 2001 | |
| Distribution February 22, 2002 | Approval | No. Pages - 34 |

{tc \l 1 "COMPENSATION, BENEFITS AND CONDITIONS OF WORK"}

13.1 {PRIVATE }COMPENSATION

CALEA

22.1.1{tc \l 2 "COMPENSATION"}

13.1.1 EMPLOYEES REPRESENTED BY BARGAINING UNIT

It is the responsibility of each bargaining unit representing the employees of this agency, to provide current contract information to those employees with regards to compensation.

13.1.2 EMPLOYEES NOT REPRESENTED BY BARGAINING UNIT

Those employees not covered by a bargaining unit or agreement will be provided information by the City of Medina.

13.2 {PRIVATE }BENEFITS

CALEA

22.2.1 {tc \l 2 "BENEFITS"}

13.2.1 EMPLOYEES REPRESENTED BY BARGAINING UNIT

It is the responsibility of each bargaining unit representing the employees of this agency, to provide current contract information to those employees with regards to benefits.

13.2.2 EMPLOYEES NOT REPRESENTED BY BARGAINING UNIT

Those employees not covered by a bargaining unit or agreement will be provided information by the City of Medina.

13.3 {PRIVATE }LEAVE

CALEA

22.2.1{tc \12 "LEAVE" }

13.3.1 ADMINISTRATIVE LEAVE

Administrative leaves are governed by personnel ordinance of the City of Medina and/or other City Policy.

13.3.2 HOLIDAY LEAVE

Holiday leave for Department employees is governed by agreements with their respective bargaining units. The use of this leave is governed by contract. Leave for exempt employees is governed by City Policy.

13.3.3 SICK LEAVE

Employees will be permitted to take sick leave as governed by union contract, State retirement law, and/or City Policy. The Department may at any time require a physician's statement to justify the use of sick leave and/or to determine if an employee's return to duty is approved by a physician. Abuse of sick leave benefits by reporting to be off ill or injured when actually fit for duty will be grounds for disciplinary action.

13.3.4 CONVERSION OF VACATION TIME/DONATIONS

Each case in which an employee asks to convert all or part of his/her vacation time to sick time will be decided by existing labor contract language. It is required that the employee notify the Captain or Lieutenant for whom he/she is assigned when he/she becomes injured or incapacitated while on vacation, and wishes to make a sick time claim. An employee, at the discretion of the Chief of Police, may receive sick time donations from other employees after converting the first 40 hours of their own vacation time for an illness.

13.3.5 INJURY OR SICKNESS PRECEDING VACATION PERIOD

In instances where injury or sickness precedes the vacation period, the vacation will be canceled and rescheduled upon request.

NOTE: Nothing in this policy is to be construed as establishing this practice as a vested right; it is a privilege which may or may not be extended by the Administration, depending on the circumstance.

13.3.6 STAFFING LEVELS

No vacations will be granted when staffing levels would adversely affect Police service to Medina. Leaves during major City events will not be allowed without specific approval of the Chief of Police or immediate Supervisor. The Police Chief will be the deciding authority in determining required staffing levels.

13.3.7 LEAVES OF ABSENCE

All leaves of absence will be approved by the Police Chief or a designee authorized to act on his authority. Leaves are generally granted only under exceptional circumstances. In requesting a leave, an employee should describe in detail the reasons for making the request.

13.4 {PRIVATE }INSURANCE/RETIREMENT "INSURANCE/RETIREMENT"} CALEA 22.2.2, 22.2.3, 22.2.6, 22.2.7{tc \l 2

13.4.1 INFORMATION

Information regarding insurance and retirement benefits for City employees is provided by the City of Medina

13.4.2 DISSEMINATION OF ADDITIONAL INFORMATION

The dissemination of any additional information regarding benefits is the responsibility of the employees' bargaining units.

13.4.3 PROFESSIONAL LIABILITY PROTECTION

Professional liability protection will be provided to Department employees as provided for in City ordinance.

13.5 {PRIVATE }UNIFORMS AND EQUIPMENT "UNIFORMS AND EQUIPMENT"} CALEA 22.2.8{tc \l 2

13.5.1 PURPOSE

The purpose of a uniform is to identify the person wearing it as a Police Officer. The uniform helps citizens in need of law enforcement services to identify Departmental personnel. It also indicates to those being detained or arrested that the action is being taken by a Law Enforcement Officer. Finally, it provides a high level of law enforcement visibility. Employees are responsible for wearing the proper and complete Department uniform in the prescribed manner except when working in an assignment that requires them to be out of uniform. Employees should refer to the current policy on uniforms for specific uniform requirements and prohibitions.

13.5.2 INTENT OF POLICY

The intent of this policy is to ensure that employees of the Medina Police Department present a professional uniform appearance at all times while engaged in the performance of their duties. Supervisory and Command personnel are responsible for ensuring compliance with this policy. However, it is not the intent of this policy to eliminate the authority of supervisory or command personnel from ordering deviation from this policy in the event of extreme circumstances. With this authority comes the responsibility for justifying deviations from the policy. Such deviations will be judged on a case-by-case basis. This policy applies to all members of the Medina Police Department.

13.5.3 CLASSIFICATIONS

Employees and their apparel will be classified into two sections:

- 1)Uniformed commission personnel
- 2)Non-uniformed commissioned and civilian personnel

13.5.4 WEARING OF BASIC UNIFORM

The uniform of the Medina Police Department is the basic uniform described in this policy. The basic uniform shall be worn at all times except during the exceptions noted in this policy.

13.5.5 UNIFORM SPECIFICATIONS

All uniformed employees shall possess at all times a serviceable basic uniform, a seasonal uniform, and the equipment necessary to perform their assigned duty.

Personnel assigned to duty where a special uniform is required shall also possess and maintain the special uniform required for that special assignment. All uniforms and equipment in the possession of Department personnel shall meet the specifications outlines in this policy.

13.5.6 NON-UNIFORMED POSITIONS

All personnel assigned to non-uniformed positions while testifying or attending court shall wear the following: a business suit with a dress shirt and tie, or sports coat and slacks, with a dress shirt and tie. These items should be in good condition, cleaned and pressed. Female personnel will wear appropriate attire that parallels these specifications.

13.5.7 APPROPRIATE NON-UNIFORMED ATTIRE

All personnel assigned to non-uniformed positions may wear slacks and a sport shirt with or without a tie. Polo shirts or sweaters may be worn provided they meet the same standard of quality and appearance as other authorized attire. Female personnel will wear appropriate attire which parallels these specifications.

13.5.8 UNSUITABLE ATTIRE

Blue jeans, T-shirts, sweatshirts, sweat pants, or other excessively casual attire will not be permitted except for Officers working undercover assignments or as otherwise permitted by their Supervisor or Captain. Other clothing items not mentioned here may be deemed unsuitable office attire by a Supervisor and not approved for wear.

13.5.9 COMMISSIONED OFFICER UNIFORM

The basic uniform for Commissioned Officers shall consist of the following:

- a. Hat
- b. Long Sleeve shirt
- c. Badge
- d. Name plate
- e. Tie
- f. Uniform trouser
- g. Trouser belt
- h. Equipment belt and associated equipment
- i. Footwear
- j. Jacket
- k. Body armor

13.5.10 T-SHIRTS

T-shirts worn under the basic uniform shirt shall be worn so as not to be visible above the top button of the shirt collar.

13.5.11 ITEM ISSUANCE - COMMISSIONED PERSONNEL

The Department will issue items to Commissioned Personnel at the beginning of their employment, listed in appendices to the current labor agreement.

13.5.12 ITEM ISSUANCE - UNIFORMED CIVILIAN PERSONNEL

The Department will issue items to uniformed civilian personnel at the beginning of their employment, listed in appendices to the current labor agreement.

13.5.13 ITEM ISSUANCE - CIVILIAN POSITIONS

The Department will issue items to civilian positions, at the beginning of their employment. These items are listed in appendices to the current labor agreement.

13.5.14 JUMPSUITS

Jumpsuits may be authorized for special assignments such as crime scene details, traffic investigations, and range duty at the discretion of a Supervisor.

13.5.15 PROTECTIVE VEST

Each Commissioned Officer shall be issued a Department approved protective vest. Each Officer who is assigned to patrol duty shall wear the vest while on duty and in uniform. Officers who are not assigned to patrol duty may be required to wear the vest at the direction of a Supervisor or the Captain, or anytime circumstances dictate the potential of hazardous contact.

13.5.16 DEPARTMENT SHOULDER PATCHES

Department shoulder patches shall be affixed to both shoulders of all shirts (excluding dress uniform shirts), jackets, jumpsuits, and blazers. The top of the shoulder patch shall be ½ inch below the shoulder seam and centered on the sleeve.

13.5.17 STANDARD SHOULDER PATCH

The standard shoulder patch will have a black border and gray lettering. The standard shoulder patch will be worn by all personnel up to and including the rank of Chief of Police.

13.5.18 RANK OF LIEUTENANT

The rank of Lieutenant will be signified by one gold bar affixed to the center of each side of the collar of the uniform shirt. The front edge of the gold bars shall be ½ inch from, and parallel with, the front edge of the collar. On each shoulder of the jacket, the gold bars shall be centered on the epaulet and placed ¾ inch above, and parallel to, the shoulder sleeve seam.

13.5.19 RANK OF CAPTAIN

The rank of Captain shall be signified by two gold stars affixed to each side of the collar of the uniform shirt. One point of each star shall point upward. The stars shall be centered between the top and bottom edges of the collar and the center of the front star shall be one inch from the front of the collar. On each shoulder of the jacket, two stars shall be worn in such a manner that one point of each star shall point to the rear. The stars shall be centered on the epaulet and the center of the outside star shall be one inch above the shoulder/sleeve seam.

13.5.20 RANK OF POLICE CHIEF

The rank of Police Chief shall be signified by three gold stars affixed to each side of the collar on the uniform shirt. One point of each star shall point upward. The stars shall be centered between the top and bottom edges of the collar, and the center of the front star shall be one inch from the front of the collar. On each shoulder of the jacket, three stars shall be worn in such a manner that one point of each star shall point to the rear. The stars shall be centered on the epaulet and the center of the outside star shall be one inch above the shoulder/sleeve seam.

13.5.21 SERVICE STRIPES

Service stripes reflecting an employee's length of service as a sworn full-time Law Enforcement Officer shall be worn on the left sleeve of all long sleeve shirts (except dress uniform shirts). The left edge of the service stripe shall be placed at the center press of the sleeve. The lower edge of the bottom stripe shall be ½ inch above the top of the cuff. Each stripe shall signify three years of service. Service stripes will be the same color as the bordering and lettering of the shoulder patch.

13.5.22 EQUIPMENT BELT

The police duty belt shall be worn only with approved equipment and accessories. The following equipment shall be worn on the equipment belt:

- a. Extra ammo magazines (2) with holders
- b. Expandable baton with holder
- c. OC spray with holder
- d. Handcuffs with case holder
- e. Portable radio with holder
- f. Authorized duty weapon and holster

13.5.23 OPTIONAL EQUIPMENT APPROVAL

Other optional equipment may be worn on the equipment belt if approved by a Supervisor. Equipment may be positioned at the Officer's discretion in the interest of Officer safety and comfort.

13.5.24 HOLSTER

The holster shall be worn in a manner that places the butt of the gun to the rear on the weapon hand side.

13.5.25 NAME PLATE

The name plate shall be worn ¼ inch above and centered over the right breast pocket of the uniform shirt.

13.5.26 AUTHORIZED MEDALS & INSIGNIAS

Only the following medals and insignias are authorized to be worn on commissioned personnel uniforms. A maximum of two medals/insignias are authorized to be worn above the nameplate, in the following hierarchy:

- a. Law enforcement fraternal organizations (FBI National Academy, Command College, etc.)
- b. Ribbon of Valor
- c. Ribbon of Merit
- d. Special assignment insignias such as F.T.O., Motorcycle Officer, Firearms Instructor, and others to be developed (not authorized for dress uniforms).

13.5.27 BICYCLE PATROL

When assigned to the bicycle unit, and specifically directed by a Supervisor to perform bicycle patrol functions (actually riding the bicycle), for a majority of the work shift, Police Officers are authorized to wear a uniform specific to the needs of that function. This special uniform is worn in lieu of the uniform of the day.

13.5.28 SUMMER BICYCLE UNIFORM

The summer bicycle uniform shall consist of shorts and a short sleeved vented uniform shirt with white ankle or mid-calf length socks. During the winter months Officers shall wear bicycle trousers in lieu of shorts with black or dark blue socks. A turtle neck shirt may be worn under the uniform shirt dependent on weather conditions. The Supervisor or Captain may determine that situational or seasonal factors exist and allow Officers to wear shorts during the winter months. All bicycle Officers working the same shift shall wear the same bicycle uniform. The bicycle patrol uniform is listed in the labor contract appendices.

13.5.29 SCHOOL RESOURCE OFFICER/BICYCLE PATROL UNIFORMS

When assigned as a School Resource Officer (S.R.O.), the S.R.O. shall be required to wear the patrol uniform of the day. When assigned to bicycle patrol functions on campus for the majority of the shift, the S.R.O. shall be allowed to wear the bicycle patrol uniform in place of the uniform of the day,

with a Supervisor's approval.

13.5.30 ISSUANCE OF THE DRESS UNIFORM

When required, the dress uniform may be worn in lieu of the basic uniform. The dress uniform's primary use is for wear at formal functions. The uniform will be issued to the Captain and Chief of Police. The dress uniform will be optional for Officers at their own expense.

13.5.31 DRESS UNIFORM

The dress uniform consists of the following:

- a. Hat
- b. Long sleeve shirt, white, no Department shoulder patches
- c. Name plate
- d. Badge
- e. Tie, black, hand tied
- f. Dress trousers, navy blue
- g. Trouser belt, black basket weave with gold buckle for ranks of Captain or higher and silver for all others
- h. Footwear, low top, patent leather, oxfords
- i. Blazer, navy blue, single breasted, silver buttons for Officers and Lieutenants, gold for all others.

13.5.32 ISSUANCE OF DEPARTMENTAL EQUIPMENT & UNIFORMS

Employees issued Departmental equipment and uniforms will at the time of issuance sign a receipt of equipment and uniforms received. This includes Departmental uniforms and equipment issued for specialty assignments including motorcycle and bicycle duty. Subsequent inventories will be done at each annual performance appraisal by the employee's Supervisor indicating which items the employee has been issued and still possesses.

13.5.33 ANNUAL INVENTORY

Equipment will be inventoried each year at the time of the employee's performance appraisal by the Supervisor performing the appraisal. The employee will check off the list and sign the inventory in the presence of the Supervisor indicating the equipment or uniforms are still in the employee's possession. The inventory will be maintained in the employee's personnel file, and a copy will be given to the Lieutenant assigned to equipment distribution.

13.5.34 MAINTENANCE AND CARE OF ISSUED ITEMS

All employees shall be responsible for the proper maintenance and care of issued items. Equipment shall not be altered, however, uniforms may be tailored for proper fit with a Supervisor's approval.

Leather equipment shall be kept dyed and shined, and shall be replaced when deemed necessary by a Supervisor.

13.5.35 REPLACEMENT/REPAIR OF ITEMS

Whenever City owned equipment or uniform items are lost, stolen, damaged or worn to a condition of being unserviceable, the employee shall immediately notify his/her Supervisor and request replacement or repair of the item. All approved uniform items will be repaired or replaced through the quartermaster system as described in the current bargaining unit agreement. Issued items lost or ruined by employee neglect in violation of rules and regulations shall be replaced at employee expense.

13.5.36 RETURN OF CITY PROPERTY

All employees shall return all City owned property in their possession upon resignation, termination of employment, or by request of the Chief of Police or the Chief's designee.

13.5.37 LEAVE OF ABSENCE – SAFEKEEPING OF CITY PROPERTY

All employees granted a leave of absence without pay that exceeds 30 days shall prior to the effective date of the leave, surrender all City property in their possession for safekeeping pending the return of the employee.

13.5.38 REPORTING TO DUTY

Employees will report to duty with the necessary items that are needed to accomplish their tasks.

13.5.39 DEPARTMENTAL KEYS

Employees of this Department shall not make or cause to be made any duplicates of Departmental keys. Employees will possess only those Police Department and City of Medina keys which they are authorized to have. Loss of Departmental keys will be reported immediately by the employee to their Supervisor. A memo will be submitted detailing the circumstances surrounding the loss.

NOTE: Employees will not possess keys to business establishment(s) unless they have received prior permission from the Chief of Police.

13.5.40 DISTRIBUTION BOX

All employees are assigned a distribution box. The box is to be checked each day upon arrival, and again before going off duty. This mailbox should be kept cleared out and not used as a storage box. Employees are encouraged not to receive personal mail at the Department, nor to use the Police

Department address for correspondence that would otherwise be received at the employee's residence.

13.5.41 LOANING OF CITY PROPERTY/EQUIPMENT

City property or equipment will not be loaned for personal use but may be loaned to another agency with permission of a Staff Officer.

13.6 {PRIVATE }PROTECTIVE VEST

CALEA

22.3.1{tc \l 2 "PROTECTIVE VEST" }

13.6.1 REQUIREMENTS/EXCEPTIONS

The Department provides ballistic vests to all full-time Commissioned Officers. Officers are required to wear the ballistic vests while in Police uniform. Exceptions to this policy will apply to dress uniforms and to Officers whose primary duty is in an office environment such as Administrative Officers.

13.7 {PRIVATE }GROOMING/APPEARANCE

CALEA 22.3.2{tc \l 2

"GROOMING/APPEARANCE" }

13.7.1 REQUIREMENTS

Employees will maintain a neat, clean appearance on duty. Police Officers will keep their uniforms and clothes clean, pressed and in good condition. The grooming of the hair will be kept at a medium style and trimmed so as not to extend beyond the top of the ear, nor over the top of the shirt collar when in a standing position. Female officers with long hair will wear their hair pulled back with a hair clip or in a braid, keeping it off the shoulders. It must allow for a neat appearance when wearing a uniform hat. Sideburns may extend below the ear and will be neatly trimmed, and the hair on the sideburns must not be allowed to be over one quarter inch in length. Mustaches will be allowed only if neatly trimmed, and if they do not extend below the corners of the mouth. Beards are not permitted at any time.

NOTE: Any personnel assigned to special duty status or in undercover status may be allowed to take exception to these standards.

13.8 {PRIVATE }MEDICAL EXAMINATIONS

CALEA 22.3.1{tc \l 2

"MEDICAL EXAMINATIONS" }

13.8.1 PAYMENT OF FEES

Physical, medical, and psychological examinations required by the Medina Police Department are provided at no cost to the employees.

13.9 {PRIVATE }PHYSICAL FITNESS{tc \l 2 "PHYSICAL FITNESS" }

13.9.1 LEVEL OF FITNESS

Officers are required to maintain a level of physical fitness which will allow them to perform their duties effectively. If a question arises as to an Officer's ability to perform regular duties due to an apparent low level of health or fitness, the Officer may be required to submit to a physician's examination and, to bring his or her health or fitness level to an acceptable level.

13.10 {PRIVATE }ADDRESS OF RESIDENCE{tc \1 2 "ADDRESS OF RESIDENCE"}

13.10.1 CURRENT ADDRESS REQUIREMENT

All employees are responsible for seeing that their current address is on file with the Department. Employees will promptly inform the Department of any change in address. This requirement applies even when a change of address is of a temporary nature.

13.10.2 NOTIFICATION OF CHANGE OF ADDRESS

When an employee's address changes, that employee will immediately notify the Records Manager.

13.11 {PRIVATE }TELEPHONE REQUIREMENT{tc \1 2 "TELEPHONE REQUIREMENT"}

13.11.1 EMERGENCY SITUATIONS CONTACT

All employees must have a telephone in their residence so that they may be contacted in emergency situations. Employees are responsible for seeing that the telephone number is on file with the Department and for informing the Department of any change in telephone number.

13.11.2 NOTIFICATION REGARDING CHANGE OF PHONE NUMBER

When an employee's telephone number is changed, that employee will immediately notify the Records manager.

13.12 {PRIVATE }OFF-DUTY EMPLOYMENT{tc \1 2 "OFF-DUTY EMPLOYMENT"}

13.12.1 APPROVAL

Police Departmental employees will request in writing approval from the Chief of Police prior to working off-duty. Permission or denial will be in writing with the reasons for denial.

OFF-DUTY EMPLOYMENT – NON-LAW ENFORCEMENT ASSOCIATED

Any employee of the Medina Police Department who wishes to seek additional employment outside the Medina Police Department, must submit a request, through the chain of command, to the Chief of Police. The request shall outline the type of employment, who the employer would be, and the

specific duties the employee will be doing. Sworn personnel will utilize this procedure when seeking additional employment, where they do not anticipate the need to use law enforcement powers.

- A. The Department, when deciding on whether to grant approval, will consider whether the place of employment or type of work performed would bring discredit on the Medina Police Department or if it would constitute a conflict of interest with the overall Police Department's mission.
 - 1. Additional restrictions and concerns are the same as those listed in the "Off-Duty Employment – Law Enforcement Associated" standard.
 - 2. Requests for off-duty employment will be maintained in the employee's personnel file

OFF-DUTY EMPLOYMENT – LAW ENFORCEMENT ASSOCIATED

Off-duty law enforcement employment is when an Officer is working in uniform or civilian attire, and is employed in such jobs which involve Police or security activity, and is approved by the Chief of Police. Although the employee is hired by someone other than the City of Medina, their authority and Police power is delegated by the City. The main responsibility of employees is to the Department and the citizens of Medina. Department policy is to permit off-duty employment as long as it does not interfere with the member's responsibility to this City. In order to accomplish this objective, a Union representative will assist in the administration of off-duty employment. Deviation from the following rules may only occur with prior approval of the Chief of Police or the Captain.

- A. Whenever a request is made for the services of an off-duty Police Officer, that request will be forwarded to a Union representative. The request shall be recorded and the Union representative shall verify with the Captain that the employment is approved. In his/her absence, the Union representative shall verify with the on-duty Supervisor, and in his/her absence, with the Chief of Police, that the employment is approved. The work opportunity shall be administered so as all Officers of the Department have a fair opportunity to work such assignment within reasonable administrative guidelines.
- B. Employment as an off-duty Police Officer outside the City of Medina will not be allowed.
- C. When working in any off-duty employment assignment, each employee is still governed by Department rules and regulations. If the demands of the employee are in conflict with Department rules and policy, then Department orders shall take precedence. If this is not acceptable to the employer, then the employment is categorically not approved.
- D. Officers may not use city owned uniforms or equipment other than a portable radio while working in any off-duty employment capacity. Any deviation shall be approved in advance by the Captain.
- E. The following general conditions will apply to off-duty employment:
 - 1. No request will be approved for off-duty employment, the nature of which is held to be in conflict with the duties and obligations imposed upon all members of the Department.

2. Any record of above average days off for sickness a poor work record, or misconduct, may result in the denial or revocation of an off-duty work request.
- F. Members and employees are prohibited from working in any of the following situations:
1. Any occupation of a menial nature, when in uniform or otherwise identified as an Officer, which would tend to lower the dignity of the police service.
 2. As a process server, bill collector, or any other employment which may require the use of Police power for a private purpose.
 3. Any employment which may require access to Police information, files, records, or services as a condition of employment, except in cases where the prior approval for each use has been authorized by the Chief of Police.
 4. Any employment which assists in any manner defense preparations in a criminal action or proceeding.
 5. Any place of employment where, because of illegal or questionable operation, there has been a necessity for continuous Police action or scrutiny.
 6. Any employment with a towing company, ambulance company, or similar business whose activity is closely related to that of Law Enforcement.
 7. Any employment requiring wearing of the Police uniform outside the City limits of Medina.
- G. The maximum of off-duty employment time should not exceed 20 hours per work week.
- H. If an off-duty employment situation held by a Police Department employee is found to interfere with (1) the Department's image or efficiency, (2) the on-duty work performance of the individual in question, or (3) is found to involve misuse of the commission, the Police Department employee will be required to terminate such employment.
- I. The primary obligation and responsibility of an Officer who accepts off-duty employment must be for the Department. Officers directed to report for overtime work will do so regardless of their off-duty employment situation.
- J. Damage or loss of City equipment during off-duty employment must be immediately reported to a Supervisor, and the cost of replacement is the sole responsibility of the Officer. (Exception: If the Officer is acting in the performance of his duty to the City, replacement will be born by the City per replacement policy.) If available and approved, equipment such as portables will be signed out and in, immediately before and after use. No item of City equipment will be assigned or left at off-duty places of employment.
- K. Officers will always present themselves in a manner required by policy. Officers must not engage in activity which gives the appearance of inattention to duty.
- L. The administrator of off-duty employment will make a monthly report to the Chief of Police, listing the types and places of employment worked, officers assigned, and total number of hours worked by the officer. An annual cumulative report will also be required. A log of hours worked shall be kept, and made available upon request.

- M. Officers working Police related off-duty employment will notify the on-duty Supervisor, through the dispatch center, of their activity, location, and duration on reporting to same.
- N. Officers working in an off-duty capacity are representatives of the employing off-duty entity and not of the City of Medina when they are employed in off-duty capacities, and will be considered as independent contractors, or employees of the off-duty employing entity.

13.13 LIGHT DUTY

In the event an Officer becomes sick or disabled and is capable of returning to work in a light duty status, the Department may, if specific projects and/or tasks are available, allow the Officer, if they so request, to return to work in a light duty status. A request for light duty status will be made in writing and must be accompanied by the doctor's statement allowing light duty and listening limitations. This provision will only be extended to non-LEOFF I employees.

- A. A light duty status job may be assigned so as to permit the Officer to continue working within the Department in a duty capacity that the Officer is physically capable of performing while continuing to be paid at the Officer's normal rate of salary.
 - 1. The hours of work and tasks assigned will be at the discretion of the Department and what best meets its overall needs.
- B. Light duty assignments will be contingent upon the medical prognosis of full physical recovery from the Officer's disability within a reasonable period of time. Light duty for psychological disability is specifically not allowed.
- C. The maximum light duty assignment status will be 60 days, provided that upon request of the Officer and approval of the Department, the 60 day period may be extended up to but in no case exceeding a total period of six months. Consideration of the extension shall be based upon: (1) the medical prognosis of the Officer being able to return to full employment in a reasonable period of time thereafter in accordance with the advice of a physician retained by the Department, and (2) the availability of tasks for assignments that can be worked by light duty personnel.
- D. Determination of an Officer's disability from performing full duty, ability to perform on light duty status, and ability to return to full duty will all be made upon examination and advice of a physician retained by the Department.

13.14 MATERNITY POLICY – COMMISSIONED PERSONNEL

The maternity policy is established as general guidelines and is not intended to replace or supersede those policies as created through contract negotiations, personnel policy, or the Washington State Human Rights Commission. This policy will be established to include commissioned Police Personnel.

- A. An Officer must advise her Supervisor upon learning that she is pregnant, and the Supervisor will notify the Captain through the chain of command.
- B. At the point of incapacity to perform full duty as determined by the Officer's physician or at the point where her issue uniform will no longer fit, whichever is first, the Officer may, subject to

available position and Departmental approval, be assigned to light duty assignment for her term of pregnancy.

- C. At the point that her physician determines that the Officer can no longer serve in any work capacity, the Officer will be placed on disability leave or sick leave in compliance with the existing LEOFF standards. When the Officer is no longer pregnant, her physician will determine when the Officer is sufficiently recuperated for return to full duty, after which she will be ordered to report for assignment. Unless she declines to return to duty, the Officer will be restored with full commissioned powers.
- D. If there is any question concerning the pregnancy or the prognosis of when the Officer can return to full duty, the Department can ask that a second opinion be obtained through a city paid physician. This will be coordinated by the Captain.

13.15 EXPOSURE CONTROL PLAN AND POLICY

It has been recognized that Law Enforcement Personnel, in the normal course of their duties, will likely come into contact with blood or other body fluids raising their chances of contracting potentially harmful or fatal diseases. In accordance with the Occupational Exposure to Bloodborne Pathogens Standard (WAC 296-62-08001), it is the Medina Police Department's Policy to observe Universal Precautions against exposure to both HIV (AIDS) and HBV (Hepatitis B) viruses and other communicable diseases, provide appropriate information and follow-up care if exposure should occur, educate personnel on the modes of transmission of bloodborne pathogens, identify job classifications with occupational exposure or task/procedures with possible exposure, and to provide, at no cost to the identified employee, the Hepatitis B vaccination series. The Surface Antibody Test, which determines whether HBV immunized individuals have developed the necessary antibodies is optional, at no cost to the employer. If additional HBV inoculations are necessary following the Surface Antibody Test, they will be made available at no expense to the employee.

- A. The purpose of this policy is to provide guidelines for Department employees in prevention, reporting, treatment, and follow-up process to incidents of occupational exposure. The following is a list of definitions:
 - 1. Blood – Human blood, human blood components, and products made from human blood.
 - 2. Bloodborne Pathogens – Pathogenic micro-organisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
 - 3. Contaminated – The presence or the reasonably anticipated presence of blood, other potentially infectious materials (OPIM) or sharps.
 - 4. Contaminated Laundry – Laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.
 - 5. Contaminated Sharps – Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, knives, broken glass, broken capillary tubes, and exposed ends of dental wires.

6. Decontamination – The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles, and the surface or item is rendered safe for handling, use, or disposal.
 7. Engineering Controls – Controls (e.g., sharps disposal containers) that isolate or remove the bloodborne pathogens hazard from the workplace.
 8. Exposure Incident – A specific eye, mouth, other mucous membrane, non-intact skin, or parental contact with blood or other potentially infectious materials that results from the performance of an employee's duties.
 9. HBV – Hepatitis B virus
 10. HIV – Human immunodeficiency virus
 11. Occupational Exposure – Reasonably anticipated skin, eye, mucous membrane, or parental contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
 12. OPIM – Other Potentially Infectious Materials – Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
 13. Parental – Piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.
 14. PPE – Personal Protective Equipment – Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (e.g., uniforms pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.
 15. Source Individual – Any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.
 16. Sterilize – The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial end spore.
 17. Universal Precautions – An approach to infection control. According to the concept of Universal Precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other blood borne pathogens.
 18. Work Practice Controls – Controls that reduce the likelihood of exposure by altering the manner in which a task is performed.
- B. For compliance with the Occupational Exposure to Blood borne Pathogens Standard (WAC 296-62-08001) the following job classifications can reasonably anticipate that an exposure to blood or other bodily fluids or other potentially infectious materials may occur.
1. These listings are not intended to exclude personnel who, due to unexpected circumstances on duty come into contact with blood or other body fluids:

- a. Police Officers
- b. Corporal
- c. Lieutenants
- d. Captain

- C. Confidentiality – It should be noted that information identifying an individual as having tested positive for HIV or a sexually transmitted disease is confidential under RCW 70.24.105. Dissemination of such information in violation of the statute may except as specifically authorized by State law, result in criminal charges.
- D. Exposure incident responsibilities – The Medina Police Department shall establish policy and procedures, which promote safe work practices and protection against communicable diseases for all employees. These policies and procedures relate to the requirements of OSHA (WISHA) 29 CFR Part 1910.1030. Occupational Exposure to Blood borne Pathogens: Final Rule, published December 6, 1991. The Medina Police Department shall promote compliance with these policies and procedures with emphasis on the training of employees in the rational application of exposure control practices. In addition, the Medina Police Department shall make available to employees the preventive and protective measures required by those policies and procedures in order to minimize the risk of occupational exposure. The Medina Police Department will assist the employee as requested or necessary in obtaining treatment and evaluation of any employee who experiences an accidental occupational exposure. The Medina Police Department shall also review these policies and procedures annually and update whenever necessary to assure applicability and timeliness of information.
1. Medina Police Department has adopted Universal Precautions as a method of minimizing contact with blood or other potentially infectious materials. Training of employees shall include the application of Universal Precautions in the work place and all supervisory staff shall work with employees to reinforce importance of place Universal Precautions and to ensure compliance.
 2. Employees must recognize that they have responsibility for they're on health and safety, and encourage other employees to work in a safe manner. Consistent with the circumstances presenting themselves, employees shall always use appropriate personal protective equipment consistent with these policies and procedures. Initiate immediate self-care and seek immediate medical attention and follow-up treatment as prescribed by standard medical practices.
 3. Make an immediate verbal report of the exposure to their on-duty Supervisor, and initiate the Communicable Disease Report.
 4. If an exposure occurs which is on duty but not related to a crime or if the source patient refuses testing, telephone the King County Health Department Aids Prevention Project at 296-4649. If the source person is arrested or anticipated to be arrested, complete a Request for Mandatory Testing due to Substantial Exposure. In addition, you may contact the King County Jail Health HIV Program Coordinator at 296-1766. Notifications of the exposures should be made no later than seven (7) days after the exposure occurs.
 5. Comply with the post exposure procedures outlined in the Exposure Control Plan and the Post Exposure Follow-up Procedure form.

6. Prepare an incident report, and State L & I Claim Form for LEOFF II Officers and civilians.
- E. Captain's Responsibilities in the Event of an Exposure – Arrange for the immediate medical care of employee at the Overlake Hospital, and shall act as liaison for the employee to the medical facilities.
1. Following a report of an exposure, in addition to initiating an incident report, City of Medina Accident Report, and State L & I Claim Form for LEOFF II officers and civilians, make immediately available to the exposed employee a Communicable Disease Report, and in the event the source person refuses testing, the Administrative Lieutenant will ensure that the phone call to the King County Health Department Aids Prevention Project has been made (46.3.6.04) and a Request for Mandatory Testing due to Substantial Exposure has been completed. These forms shall include documentation of the route(s) of exposure, the circumstances under which the exposure occurred, and identification and documentation of the source individual if possible.
 2. Forward a copy of the Communicable Disease Report to the clinic or hospital representative where the Department employee was taken for treatment and, if necessary, submit the Request for Mandatory Testing form to the Jail Health HIV Program Coordinator for King County Jail.
 3. The Captain will direct the employee to comply with post exposure procedure outlined in the Exposure Control Plan and the Post Exposure Follow-up Form.
 4. Captain will notify the Chief of Police as soon as possible.
- F. Blood borne Pathogen Exposure Incident Follow-up:
1. Arrange for initiation of follow-up treatment as prescribed by standard medical practices.
 2. Determine that required medical evaluations and procedures including the Hepatitis B vaccine and vaccination series and post-exposure and follow up, including prophylaxis, are made available to the employee. Evaluations and procedures shall be consistent with current department regulations and applicable regulations of the U.S. Public Health Service. Required laboratory tests will be conducted by an accredited laboratory.
 3. Provide for the confidentiality of all reports and for the screening of any release of related information.
 4. Provide the healthcare professional evaluating an employee after an exposure incident a copy of the OSHA and WISHA regulations, a description of the exposed employee's duties as they relate to the exposure incident, immunization/history form, supervisor's report of the injury, and all medical records relevant to the appropriate treatment of the employee, including vaccination status maintained by the Training Division.

5. Obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation. The healthcare professional's written opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for the employee and if the employee has received such vaccinations. The healthcare professional's written opinion for post-exposure evaluation and follow up shall be limited to the following: That the employee has been informed of the results of the evaluation; and that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment. All other findings or diagnosis shall remain confidential and shall not be included in the written report.
 6. Assure that employees who decline to accept Hepatitis B vaccinations sign a declination statement.
- G. Lieutenant's Responsibilities in the Event of an Exposure – Maintain records of all reportable exposures in individual Officer's confidential files along with immunization histories and copies of the on-duty report of injury.
1. Maintain the confidentiality of the employee's medical records and ensure that they are not disclosed or reported without the employee's expressed written consent to any person within or outside the workplace except as required by law.
 2. Conduct a review of these policies and procedures annually. This review will be completed no later than the first quarter of each year. The Training Officer shall also examine and maintain or replace engineering controls.
- H. Immunization and History – All Department personnel shall be responsible for recording any immunization they receive on Department health history/immunization record which will then be maintained in confidential files.
1. Medina Police Department shall make available at no cost the Hepatitis B vaccine series to all employees who may be at risk for occupational exposure (see introductory paragraph of this policy for information on Surface Antibody testing and additional vaccination). Request for immunization will be handled by the assigned Lieutenant. Post

exposure evaluations and follow up will be provided to all employees who have had an occupational exposure incident. Exposures occurring in the line of duty will be considered on-duty injuries and processed according to current Department regulations.

2. Hepatitis B vaccination shall be made available within ten working days of initial assignment (Post B.L.E.T.) and to all employees who have occupational exposure unless the employee has previously received the complete Hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is inadvisable for medical reasons.
 3. Medina Police Department shall not make participation in a pre-screen program a prerequisite for receiving Hepatitis B vaccination.
 4. If the employee initially declines Hepatitis B vaccination but at a later date while still covered under the OSHA/WISHA standard decides to accept the vaccination, Medina Police Department shall make available Hepatitis B vaccination at that time.
 5. If routine booster dose(s) of Hepatitis B vaccine recommended by the U.S. Public Health Service at a future date, such booster doses shall be made available under the same provisions as described in this section for vaccination.
- I. Personal Protective Equipment – Medina Police Department shall make available, appropriate personal protective equipment such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, pocket masks, or other emergency resuscitation devices. Personal protective equipment will be considered “appropriate” when it is designed to deter blood or other potentially infectious materials from passing through or reaching the employee’s work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use for the duration of time which the protective equipment will be used.
1. On-duty Supervisors are responsible for the employee’s use of appropriate personal protective equipment unless the supervisor is aware that the employee temporarily and briefly declined to use personal protective equipment due to emergency or exigent circumstances, or it was the employee’s professional judgment that in the specific instance its use would have prevented the delivery of essential service or would have posed an increased hazard to the safety of the worker or co-worker. An example of such an instance would be Officer’s response to a reported shooting in progress. While time would not permit putting on most personal protective equipment, such equipment should be utilized as needed as soon as the situation is stabilized.
 2. When an employee makes this judgment, the circumstances should be investigated and documented by an On-duty Supervisor in order to determine whether changes can be instituted to prevent such occurrences in the future. The information should be forwarded through the chain of command to the Training Officer.

3. Incident scenes should be categorized according to the level of risk, with Level I being the lowest risk, and Level IV being the highest risk. As the level of risk increases, additional safety precautions are required. (See “Precautions Dictated by Levels of Risk Exposure”.)
 4. The assigned Lieutenant is responsible for the appropriate personal protective equipment in varying sizes being readily accessible at the work site or being issued to the employees.
 5. All personal protective equipment shall be removed prior to leaving the work area. Equipment shall be placed in the appropriate area or container for storage, washing, decontamination, or disposal.
- J. Handling of Evidence – No item of evidence suspected of being contaminated, no matter how large or small is to be handled without latex gloves. Certain items or situations may require additional protection, such as Type suits, shoe covers, masks and/or eye protection. Evidential items, which require laboratory processing, should be handled in accordance with standard operating procedures of the Evidence Section. Bags and containers with such materials should be marked with tags or otherwise identified as containing infectious waste in accordance with the Occupational Exposure to Blood borne Pathogens standards (WAC 296-62-08001).
1. No contaminated evidence, regardless of size, should be placed in direct contact with tabletops or other non-contaminated surfaces. Wrapping paper, paper bags, drop cloths, or other coverings shall be used as surface coverings. When air-drying, wrapping paper should be draped around the item and then marked with biohazard stickers/labels. Gloves, eye protection, and masks should be worn when air-drying and packaging the evidence.
 2. Evidence contaminated with blood or other potentially infectious materials shall be placed in paper bags (double bagged if necessary to prevent leakage or further contamination) or specialized evidence bags designed for this purpose during collection, handling, processing, storage, transport, or shipping.
 3. Containers for storage or shipping shall be labeled or color-coded with the universally recognized biohazard label provided by the Department.
- K. Cleaning of Contaminated Areas – Community items, such as pens, typewriters, telephones portable radios, etc., should not be touched with contaminated gloves. Gloves should be changed each time before one of these items is used unless extreme care is taken to decontaminate the community items when the processing/packaging is completed.
1. Once evidence is removed from the preparation area, and inmates are removed from the holding cell, booking area, or transport vehicles, all areas will be properly cleaned and disinfected according to the procedures outlined in the Exposure Control plan.
 2. Disposal of contaminated cleaning materials (i.e., bloody towels, cloths, dressings, wrapping paper, wound wipes, etc.), or other waste materials not for evidence, must be disposed of in the red and white medical waste bags. Note: Regular plastic or paper garbage bags should not be used for this purpose.

3. All areas of Police vehicles contaminated with biological hazards will be thoroughly cleaned as soon as possible with an approved decontaminate (e.g., bleach/water solution, disinfectant, virucidal solution) before continuation of or return to service. Each operational unit should make the appropriate arrangements for thorough cleaning. Police vehicles so contaminated should be considered out of service until this cleaning is accomplished.

L. Regulated Waste – During use, disposable sharps containers shall be easily accessible to personal and located as close as feasible to the immediate area where sharps are collected or can be reasonably anticipated to be found. Disposable sharps containers shall be placed near the prisoner holding cell areas of the Medina Police Department facility. In addition, all vehicles shall carry a sharps container (which meet OSHA/WISHA standards) in the trunk of their assigned vehicles for access to Patrol Officers in the field.

1. An assigned officer shall ensure that the containers do not overflow and are routinely replaced. Containers of contaminated sharps shall be closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping. If leakage is possible, containers shall be placed in a secondary container which is closeable and constructed to contain all contents of the primary container during storage, transport, or shipping. Containers shall be color coded and labeled near the holding cell area and evidence room. When regulated waste container(s) become full, or as needed, they will be removed and disposed of by a contracted medical waste removal company.
2. Contaminated uniforms shall be labeled biohazard to alert cleaning agencies of the potential contamination. Contaminated clothing must not be cleaned at home. Contaminated laundry shall be handled as little as possible with a minimum of agitation. Contaminated laundry that is wet or presents a likelihood of soak-through shall be bagged and labeled (in accordance with section II) at the location where it was used and shall not be sorted or rinsed in the location of use.
3. Regulated waste shall be placed in containers provided by Medina Police Department that meet OSHA/WISHA standards. Containers of regulated waste shall be closed immediately prior to removal or replacement. To prevent spillage or protrusion of contents, a secondary container which is closeable and constructed to contain all contents of the primary container shall be utilized.

M. Information and Training – The assigned Lieutenant shall ensure that all employees with occupational exposure participate in a training program. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place at least annually thereafter.

1. Annual training for all employees shall be provided within one year of their previous training.
2. The department shall provide additional training when changes such as modification of tasks or procedures affect the employee's occupational exposure. This training must be scheduled no later than 30 days from the effective date of change. This additional training may be limited to addressing the new exposure created.

3. The training program content and conduct shall be consistent with the requirements of the OSHA/WISHA standards.
- N. Communication of Hazards – Red bags or labels meeting OSHA/WISHA standards for biohazard material notification shall be used to indicate the presence of blood or other potentially infectious materials. The biohazard labels are fluorescent orange/red in color with the universal “BIOHAZARD” symbol in black. Also located in each facility is the red and white “BIOHAZARD” box with red plastic bag liner for regulated waste.
- O. Record Keeping – The assigned Lieutenant shall establish and maintain an accurate record for each employee with potential for occupational exposure and shall ensure that employee medical records are kept confidential and are not disclosed or reported without the employee’s expressed written consent to any person within or outside the work place except as required by law. The medical record shall include:
1. Name and social security number
 2. Completed health history/immunization record
 3. Copy of Hepatitis B vaccination status including dates of vaccination and any medical records relative to the employee’s ability to receive the vaccination
 4. Copy of all results of examination, medical testing, and follow-up procedures as provided by the employee.
 5. Medina Police Department’s copy of the healthcare professional’s written opinion for post exposure follow up
- P. The assigned Lieutenant shall provide employee medical records upon request for examination and copying to the subject employee, to anyone having written consent of the subject of employee, and upon appropriate request to the Director of the National Institute for Occupational Safety and Health, and to the Assistant Secretary of Labor for Occupational Safety and Health.
- Q. The assigned Lieutenant shall maintain the records for at least the duration of employment plus 30 years in accordance with OSHA 29 CFR 1910.20. No part of this file may be transferred to any other City agency or Department without the employee’s expressed written consent. Training records shall include:
1. Dates of training sessions
 2. Contents or summary of the training session
 3. Names and qualifications of persons conducting the training
 4. Names and job classifications of all persons attending training sessions
- R. Training records shall be maintained for three years from the date on which the training occurred.
- S. The Department shall provide employee training records upon request for examination and copying to employees, to employee representatives, to the Director of the National Institute for Occupational Safety and Health, and to the Assistant Secretary of Labor for Occupational Safety and Health.
- T. The assigned Lieutenant shall ensure that all records required to be maintained in accordance with OSHA/WISHA shall be made available to the Assistant Secretary of Labor for Occupational Safety and Health, and the Director of the National Institute for Occupational Safety and Health for examination and copying upon appropriate request.

- U. Copies of the Exposure Control Plan Policy and Procedures and all supporting documents shall be on file in the training office. The Training Officer or designee will provide a copy of these policies and procedures to an employee within 15 days of written request.
- V. Work Practice Controls – No eating, drinking, smoking, application of cosmetics or lip balm, or handling of contact lenses will be allowed in areas where there is risk of occupational exposure.
1. No food or beverages shall be kept in refrigerators or other locations where blood or Other Potentially Infectious Materials (OPIM) are present.
 2. If contact with blood or OPIM is expected, employees are to examine themselves for cuts, sores, hangnails or abrasions, and cover them with a sterile bandage.
 3. After the removal of gloves or other personal protective equipment, employees shall wash their hands immediately (or as soon as possible).
 4. Employees shall wash exposed skin with antibacterial soap and hot water immediately after any contact with blood or OPIM. If water is not readily available, use a germicidal hand cleaner and paper towel, then soap and hot water as soon as possible. Should any blood or OPIM enter the eyes, nose, or mouth, these areas should be flushed with water immediately.
 5. Contaminated needles and other sharps shall not be bent, recapped, or removed. Shearing or breaking of sharps is prohibited.
 6. Sharps container or sharps/needle keepers are located at the station evidence room for disposal or for evidence. These are puncture-resistant, labeled/color-coded as BIOHAZARD, and leak proof. All department vehicles are equipped with Blood borne Pathogen Kits. Needles/sharps are to be transported in these kits (sealed in clear plastic bags within the kit). At the station evidence room, place sharps in bio-hazardous container for disposal if not used for evidence.
 7. Evidence or impounded items which are contaminated with blood or OPIM shall be packaged in appropriate leak proof containers and labeled BIOHAZARD. Any item collected which may puncture the first bag shall be double-bagged so as to prevent puncturing/leaking.
 8. Biohazard waste (gloves, masks, boxes, etc.) which are contaminated with blood or OPIM shall be disposed of in appropriate containers.
 9. Any personal clothing or vehicle that has been contaminated with blood or other potentially infectious material shall be left for special handling and not taken home.
- W. Precautions Dictated by Levels of Risk Exposure – incident scenes should be categorized according to the level of risk, with Level I being the lowest risk, and Level IV being the highest risk. As the level of risk increases, additional safety precautions are required.

1. Level I – An incident scene where individual pieces of evidence or property suspected of being contaminated must be collected.
2. Level II – Interior or exterior scene, with little or no blood or other body fluids.
 - a. The ten (10) work practice controls; latex gloves should be worn.
3. Level III – An incident scene where a small amount of blood or other body fluids are collected, using swabs or scalpel for scrapings, or anytime aerosolization or splashing of blood or body fluids is likely to occur:
 - a. In addition to the requirements listed above:
 1. Eye protection should be worn, which should be sanitized following scene processing, unless they are disposable.
 2. Disposable biohazard face masks should be worn.
 3. Use mechanical devices to pick up evidence.
4. Level IV – Interior or exterior incident scenes with considerable amount of blood or other body fluids, or any scene containing decomposing bodies, or anytime aerosolization or splashing of blood or body fluids is likely to occur:
 - a. Follow procedure for Level III and include:
 1. Protective disposable clothing.
 2. Disposable foot coverings or rubber boots.
 3. Rubber boots should be sanitized following scene processing.
5. In the event of an emergency or exigent circumstances, the prevention measures outlined above risk levels will be adhered to as soon as reasonably possible after the situation is settled. In similar fashions, supervisors or Command staff who make a brief appearance on a scene (but do not actually take part in evidence gathering, etc.) will take those precautionary measures appropriate to their level/degree of involvement.

13.16 {PRIVATE }PERSONAL BUSINESS ON DUTY{tc \l 2 "PERSONAL BUSINESS ON DUTY" }

13.16.1 RESTRICTIONS

Personal business, except incidentals, will not be conducted while on duty.

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|---|----------------------------|---------------|
| Effective Date October 23, 2001 | Number WASPC Chapter 14 | |
| Subject Collective Bargaining | | |
| Reference CALEA Chapter 24 | Special Instructions | |
| Distribution February 22, 2002 | Approval | No. Pages - 2 |

14.1 COLLECTIVE BARGAINING UNIT **CALEA 24.1.1**

14.1.1 REPRESENTATION

All Commissioned employees below the rank of Lieutenant are represented by the Teamsters Local 763.

14.1.2 EXEMPT STAFF

The Chief of Police, Captain and Lieutenants are considered exempt staff, and are non-represented.

14.1.3 COLLECTIVE BARGAINING

Collective bargaining with the unions is carried out by a City Manager designated team. The Chief of Police (or other designee) may sit as a team member, and will be responsible for administering negotiated contracts. Final contract approval is reserved to the City Council.

14.2 DISSEMINATION OF AGREEMENT **CALEA 24.1.2**

14.2.1 UNION MEMBER CONTRACT COPIES

All respective unions are responsible for furnishing copies of the bargaining agreement to their respective members.

14.2.2 NON-UNION CONTRACT COPIES

The Chief of Police or a designee will provide a copy of the bargaining agreement to members who elect not to be Union members.

14.3 SUPERVISORY PERSONNEL

CALEA 24.1.2

14.3.1 RESPONSIBILITY

The Chief of Police or a designee will inform, and train if necessary, supervisory personnel of collective bargaining agreements affecting personnel under their supervision.

14.4 COMPLIANCE

CALEA 24.1.1

14.4.1 OBLIGATIONS AND DUTIES

There are no written directives necessary to ensure compliance with bargaining agreements. Each agreement stands alone and includes a process for reaching a determination should the two parties to the agreement be at odds as to any language meaning. Each party to the agreement has the obligation and duty to ensure the other party to the agreement is in compliance.

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| Effective Date October 23, 2001 | Number WASPC Chapter 15 | |
| Subject Grievance Procedures | | |
| Reference | Special Instructions | |
| Distribution February 22, 2002 | Approval | No. Pages - 2 |

{tc \l 1 "GRIEVANCE PROCEDURES"}

15.1 {PRIVATE }GRIEVANCE PROCEDURE{tc \l 2 "GRIEVANCE PROCEDURE"}

15.1.1 COLLECTIVE BARGAINING AGREEMENTS

Collective bargaining agreements address the grievance procedures for the bargaining unit and the members of those units that are employed by the Medina Police Department. Each member of the unit will consult their contract for grievance procedures.

- A. The Teamsters Union Local 763 is the current bargaining unit for all commissioned personnel at the rank of Officer and Corporal.**
- B. Lieutenants, the Captain and the Police Chief are governed by the procedures established through the Civil Service Commission and personnel ordinance.
- C. Non-Commissioned personnel are covered by Teamsters Union Local 763.

15.1.2 COORDINATION OF GRIEVANCES

The Police Chief is responsible for coordinating grievances within the Police Department. This may be accomplished through the normal chain of command.

15.2 {PRIVATE }CONTENTS OF GRIEVANCE{tc \l 2 "CONTENTS OF GRIEVANCE"}

15.2.1 GRIEVANCE PROCEDURES

Collective Bargaining Agreements address the grievance procedures for each bargaining unit and the members of those units that are employed by the Medina Police Department. Each member of their respective units will consult their contract for grievance procedures.

15.3 {PRIVATE }GRIEVANCE CONTROLS{tc \l 2 "GRIEVANCE CONTROLS"}

15.3.1 CONTROLS AND PROCEDURES

Collective bargaining agreements address the grievance procedures for each bargaining unit and the members of those units that are employed by the Medina Police Department. Each member of their respective units will consult their contract for grievance procedures.

15.3.2 RECORDS OF GRIEVANCES

The Chief of Police shall maintain a file of all records of grievances.

15.4 {PRIVATE }GRIEVANCE BOARD{tc \l 2 "GRIEVANCE BOARD"}

15.4.1 COLLECTIVE BARGAINING AGREEMENTS

Collective bargaining agreements address the grievance procedures for each bargaining unit and the members of those units that are employed by the Medina Police Department. Nothing in this chapter is meant to supersede labor contract language.

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|---|--|----------------|
| Effective Date October 23, 2001 | Number WASPC Chapter 16 | |
| Subject DISCIPLINARY PROCEDURES | | |
| Reference | Special Instructions Last Reviewed January 25, 2002 | |
| Distribution February 22, 2002 | Approval | No. Pages - 25 |

16.1 CODE OF CONDUCT

CALEA 26.1.1

A. Conduct Unbecoming

Employees of the Medina Police Department shall not engage in unbecoming conduct. "Conduct Unbecoming" means behavior that diminishes respect for the Department or Department member; Diminishes confidence in the operation of the Department; Adversely impairs the efficiency of a Department member; and, Adversely affects the morale or discipline of the Department. Examples of Conduct Unbecoming are:

1. Association with convicted felons, unless in the performance of official duties.
2. Bigotry
3. Criminal Conduct
4. Dishonesty
5. Criminal traffic violations
6. Fighting
7. Insubordination
8. Mishandling of Property
9. Sexual misconduct, while on duty
10. Substance abuse
11. Verbal tantrums
12. Unwarranted use of profanity
13. Excessive drinking or public drunkenness
14. Involved in Neighborhood Disputes of a personal nature which a reasonable person could conclude might escalate into a potential situation.
15. Use of police authority while engaged in personal matters.
16. Misuse of computer, e-mail, or the Internet to view pornographic material etc. unrelated to performing official duties

Business Necessity for This Standard:

Members shall accept full responsibility for their behavior and the results of their behavior on duty as well as off duty. Behavior that may not be considered wrong in private employment could be wrong in the public sector because of the nature of the public service mission.

Historically, citizens are quick to criticize and require that public safety members conduct and behavior be above reproach in fact and appearance. Management recognizes its responsibility to

balance standards of conduct designed to promote public trust while at the same time to avoid unnecessary infringements on the members' right to privacy. At the same time, members who wish to hold the honor of a public position and enjoy the privileges of public trust share an affirmative responsibility to conduct themselves (on duty as well as off duty) in a manner that does not bring public image or trust into question. The members' right to privacy does not create an obligation on management to finance those rights at the expense of effective, efficient or safe operations of this Department.

B. Aiding Other Members

Members shall, during the line of duty, come to the aid of another member when a request or need is made known.

Business Necessity for This Standard:

The nature of public safety work frequently requires the support, assistance and safety of other members. Knowing this support will be rendered in time of need promotes and maintains morale and a sense of well-being among all members.

C. Alcohol Use and Related Conduct

Members shall not appear for or be on duty under the influence of any alcoholic beverage or drugs or to be unfit for duty because of their excessive use. Members shall not drink any kind of intoxicating beverage while on duty or take any intoxicating drug not prescribed and necessary for health at any time.

Business Necessity for This Standard:

The consumption or possession of alcoholic beverages by public officials is highly scrutinized by the public. Improper and excessive uses of such chemicals lead to severe criticisms of this Department and of all its members. Because a large portion of public safety work depends on the members' ability to evaluate critical situations and make judgments that often affect public confidence, life, liberty and safety, it is critical that judgments be as unimpaired as practicable. The effects of alcoholic beverages interfere with this decision-making ability.

D. Committing or Condoning Illegal or Forbidden Harassment

Illegal or forbidden harassment (e.g., gender, race, religion, national origin, ethnic, disability or age) are prohibited as a basis for conduct, behavior, or decisions affecting another members' or potential members' terms or conditions of employment. Members shall not use sex, race, religion, national origin, ethnic background, disability or age in their words, actions, gestures, conducts or behaviors

that could reasonably be construed or perceived by another member or potential member as hostile, offensive or intimidating.

Business Necessity for This Standard:

It is management's right and responsibility to channel, control, and otherwise prohibit member behavior or conduct that has the potential to cause employer liability or disruption in the work force or to subject management to civil liability for violations of a member(s)' civil rights. On-the-job or job-related gender, ethnic, racial, national origin, age, disability or religious harassment is a serious violation of a member(s)' or potential member(s)' civil rights. Civil courts hold employers and members highly accountable and liable for controlling behavior and conduct in these areas.

E. Committing Unsafe Acts or Endangering Self or Others.

Members shall not unlawfully commit acts or behave in such a manner that has the potential for endangering or injuring themselves, property, or another person.

Business Necessity for This Standard:

Public service work requires that members do not compromise the authority, integrity, trust, or confidence inherent to their offices.

F. Conflicts of Interest

Members shall not create conflicts of interest or potential conflicts of interest with the duties and obligations of their positions within this Department.

Business Necessity for This Standard:

Public service work requires that members do not compromise the authority, integrity, trust, or confidence inherent to their offices.

Public safety officials have easy and often uncensored and unquestioned access to people, information, resources and positions of trust not easily available to the general citizen. This "freedom of office" must be governed and controlled if the public trust is to be preserved. Failure to do so will severely restrict the ability of this office to provide its services in an effective and efficient manner. When conflicts of interest occur between the member's position with this Department, management attempts to bring about a reasonable balance, if possible. When this balance cannot be made and the member's interests are in promoting their own personal interests, management must initiate action designed to best promote the mission of this Department.

G. Cooperation with Members and Other Officials

Members are required to seek positive ways to cooperate and work with other members, other public officials, and members of any organization with whom the member or this Department needs to have a good working relationship in order to deliver lawful, effective, efficient, and safe services.

Business Necessity for This Standard:

The need to work in a cooperative manner with members of other agencies and public officials is self-evident. In today's society, the effective, efficient and safe delivery of public services requires a coordinated effort of all members and public service agencies.

H. Supervisors Shall Display Respect Towards Subordinate-Ranked Personnel

Supervisors shall treat subordinates with the same courtesy and respect that is required of subordinates to display to supervisors. Criticisms of a member or a member's performances will be made directly to the subordinate and, when practicable, in a private setting.

Business Necessity for This Standard:

Members who are treated with respect, concern, and courtesy are typically better performers and have higher morale. Supervisors who respect subordinates and limit criticisms to unsatisfactory work performances obtain higher levels of member cooperation than those who direct their criticisms at the member's person.

Because Supervisors are management's representatives, higher levels of performance are expected of them in this area; and they are expected to set a positive example for others to follow.

I. Discriminating or Establishing Patterns of Discrimination in the Performance of Duties

In words, deeds, gestures, performance of jobs, duties, tasks and delivery of services, members shall not discriminate; nor shall a member discriminate on the basis of a person's gender, ethnic background, race, color, national origin, lifestyle, preferred sexual orientation, religion criminal history, age, disability or social status.

Business Necessity for This Standard:

Public members must strive to maintain neutrality in the performance of duties and delivery of services to all persons regardless of their personal characteristics, social status, or work conditions. Discriminatory treatment of citizens creates a serious threat to the well being of all citizens as well as exposing this office to the possibility of civil and/or criminal action.

J. Dishonesty or Untruthfulness

Members shall not lie, give misleading information, or falsify written or verbal communications in official reports or actions with any person or organization when it is reasonable to expect that such information may be relied upon because of the member's position or affiliation with this Office. (Except as part of official duties as noted in the Code of Ethics.)

Business Necessity for This Standard:

Public work is based on public trust and confidence. Performance standards in this area are much higher for public members than for the ordinary citizen. History has shown that having lost trust in its elected or appointed officials, the public is quick to react, often resulting in reductions in operating budgets, external review boards, replacement of officials, and in some cases abolishment of the organization.

K. Displaying Competent Performance and Achieving Competent Performance Results

Members shall display competent performance and consistently achieve competent performance results on all assigned or assumed job responsibilities, duties and tasks.

Business Necessity for This Standard:

In a public safety organization where much of the work effort involves citizens' liberties and physical safety, incompetent performance cannot be tolerated. When incompetent performance is discovered, its source must be dealt with effectively and efficiently or the potential of damage or injury exists. When this potential occurs, the organization runs the risk of incurring severe criticism, the loss of public trust, and the creation of civil liability.

Notice: As the term is used here, competency is a characteristic of a performance outcome, not a characteristic of an individual. Members are hired to achieve results; and if a member brings about an acceptable performance outcome, he or she has displayed the ability to apply his or her combination of knowledge, skill, and attitude within the context of the situation to bring about a useful and desirable outcome for the organization. Knowledge, skill, and attitude are useless to the organization if the member is unable to apply them in a productive manner.

L. Establishing Patterns of Absenteeism

Members shall not establish patterns of absenteeism.

Business Necessity for This Standard:

All absenteeism affects the effective, efficient, and safe operations of this Office. The nature of public safety/security work requires a cadre of workers capable and ready to handle any established or expected service demanded by the public. Public personnel have specialized and specific training

that cannot be easily replaced or substituted by other persons, and replacement or substitutions are usually difficult for management.

When a member establishes patterns of unauthorized absenteeism, management interprets this as substantial evidence of abuse and violation of this standard.

M. Physical and Mental Readiness to Perform Primary Duties and Tasks

Members shall report to work and while working remain mentally, physically, and emotionally ready to assume and competently perform all their responsibilities, duties and tasks.

Business Necessity for This Standard:

Effective, efficient and safe public service depends on members being ready to perform competently and effectively at a moment's notice. Public trust can suffer and quite often threats to member safety can occur in a public safety organization if management has to wait for nonperformance to occur before testing and monitoring for readiness. It is reasonable and logical to assume that members who are physically and mentally ready to perform will be better performers than those who are not physically and mentally prepared.

Members who lack the physical and mental capabilities to assume the responsibilities and duties expected of their jobs create a public safety hazard for themselves as well as others who may depend on their performance to provide an effective, efficient and safe protective service.

It will be job tasks that are performed on a regular basis that are used to determine the expected level of the member's fitness and mental and emotional readiness. For example, it is reasonable to expect a uniformed member (e.g., Law Enforcement Officers, Firefighters, Emergency Medical Personnel) who encounter physical exertion on a regular basis to maintain a higher level of physical and mental readiness than perhaps an administrative member whose regular duties are most sedentary in nature.

Conversely, the non-uniformed member who deals daily with administrative decisions is expected to be able to handle higher levels of administrative stress than perhaps the Street Officer. It is reasonable to expect differences in their levels of performance because of priority and repetitive nature of their daily tasks.

N. Giving a Full Day's Work for a Full Day's Pay

Members shall give a full day's work for a full day's pay and not establish patterns of nonproductive work time.

Business Necessity for This Standard:

The concept of expecting members to give a full day's work for a full day's pay is heavily imbedded in American labor management. Although public safety work is typically reactive in nature, a large portion of non-responsive work time can be spent performing self-initiated work. It is during self-initiated work periods that the preventive and deterrent nature of protective and safety services is achieved and provides the greatest opportunities to effectively and efficiently deliver services.

The concept of a full day's work for a full day's pay does not mean members are expected to have identical levels of work from one day to the next. However, work patterns do exist and an analysis of data on a monthly, quarterly, semiannual, or annual period provides a descriptive picture of the amount and type of work that can be reasonably expected from members who are conscientiously giving a full effort.

O. Insubordination

Members shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures, and practices of the Medina Police Department. They shall also subordinate their personal preferences and work priorities to the lawful verbal and written rules, duties, policies, and procedures and practices of this Department as well as to the lawful orders and directives of supervisors and superior command personnel of this department. Members shall willfully perform all lawful duties and tasks assigned by supervisory and/or superior-ranked personnel. Direct, tacit or constructive refusal to do so is insubordination.

Business Necessity for This Standard:

Employment is a mutual exchange of interests and benefits between management and its members. In exchange for the privilege of employment and paid compensation, management has the right to expect members to willfully perform the duties and tasks of their positions or any other task lawfully assigned and achieve effective and efficient performance results. It is reasonable to expect members to obey operational directives and the orders of this Office's Supervisors. When disagreements between management occur, management has the right to expect members to follow the accepted labor principle of "obey now and grieve later".

Insubordination and insubordinate behavior are recognized by labor practices to be among the most serious offenses. If insubordination is allowed to go unchecked, management loses control and authority over its work-force.

P. Knowing, Observing, and Obeying All Directives, Rules, Policies, Procedures, Practices and Traditions

Members shall display an affirmative, consistent effort to observe and comply with the directives, rules, policies, procedures, practices and traditions established for the effective, efficient, and safe operations of this Office. This standard applies to policies, procedures, and practices that are written as well as those established by past patterns or practices.

Affirmative effort as the term is used here means to self-initiate acceptable ways to comply. In other words, look for ways to comply with the standard and not look for the exceptions to the standard.

Business Necessity for This Standard:

Policies, procedures, and practices are management's tools to achieve overall official efficiency and effectiveness in day-to-day operations and decision-making. They are designed to communicate management's intent and to help management focus its resources.

Q. Observance of Criminal and Civil Laws

Members shall obey the constitutional, criminal and civil laws of the City, County, State, and Federal Governments.

Business Necessity for This Standard:

Service and protection of the public, impartial administration and carrying out of duties, observing and obeying the very laws we are sworn to uphold, and providing equal service to all are covenants public officials have with citizens and are bound to honor if they wish to remain in public office. Officials who violate those very laws and canons that they are sworn to uphold and observe destroy public faith and respect for this Office and weaken this Office's ability to perform its service mission.

R. Courteous and Respectful Behavior Toward Positions of Authority

Members shall be subordinate and display courtesy and respect in words, deeds, gestures, and actions towards personnel holding higher levels of official authority.

Business Necessity for This Standard:

The purpose of supervisory positions is to ensure reasonably that the mission, goals and directives of this Office are carried out in an efficient, effective, and safe manner as well as to provide accountability for the performance of the work unit.

Management requires subordinates to display respect and courtesy to higher positions because it provides a sense of order as well as serves a tangible indication that subordinates are willing to subordinate personal priorities, goals, and objectives to the needs and mission of this office. In addition, the willingness and ability of a member to subordinate personal interests and to display respect and courtesy to a supervisor is a reasonable assessment of the member's capabilities to set aside personal feelings and priorities when dealing with citizens.

S. Use or Unlawful Sale or Possession of Illegal or Unauthorized Drugs

Members shall not unlawfully possess, sell, consume, use or assist in the use of any illegal or unauthorized drugs or medications on duty or off duty. Nor shall any member consume any authorized drug or medication in proximate time to his or her reporting time for duty if the known side

effects are likely to cause any impairment of abilities such as creating drowsiness etc., nor shall he or she report to duty with evidence of having consumed such drugs or medication.

Note: Unauthorized means any substance, drug or medication that is illegal to possess as well as any legal substance, drug or medication that is used without medical approval as well as drugs used without the knowledge of management.

Business Necessity for This Standard:

The illegal and improper use of drugs is a national problem. Public officials who are known to use illegal drugs or use authorized drugs in an improper manner subject this Department to severe public criticism and damage the image of the whole Department. By its very nature, public safety work depends on the member's ability to evaluate critical situations and make judgements that affect public confidence and often citizens' lives, liberties and safety. It is critical that judgments be as unimpaired as practicable and free from the adverse effects of any drugs.

T. Use and Care of Property and Equipment

Members are accountable for the proper use and care of any property or equipment assigned to them, used by them, or under their direct or constructive care.

Business Necessity for This Standard:

Constructive care means caring for equipment not being used, found, left unattended or unsupervised. All members are accountable for assuming the care for such equipment and are required to take action affirmatively to return it to its place of proper storage.

Property means tangible and intangible ownership of goods, rights, or privileges of this Department, (e.g., tools, weapons, copyrights, logos). Equipment is the tool by which this office is able to accomplish its objectives and mission and represents a capital investment of public resources.

Management has the specific right and inherent interest in assuring the public that its equipment will be cared for and used in an effective, efficient and safe manner. Part of this responsibility includes designating what equipment will be used, how it will be used, who shall and shall not use Department equipment or property, and how it shall be cared for while entrusted to a member.

U. Uniforms, Equipment, and Appearance:

1. Personal Grooming and Hygiene – All employees shall be neat appearing, well-groomed, and clean in their person and manner of dress.
2. Hair Styles – Hair must be clean, neat, and combed. Officers are required to style hair in such a manner as to not interfere with the wearing of headgear.
 - a. Sideburns shall be neatly trimmed and rectangular in shape. Sideburns shall not extend below the bottom of the ear.

- b. Officers shall be clean-shaven except they may have mustaches which do not extend below the upper lip or more than one-half inch beyond the corner of the mouth.
 - c. Civilian employees shall wear their hair in a style that would not create a safety hazard or would be repugnant to the general public.
 - d. Certain Officers, because of their assignments, may seek exemption from these regulations from the Chief of Police.
3. Appearance in Uniform – Uniforms shall be worn as prescribed by department procedures. Uniforms shall be kept neat, clean, and well pressed at all times. Mannerisms, such as expectorating in public, slouching, shuffling, hands in pockets, or other general offensive actions shall be avoided.
4. Ballistic Vests – All uniformed Officers or Officers assigned to the protection of other persons, shall be issued ballistic vests and wear same. Wearing the vest is optional whenever the temperature is over 80 degrees or when a medical condition would prevent the Officer from performing the assigned duties. If an Officer chooses to take his/her vest off, they should keep it in their vehicles and available to use. All staff and Investigative Officers are encouraged to wear the ballistic vests when in the field.
5. Traffic Safety Vests/Raincoats – A reflective safety vest or the uniform raincoat worn with the yellow/orange side out shall be worn when an Officer is exposed to traffic hazards for extended periods of time.
6. Civilian Clothing – Employees on duty who are permitted to wear civilian clothing may wear that which conforms to standards normally worn by office personnel in private business firms, unless otherwise directed by the Captain or Lieutenant.
7. Equipment – All equipment used on duty or owned by the department shall be clean, in good working order, and conform to departmental specifications.
8. Off –Duty Equipment – Officers may carry their official identification and weapon when off duty, but are not required to do so while engaging in any activity that could impair one's ability to effectively discharge their duties.
9. Registering Equipment with the Department – Officers are required to register with the department the description and serial numbers of all weapons authorized for on and off-duty use.
10. Firearms – All Officers are required to inspect and maintain department firearms. All Officers will qualify as required. Officers will carry on or off duty only those firearms which they have qualified with on department approved courses.
11. Firearms Display and Use – Employees shall only display their firearms when required to do so pursuant to inspection or in the line of duty. Employees shall discharge their firearm only in the line of duty as per departmental standards, or for routine training practice and competition shooting.

- a. Any discharge of a firearm other than for training or recreational shooting shall be reported at once to the local law enforcement agency and to the employee's Supervisor or appropriate Command Staff Officer.
12. Uniform and Equipment Damage Claim – Any claims for damage to clothing or other personal or issued property belonging to an employee caused by performance of duty shall be made in writing to the employee's Supervisor within five days of the damage, or as soon as possible. Reimbursement for required personal property damaged or lost in the performance of duty will be evaluated and authorized by the Chief of Police.
13. Watches – Officers on duty will carry a serviceable watch.

V. Departmental Property and Equipment:

1. Use of Equipment – Employees shall use departmental equipment for its intended purpose and shall not abuse, damage, or lose assigned equipment.
2. Reporting Damage/Loss of Departmental Property – Employees shall immediately report to their Supervisor in writing any loss or damage of departmental property assigned or used by them. The Supervisor will, if possible, correct the deficiency and notify the Shift Supervisor of any action taken. All City and State accident reports required shall be completed by the end of the duty period in which the damage or loss occurred.
3. Care of Departmental Buildings and Notices – Employees shall not mar, mark, or deface any surface in any departmental building.
4. Maintenance of Manual – All employees who are issued the Standards Manual, or other departmental publications, are responsible for their maintenance and will make appropriate changes or inserts as they are issued.
5. Surrender of Departmental Property – Employees are required to surrender all departmental property issued and in their possession when requested to do so by competent authority.
6. Departmental Vehicles – Employees shall not use any departmental vehicle without permission of a commanding officer or supervisor.
7. Transporting Citizens – Citizens will be transported in departmental vehicles only when necessary to accomplish a Police purpose and in accordance with departmental policy. All uniformed units will notify the Communications Center.

W. Investigations, Arrests, and Detentions:

1. Investigations – Investigations at the scene of any police function shall be made in accordance with current department standards and procedures.

2. Arrest, Search, and Seizure – Officers shall not make any arrest, search, or seizure which they know is not in accordance with law, and department standards and procedures.
3. Treatment of Persons in Custody – Officers shall not mistreat persons who are in their custody. Such persons shall be handled according to department standards and procedures.
4. Use of Force – Officers shall not use more force than is reasonably necessary to subdue and apprehend a suspect.
5. Identification as Police Officer – Except when identification is obvious or impractical, Officers shall identify themselves by displaying their official identification before taking Police action.
6. Reports and Bookings – No employee shall knowingly falsify reports or cause inaccurate or improper information to be recorded on department records.
7. Security of Department Business – Employees shall not release departmental business information or records outside the department except in performance of their duties or when required to do so by law. All information or communications that are addressed to or intended for a Supervisor or Command Officer will be considered confidential. Employees in doubt as to the releasing of records or information will seek clarification from their immediate Supervisor.

X. Court Appearances and Legal Actions:

1. Court Appearances – Employees shall, upon being subpoenaed or notified by competent authority, attend court or quasi-judicial hearings. Permission to ignore this duty shall be obtained from the Prosecuting Attorney handling the case, or other competent court officials. If unforeseen emergency circumstances prevent or delay prompt attendance in court, the employee shall notify the Chief of Police and Prosecuting Attorney's office or proper court officials as soon as possible.
 - a. Notices of impound hearings will be routed through the Records Division who will identify the responsible Officer and route the appropriate paperwork to them, just as in criminal matters. Officers receiving this notice are required to appear in the hearing just as in criminal matters. The Medina City Prosecutor will represent the City. He/she should be contacted if additional Officers need to be present or if there are questions about the case.
2. Acceptance of Subpoenas – Employees shall accept all subpoenas legally served. If the subpoena indicates, or if the employee is informed that the civil suit is against the Department or City or for another person or persons, the employee shall immediately notify his/her Commanding Officer in writing.
 - a. This subsection does not apply to suits which do not arise from the employee's association with the Department.

- b. Employees shall respond to the first subpoena served when they are ordered to report to two separate courts of equal rank at the same time. Employees shall respond to a subpoena from a Federal Court or a Superior Court in preference to conflicting subpoenas from a lower court, even though the latter is served first. However, in all cases, employees shall promptly notify the second court of the subpoenas from the first court.
3. Suits Against Employees – Any employee who is being sued for his/her action arising from employment with the Department shall notify the Chief of Police immediately in writing.
4. Testifying for the Department – Any employee subpoenaed to testify for the defense by reason of being employed by the Department, or City, in any hearing or trial shall notify his/her Commanding Officer upon receipt of the subpoena. However, employees need not be subpoenaed or notify their Commanding Officer in order to testify in an employee disciplinary hearing. An employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed.
5. Compensation for Court Appearance – All monetary compensation received by an employee as a witness fee for a court appearance on duty time shall be submitted to the City other than regular department pay. Any compensation received shall be relinquished to the City.
6. Personal Appearance – Employees shall be neat in their personal appearance and conduct themselves with dignity. The official uniform or coat and tie shall be worn. Female Officers will wear the official uniform or woman's suit, pants suit, dress, or blazer and slacks. Unless the Officer is on duty, the jumpsuit will not be worn to court.
7. Courtroom Demeanor – Employees shall not engage in loud conversations, even if court is not in session. Officers shall act in a professional manner while in court.
8. Special Interest – Employees shall avoid any action that would indicate a special interest in securing a conviction or give an outward appearance of dissatisfaction with decisions. The position of impartial public servant seeking justice is the only position justified.
9. Preparation – Before appearing in court, Officers shall organize and read their notes and consider the manner in which they intend to testify. Unless they have been included in the original police report, notes should not be taken into court.
10. Consulting with Attorneys – Officers who are in doubt about how to present something which is relevant to a criminal case or impound hearing should discuss the matter with the Prosecutor before the court appearance. For civil matters, the City Attorney should be contacted. Supervisors should be consulted before contacting the City Attorney, when practical.
11. Guidelines when Testifying – Officers shall follow these guidelines when testifying:
 - a. Tell the truth.
 - b. Talk in customary manner.
 - c. Speak clearly, slowly, and loud enough to be heard.
 - d. Do not answer a question until it is understood.
 - e. Correct, without delay, any mistakes in testimony.

- f. Do not give the impression to the court that there is any animosity toward the defendant or the defendant's council.
 - g. Be respectful.
 - h. Answer questions concisely.
 - i. Speak in response to a question. Do not volunteer information, particularly when being questioned by the defense.
 - j. Do not distort or conceal any facts.
 - k. Sit erect on the witness stand; do not slouch, fidget, or assume an unnatural position; do not chew gum.
 - l. Avoid loss of temper.
 - m. Take and leave the witness stand with dignity and confidence.
 - n. Do not try to be humorous or sarcastic.
 - o. Avoid any mannerism which might imply disrespect for the court.
12. Court Appearance for Former Employees – Officers required to testify regarding criminal matters for previous employers shall receive their normal pay if his/her testimony occurs during his/her regularly scheduled shift. Otherwise, overtime compensation will be the responsibility of the previous employer. Any witness fee or payment from the previous employer will be reimbursed to the City.

Y. Communications and Correspondence:

- 1. Correspondence Prohibitions – Departmental letterhead shall not be used for private correspondence. Employees may not send out correspondence of the Department over their signatures without general permission of the Chief of Police.
- 2. Forwarding Communications to Higher Commands – Any employee receiving a written or verbal communication for transmission to a higher command shall in every case forward such communication. An employee receiving a communication from a subordinate directed to a higher command shall endorse it, indicating approval, disapproval, or acknowledgment, and shall forward it via the chain of command to whom it is directed.
- 3. Radio Discipline – All employees operating the police radio from either a mobile unit or the Communications Center shall observe departmental standards and procedures, and regulations of the Federal Communications Commission.

Z. Death and Injury Notification:

- 1. Death or Serious Injury On Duty – The Supervisor shall be notified by the most expeditious means in the event of any incident involving the serious injury or death of an employee of the Department. It shall be the on duty Supervisor's responsibility to immediately notify the Chief of Police.
- 2. Death or Serious Injury Off Duty – Any employee receiving notice of the death or serious injury of an off-duty Department employee shall immediately notify the Chief of Police.

3. Notification of Family – In the event of an Officer's death or serious injury, the Administrative Lieutenant and the Officer's Immediate Supervisor shall advise his/her family of appropriate professional assistance available and any benefits accruing to the family from the City of Medina and other governmental entities.
 - a. The family of an employee not seriously injured but requiring hospitalization, shall be immediately notified by the department and the family rendered necessary assistance.

AA. Sexual Harassment

The Medina Police Department seeks to maintain a work environment free of sexual harassment and intimidation.

A. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. It is part of a Manager's or Supervisor's decision to hire or fire.
2. It is used to make other employment decisions such as pay, promotion, or job assignment.
3. It interferes with an employee's work performance.
4. It creates an intimidating, hostile, or offensive work environment.

B. Offending behavior as described above by a non-employee, such as a vendor or other City employee, is also sexual harassment and subject to enforcement under this and the City's policy.

C. Supervisors must be attuned to incidents in the workplace and report instances of questionable behavior. The City Manager or designees will have the responsibility to investigate charges of sexual harassment. Supervisors who ignore harassment in the workplace or fail to report these instances through the chain of command to the Chief of Police, and/or to the City Manager, are subject to discipline, including dismissal.

D. An employee who experiences sexual or other harassment should complain immediately to their Supervisor, unless they are complaining about their Supervisor. If this is the case they should take this to their Supervisor's Supervisor. The Chief of Police will be notified, and he/she will facilitate the reporting of the complaint to the City Manager. Note, if an employee feels at any time during the reporting process that they cannot comply with the reporting of sexual harassment through the chain of command, they can bypass it and take the complaint directly to the City Manager.

1. Investigating harassment complaints is the responsibility of the City Manager or his/her designee. Retaliation against employees who complain of harassment is prohibited, even if insufficient evidence is found to support the complaints.

16.2 DISCIPLINARY SYSTEMS

CALEA 26.1.4

In minor disciplinary cases, counseling and training will be utilized as a corrective method of positive discipline, with the approval of the Chief of Police. Documentation on the individual's progress or the lack thereof will be maintained on file with the Lieutenant as part of the employee's next regular evaluation. The following guidelines will attempt to address those actions that would warrant a punitive approach, the penalties that can be imposed, the role of Supervisors and Chief of Police, and the criteria used for effective discipline.

A. Punitive Action Guidelines

Experience has shown that personnel respond when they know what the rules are and can guide their conduct accordingly. The prohibited types of conduct below are examples only and are not intended to include all offenses which will subject a person to the described penalties. Conduct not listed will result in penalty which is the same as that established for listed conduct which is similar in nature and seriousness. Employees shall refrain from:

1. Wearing inappropriate dress.
2. Use of any identification or garments provided by the City while engaging in any activity other than City employment without the written consent of the Supervisor.
3. Acceptance of any gratuity for services performed as a part of City employment.
4. Employees should keep personal calls to a minimum. Personal toll and long distance calls must be charged to the employee's home telephone or personal telephone credit card.
5. Negligent violation of safety rules or safety practices.
6. Excessive absenteeism and tardiness.
7. Horse play or throwing things.
8. Gambling, lottery, or any other game of chance on City premises that is in violation of City, State, or Federal law.
9. Soliciting or collecting contributions, or permitting another person to do so for any purpose on City time without permission of management.
10. Use of City vehicles except for City business during regular hours unless otherwise authorized.
11. Incompetence or failure to meet reasonable standards of efficiency.
12. Creation of hazards of fire, safety, or health.
13. Reporting for work while under the influence of intoxicants.
14. Sleeping on the job unless authorized.
15. Willful or grossly negligent violation of safety rules or safety practices.
16. Fighting, disorderly conduct, and conduct that violates common decency or morality.
17. Possession of intoxicants or controlled substances while on duty.
18. Possession of illegal weapons on City property.
19. Negligent damage to City property.
20. Willful destruction or damage of City property, tools, machines, equipment, or property of fellow employees in any manner.
21. Theft of property of the City or of other employees.
22. Falsifying records or application for employment, or knowingly giving false information to Supervisors, employees, or others.
23. Absence from work without notifying the City, or failure to return to work upon expiration of leave of absence.

24. Gross neglect of duty.
25. Insubordination.
26. Sale or use of intoxicants or controlled substances while on duty.
27. Use of intoxicants or controlled substances while on City premises or while on duty, unless authorized in the line of duty.

B. Penalties for Violation of Rules

The following penalties are based on the principle of progressive discipline. The purpose of progressive discipline is to place a person on notice that conduct is unacceptable and to give the person an opportunity to modify behavior. Serious penalties are imposed for successive incidents involving any prohibited conduct, not just in case of repetition of the same prohibited conduct.

1. Counseling
2. Training
3. Verbal warning
4. Written reprimand
5. Suspension with pay
6. Loss of vacation time
7. Suspension without pay
8. Demotion
9. Termination of employment

C. Recognition of Employee Rights

All applicable rights and procedural safeguards consistent with statutory law and the current labor agreement will be observed when an employee is subject to Departmental discipline.

D. Alteration or Modification of Disciplinary Action

The Chief of Police reserves the right to alter or modify any disciplinary action if it is in the best interest of the City. Discipline can include any combination of penalties.

16.3 COMMAND STAFF & SUPERVISOR'S ROLE IN DISCIPLINE

CALEA 26.1.5

.. Participate in the development of rules, policies, and procedures defining misconduct and unacceptable performance.

B.Communicate the rules, policies, and procedures to subordinates.

C. Train subordinates in proper conduct and acceptable performance.

0. Take emergency disciplinary action where there is misconduct and/or unacceptable performance.

1. Perform investigations and recommend disciplinary action to the Chief of Police.

F.Criteria for effective discipline:

1.Have a thorough knowledge of the rules, conduct, and performance standards of the organization so that he/she can enforce them.

2. Understand the reasons for each of the rules or standards.

3.Make sure that all employees know the rules and standards. It is not fair to discipline an employee for violating a rule or standard the employee was not aware of.

4.Advise an employee on all real performance or behavioral problems as they occur which could result in disciplinary action.

5.Advise his/her immediate Supervisor of all real performance or behavior problems which could result in disciplinary action.

6.Be informed of the technical procedures and requirements for taking disciplinary action.

7.Follow up on disciplinary action. If the behavior or performance problem which resulted in discipline has been corrected, acknowledgment of this should be made. If the improvements or corrections have not been made, the Supervisor must proceed with additional disciplinary action.

3. The Medina Police Department Captain and Lieutenants will follow proper procedures for suspension, demotion, or discharges per Civil Service Rules, a copy of which is kept on file by the Chief of Police.

16.3.1 CAPTAIN/LIEUTENANT'S ROLE IN DISCIPLINARY PROCESS

The Captain or Lieutenant is expected to participate actively in the disciplinary process and enforce the Medina Police Department Standards of Conduct (rules and regulations). The Lieutenant can correct minor disciplinary problems in an informal manner, engaging in routine counseling, or recommendation of further training.

A.Lieutenants are authorized and limited to discipline of employees to oral counseling, verbal reprimands, written directives, performance action plans, and may temporarily relieve an employee of up to 10 hours of duty with pay if conditions such as a violation of a Department or Supervisory order or other act compromising the function and/or integrity of the Department occurs. Examples of this also include fatigue, unfit for duty to emotional problems, or other violations of standards.

1. Any supervisor relieving an employee of duty will order that employee to report to the Chief of Police at 9:00 a.m. the next working day. The supervisor ordering the relief of duty will immediately notify the Chief of Police of the incident. The supervisor will write a detailed report of the full circumstances of the case.
2. The Chief or his designee may extend the relief of duty with pay until the next working day, unless circumstances warrant further immediate action.
3. Supervisors can recommend suspensions or other discipline they feel is warranted in a given situation. Necessary support documentation for the requested action must be submitted with their request.

B.The Captain, in addition to the above stated discipline rights, may also suspend employees with pay for periods longer than 10 hours.

1. If the Captain is serving as Acting Chief of Police, he/she may suspend an employee without pay for an incident that is deemed serious in nature.
2. The notifications required by Civil Service Rules and City of Medina policies will be followed.

16.3.2 CHIEF OF POLICE – ROLE IN THE DISCIPLINARY PROCESS

A.The Chief of Police has all the discipline powers listed above and may suspend with or without pay, issue need for improvements, demote, and discharge an employee for cause per Civil Service Rules and City of Medina policies.

- 1.Civil Service Rules define suspension, demotion, and cause for discharge.

16.4 DISMISSAL OF EMPLOYEE

CALEA 26.1.7

Any department member who is dismissed will receive written notification which will contain the following:

- 1.Statement of charges, specifying the reason for dismissal.
- 2.Effective date of dismissal.
- 3.Advisement of appeals process.
- 4.Status if fringe and retirement benefits available through established employment systems.

5. Statement as to the content of the employee's employment record relating to the dismissal.
6. Every employee will be advised that they have the opportunity for a pre-termination hearing with the Chief of Police in order to be given the opportunity to present his/her comments about all allegations.
7. All procedures in City of Medina Civil Service Rules will be followed.

16.5 MAINTENANCE OF RECORDS OF DISCIPLINARY ACTION

CALEA 26.1.8

Records of disciplinary action are maintained by the Chief of Police. The Chief of Police will designate the length of time the disciplinary action is to be in effect and under what circumstances it will be purged.

16.6 APPEAL PROCEDURES

CALEA 26.1.6

Appeals concerning suspensions, demotions, and discharges will follow the procedures set forth in the current labor agreement. Copies of this agreement are issued to each employee, and kept on file with each Lieutenant, Captain, and the Chief of Police.

A. Appeals of written reprimands may be made within five working days of receipt to the next highest authority or the Chief of Police.

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17.1. SELECTION PROCESS FOR APPLICANTS

CALEA 32.1.1

17.1.1. The Medina Police Department will conform to City Personnel Policy (Recruitment and selection of employees) when selecting officer applicants and any other police employees.

17.1.2. Pre employment screening for the Medina Police Department shall include but is not limited to the following;

- Background investigation
- Polygraph examination
- Psychological examination (Department designated doctor)
- Physical examination
- Credit history
- Driver's license history

17.1.3 Background Investigation Criteria

Background investigations of law enforcement officer candidates will address at a minimum the following job related qualifications:

1. Communication skills (verbal and written)
2. Problem solving ability
3. Learning ability
4. Judgment under pressure
5. Desire for self-improvement
6. Appearance
7. Dependability
8. Physical ability
9. Integrity
10. Motor vehicle operation
11. Courtroom credibility
12. Observation skills
13. Willingness to confront problems
14. Interest in people
15. Interpersonal sensitivity

17.2. EQUAL EMPLOYMENT OPPORTUNITY

CALEA 31.2.3

17.2.1. The Medina Police Department is an Equal Opportunity Employer. As such, the Medina Police Department will enforce all federal, state and local laws, ordinances, rules, directives or advisories that pertain to Equal Opportunity Employment.

17.3. MINORITIES

CALEA 31.2.1

17.3.1. The Medina Police Department is committed to the goals of employer diversity. With such commitment the Medina Police Department will make every attempt to recruit women and minorities within the parameters of Civil Service Rules.

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18.1 BASIC ACADEMY TRAINING

CALEA 33.4.1

All entry level recruits/officers shall complete the Washington State Basic Police Academy and the Medina Police Department Field Training Officer Program prior to assuming any enforcement duties.

- A. All lateral-entry Officers shall complete the Field Training Officer (FTO) Program prior to assuming any enforcement duties.
 - 1. All Lateral Officers from other states must complete the State Equivalency Test within 18 months.
- B. Prior to formal entry into the Department's Field Training Officer (FTO) Program, all Entry-level and Lateral-entry Police Officers will qualify with the weapon they are issued. Documentation of training will be maintained in the training files.
- C. Prior to being formally released from the Field Training Officer Program, all Entry-level and Lateral-entry Police Officers will have completed Emergency Vehicle Operation Course (EVOC) training. Entry level Officers will receive this as a part of their Academy training. Any Lateral Police Officer who has not had this training must pass the Washington State EVOC training. Documentation of training will be maintained in the training files.

18.1.1 BLET ACADEMY ORIENTATION

Upon hire and prior to attending the Basic Law Enforcement Training Academy, all Entry Level Officers will be provided with an Academy manual.

- A. The following information is outlined in the manual:
 - 1. Academy organization
 - 2. Academy rules and regulations

3. Academy rating, testing, and evaluation
 4. Fitness and proficiency requirements
 5. Daily training schedules
- B. The Washington State Criminal Justice Training Commission is responsible for the administration and curriculum of the basic academy. The Lieutenant responsible for the department's Field Training Program shall, however, maintain constant liaison with academy staff to insure the integrity of training.

18.1.2 FIELD TRAINING OFFICER PROGRAM (FTO)

All newly appointed Officers will complete the Medina Police Department Field Training Officer Program (FTO).

- A. The FTO Program extends between 9 and 11 weeks in length, depending on the experience of a newly hired Officer, and covers a variety of subject matters. All subjects are based upon the assignments handled by the Medina Police Officers. The FTO Program for Lateral-entry Officers extends between 2-6 weeks in length and covers a variety of subject matters appropriate to the experience and training level of the Officer.
- B. The FTO Program requires daily and weekly evaluations to be completed by the assigned FTO. The program also requires tests to be administered by the FTO at the conclusion of each chapter to measure the new Officer's understanding of the training curriculum.
- C. Copies of the FTO Manual are maintained by the Lieutenant who maintains FTO Program responsibility.
- D. FTO Programs for both Entry-level and Lateral-entry Officers can be extended for 30 days beyond the above time periods where additional training is necessary in order to satisfactorily complete the FTO Program

18.1.3 FIELD TRAINING FOR RECRUITS AND FTO's

All newly hired Officers shall complete the Department's FTO Program. This is in addition to the 720 hour basic academy.

- A. Officers wishing to serve as FTO's must:
 1. Obtain permission from the FTO Program Lieutenant and Chief of Police.

2. Have satisfactorily completed one-year probationary period.
 3. Have a current performance appraisal rating at a fully satisfactory level, or above (i.e., 2.5 or above)
 4. Undergo at least five days of FTO training. Training shall be through the Washington State Criminal Justice Training Commission.
- B. All FTO's are supervised by the FTO Program Lieutenant whose responsibility it will be to remain current with the FTO curriculum of the State Training Academy. The Lieutenant will then ensure that FTO's demonstrate the requisite competencies of the position.
- C. The training and preparation of Field Training Officers is critical to the success of the Department's Field Training Program. All assigned FTO's will receive training in conducting performance evaluations of Recruit Officers and other tasks fundamental to the FTO process. FTO's will be provided task specific instruction as made available through the Washington State Criminal Justice Training.
1. FTO's may be removed from the assignment for unsatisfactory performance, disciplinary problems, or for other reasons that affect the suitability of the Officer to continue the FTO assignment as determined by the Chief of Police.
- D. Evaluations of recruits by their FTO shall be done on a daily basis. The FTO Program Lieutenant will review all evaluations of the recruit's progress. The evaluations and test results will be placed in the Officer's FTO Manual for final review by the Chief of Police.
1. Depending on the availability of FTO's, the recruit will be assigned to different FTO's for the purpose of enhancing training opportunities. Recruits will provide evaluations of their FTO's, as well as the FTO Program. Evaluations will be reviewed by the FTO Program Lieutenant and placed in the recruit's FTO Manual. This information will also be provided to individual FTO's, Captain, and the Chief of Police for the purpose of FTO development and Program improvement.
 2. All FTO's shall report any irregularities or problems to the FTO Program Lieutenant. The Captain and the Chief of Police will be advised of all such concerns.

18.1.4 DEPARTMENT POLICIES/TRAINING STANDARDS

The State sponsored training does not address policies or issues which are specific to the Medina Police Department. All relevant departmental standards, policies, rules and regulations are covered in the Field Training Officers Manual, and as well in Department training, both formal and informal.

- A. All newly hired Officers are required to successfully complete the F.T.O. Program. This requirement exists in addition to the successful completion of the State Academy and/or the equivalency process.

18.2 TRAINING OF FIRST LEVEL SUPERVISORS CALEA 33.4.1

- A. Prior to promotion or within one year of promotion, personnel promoted to supervisory positions will complete a minimum of forty (40) hours of applicable supervisory training as approved by the State Training Commission.

18.3 TRAINING FOR MID-MANAGEMENT POSITIONS CALEA 33.8.2

- A. Prior to promotion or within one year of promotion, personnel promoted to mid-management positions, whether commissioned or civilian, will complete a minimum of forty (40) hours of applicable management training as approved by the State Training Commission.

18.4 ANNUAL TRAINING – ALL OFFICERS CALEA 33.5.1

The Medina Police Department strongly encourages the concept of in-service training. As such, 30 hours per year will be considered the minimum for all commissioned employees. Additional training, based on organizational goals and priorities, identified needs and the mutual benefit of the Department and employee, will be pursued.

- A. In-service training will be designed to keep personnel up to date with new laws, technological improvements, and revisions in department standards (policy, procedure, and regulations). In-service training may also be designed to provide supervisory, management, or specialized training to participants. The Medina Police Department encourages employee participation in the identification and design of instructional opportunities that address relevant areas of needed competencies, and is committed to

fully participating in all training opportunities, both mandatory and discretionary, that promote individual career and department-wide goals.

- B. As part of this training, all Commissioned Officers will, at least annually, qualify with their duty and off-duty weapon(s) at an approved course conducted by the Department's Firearms Instructor(s).
- C. Officers will also, at least annually, qualify on the straight nightstick, department Emergency Vehicle Operation Course (EVOC) and Oleoresin Capsicum spray.
- D. The assigned Lieutenant will make available to all Officers a current listing of training available through the Washington State Criminal Justice Training Commission. Additionally, a list of other available training schools, classes, workshops, etc. will be maintained in a notebook in the squad room. This information shall be updated as training information is received. Further, it is the responsibility of all Officers to check the CJTC website (www.wa.gov/cjt) for current training opportunities of interest to them.

18.4.1 ROLL CALL TRAINING

The department recognizes roll call training as a viable method of reinforcing past training as well as introducing new information to personnel. Roll call training may be impromptu or assigned by the Lieutenant.

- A. Roll call training should take into account the special needs of personnel who, by virtue of their schedule, are not able to participate in normally scheduled training.
 - 1. Techniques/methods used to conduct roll call training may vary depending on the nature of the material presented. Oral presentation may be supplemented with videotape, handouts, hands-on application, audio cassette recording, or whatever method best serves to communicate the training information.
- B. In accordance with the State of Washington Administrative Code, the Medina Police Department recognizes the Washington State Criminal Justice Training Commission as the principle source of formal training and education of its personnel. As such, roll call training instruction should emphasize consistency and concurrence with commission instruction. The Lieutenant in charge of training will function as liaison with the Training Commission to ensure that mutually recognized standards of instruction are maintained.

- C. Roll call training may be conducted by outside instructors, but is typically accomplished by in-house personnel. A list of both outside and in-house instructors, including those with Training Commission instructor's credentials, is maintained by the Training Officer/Lieutenant.
- D. Personnel who participate in roll call training may provide a verbal and/or written evaluation of the training material as may be required by the Training Officer/Lieutenant.
- E. The assignment and scheduling of roll call training will be coordinated by the Lieutenant.
 - 1. Roll call training will occur as special needs arise or upon request by departmental personnel for this type of training.
 - 2. Names of all those who attend, the type of training, who gave it, and any critiques of the training shall be maintained. This information shall be forwarded to the Lieutenant to be included in each Officer's training file.

18.4.2 ACCREDITATION TRAINING

Accreditation Training is designed to familiarize personnel with the Washington State Accreditation process.

- A. The following training will be provided:
 - 1. To all newly hired personnel within the first year of employment.
 - 2. To all personnel during the self-assessment phase of re-accreditation.
 - 3. To all personnel prior to the on-site assessment for accreditation or re-accreditation.
- B. Accreditation familiarization training should address the following areas:
 - 1. The accreditation process itself.
 - 2. The goals and objectives of accreditation.
 - 3. Advantages and impact of accreditation on the department.

18.4.3 POSITIONS MANDATING SPECIALIZED TRAINING

A Lieutenant shall ensure that employees serving in special assignments are provided with training necessary to accomplish the assignment.

- A. The following positions have been identified as those requiring varying degrees of additional specialized training:
1. Detective
 2. Bicycle Patrol
 3. FTO Officer
 4. School Resource Officer
 5. Corporal
- B. Specialized training will be provided to personnel functioning in the above listed assignments. Those personnel assigned to specialized positions not listed, should likewise receive the appropriate type and amount of training as necessary to function effectively within their position. Specialized training will focus on the skills, knowledge, and abilities identified within the job task analysis.
1. Specialized training will identify the administrative requirements and relationships of the position to other components within the department.
 2. Specialized training will address the required performance standards related to the functions of the position.
 3. Specialized training will include a review of department standards and procedures related to the position.
 4. Specialized training will incorporate those practices and procedures recognized as “on-the-job-training”. Such training will be monitored by the Training Officer/Lieutenants and structured as circumstances require.
 5. Personnel assigned to specialized positions receive priority consideration for vendor sponsored training, should such training not be otherwise available or accessible, within a reasonable period of time after assuming the specialized assignment, depending on staffing/training availability.
- C. Officers will, on an availability basis, be sent to advanced crime scene schools conducted by the Washington State Criminal Justice Training Commission or other suitable vendor.

1. This training provides instruction in the following skills:
 - a. Recovery of latent finger and palm prints.
 - b. Recovery and preservation of foot, tool, and tire impressions.
 - c. Photographing crime and accident scenes.
 - d. Preparation of crime and accident scene sketches.
 - e. Collection, preservation, and submission of physical evidence, including biological samples.

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19.1 PROBATIONARY PERIOD

19.1.1 DETERMINATION

All probationary periods are determined by Civil Service Rules or City Personnel Ordinance. Regarding 11.01 of the Civil Service Rules, the probation period of newly promoted personnel shall be a minimum of 6 months or as otherwise directed by the Chief of Police and Civil Service Examiner.

19.2 WRITTEN PROMOTION ANNOUNCEMENT

19.2.1 RULES GOVERNING WRITTEN ANNOUNCEMENTS

The rules governing written announcements for promotional examinations are governed by the Civil Service rules for the City of Medina. Written promotion announcements shall include:

- A. Identification and description of the position or job classification that is intended to be filled through promotion.
- B. A schedule of dates, times, and locations for all elements of the promotion process.
- C. Specification of the requirements for participation in the promotion process.
- D. Description of the process to be used for testing, evaluation, and selection of personnel within the promotion process.

19.3 PROMOTION ADMINISTRATION

19.3.1 RESPONSIBILITY AND AUTHORITY

The responsibility and authority for administering the promotional process for the agency is the responsibility of the Chief Examiner of Civil Service.

19.3.2 ADMINISTRATOR AND LIAISON

The Chief of Police shall act as the administrator and liaison with the Civil Service Examiner for the promotional process.

19.4 PROMOTION PROCEDURES

19.4.1 GOVERNING RULES

The procedures that are used by the Medina Police Department for promotions to positions in this Department are governed by Civil Service rules as outlined in their current rules. Testing will be job-related and non-discriminatory.

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20.1 ANNUAL PERFORMANCE EVALUATIONS

CALEA 35.1.2

The purpose of an evaluation system is to provide both management and the individual employee a process through which job performance standards can be defined, measured and recorded for organizational purposes. To assure the public that employees of the Medina Police Department are qualified to carry out their duties while standardizing personnel decision-making processes and providing employees with necessary feedback information regarding their job performance, a job specific performance evaluation will be conducted with each employee at least once a year. All Medina Police Department employees will receive an annual performance evaluation report (**PER**) of record during the month of December.

A. Organizational purposes served include:

1. Allow fair and impartial personnel decisions.
2. Maintain and improve performance.
3. Provide a medium for personnel counseling.
4. Facilitate proper decisions regarding probationary employees.
5. Provide an objective and fair means for recognition and measurement of individual performance in accordance with prescribed guidelines.
6. Identify training needs.

B. Measurement Definitions – Non-probationary employees are evaluated according to a numerical scale that ranges from zero through five including a mid-point standard established between points two and three. The underlying assumption of this rating scale is that all non-probationary employees operate from a baseline standard of performance that satisfies all requirements established in the department's Field Training Program. Each employee is rated on the numerical scale using job specific criteria established through a process of job task analysis.

Measurement Definitions:

1. Below Benchmark Standards - Employee has not met the duties and responsibilities of the assigned job and has not met the established job expectations. Corrective action was initiated. Employees receive a numerical rating of "0" for job performance at this level.

2. Improvement Needed to Reach Benchmark Standards – Employee has minimally and inconsistently met the duties and responsibilities of the assigned job and the established job expectations. Personal and/or professional development is needed to attain or re-attain benchmark standards. Employees receive a numerical rating of “1” for job performance at this level.
3. Benchmark Standards - Employee met the duties and responsibilities of the assigned job and also met the established job expectations, taking into consideration the degree of difficulty in attaining them. Employees receive a numerical rating of “2” for job performance at this level.
4. Benchmark Standards Advanced - Employee met the benchmark standards and on occasion exceeded the duties and responsibilities of the assigned job and the established job expectations in such a manner that contributions and results attained were above benchmark expectations. Employees receive a numerical rating of “2.5” for job performance at this level.
5. Above Benchmark Standards - Employee met the benchmark standards and frequently exceeded the duties and responsibilities of the assigned job and the established job expectations in such a manner that contributions and results attained were significantly above benchmark standards. Employees receive a numerical rating of “3” for job performance at this level.
6. Exceptional Results - Employee exceeded the duties and responsibilities of the assigned job and the established job expectations or met very demanding job expectations in such a manner that contributions and results attained were clearly and consistently well above benchmark standards and provided exceptional value to the organization. Employees receive a numerical rating of “4” for job performance at this level.
7. Superior Results - Employee exceeded the duties and responsibilities of the assigned job and the established job expectations or met very demanding job expectations in such a manner that contributions and results attained were defined as exceptional and provided value to the organization while also achieving highly commendable standards of excellence. Employees receive a numerical rating of “5” for job performance at this level.

C. Justification of Performance Ratings

All ratings will be supported by detailed narratives documenting specific instances and explanations of relevant performance. Particular emphasis will be given to ratings that influence performance action planning efforts with an employee, particularly where a job performance rating(s) fall below benchmark standards.

20.1.1 PERFORMANCE PLANNING

Performance management responsibilities include the process(es) associated with future planning of job performance. Job performance planning serves to enhance existing job performance at all levels.

Job performance planning may be undertaken to facilitate assignment changes, ensure job performance effectiveness, promote career development, and/or satisfy administrative needs to include disciplinary procedures. The performance planning process consists of three fundamental elements – performance analysis, action plans and performance review. These elements are further defined as follows:

1. Performance Analysis – The performance analysis section serves to guide the supervisor and employee in their efforts to establish an appropriate action plan through the use of a problem-solving model, particularly under those circumstances where basic job skill proficiency is the focus of the action plan. This section may also be used to clarify issues and objectives as they relate to career development and job performance in areas vital to organizational effectiveness.
2. Action Plan – This is a mutually developed plan between the Supervisor and employee to enhance performance as it applies to basic job skill proficiency, career development objectives, and achievement in vital performance dimensions. The objectives sought, methods intended to achieve objectives, and the time frame expected to accomplish the action plan are defined. Steps required of the supervisor to assist the employee in accomplishing the action plan may be defined in the action plan
3. Performance Review – Documents the actual results of the action plan. If undesired results occurred, the Supervisor and employee are referred to the performance analysis.

A. Written Notification of Unsatisfactory Job performance

Employees will be notified in writing whenever job performance is deemed unsatisfactory. Such notification will normally be given within 30 days of the noted performance deficiency, or discovery of the deficiency, or when any process/review/ investigation concludes that a deficiency exists or existed. In addition to advising the employee of unsatisfactory performance, a performance action plan will be designed to improve upon the performance deficiency.

B. Review of Performance Evaluations/Performance Action Plan

The annual PER described herein will be reviewed and signed by the Captain and the Chief of Police before such reports are forwarded to the City Manager's office for appropriate action and disposition.

20.2 INSTRUCTION FOR PERFORMANCE EVALUATING

CALEA 35.1.1

Supervisors responsible for preparing employee evaluations and performance action plans will receive training designed to introduce and reinforce effective performance management and evaluation practices.

20.3 PERFORMANCE EVALUATION COUNSELING

Supervisors will, at the beginning of each rating period, counsel each employee on the following:

1. Tasks as outlined in the employee's job description.
2. The level of performance expected, rating criteria or performance objectives (goals) for the new reporting period.
3. Performance expectations of the Supervisor.

The Medina Police Department performance evaluation system encourages quarterly employee self-appraisal and Supervisor evaluation. As appropriate and at any time during the rating period, Supervisors will counsel employees regarding career development, i.e., advancement, specialized assignment, or training appropriate for the employee's position.

20.4 PROBATIONARY EMPLOYEES

CALEA 35.1.3

While assigned to the Field Training Officer Program, probationary officers will receive daily evaluations. Upon release from the FTO will be evaluated on a quarterly basis according to the performance criteria established for each of the dimensions outlined on the department's performance evaluation form. Written performance evaluations will be completed on all probationary employees in order to determine at the earliest point their suitability for continued employment, and to ascertain whether they can perform the required functions.

20.5 EVALUATION OF A SPECIFIC RATING PERIOD

CALEA 35.1.5

Annual and interim performance evaluations will document job performance ratings during a specified period of time. Only that performance noted during a specified rating period will be considered in the PER. Job performance prior to or following the rating period will not be included within the scope of the evaluation. The actual dates covered by the evaluation, shown on the cover sheet of the PER, will be required to provide a continuity of the record of performance.

Under certain circumstances, critical information relative to an employee's job performance may be learned after the rating period. Under these circumstances, the Supervisor will attach an addendum to the report narrative and resubmit a final evaluation report with appropriate numerical ratings indicated. Under normal circumstances, this procedure will apply if such information is learned within 60 days of the previous evaluation.

20.6 SIGNATURE REQUIRED ON PERFORMANCE EVALUATION(S)

CALEA 35.1.10

Employees will be given an opportunity to sign a completed PER or interim performance action plan. The signature indicates only that the report/plan has been read, and does not imply agreement or disagreement with the content of the report. If an employee refuses to sign the report, the Supervisor should so note and record the reason(s), if given. Employees may provide written comments to

supplement a completed PER. Written comments by the employee can also be directed through the chain of command and will be documented separately from the PER.

20.7 RATINGS CONDUCTED BY IMMEDIATE SUPERVISOR

The annual PER will be prepared by the employee's immediate Supervisor and this responsibility shall not be delegated. If an employee was supervised by more than one supervisor during the rating period, or if more than one Supervisor was incorporated into the management of a performance action plan, the rating Supervisor will confer with the other Supervisor(s).

20.8 RATERS TO BE EVALUATED

CALEA 35.1.14

Supervisors will be evaluated regarding the fairness and impartiality of ratings given, their participation in counseling and guidance for rated employees, and their ability to carry out the Supervisor's role in the performance evaluation/action planning system.

- A. Supervisors will be evaluated on their ability to prepare performance evaluation reports/action plans under the category "Supervision" – (Corporal) and "Personnel Management" – (Lieutenant), and Captain.
- B. Supervisors will be evaluated on the timeliness, uniformity, quality, documentation and coaching/counseling activities associated with employee performance management.

20.9 AGENCY USE OF PERFORMANCE EVALUATIONS

At the direction of the Chief of Police, PER's may be used to supplement personnel management decisions. Therefore, in addition to an annual rating, job assignment, transfer, discipline, training, advancement, and promotion may be affected as a result of performance ratings.

20.10 PERFORMANCE EVALUATION REVIEW PROCESS

(CONTESTED)

Contested evaluations will be subject to review by a panel consisting of the employee and all persons who contributed to the contested performance rating. The panel will be moderated by supervisor mutually agreed upon by the employee and Chief of Police. The moderator will submit a summary of the proceedings that includes a recommendation to the Chief of Police. This procedure will be used before a formal grievance is registered with the City Manager.

- A. The Captain will serve as the coordinator for performance evaluation reviews. The functions of the coordinator include:
 - 1. Evaluating the PER and identifying those parties necessary to conduct the performance review.

2. Establishing a time, date, and location mutually agreeable to all parties associated with the review.
3. Notifying all parties concerning scheduling of the review.
4. Witnessing those proceedings as conducted by the supervisor (moderator).
5. Making recommendations as they relate to the effectiveness of performance evaluation review procedures.
6. Providing resource/reference material to those parties participating in the review.

B. The protocol for contested performance evaluation reviews is as follows:

1. The employee requesting the performance evaluation review will submit a memo to the coordinator that:
 - a. Requests a review be conducted.
 - b. Identifies the employee's preference for a Supervisor (moderator).
 - c. Lists those issues/concerns as they relate to the performance evaluation in question.
2. The coordinator will complete those functions previously outlined in order to facilitate this process.
3. The Chief of Police or his designee will respond to the recommendations of the moderator within 10 working days.
4. All parties participating in the review will be notified of the final disposition.

20.11 RETENTION OF PERFORMANCE EVALUATION REPORTS

CALEA 35.1.13

All PER's will be maintained for the entire duration of an employee's tenure, and for a period of three years following separation of employee status with the Medina Police Department.

20.12 COPIES OF PERFORMANCE EVALUATIONS PROVIDED TO EMPLOYEE

CALEA 35.1.11

Each employee will be provided a copy of the completed performance evaluation report to include any action plans and or addendums.

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21.1 COMMUNICATION, COORDINATION & COOPERATION

To ensure that each officer begins their shift with information necessary to fulfill the department's objectives and priorities, relevant and timely information will be entered into the Patrol Briefing Book and signed/dated by the submitting officer. Such entries will be made by officers on duty during the previous shifts and will concern such matters as new directives or items of interest, citizen requests and notifications concerning schedule changes, special events, etc. Other information related to patrol activities, enforcement action and related information is logged in the Officer's Daily Activity Log.

It will be the responsibility of each individual Officer to pass on all information associated with personnel safety issues, community safety & welfare concerns and mutual aid interests to the Officer relieving them from duty. Whenever on duty, the supervisor will ensure such communications occur.

Other procedural matters affecting personnel will, when appropriate, be addressed in either a General Order, Special Order or a memorandum for department wide distribution. All such memoranda will be maintained in the binder labeled as Intra-Departmental Memoranda.

21.2 PATROL SHIFTS

CALEA – 41.1.2

Patrol officers will work an assigned shift as established by General Order in accordance with current labor agreement(s). Patrol Officers will report on time for briefing, in uniform, equipped, and ready to assume their duties. Staffing availability permitting, Patrol Officer coverage will be increased to respond to periods of increased calls for service activity and anticipated special events. In general, patrol shifts are established for rotating periods of three-month intervals. Training assignments and other departmental needs may affect the three-month periods that may be shortened or lengthened accordingly.

21.3 PATROL SCHEDULES

CALEA – 41.1.2

- A. Shift rotation will normally take place every three months or as otherwise determined by General Order, unless otherwise approved by the Chief of Police.
- B. Work shifts will be assigned to each officer by a shift rotating procedure and based on the needs of the Medina Police Department.

1. When possible, shift preference may be given to officers to allow for academic study. However, such preferential changes must be approved by the officer's immediate supervisor and the Chief of Police. The officer must be registered and complete course requirements. Dropping out may result in forfeiture of such preference.
2. The Lieutenant shall have the completed shift schedule reviewed by the Chief of Police, and upon approval shall post the upcoming shift schedule.

21.4 SPECIAL PURPOSE VEHICLES

CALEA 41.1.4

A. Although the Medina Police Department does not contract for aircraft/helicopter support services, three Seattle based news stations currently maintain rotary wing aircraft, which can be called upon to support law enforcement agencies. These stations are KOMO, KIRO, and KING News. Phone numbers for these stations are maintained in the Communications Center. Likewise, the King County Sheriffs Department can provide rotary wing aircraft (Guardian1) that can be requested upon approval by the Chief of Police.

1. In the event of a major incident, the supervisor may request that the Communications Center contact any or all of the local news stations which maintain rotary wing aircraft, or King County Sheriffs Department, and request their assistance. Any such assistance from privately owned aircraft will be at the discretion of the particular news station.
2. Whenever possible, the supervisor will direct an officer to accompany the pilot of the aircraft to better facilitate communication between the aircraft and the ground units. Communications, when requesting assistance, will notify the news station of the primary receiving channel for the Police Department.
3. Although any type of assistance may be requested by the supervisor, discretion as to application of the aircraft will be left up to the pilot, as the pilot is most knowledgeable of the particular aircraft's capabilities.
4. Although the military can provide rotary wing aircraft for transport of sick or injured subjects (M.A.S.T. Helicopters), these units will not be used for police operational purposes beyond their original intent.
5. The Washington State Patrol is also capable of providing fixed wing aircraft support. The supervisor will make such a request through the Washington State Patrol Communications Center. If available, a Washington State Patrol Traffic Unit should be requested to come to the Police Department or field command post to insure rapid communication with the aircraft.

21.5 ON-SCENE SUPERVISOR

CALEA 41.2.5

It is the policy of the Medina Police Department that critical incidents with high-risk potential require the presence of a supervisor whenever possible. The supervisor should be informed of major incidents, complaints, or problems occurring in the City. The supervisor has the ultimate authority

and responsibility over deployment and care of the officers under his or her command unless relieved by a superior officer.

The on-duty (field) supervisor will be notified as soon as possible and may be required to respond to the following incidents. If a Supervisor is not on duty, the "on-call" Supervisor will be notified.

A. Incidents Involving Members

1. Traffic accidents involving on-duty personnel and City vehicles.
2. Line-of-duty injury to officer requiring more than first aid. Includes exposure to blood borne pathogens (see BBP Exposure Control Plan).
3. Complaint of serious misconduct against department member.
4. Off-duty officer involved calls (disputes/arrests).
5. Officer involved shooting or weapons discharge.
6. Officer involved use of force incident involving death or serious bodily injury. A supervisor should be notified when the application of force is anticipated or is a likely outcome. (Officers should notify the supervisor and/or Chief of Police of any incident they deem to be serious or of a community sensitive nature.)
7. Field disputes with another law enforcement agency.
8. Requests by another law enforcement agency for assistance in execution of search or arrest warrants.

B. Major Incidents

1. Burglary 1 or Burglary of an occupied dwelling, or an attempt of either of these
2. Rape
3. Robbery
4. Assault with serious injury or Assault with a deadly weapon
5. Homicide
6. Manslaughter
7. Arson
8. Child Molestation
9. Riot
10. Malicious Harassment
11. Bombing

12. Kidnapping
13. Sniper
14. Barricaded/Armed Person
15. Hostage Taking
16. Suicides or suicide attempts
17. Search warrants prior to service
18. Missing person where foul play is suspected or the circumstances of the disappearance are questionable
19. Serious assaults with injury, as defined by the RCW
20. Disturbances with deadly weapons involved.
21. Incidents where support units need to be called out (SWAT, Major Crimes Teams, etc.)
22. Non-officer involved fatal accidents or other deaths (Deaths from natural causes may not require a supervisor's presence).
23. Search and Rescue operations.
24. Any death of a person in custody or serious injury to a person incarcerated.
25. Other major incidents or emergencies (major fire, evacuation, HAZMAT incident).

Supervisory officers will make further notifications via the chain of command whenever there is potential for public/media interest, liability exposure to the City or when there is a serious incident involving a department member or his/her family. Examples of such incidents are:

1. Deadly force incident in which a member of the department is involved, or a witness
2. Death or serious injury resulting from an accident in which a police vehicle is involved.
3. A major civil or criminal disturbance requiring police presence.
4. A member of the department is killed or has suffered injuries requiring hospitalization.
5. An immediate family member of a department member is killed or seriously injured.
6. A public official or family member of an official in the City's jurisdiction is seriously injured or dies either in the City or elsewhere or any public official is seriously injured or dies in the police jurisdiction.

7. The filing of a complaint against a member of the department alleging a criminal act.
8. The arrest of a member of the department.
9. Criminal accusation or the arrest of a City/Government official.
10. Anything, which in the judgment of the supervisor, may reasonably result in public notoriety, or should be known to the Chief of Police.

Any officer, at any incident or scene may request the presence of a supervisor. Upon arrival, the supervisor will evaluate the situation to ensure that incident command has been established, and assume command as appropriate. The supervisor may further request the presence of a command-level officer at the scene, as the situation may dictate.

C. Responsibilities of the On-Scene Supervisor

It should be the responsibility of the on-scene supervisor to take command of a situation upon his/her arrival. Command of a situation may include:

1. Ensure that only enough essential personnel respond to handle the situation.
2. Identify and preserve possible crime scenes.
3. Prevent the scene or situation from worsening.
4. Maintain the safety of other citizens by taking appropriate steps of warning or precaution.
5. Delegate appropriate tasks and responsibilities.
6. Coordinate with other City departments or outside agencies if needed.
7. Request assistance from specialized units of the department as needed.
8. Ensure a complete and thorough investigation is done.
9. Coordinate the report writing to ensure all necessary items are covered.
10. The on-scene supervisor shall contact the Chief of Police and inform him, or in his absence another command level officer, of the incident as soon as practical

D. Notifications

Notifications will follow the normal chain of command. Should a supervisor not be available, the Chief of Police will be notified as soon as possible. The responsibility of notification of a supervisor shall not be delegated to the Communications Center. The protocol for notifications shall be as follows:

1. Call home phone number
2. Leave a message if not home, and;

3. Call cell phone number
4. If no answer, call pager

21.6 INVESTIGATIONS

CALEA 42.2.2

This standard outlines general investigative criteria to establish the investigative responsibility for those criminal complaints reported to the Medina Police Department. This policy sets forth guidelines, not hard and fast rules. It is intended that the assigning authority have the discretion to assign cases that do not fall within the following parameters.

- A. All criminal complaints received by the Medina Police Department will be recorded on an Incident Report Form when and where the incident took place within the City, even if the complainant does not want to file charges or make a formal complaint. With few exceptions, case reports will receive follow-up investigation if there are definite suspects indicated at the time of the report or if specific information or physical evidence is present that may likely lead to a suspect (i.e., license number, address, witness who can identify, and forensic or physical evidence, etc.).
- B. Patrol officers are responsible for the complete preliminary investigation for all reported crimes they are directed to respond to. Officers conducting preliminary investigations will, when appropriate and depending on the nature of the complaint:
 1. Observe all conditions and events
 2. Attempt to identify and locate witnesses
 3. Protect the crime scene and evidence
 4. Interview the complainant and witnesses
 5. Identify, locate, interview and arrest suspects if appropriate
 6. Complete a full and accurate incident report
 7. Notify the supervisor
- C. Follow-up investigation is defined as that portion of the case investigation that necessarily takes place after and is supplementary to, the taking of the incident report that determines the facts of the preliminary investigation. Officers will be responsible for follow-up investigation that can be accomplished during the patrol shift in which the incident report was taken. Under circumstances that may be approved by the supervisor, an officer may continue follow-up investigation past this point. The following steps will be used in conducting follow-up investigations; at a minimum:
 1. Review and analyze all reports prepared in the preliminary investigation; review all departmental records

2. Conduct additional interviews and interrogations that are necessary
3. Gather additional information from available resources
4. Plan, organize, conduct searches and collect physical evidence
5. Submit evidence to laboratory and review laboratory results
6. Disseminate information to appropriate agencies and persons
7. Check suspects' criminal histories
8. Identify and apprehend suspects
9. Prepare the case for presentation to the court and/or prosecutor
10. Assist in prosecution of those persons charged with criminal offenses
11. Determine if suspects are involved in other crimes within the jurisdiction of the City of Medina. Coordinate the exchange/dissemination of relevant information with outside agencies as appropriate.

D. The above steps will be used to the extent they are necessary based on the circumstances and nature of the investigation.

E. Several days after the officer makes an original contact with the principal of an investigation, the officer will re-contact the principals involved. The purpose of the re-contact is to gain additional information and to reassure the complainant that efforts are being made to solve the crime under investigation. All such contacts will be documented by the officer.

F. When reviewing cases and determining feasibility for follow up, supervisors should also be concerned with:

The reaction of the community to the crime.

Whether the crime involves a sensitive or unusual place or circumstance?

Whether the crime reflects a pattern or points toward an individual or group operating in the area?

Whether the number of similar types of crimes in the area raise questions concerning the department's image regarding performance and efficiency?

Whether any criteria, as set forth above, are present?

6. A positive response to any or all of these factors may result in a follow up.

G. When completing case reports, officers should endeavor to assess all relevant investigative factors prior to submitting the report to a supervisor for review.

21.6.1 DOMESTIC VIOLENCE

The Medina Police Department formally adopts as its operating policy and procedures, the Washington Association of Sheriffs and Police Chiefs "Model Operating Procedures for Law Enforcement Response to Domestic Violence".

- A. Each employee will receive a copy of this Domestic Violence Policy and the support/resource documentation upon assignment to a Department FTO and will receive this instruction during their training.
- B. Non-sworn employees will be trained on the policy and procedures as they pertain to their job function.
- C. RCW 10.99.030 mandates that a complete offense report shall be taken at all domestic violence calls, whether or not an arrest is made. The offense report shall be transmitted to the appropriate prosecutor's office within 10 days of making the report if there is probable cause to believe that an offense was committed, unless the case is under active investigation.
- D. If an officer determines that the incident occurred outside the City of Medina jurisdiction, they should ask the victim to report the offense to the appropriate agency. In order to insure that the jurisdiction is notified, officers shall complete an offense report indicating the pertinent information they obtained from the victim. The Records Manager will be required to send a copy of this report to the appropriate agency for their follow up.
- E. Each officer will provide anyone they determine to be a victim of domestic violence the information regarding resources and intervention that is locally available. Each victim also has statutory rights to which he/she is entitled. Officers will notify victims of these rights by completing the "Domestic Violence Check List and leaving a copy of the Checklist with the victim. A copy of this form will also be placed with the case file. Officers are encouraged to conduct follow-up phone calls and/or in person visits to check on the victim's welfare and to determine if he/she was able to obtain needed intervention.
- F. The Medina Police Department contracts with Eastside Domestic Violence Program (EDVP) to provide follow-up victim services for City of Medina citizens and victims. Officers are encouraged to assist victims in getting in contact with EDVP or with the 24 hour Domestic Violence Hotline as soon as possible after an incident.
- G. Any officer who has probable cause to arrest an individual for any domestic violence related offense, including violation of a court order under RCW 10.99.040 and RCW 10.99.050 (Violation of a No Contact Order), and RCW 26.50 (Violation of a Protection Order), and the subject is present, the officer will take into custody and physically book the subject at the King County Jail. As directed in the Model Policy, if an officer had probable cause for the arrest of a suspect who has left the scene of a domestic violence incident, that officer will make every reasonable attempt possible to locate the suspect. The suspect will be arrested if located within four hours of the incident.
- H. Any individual who is arrested for domestic violence related Assault 4, Violation of a No Contact Court Order, or Violation of a Protection Order, will be held until the case is reviewed by the court of jurisdiction.

21.6.2 POLICE OFFICER DOMESTIC VIOLENCE

- A. This policy acknowledges that some Police Officers commit domestic violence against their intimate partners. The purpose of this policy is to establish procedures for handling matters of domestic violence and abuse involving police officers. This policy will provide Police executives and Officers guidance in addressing incidents where an employee(s) is a party to a possible domestic violence incident, whether sworn or civilian, of any rank in the Department.

Although the language of the policy speaks to Police Officers, departments are encouraged to apply the principles to all employees whenever appropriate.

- B. The policy takes a continuum approach, seeking first to educate throughout an Officer's career, then prevent, or interdict, domestic abuse situations early on in order to reduce victimization of the partner and increase the chances of Officer career stability.

Where incidents of domestic violence are alleged to have occurred, the department will act quickly to protect the victim, arrest the perpetrator, and conduct parallel administrative and criminal investigations.

This policy delineates a position by the department of absolute intolerance (i.e. zero tolerance) of domestic violence. An Officer found guilty of domestic violence, either through criminal court or an administrative hearing, shall have his/her police powers revoked.

Once implemented, the policy will apply to past convictions, and existing and future Police Officer domestic violence crimes.

- C. *Domestic Violence*: For the purposes of this policy, refers to any act of violence (threatened or actual) including but not limited to:

1. Bodily injury or threat of imminent bodily injury.
2. Sexual battery.
3. Physical restraint.
4. Property crime directed at the victim.
5. Violation of a court order of protection, or similar injunction.
6. Homicide perpetrated by a Police Officer (on or off duty) or any police department employee upon his or her partner. Partner is defined as any individual with whom the Officer:
 - a. Is or was legally married.
 - b. Has a child in common.
 - c. Is or has cohabitated.

- d. Has or had a dating relationship.
- e. Is specified as such by state law.

Note: Departmental policies concerning all other forms of family violence committed by a police officer should parallel this policy.

D. This policy applies to past convictions for domestic violence, as well as existing and future offenses. In the process of adopting this policy of zero tolerance, departments must review the records of all officers to ensure they are free of domestic violence convictions. Federal law prohibits Police Officers who have been convicted of misdemeanor domestic violence crimes from possessing a firearm.

E. Prevention, Education and Training

The department will adhere to a zero tolerance policy towards Police Officer domestic violence and violations of the policy will not be tolerated. The department will provide training to Officers on domestic violence and the zero tolerance policy throughout all phases of a Police Officer's career.

1. Prevention Through Collaboration

- a. The department shall collaborate with local domestic violence victim advocacy organizations, coordinating councils, and state domestic violence coalitions in the development of domestic violence training curricula and shall use local advocates in the training of officers.
- b. The Department shall collaborate with local and national law enforcement agencies that have already implemented domestic violence training. The information gathered can serve as a guideline for the development of domestic violence training curricula, and experienced Officers from these jurisdictions can assist in training within the department.
- c. The Department shall provide copies of all departmental protocols and policies on domestic violence to local domestic violence victim advocacy organizations.
- d. The Department shall provide training where requested to local domestic violence victim advocacy organizations on the department's domestic violence policies and protocols.

2. Education

- a. Upon implementation of the policy, all Recruit, Patrol, Internal Affairs Officers, Dispatchers/Communications Officers, Field Training Officers, and Administrative Command/Supervisors shall receive instruction on the following issues/topics:
 - 1. General Domestic Violence Training (to include cultural, racial, gender, and same-sex issues)
 - 2. Domestic Violence Dynamics, Tactics and Behavior Patterns

3. Cultural Dynamics and Potential Barriers to Assistance/Intervention
 4. Stalking Tactics and Behavior Recognition
 5. Warning Signs of Domestic Violence by Police Officers
 6. Domestic Violence Response Protocol
 7. Command Notification and Reporting Procedures
 8. General Domestic Violence Investigation and Evidence Collection
 9. Primary or Dominant Aggressor Determination
 10. Officer Safety
 11. Victim Rights and Safety
 12. Confidentiality Issues
 13. Ethical Considerations
 14. Criminal and Civil Liability
 15. Lethality Assessment and Safety Planning
 16. Working with Advocates, Collaboration and Assistance
 17. Weapons Removal and Seizure – Legal Issues
 18. Cross-jurisdictional Policies and Protocol
 19. Intra/Interstate Enforcement of Protective Orders
 20. Federal Stalking, Domestic Violence, Immigration and Gun Control Laws
- b. Additional Administrative Command/Supervisor Training related to domestic violence should address the following:
1. Department Legal Considerations and Liability
 2. Media and Public Relations
 3. Criminal versus Administrative Investigations
 4. Conducting Lethality/Dangerousness Assessments
3. Training
- a. In-Service Training

Departments shall select a series of effective and concise materials on domestic violence for routine dissemination to all personnel. Periodic in-service training on domestic violence and stalking shall be held to review policies and discuss their implementation.

b. Training

Officers shall receive regular instruction about domestic violence and stalking during regularly scheduled training.

4. Program Evaluation

To enhance the effectiveness of the training, departments should work with internal or external research resources to evaluate the training being provided.

F. Early Warning and Intervention

1. Pre-Hire Screening and Investigation

a. Departments shall conduct thorough background investigations of all potential new employees to determine if elder abuse, child abuse, and/or domestic violence issues exist.

b. All candidates shall be asked about past arrests or convictions for elder abuse, child abuse, and/or domestic violence-related incidents and past civil protection orders.

c. Those candidates with a history of perpetrating elder abuse, child abuse or domestic violence shall be screened out at this point in the hiring process.

2. Post-Conditional Offer of Employment

a. The department shall require a psychological examination of all viable candidates to be performed by an experienced psychologist and/or psychiatrist.

b. The psychological screening will focus on indicators of violent or abusive tendencies or behaviors in their background.

3. Post-Hire Intervention

When new Officers are hired, the department will offer training that includes families of the recruits to discuss this policy and other issues. Families shall be instructed on whom to call in the department if problems occur.

4. Department Responsibilities

a. The department shall either in response to observed warning signs or at the request of an Officer provide non-punitive avenues of assistance to officers, their partners, and other family members before an act of domestic violence occurs.

- b. The department shall identify a procedure for making confidential referrals to confidential counseling services either internally or in collaboration with existing community services that have specific expertise in domestic violence.
- c. Officers who disclose to any member of the department that they have personally engaged in domestic violence are not entitled to confidentiality. The report of such criminal conduct must be treated as an admission of a crime and shall be investigated both criminally and administratively.

5. Supervisor Responsibilities

- a. Demonstration of inappropriate aggressive behaviors while conducting police business shall be documented for consideration by supervisors. These behaviors include the following: stalking and inappropriate surveillance activities, unusually high incidences of physical altercations, injuries, or verbal disputes.
 - 1. Supervisors shall maintain close supervision of Officers whose behavior is inconsistent with acceptable standards for on-duty problem resolution.
 - 2. Supervisors shall monitor frequent tardiness and absences.
 - 3. Supervisors shall proactively inquire about all on or off-duty Officer injuries.
 - 4. Supervisors shall immediately make their ranking Supervisor aware of any and all such behaviors.
- b. Supervisors shall be cognizant of and document all behavior, on or off duty, where Officers may be exhibiting signs of possible domestic violence-related problems; including increased use of force during arrests, alcohol and/or drug abuse, increase in controlling behaviors, stalking activity, citizen and fellow Officer complaints of unwarranted aggression and verbal abuse, and inappropriate aggression toward animals.
 - 1. Supervisors shall immediately make their ranking Supervisor aware of any and all such behaviors.
 - 2. The Chief of Police shall be informed of such circumstances or concerns in a timely manner through the department's chain of command.
 - 3. Supervisors shall prepare and submit written requests for evaluating an Officer's mental and physical well being by suitable professionals when behaviors or circumstances deem appropriate.

6. Police Officer Responsibilities

- a. Officers are encouraged and entitled to seek confidential assistance from the department to prevent a problem from escalating to the level of criminal conduct against an intimate partner.
- b. Officers with definitive knowledge of abuse and/or violence involving fellow Officers must report such information in a timely manner to their supervisor. Failure to do so will subject the Officer to investigation, disciplinary action, and possible sanction and/or criminal charges.

- c. All Officers shall be aware of possible witness or victim intimidation/coercion. Whenever an Officer suspects this is occurring, he/she shall prepare a written report and immediately deliver it to the investigator in charge of the case through the proper chain of command.
- d. Officers who engage in threatening, harassing, stalking, surveillance or other such behavior designed to interfere with cases against fellow officers or intimidate witnesses will be subject to investigation, disciplinary action, and possible sanction and/or criminal charges.
- e. Officers who fail to cooperate with the investigation of a Police Officer domestic violence case will be subject to investigation, and possible sanction and/or criminal charges.
- f. An Officer who falsely reports that any party to a victim of Police Officer domestic violence has committed a crime (such as child abuse or neglect) will be subject to investigation, and possible sanction and/or criminal charges.
- g. An Officer who is the subject of a criminal investigation, protective or restraining order related to domestic violence, regardless of jurisdiction, is required to report him/herself to his/her supervisor and provide notice of the court dates, times, appearances, and proceedings in a timely manner.
- h. An accused Officer who is the subject of any civil protective order proceeding, whether or not the order is issued and regardless of jurisdiction shall notify his/her supervisor in a timely manner and provide a copy of the order, if issued, to his/her supervisor.

G. Incident Response Protocols

1. Department-wide Response

- a. The department shall accept, document, and preserve all calls or reports, including those made anonymously, involving possible Police Officer domestic violence as “on-the-record” information.
- b. All reports of possible criminal activity implicating Police Officers in domestic violence shall be documented in accordance with the policies governing the handling of all reports of domestic violence by citizens. A criminal incident report shall be completed, including details on date, time, location, circumstances, names (if known), officials notified, and actions taken; a case file number shall be assigned and the report filed.
- c. A copy of the report detailing the possible criminal activity implicating an Officer in domestic violence shall be directed to that Officer’s immediate supervisor.
- d. All such incident reports shall be made available by the Department to the involved victim without cost.

2. Communications Response

- a. Communications Officers/Dispatchers shall be instructed to assign top priority to all domestic violence calls, including those that involve or appear to involve a Police Officer of any Department.
- b. Communications Officers/Dispatchers shall document all domestic violence calls received that involve, or appear to involve, a Police Officer and immediately notify the supervisor, regardless of the involved Officer's jurisdiction.
- c. Communications Officers/Dispatchers shall prepare and preserve documentation of the facts and circumstances of the call, including the 911 tape, for use in potential criminal or administrative investigations.
- d. Communications Officers/Dispatchers shall have available current lists of local domestic violence victim advocacy organizations for on-scene supervisors to provide to victims.

3. Patrol Response

- a. Upon arrival on the scene of a domestic violence call/incident involving a Police Officer, the primary patrol unit shall immediately notify dispatch and request a supervisor be sent to the scene, regardless of the involved Officer's jurisdiction.
- b. If the alleged offender has left the scene and probable cause exists, the responding Officers shall:
 1. Search the area as appropriate
 2. Obtain information from victim, family, and witness as to where the offender may have gone
 3. Seek an arrest warrant

4. On-Scene Supervisor Response

- a. A Supervisor shall report to the scene of all Police Officer domestic violence situations, regardless of the involved Officer's jurisdiction.
- b. The on-scene Supervisor shall assume command; ensure that the crime scene is secure and that all evidence is collected, including color photographs. Video documentation of the victim and scene shall be recorded where such resources are available.
- c. In cases where probable cause exists, the on-scene Supervisor shall ensure an arrest is made.
- d. If the offender has left the scene, the Supervisor shall ensure a search is conducted and an arrest warrant is obtained.
- e. Arrest of both parties involved in a domestic violence incident should be avoided. The Supervisor shall ensure that a thorough investigation is conducted and an arrest of the primary aggressor is made in accordance with state law.

- f. Whenever an Officer is arrested, the supervisor shall relieve the accused Officer of his/her service weapon regardless of whether the Officer is a member of the responding department. Where allowable under federal or state ordinances, all other firearms owned or at the disposal of the accused Officer shall be removed to ensure the victim's safety.
- g. Whenever a Police Officer domestic violence call does not result in an arrest, the on-scene Supervisor shall submit a written report explaining any and all reasons why an arrest was not made or a warrant was not sought.
- h. The on-scene supervisor shall ensure the victim is informed of the following:
 - 1. The availability of an on-scene advocate.
 - 2. Availability of confidential transportation to a safe house, shelter, or any other location that ensures victim safety.
 - 3. Procedures for obtaining restraining and/or protective orders and victim rights.
 - 4. The standard of probable cause for arrest, including the signature to appear on the complaint.
 - 5. Judicial process, victim rights, and compensation following an arrest.
 - 6. Written information on community resources and local domestic violence victim advocacy organizations.

5. Additional Critical Considerations

- a. When responding to a domestic violence complaint involving a Police Officer from another jurisdiction, all responding Officers, investigators and supervisors shall follow the same procedures that are to be followed in responding to a domestic violence complaint involving an Officer from their own department. The responding Supervisor shall notify the Chief of Police, or his/her designee, in the accused Officer's jurisdiction verbally as soon as possible and in writing within 24 hours.
- b. In the event that the reported incident involves the Chief of Police, the supervisor shall immediately notify the individual in government who has direct oversight for the Chief; for example, the Mayor.
- c. In responding to domestic violence situations where the victim is a Police Officer, standard domestic violence response and investigation procedures should be followed.
- d. In responding to domestic violence incidents where the parties involved are both Police Officers, standard domestic violence response and investigation procedures should be followed. After probable cause and dominant aggressor are determined, an arrest should be made and all service weapons of the accused Officer confiscated.

6. Department Follow-Up

- a. The supervisor shall, in a timely manner, debrief all officers who respond to a Police Officer domestic violence call. During the debriefing, the Supervisor shall:
 1. Review department confidentiality guidelines.
 2. Reaffirm that Officers share information only on a need-to-know basis.
 3. Establish a clear delineation of assignments in order to assist victims in a coordinated and consistent manner.
- b. Arrest warrants charging Police Officers with domestic assault and civil protective orders issued at a later time shall be served by no fewer than two Officers with at least one being of senior rank to the Officer being served.
- c. On-scene and follow-up investigators shall actively seek out information on existing restraining and/or protective orders and, if found, shall enforce them.
- d. Following the reported incident, the department shall designate a member of the command staff specifically trained in conducting lethality assessment and safety planning to act as a principal contact for the victim. The assigned Officer will keep the victim apprised of the case throughout the adjudication process and provide the victim with a copy of the incident report.
- e. An Officer designated by the Chief of Police shall conduct an assessment to determine the potential for further violence on the part of the accused Officer. Based on the outcome, the department will need to make decisions concerning referrals, duty assignments and administrative actions.

H. Victim Safety and Protection

1. Working with community resources and advocacy agencies, the department shall make available all necessary and appropriate services to each victim.
2. All Officers shall keep all information concerning victims confidential, including their whereabouts, safety plan, and any communications.
3. The Officer shall inquire whether the victim wants any weapons removed from his/her home for safekeeping by the department.
4. The Command Staff Officer designated as the victim's principle contact shall conduct a lethality assessment with the victim. The information gained shall be incorporated into the safety plan developed with the victim.
5. All Officers shall be aware of the increased danger to victims when the victim leaves an abusive partner, and the designated Command Officer shall caution the victim to be alert to stalking activities on the part of the abuser and assist in safety planning.
6. The command staff designated as principal contact for the victim shall inform the victim of confidentiality policies and their limitations, and ensure that confidentiality is maintained throughout the case.

7. All Officers shall be aware of possible witness or victim intimidation/coercion. Whenever an Officer suspects this is occurring, he/she shall prepare a written report and immediately deliver it to the investigator in charge of the case, through the proper chain of command.
 - a. In order to ensure coercion is not being attempted, the investigator in charge shall seek out secondary sources of information.
 - b. Given the likelihood that a victim will recant, supplemental evidence should be sought out and preserved.

I. Post-Incident Administrative and Criminal Decisions

Department shall conduct separate parallel administrative and criminal investigations of alleged incidents of domestic violence involving Officers of this Department. If the facts of the case indicate that domestic violence has occurred or any departmental policies have been violated, administrative action shall be taken separate and distinct from any criminal proceedings as soon as practicable. Independent of the outcome of the criminal case, the department shall adhere to all positions and policies relating to the incident.

The department will adhere to/observe all necessary protocols to ensure an accused Officer's departmental, union, and legal rights are upheld during the administrative and criminal investigations.

1. Administrative Investigations and Decisions

The responsibility to complete the administrative investigation of a Police Officer domestic violence incident shall rest with an investigator appointed by the Chief.

- a. The investigating official shall conduct an administrative investigation, utilizing standards elements of criminal investigations. Witnesses shall be contacted, re-interviewed, and statements recorded; crime scene evidence, photographs, medical records and 911 tapes reviewed. All information shall be fully documented.
- b. Where sufficient information exists, the Department shall take immediate administrative action to intervene, which can include removal of badge, removal of weapon, reassignment, administrative leave with or without pay, or termination.
- c. Where an arrest was not made, but sufficient concern exists, the Department shall initiate an independent administrative investigation and decide the Officer's status, based on the outcome of the investigation.**
- d. In determining the proper course of administrative action, a Department shall consider factors such as level of danger an Officer poses to the victim (based on risk assessment measures), an Officer's history of compliance with departmental rules, history of aggressive behaviors, and existence of an alcohol or substance abuse problem.**

- e. Pending the outcome of administrative and criminal investigations for alleged acts of domestic violence and/or violation of departmental policies, the Department shall assign the accused Officer to duties that do not require response to domestic violence cases.

2. Criminal Investigations and Decisions

The responsibility to complete a criminal investigation of an incident of Police Officer domestic violence shall rest with the designated investigator.

- a. The Investigating Officer shall conduct a criminal investigation as she/he would for any other criminal violation. Witnesses shall be contacted, statements recorded, evidence collected, photographs taken of the scene and injuries, medical records and any 911 tapes reviewed. All information shall be fully documented.
- b. When appropriate, the Investigating Officer shall conduct sufficient interviews (taped) to determine if criminal charges are justified, to include family members, friends, neighbors, colleagues, or others who may have information, with due consideration of the Officer's and victim's privacy rights
- c. Even though an initial report may already exist concerning an alleged act of domestic violence by a Police Officer, if the victim reports any subsequent or additional criminal activity, each incident shall be documented separately, assigned a case number and investigated thoroughly.
- d. The Department shall completely investigate the charges and where warranted, seek prosecution even if the victim recants the charges.
- e. The Department shall establish a liaison to work with the prosecuting attorney for each case. This Officer shall present the information to the prosecuting attorney for proper action, in a timely fashion and request that the prosecuting attorney, in turn, make timely decisions about the adjudication of the case.
- f. Filing of court papers/complaints shall be requested by the investigating Officer, as with any other case for criminal prosecution.

3. Criminal Conviction

- a. Federal law prohibits Officers convicted of misdemeanor domestic violence assaults from carrying firearms. The Department shall ensure compliance with federal law.
- b. Any Police Officer convicted of a domestic violence crime as defined herein shall have his/her Police powers revoked.

There are four basic types of court orders that require police enforcement: Restraining Orders, Protection Orders, No Contact Orders, and Unlawful Harassment Orders. Washington State law enforcement agencies are required to maintain a complete record of all court orders.

- A. No Contact Order: This order may prohibit contact with the victim, directly or indirectly, in person, in writing, by telephone, or through third parties (RCW 10.99). A victim of domestic violence crime may obtain and receive benefit from this order when an arrest has been made in a domestic violence incident.
 - 1. Consequences of order violation – Criminal gross misdemeanor. Any violation of this order requires a mandatory arrest of violator (physical arrest and booking into holding facility). An assault and/or reckless endangerment that occurs in conjunction with a No Contact Order Violation is a class “C” felony. It is also a Class C felony if the suspect has two or more prior convictions of a similar type of order.

- B. Order For Protection (Temporary) - May provide exclusions from the residence, no acts of violence, no interference with custody of minor children. Order for Protection (One Year) - Same as what is included under Temporary Order plus custody and visitation schedule, treatment or counseling, court costs, specific relief or assistance (RCW 26.50). Family or household members who have experienced or fear abuse may obtain and receive benefit with this order.
 - 1. Consequences of order violation – Criminal gross misdemeanor. Any violation of this order requires a mandatory arrest of violator (physical arrest and booking into holding facility). An assault and/or reckless endangerment that occurs in conjunction with No Contact Order Violation is a class “C” felony. It is also a Class C felony if the suspect has two or more prior convictions of a similar type of order.

 - 2. Mandatory Arrest – Physical arrest and booking in holding facility if respondent commits another act of domestic violence or returns to a residence he/she is excluded from. An assault and/or reckless endangerment that occurs in conjunction with an order for protection violation is a class “C” felony.

 - 3. Civil Contempt Violations – Any other violation not listed above requires an incident report documenting the special violation or civil contempt proceeding. This can also be filed with assistance from Superior Court Protection Order Advocacy Program. Report copy to be forwarded to the appropriate district court for possible contempt of court proceedings.

- C. Restraining Order: Include temporary and one year restraint provisions including exclusion from a residence, no acts of violence or harassment, and custody and visitation directives. Restraints are limited only by the imagination of petitioner’s counsel (RCW 26.09). Married person or persons with children in common can maintain or receive benefit of the order.
 - 1. Consequences of Order Violation – Criminal gross misdemeanor. Acts of abuse or return to the excluded residence is a mandatory arrest (physical arrest and booking into holding facility).

2. Civil Contempt Violation – Any other violation requires an incident report documenting the violation and forward the copy to the court of issuance for contempt of court proceedings.
 3. Criminal Legend Required – Violation of this order with actual notice of its terms is a criminal offense under Chapter 26.09 RCW and will subject a violator to arrest.
- D. Unlawful Harassment Order: This is a Protection Order issued in cases not domestic violence related. They are nearly identical in appearance and can prohibit the same variety of conduct as domestic violence Protection Orders.

In addition, Washington State Law provides for the following Court Orders:

- A. Abused Child Restraining Orders (RCW 26.44.063): This order serves to remove the suspected offender from the home when sexual or physical abuse is alleged. Willful violation of this court order is a misdemeanor.
- B. Vulnerable Adult Protection Orders (RCW 74.34.110): This order seeks to provide its petitioner with relief from abandonment, abuse, financial exploitation, or neglect and authorizes law enforcement to investigate and “...provide protective services and legal remedies to protect these vulnerable adults.”
- C. Violation of any of these orders is a criminal offense and is a probable cause offense as enumerated in RCW 10.31.100. Violations of any of these orders should be charged under current state law. A photocopy of the applicable court order must accompany the case report.
- D. The Medina Police Department Records Manager will be responsible for disseminating the orders to the officers for service, preparing the orders for dispatchers to enter into the WACIC computer, and sending back to the court all orders that were served.
- E. The Police Department is responsible for service of these orders as directed by the courts, within the city limits of Medina, unless otherwise directed.
- F. These orders shall be entered into the WACIC computer system by the Records Manager. A notebook containing copies of these orders shall be maintained by the Lieutenant.

21.6.4 DISABLED VICTIMS

The Medina Police Department is occasionally called upon to investigate cases where adult handicapped or disabled persons are victimized. It is the policy of this department to handle these cases in an expeditious manner so as to reduce exploitation or abuse, and to notify the appropriate social service agencies charged with providing assistance. RCW 74.34 and 26.44 describe and define the duties of the various agencies. The RCW Titles are maintained by the Records Manager.

- A. Patrol Officers assigned to investigate a case involving disabled victims will do so taking appropriate care to remove the victim from continuing jeopardy, if present. Actions taken by the Officer should be coordinated through Adult Protective Services.

- B. A complete report will be submitted on all incidents. The Supervisor, upon approval of the report, will route the report to an Investigating Officer for additional follow-up as required.
- C. If not previously notified, the Supervisor will notify Adult Protective Services of any complaint received, and will immediately forward a copy of the case to that agency.

21.7 FIELD INTERVIEWS

CALEA 41.2.4

Field interviews/interrogations will be conducted under circumstances where Officers can articulate a reasonable suspicion that an individual has been or is currently involved in criminal conduct, or when the officer has information that an individual is under the supervision of a probation or parole agency and the officer suspects that the circumstances of the contact constitute a violation of the subject's supervisory conditions. On the basis of state and federal case law, the circumstances under which such interviews are conducted may be further defined.

- A. Field interviews will be recorded on a Field Interview Report (FIR) card. The FIR serves to list identifying information and an explanation of the circumstances, which prompted the interview/interrogation.
- B. Officers should complete a FIR any time they have contact with an individual who is under the supervision of a probation or parole agency in the above circumstances. Officers will note the subject's parole or probation status on the FIR card and the supervisor will forward the information to the appropriate supervising agency for follow up.
- C. Upon completion, the FIR will be reviewed by the Supervisor then forwarded to the Records Manager where the form will be maintained in file for a minimum period of one year.

21.8 INFORMANTS

CALEA 42.2.9

- A. A master file system will be established for the purpose of maintaining information relative to the use and administration of criminal informants (C.I.) by the Medina Police Department. Informant files will be maintained in locked storage in the Chief's office.
- B. For purposes of this policy a criminal informant is defined as person or persons whose reliability has been determined by the police department and whose willingness to cooperate in law enforcement investigations has been established. Such individuals may receive compensation or consideration in prosecutorial matters.
 - 1. Any officer who receives confidential information from an informant shall prior to making any formal agreements, will notify the Captain. If approved, the Captain will establish a criminal informant file.
- C. Files will be maintained on each informant. The informant file should contain the following information on each individual:
 - 1. Full legal name and alias names.
 - 2. DOB/sex/race/height/weight/hair and eye color/scars, marks, tattoos.

3. Residence and work addresses with phone numbers to each.
 4. Subject's current occupation and past training.
 5. A listing of each vehicle, including description, year, make, model, color, license, and general condition.
 6. A listing of all hangouts.
 7. A listing of associates by name, address, DOB, and vehicle description.
 8. A criminal history and M.O. information on the informant:
 9. A rap sheet, criminal and traffic, should be attached.
 10. A copy of an original fingerprint card should be included.
 11. A current photo of subject.
 12. Complete debriefing and pertinent background information regarding the C.I. details will be documented and verified to determine the reliability and the individual's suitability to act as a confidential source of information.
 13. Additional information from an informant will be added to the C.I. file when it is received.
- D. Informant files and their contents will be maintained by the Chief of Police. Access to informant files will be established on a "need to know" basis as determined by the Chief of Police.
- Each CI will be assigned a confidential number and code name.
- E. Every CI file shall be subject to a semi-annual review for the purposes of:
1. Evaluation of potential/developing security deficiencies.
 2. Continued productivity and reliability of CI's information.
 3. Compliance with applicable policy and procedures.
 4. Public disclosure of information contained in informant files will be restricted according to the guidelines as set forth in RCW 42.17.310, subsection (D) and (E).
- F. Informant confidentiality will be further maintained through compartmentalization. Under circumstances where informant information is shared with outside investigators/agencies, the CI's identity will be protected unless the CI has consented to disclosure of his/her identity to third parties, or State/Federal law requires disclosure. In the case of a criminal violation committed by a CI, connected with or separate from the informant, the ID of the informant will be made known to appropriate prosecuting authorities for the purpose of considering criminal charges against the CI.

Information provided by a CI and documented in an investigative report will be attributed to a "Confidential Source". The CI number corresponding to the particular "Confidential Source" and the information provided will be noted only in the CI's Confidential File.

- G. Criteria for paying informants: Informants will be paid at the prevailing rate adopted by the Eastside Investigators Task Force. Informants will be paid no more than 10% of current market value on items recovered through seizure warrants and related investigations.
1. Informant payments require supervisory approval in advance and are to be logged on the C.I. file. Informant expenses of substantial or continuing amounts must receive supervisory approval. Informant expenses are to be logged in the C.I. file.
 2. Informant payments require receipts signed by the informant in his/her code and true name and witnessed by two Officers. Two Officers must be present who sign and date the transaction on the receipt. Supervisory notification must be made at the earliest convenience.
 3. All expenses/reimbursements are to be accounted for on issued receipts. The receipt's copy will detail purpose of expense and location. All expenditures are to be recorded in an informant tracking document indicating purpose and location. Any Department informant funds will be audited annually by the State and City of Medina Finance Officer. An accounts ledger, specific to each informant file, will be completed when payments are made. Informant funds will be secured and access thereto restricted to the Chief of Police.
- H. Precautions: Informants of the opposite sex should be contacted with two officers present. All informant contacts are to be documented in the C.I. files, and other appropriate reports. Confidential informants must be 18 years old or over.
1. At the discretion of the Chief of Police and prior to utilization, informants will be required to read and acknowledge the Medina Police Department informant acknowledgment form.
- I. Officers who develop informants must follow the above described guidelines and coordinate with the Captain to insure the informant is reliable, credible, and his/her identity remains confidential.

21.9 RADIO COMMUNICATIONS

CALEA 81.2.5

- A. Radio Procedures - The purpose is to establish procedures for radio communications to and from Patrol personnel and specifies circumstances requiring communication by Patrol personnel. The Medina Police Department contracts for police communications services with the Kirkland Police Department.
1. For routine radio traffic, all on-duty Officers will sign on the air as they go in service and sign off the air at the end of their shift.
 2. Officers will advise the Communications Center whenever they:
 - a. Arrive at a call or scene.

b. Exit their patrol vehicles for any extended period of time.

c. Make any vehicle stops giving their location and the vehicle license state and number.

d. Make any pedestrian contacts, giving their location and the subject's description.

3. Although during peak radio use periods, it may not be possible to notify the Communications Center as events immediately occur, every effort should be made to notify the Communications Center of the Officer's changing status while on duty.

4. Whenever an Officer makes a high risk stop or warrant related traffic stop, or pedestrian contact, he/she will advise dispatch of all information as required by a high risk stop situation and training, as well as any additional information which is available to the officer.

5. Officers and dispatchers will not use profanity, discuss non-dissemination information, or use slang terms or nicknames over the air. Further, discretion should be used in giving the name of a deceased subject over the air.

B. Personnel call signs will be as follows:

1. Chief of Police – Mary One

2. Captain – Mary Two

3. Lieutenant – Mary Three

4. Lieutenant – Mary Four

5. Corporal – Mary Nine

6. Officer(s) – Mary Ten, etc.

C. Medina car radios and portable radios allow direct communication with several neighboring law enforcement agencies while utilizing the King County Sheriffs Department's M.A.R.S. frequency. Medina Officers should not normally transmit on other than primary and secondary frequencies.

1. Requests to use M.A.R.S. should be limited to situations involving multi-jurisdictional problems. Permission to use the M.A.R.S. frequency should be obtained from the M.A.R.S. dispatcher by phone (through Kirkland Dispatch), or by radio prior to implementing car-to-car traffic.

2. Officers should identify themselves by the name of their jurisdiction and then their call sign, e.g., "Medina Mary 10 to King County M.A.R.S. Dispatch."

D. Mobile Data Computers (MDC)

Dispatching of calls will continue to be done by voice radio. On low priority, and not in progress calls, for MDC-equipped vehicles, only the type of call and location will be broadcast via radio.

All other information will be available on the MDC for the Officer. Units without MDC's will be dispatched normally.

Field units may use the on-scene command of the MDC when arriving in the area for report calls, area checks and low priority dispatches. Voice radio should be used to indicate on scene on any in progress, or high priority call, or a call to which other police units have also been dispatched.

Field units may log themselves out via MDC on low priority incidents such as follow-ups, public assists, or reports. The voice radio should be used to log out on any in progress or priority incident. Field units should use voice radio to log out on traffic stops or Field Interview Reports (FIR's).

Field units who receive MDC hits on persons or vehicles shall notify dispatch of that fact via voice radio and request the appropriate response for back-up. The dispatcher will repeat the broadcast and ensure that back-up is responding.

When an Officer runs an inquiry that produces a warrant/stolen hit, he shall broadcast via voice radio the name or plate, location and the fact that there is a "hit". The dispatcher will verify the information and notify the originating Officer.

Warrants will only be verified by the Kirkland Police Communications Center if the subject is in custody, or at the request of a Supervisor.

An Officer locating an unoccupied stolen vehicle should notify dispatch that he/she is out with the vehicle, giving the location, and advise that it is not occupied. If any other response is needed the Officer should request it.

The MDC is capable of sending messages directly to any other CAD/MDC terminal. Use of this function shall be restricted to business purposes only. All users who utilize this function shall:

- Exercise good judgment at all times. Avoid driving and viewing the MDC at the same time.
- If a patrol vehicle is equipped with a MDC that is mounted on a bracket with swivel capabilities, the MDC must be locked in the down position prior to driving the patrol vehicle. *CAUTION:* Failure to lock down the MDC prior to operating and steering the patrol vehicle in a turn may result in an accidental lodging of the MDC under the steering wheel which could lead to a preventable accident.
- Always assume a vehicle to which a message is sent is moving.
- Not use "to" messages in an exclusionary fashion to keep important information from others on the team, or in a manner that may compromise another user's safety.
 - Use "To" messages for routine, off the air messages to support and give information to units, e.g. " Mary 12 contacted this subject last night about 0200."

"To" messages to dispatchers should be limited and used only when necessary. Messages sent to Kirkland Communications Center may not be viewed in a timely manner due to the message being sent to an unmanned terminal. Thus, any message sent to Kirkland Communications Center as a "request" for the dispatcher to take some action (i.e., APB's,

entry/removal of stolen vehicles, missing persons etc.) should be preceded by notification to the dispatcher via voice radio that the information is being sent through CAD via MDC.

If a dispatcher receives additional information on a call that may be pertinent, but is not broadcast, the Officer should be advised to check the incident history for new information.

The decision to conduct special operations or emphasis operations on MDC or by voice will be determined in advance of the operation between the Officer in charge and the dispatch Supervisor.

If a unit is dispatched via voice radio, then that unit should acknowledge the call, indicate arrival, and clear via voice radio. This does not preclude the Officer from using the MDC to enter the clearance code and possible comments, then clearing the call via voice radio.

The “en route” button will only be used when a unit receives a call on the MDC only.

G. Mobile Video/Audio Recording Equipment

Policy: Mobile video/audio recording (MVR) equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of Officer performance as well as in training. In order to maximize the utility of this equipment in these and related areas, Officers shall follow the procedures for MVR equipment use as set forth in this policy.

Procedures:

1. Program Objectives – This agency has adopted the use of in-car video/audio recording systems in order to accomplish several objectives, including:
 - a. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance Officer reports, collection of evidence and testimony in court; and
 - b. The enhancement of this agency’s ability to review probable cause for arrest, arrest procedures, Officer and suspect interaction, and evidence for investigative purposes, as well as for Officer evaluation and training.
2. Operating Procedures – Officers shall adhere to the following procedures when utilizing MVR equipment.
 - a. MVR equipment installed in vehicles is the responsibility of the Officer assigned to that vehicle and will be maintained according to manufacturer’s recommendations.
 - b. Prior to each shift, Officers shall determine whether their MVR equipment is working satisfactorily and shall bring any problems at this or other times to the attention of their immediate Supervisor as soon as possible.
 - c. MVR equipment will automatically activate when the vehicle’s emergency warning devices are in operation. The equipment may be manually deactivated during non-enforcement activities such as when protecting accident scenes from other vehicular traffic.

1. Whenever equipment is manually deactivated, Officers shall properly document the reasons for this action.

E. Mobile Video Recorder (MVR)

- a. Whenever possible, Officers should ensure that MVR equipment is operating in order to record traffic stops or other enforcement actions. In so doing they will ensure that:
 1. The video recorder is positioned and adjusted to record events;
 2. The MVR is not deactivated until the enforcement action is completed; and
 3. The wireless microphone is activated in order to provide narration with the video recording to explain the reason for their current or planned enforcement action.
- b. Where possible, Officers shall also use their MVR equipment to record
 1. The actions of suspects during interviews, when undergoing sobriety checks or when placed in custody if the recording would prove useful in later judicial proceedings; and
 2. The circumstances at crime and accident scenes or other events such as the documentation of evidence or contraband.
- c. Officers shall not erase, reuse or in any manner alter MVR tapes.
- d. Officers shall ensure that they are equipped with an adequate supply of videotapes to complete their tour of duty.
- e. All completed tapes shall be properly labeled and identified prior to being submitted with related documentation at the end of the Officer's tour of duty.
- f. Officers are encouraged to inform their Supervisor of any videotaped sequences that may be of value for training purposes.
- g. Officers will note in incident, arrest and related reports when video/audio recordings were made during the incident in question.
- h. Officers will use videotapes as issued and approved by this agency.
- i. Tape Control and Management
 1. MVR tapes containing information that may be of value for case prosecution or in any criminal or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, these videotapes will
 - a. Be subject to the same security restrictions and chain of evidence safeguards as any other evidence;
 - b. Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and

- c. Will not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police.
 2. Tapes not scheduled for court proceedings or other adversarial or department uses shall be maintained for a minimum period authorized by law. All tapes shall be maintained in a manner that allows efficient identification and retrieval.
 3. No videotapes shall be reissued for operational use unless completely erased by designated personnel in this agency.
- F. Call Response - The purpose is to guide Officers and Dispatchers in determining the appropriate level of response to various situations, and to provide guidelines for Officers' driving responses to these situations. Classification of response: a code designator of 1, 2, or 3 will be the standard by which all responses are classified.

1. Code 1: A response of a non-emergency nature to a request for service. During Code 1 responses, Officers will observe and obey all driving regulations and rules of the road as required by law, and department rules and regulations. Code 1 responses are generally one unit responses.

2. Code 2: A response to an urgent situation of a probable non-life threatening nature. Emergency lights will be activated at all times during the response, with the siren being used as necessary. Officers may exceed the posted speed limit by a maximum of 15 MPH, depending on traffic and/or weather conditions. Responding units will come to a complete stop at all regulated stop areas before proceeding through the controlled area against traffic control devices. At signaled intersections with a green light, units will slow as necessary to proceed safely.

When proceeding through controlled or non-controlled intersections while operating Code 2, the siren will be in operation continuously through the intersection. All driving maneuvers will be made so as to be certain that other vehicles are yielding, and it is safe to continue.

3. Code 3: A response to an in-progress, possibly life-threatening situation. Officers will respond as quickly and safely as possible with emergency lights in operation and siren activated. During Code 3 responses, emergency lights and siren will be activated when proceeding through both controlled and non-controlled intersections.

4. Officers, when proceeding through a controlled intersection against the traffic control device, or through a non-controlled intersection where they would not normally have the right of way, will slow to a safe speed or stop if necessary to allow the officer to determine if opposing traffic will recognize and yield to the emergency vehicle. Code 3 responses are two or more unit responses. All non-involved units will stay off the air.

5. Code 4: An assessment of circumstances by personnel on scene concludes that conditions are, or have become, stable.

6. Although required to stay within the guidelines of department policy and rules and regulations, Officers shall also act within the statutory limits of RCW 46.61.035. The Supervisor may upgrade or downgrade any call to a higher or lower level of response at their discretion.

21.10 PURSUIT DRIVING

CALEA 41.2.2

This policy establishes guidelines and parameters for the Officer and/or Supervisor in the event a motor vehicle pursuit. A vehicle pursuit will be considered a potential application of deadly force. Therefore, a pursuit should be initiated only when the Officer has probable cause to believe that a dangerous felony has been or is being committed, or when failing to immediately apprehend the suspect(s) results in an unacceptable risk to the public and the Officer believes that the need for immediate apprehension outweighs the danger to the public and Officers created by the pursuit.

Every department member engaging in a vehicle pursuit must be able to explain what conditions were present that justified the pursuit and did not unduly endanger the public. If sufficient justification does not exist, or conditions change, the pursuit must be terminated. Supervisors must make monitoring pursuits a top priority and order pursuits terminated unless there is sufficient justification to continue them. If Supervisors are unable to determine, within a reasonable time, whether sufficient justification is present, the pursuit shall be terminated.

A. Definitions

1. Vehicular Pursuit – An attempt by a uniformed, commissioned Medina Police Department Officer in an officially marked patrol vehicle to stop a moving vehicle where the driver of such vehicle is aware that the Officer is signaling the vehicle to stop and is resisting the stop by maintaining or increasing vehicle speed, making evasive maneuvers, or is otherwise ignoring the Officer's attempt to stop the vehicle and meets the requirements for pursuit as outlined above in section 21.10.
2. Officially Marked Patrol Vehicle – An officially marked patrol vehicle or police bicycle issued by the department equipped with emergency light bar and siren and operated by a commissioned Medina Police Department Officer.
3. Attempting to Elude – Refer to RCW 46.61.024.
4. Dangerous felonies are defined as murder, rape, burglary 1, robbery, kidnapping, felonious assault with a deadly weapon, and arson or bombing of a structure actually occupied.

B. Guidelines and considerations: Pursuit must be considered as a potentially lethal act, both for the suspect(s) as well as the Officer and the general public. The seriousness of the possible outcome of a pursuit commands an Officer to weigh many factors when deciding whether or not to pursue. Officers will not maintain a pursuit wherein the violation is anything less than a dangerous felony as herein defined, or when failing to immediately apprehend the suspect(s) results in an unacceptable risk to the public and the Officer reasonably believes that the need for immediate apprehension outweighs the danger to the public and Officers created by the pursuit. No officer will be censured if, upon weighing the circumstances, he/she chooses not to pursue a fleeing vehicle. For purposes of this chapter, dangerous felonies are defined as follows:

1. Murder – First Degree
2. Murder – Second Degree
3. Manslaughter – First Degree
4. Assault – First Degree
5. Assault – Second Degree
6. Robbery – First Degree
7. Robbery – Second Degree
8. Burglary – First Degree
9. Kidnapping – First Degree
10. Arson – First Degree
11. Rape – First Degree
12. Rape – Second Degree

C. The decision whether or not to pursue is to be based on known circumstances. They will include but are not limited to:

1. The seriousness of the offense.
2. The likelihood of successful apprehension.
3. The safety of the Officer.
4. The safety of the public.
5. The time of the day.
6. The traffic volume.
7. Pedestrian traffic present.

8. Road and weather conditions.
 9. Visibility and illumination.
 10. Capabilities of the Officers and their police vehicle.
 11. The Officer's familiarity with the area.
 12. Suspect's wanton disregard for human life, i.e. turns, headlights off, driving into oncoming lanes, intentionally hitting other cars, etc.
 13. Identification of the pursued driver and vehicle to the point where later apprehension is possible.
 14. The safety of any passengers.
- D. Officers need not initiate or continue pursuit if they conclude from the nature of the circumstances that the potential risk to personal or public safety is not worth the benefit of apprehension.
- E. Pursuit Guidelines
1. No more than two patrol units should be committed to a pursuit as pursuing vehicles, unless the primary unit specifically advises that additional units are needed to safely affect the arrest of the suspect(s).
 2. Only officially marked patrol vehicles shall engage in pursuits. Emergency equipment shall be in operation throughout the pursuit.
 3. Officers involved in pursuits shall use their radio call number with all radio transmissions, whenever possible.
 4. Officers transporting persons other than fully commissioned Officers shall not engage in pursuits.
 5. The use of a police motorcycle in vehicle pursuit is prohibited.
 6. Vehicles operated by noncommissioned or volunteer personnel shall not engage in pursuits.
 7. If available, aircraft should be utilized to maintain visual contact with the fleeing vehicle.
 8. Any involved Officer may discontinue his/her involvement at any time during the course of a pursuit.
 9. Officers may exercise deadly force/discharge their weapon at the driver of a fleeing vehicle if the actions of the driver represent an immediate and imminent threat to the life of an Officer or a citizen. Decisions to discharge firearms at or from a moving vehicle, shall be governed by this agency's use of force policy. This action is prohibited if it presents an unreasonable risk to others. The decision to discharge a weapon at the driver of a fleeing vehicle should first be authorized, if possible, by a supervisor.

11. There shall be no attempt to stop the suspect by boxing in, heading off, driving alongside of, or in front of the pursuit vehicle while it is in motion. Ramming of the pursuit vehicle, will be done only as a defensive maneuver to protect the Officer's safety, or the safety of a third party, from imminent danger.
12. Because of the extreme and obvious dangers inherent with the use of roadblocks in pursuit situations, it is the policy of the Medina Police Department that setting up roadblocks for the purpose of apprehending wanted suspects shall not be employed.

F. When initiating a pursuit the Officer will advise the communications center of the following:

1. Officer identification.
2. Location, direction of travel, speed, and traffic volume on a continuous basis.
3. Description of the fleeing vehicle and license number, if known.
4. Description of the suspect driver, if known.
5. Reason for the pursuit, specifying the dangerous felony committed or the circumstances representing an unacceptable risk to the public.
6. During pursuit, a safe distance should be maintained between vehicles. This will enable the pursuing Officer to duplicate any sudden turn and lessen the possibility of a collision in the event of a sudden stop or collision involving the pursued vehicle.
7. Officers shall not be involved as a pursuing vehicle in a pursuit without notifying the communications center.
8. The Officer will continue to broadcast updated information as to location, direction, speed, etc., at least once a minute.

G. During a pursuit, the dispatcher will broadcast the following:

1. Alert tones
2. "All units clear this frequency"
3. "(unit) in pursuit" – repeating information given by pursuing vehicle
4. Call the Supervisor on the air. This message is obviously not required if the Supervisor has already acknowledged the pursuit.
 - a. If the dispatcher does not receive supervisory acknowledgment within 60 seconds or a supervisor is not on-duty, he/she shall inform the pursuing Officer. The Officer must then weigh the circumstances justifying the pursuit and make a determination whether to continue or not.
 - b. When ordered to terminate a pursuit, Officers will turn off all emergency equipment. When practical, safely change direction, and resume normal driving behaviors and assigned duties.

5. The dispatcher will assign the closest unit to assist in the pursuit. Only units assigned by dispatch and/or the Supervisor will take part in the pursuit.
 6. The dispatcher will then remain off the air except to relay only that information relating to changes in the situation and/or Officers' safety.
- H. Pursuits may involve a maximum of two pursuing vehicles, the primary unit and one back-up unit. Additional vehicles will be allowed only with a Supervisor's approval.
- I. The back-up unit, when joining the pursuit, will assist with information dissemination concerning the direction of travel (at least once per minute), the location of the stop, and any other information that could assist in apprehension, promote Officer safety, or aid the Supervisor in making decisions as to whether or not to allow the pursuit to continue. This will also allow the primary unit to concentrate on the pursuit. The back-up unit shall replace the primary unit in the event the primary unit cannot continue. Should this occur, the Supervisor will determine if the pursuit should continue and if another back-up unit can be deployed in a reasonable and safe manner.
- J. Any other unit may move to a position of possible advantage nearer the pursuit so that they may be of assistance if necessary. This will be done in a safe manner within Code 1 response parameters. No units will leave the City without supervisory approval. Other patrols near the pursuit area shall monitor the progress of the pursuit. They shall not directly engage in the pursuit unless requested by the primary unit or directed by a supervising officer. These units should be ready to replace any assigned unit in the event they cannot continue. They should be in position to respond to any collision that may result from the pursuit. Other officers should make attempts to safely stop traffic at intersections in the path of the pursuit. Units other than the primary and back-up units should be available to assist in the apprehension of the suspects or provide any needed traffic control at the termination of the pursuit.
- K. The Supervisor monitoring the pursuit may modify this policy as it relates to the number of pursuing vehicles, depending on the merits of the situation.
- L. Supervising Officer Responsibilities - Upon notification of a pursuit, the on-duty Supervisor shall assume supervisory command of the pursuit and will direct or change tactics as needed.
1. Any Supervisor who assumes command of the pursuit shall advise the communications center accordingly.
 2. Supervisors engaged in a pursuit may have supervisory command of the pursuit.
 3. The Supervisor can order the termination of the pursuit.

M. Terminating The Pursuit – Medina Police Department Officers shall terminate the pursuit:

1. If the violator's identity is established to the point where later apprehension is highly probable, and when there is no immediate threat, other than the pursuit itself, to the safety of the public or police officers; or
2. If the pursued vehicle's location is no longer known of the distance between the pursuing vehicles and the violator's vehicle becomes so great that further pursuit is futile; or
3. The supervisor or the pursuing officer feels that the hazards caused by the pursuit exceeded the severity of the initial crime.
4. If any of the involved vehicles become involved in an accident, the pursuit should be terminated. If the suspect vehicle continues to flee, the pursuit will continue only with the approval of the supervisor and only where an officer is immediately available to check for injuries of collision victims. If no other police vehicle is immediately available to render such assistance, the pursuit will be terminated.
5. At any point where radio communications with the dispatch base station becomes broken or lost, the involved units will terminate the pursuit.
6. When the pursued vehicle leaves the roadway; containment rather than pursuit should be initiated.
7. If instructed to do so by a supervisor and in some circumstances the dispatcher.
8. When communications with the base station is lost.
9. Ice, snow, heavy fog, rain, or other weather conditions can result in obvious unacceptable hazards.

AA. Inter-jurisdictional Pursuits - Should a pursuit approach or enter another jurisdiction, dispatch will notify that jurisdiction and relay all pertinent information. When the pursuit enters another jurisdiction and a unit from that jurisdiction actively assumes the pursuit, Medina units will continue participation only with the authority of a supervisor of that jurisdiction and with the concurrence of a Medina supervisor, if available, and then only providing the continuation of the pursuit meets Medina Police Department Pursuit Policy Standards.

If law enforcement units from the other jurisdiction refuse to assume the pursuit, the pursuit will be terminated. If law enforcement units from the other jurisdiction are unavailable to assume the pursuit, the pursuit may be continued only with the approval of a Medina supervisor and then only under the most exigent and compelling circumstances.

If and when another jurisdiction identifies the driver of a pursued vehicle, criminal charges will be filed by this agency, of at all possible. (This will occur even if the other agency plans on filing their own criminal charges.)

1. The pursuing officer shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the country or state line.

2. Pursuit into a bordering state shall conform with the law of both states and any jurisdictional agreements.
 3. When a pursuit enters another's jurisdiction, the actions of the officers shall be governed by any applicable state law and inter-local agreements, as well as the policy of the other agency to the extent it does not conflict with any provisions of the pursuit policy contained herein.
- BB. Should the pursuit from another jurisdiction enter the Medina city limits, Medina personnel will respond within the following parameters:
1. The agency originating the pursuit maintains authority over, and responsibility for the pursuit unless relinquished to and accepted by Medina police personnel.
 2. Medina's policy governing pursuits will dictate our personnel's actions during the pursuit.
 3. When we are advised by another jurisdiction of a pursuit entering Medina, we should use this notification as an opportunity to communicate any hazards present, or make recommendations concerning the pursuit, e.g., termination, if appropriate.
 4. Personnel are cautioned to remember that notification of a pursuit, in itself, is not a request for assistance. Requesting assistance, in itself, is not a request for the jurisdiction being entered to take the pursuit. Providing a request for some manner of assistance is made, a clear delineation between a request for assistance or a request to assume responsibility for the pursuit is necessary.
 5. If a supervisor authorizes a Medina Officer to enter the pursuit, finding it in accordance with our policy, the following steps will be taken:
 - a. Establish communications with either the pursuing police unit or its base station. This can be done via our base station or by car-to-car communication, or use of the M.A.R.S. frequency.
 - b. Establish visual sighting of the pursuit by having the closest district vehicle respond to that area.
 - c. If still in our jurisdiction, and the reason for the pursuit is consistent with Medina Police Department standards, an Officer will attempt to coordinate entrance into the pursuit for the purpose of providing back-up assistance to the pursuing agency, or in the interest of public safety, control intersections when it is safe and practical to do so. Extreme caution should be exercised when doing this.

- CC. The duty supervisor will continuously monitor the pursuit. He will determine the merits of the pursuit based on monitored transmissions and/or observation, and is responsible for the decision to continue or discontinue the pursuit. This does not relieve the pursuing officer(s) from exercising good judgment based on existing department policies, rules, and regulations to make the decision to discontinue the pursuit.
- DD. Due to the inherently dangerous nature of police pursuits, officers should only engage in such activities under the most ideal situations. Under certain circumstances it may be beneficial to obtain suspect information, license plate number, description, etc. Officers are encouraged to attempt to obtain such information, but not if in so doing a pursuit results, and is maintained. Police pursuits involving off-duty vehicles, unmarked vehicles and any vehicle carrying passengers other than commissioned police officers are prohibited.
- EE. The supervisor of any officer(s) involved in a pursuit will, as soon as possible afterward, complete the department "Pursuit Report". This report will be forwarded to the Chief of Police through the chain of command. Each involved officer will write a narrative report describing his/her actions in the pursuit.
- FF. All pursuits will be examined by the assigned supervisor. The assigned supervisor will review the circumstances of all pursuits to determine whether personnel involved acted in compliance with standards. The results of the review will be forwarded to the Chief of Police.

21.11 FOOT PURSUIT

A. Definitions

1. Foot Pursuit - The attempt by a commissioned Medina Police Department officer to lawfully apprehend a person who is fleeing officers.

2. Primary Unit – The officer directly involved in the foot pursuit.

3. Back-up Units – Police personnel that respond to assist with the pursuit.

B. Guidelines – With the exception of an assisting officer, any involved officer may discontinue his/her involvement in a foot pursuit at any time during the course of a pursuit. Back-up officers should not discontinue a pursuit until replaced or until they are physically unable to continue, at which time their inability to continue will be relayed to the pursuing officer or the supervisor.

C. Decision to Pursue – The seriousness of the possible outcome of a foot pursuit commands a police officer to weigh many factors when deciding whether or not to pursue the violator. The officer should consider the following circumstances when deciding to initiate a foot pursuit, continue a foot pursuit, or terminate the foot pursuit.

1. The seriousness of the offense.
2. The possibility of apprehension.
3. The safety of the officer.

4. The safety of the public.
5. The time of day.
6. Visibility and illumination.
7. The officer's familiarity with the area.
8. Identification of the subject to the point where later apprehension is possible.

21.12 RESPONSE TO ROUTINE AND EMERGENCY SITUATIONS

CALEA 41.2.1

The purpose is to guide Officers and Dispatchers in determining the appropriate level of response to various situations, and to provide guidelines for Officer's driving responses to these situations.

- A. Classification of response: A code designator of 1, 2, or 3 will be the standard by which all responses will be classified. Those responses are defined as:
1. Code 1: A response of a non-emergency nature to a request for service. During Code 1 responses, Officers will observe and obey all driving regulations and rules of the road as required by law, and department rule and regulations.
 2. Code 2: A response to an urgent situation of a probable non-life threatening nature. Emergency lights will be activated at all times during the response, with the siren being used as necessary. Officers may exceed the posted speed limit by a maximum of 15 MPH, depending on traffic and/or weather conditions. Responding units will come to a complete stop at all regulated stop areas before proceeding through the controlled area against traffic control devices. At signaled intersections with a green light, units will slow as necessary to proceed safely. When proceeding through controlled intersections while operating Code 2, the siren will be made so as to be certain that other vehicles are yielding, and it is safe to continue.
 3. Code 3: A response to an in-progress possibly life threatening situation. Officers will respond as quickly and safely as possible with emergency lights in operation and siren activated. During Code 3 responses, emergency lights and siren will be activated when proceeding through both controlled and non-controlled intersections. Officers, when proceeding through a controlled intersection against the traffic control device, or through a non-controlled intersection where they would not normally have the right of way, will slow to a safe speed or stop if necessary to allow the officer to determine if opposing traffic will recognize and yield to the emergency vehicle.

- B. Although required to stay within the guidelines of department policy and rules and regulations, officers shall also act within the statutory limits of RCW 46.61.035 or its legally designated statutory replacement.
- C. Code 1 responses are generally one unit responses. Alarm response: residential burglary alarms not corroborated by evidence of a crime in progress are dispatched as Code 1.
 - 1. Burglary Alarms: Initial response is one unit and a second unit if one is available, Code 1, from 0500 to 2300 hours. Between 2300 and 0500 hours, the response shall be Code 2.
 - 2. Illegal discharge of firearm (other than "shots fired").
- D. Code 2 responses are two unit responses, if a second unit is available. The following situations, in progress, will be dispatched as Code 2 calls:
 - 1. Robberies in progress (evidence of robbery on addition to alarm)
 - 2. Burglaries in progress (evidence of burglary in addition to alarm)
 - 3. Portable intrusion alarms installed by MPD Officers.
 - 4. Burglary alarms between hours of 2300-0500.
 - 5. Domestic and other disturbances (Note: Disturbances and/or assaults may be Code 1, 2, or 3 depending on the circumstances.)
 - 6. Prowler
 - 7. Mental disorders
 - 8. Reckless endangerment
 - 9. Blood runs
 - 10. Misdemeanors in progress with suspects reported to be at the scene
- E. Code 3 responses are two or more unit responses. All non-involved units will stay off the air. The following situations, in progress, will be dispatched as Code 3 calls:
 - 1. Help the officer
 - 2. Person with a weapon (assault in progress)
 - 3. Crimes of violence
 - 4. Shots fired (assault in progress)
 - 5. Traffic accidents – injury

6. Code 3 response for “injury” accidents is limited to one responding vehicle. Other vehicles will respond Code 1. This response is subject to amendment depending on accident severity, location, nature of injuries, involvement of hazardous materials, etc.
- F. Code 4 situations are, or have become, stable.
- G. The supervisor may upgrade or downgrade any call to a higher or lower level of response at their discretion.
- H. The high beam headlights, spotlights, alley lights, hazardous warning lights, and emergency equipment can all be used to the officer’s advantage on traffic stops, motorist assists, traffic accidents, and area searches. Officer discretion should be used when positioning lights and vehicles to avoid unnecessary interference with homes, businesses, and vehicle traffic while maximizing protection for the officer and persons contacted. Whenever possible, vehicles shall be parked off the traveled portion of the roadway to reduce the potential for accidents.

21.13 SAFETY RESTRAINING DEVICES

CALEA 41.3.3

- A. When provided, occupant restraint devices (seat belts and shoulder harnesses) will be used by all department personnel when riding in city owned emergency vehicles. The Supervisor may allow exceptions to this, depending upon each individual situation.
- B. Department personnel should advise citizens who are guests or riding in the department owned emergency vehicles that use of a restraint device by them is mandatory.
- C. Subjects who are transported in a departmental vehicle will be seat belted in accordance with state law unless their behavior prohibits the officer from safely doing so.
- D. Seat belts may be applied to self-destructive or combative subjects for their own protection, but care must be used to allow the subject to be removed from the vehicle in a hurry if the need arises. Generally, such self-destructive individuals can best be transported by other services such as a private ambulance service.

21.14 BULLETPROOF VESTS OR JACKETS

CALEA 41.3.5

- A. The Medina Police Department will provide soft body armor for every commissioned employee. This soft body armor will be of high quality manufacture, constructed to meet Threat Level II standards or better.
- B. All uniformed Officers will wear department supplied soft body armor while on duty unless excused by the Chief of Police. Exceptions: Medical conditions may preclude the wearing of a vest but must be verified in writing by a physician. Supervisors have the option of allowing their personnel to remove their vests due to extreme weather or working conditions. Officers wearing Class “A” uniforms and Officers whose primary duties are done in an office environment such as administrative officers are also exempt.
- C. The following conditions require that soft body armor be worn:

1. The arrest of particularly dangerous or armed suspects.
 2. Participation in raids
 3. Other situations that pose an obviously increased threat to the well being of the involved officers.
- D. A sworn employee may be directed by a supervisor to wear a vest in specific circumstances. The employee is required to comply with such orders.

21.15 K-9 UNITS

CALEA 41.1.4

- A. Police dogs are considered an authorized non-lethal tool for use by a professionally trained police dog handler. The deployment of a police dog in the City of Medina will be consistent with those standards established for the use of any other non-lethal weapon authorized by the Medina Police Department.
- B. The Medina Police Department does not operate its own K-9 Unit. Under circumstances that require a K-9 response into the City, such services will be rendered under the conditions of a mutual aid agreement.
- C. Generally, police dogs will not be used in any of the following circumstances:
1. To search for animals.
 2. To apprehend any person under the influence of alcohol or drugs when no other crime is believed to be involved. A K-9 may be deployed to locate a D.U.I. suspect only if probable cause exists for arrest before deployment. Additionally, an exception may be permitted if the subject's physical condition can be considered as a medical emergency and a rescue would be appropriate.
 3. To apprehend a mentally disturbed person when no crime is involved.
 4. To search for lost children unless an emergency exists.

21.16 NOTIFICATION OF NEXT OF KIN

CALEA 55.2.6

- A. Notifications of next of kin shall be broken down into two classifications:
1. Those notifications generated from incidents occurring within the City of Medina.
 2. Those reported to this Department from another law enforcement
 3. or, governmental agency, medical facility or doctor, or relative located outside the immediate area.

- B. In cases involving death notification, whenever possible, this notification should be conducted by the Medical Examiner's office in charge of the deceased person's body. From time to time, however, Department personnel will be called upon to assist with personal notification. Department personnel will make every effort to deliver such notifications originated by other agencies in person. Officers will attempt to determine the effect of the notification and provide the necessary support resources such as friends, Fire Department Chaplin, etc.
- C. Officers should normally not make any notifications requested by parties whose identity cannot be otherwise confirmed unless the approval of a Supervisor is first obtained.
- D. Notifications regarding death or injury taking place in the City of Medina will be handled as follows:
 - 1. Death notification will generally be handled by, and/or coordinated with the King County Medical Examiner's office.
 - 2. Notification of local relatives of seriously injured persons within the City of Medina should be conducted in person if at all possible. Notifications where there are only minor injuries involved (generally those which are not going to require in-patient medical care) can be conducted by phone. These can be completed by an officer or through the department's Communications Center at an officer's request.
 - 3. Officers should attempt to provide necessary support services for the next of kin or relatives of deceased, seriously injured, or seriously ill persons whenever necessary.

21.17 24-HOUR PER DAY COVERAGE

CALEA 41.1.1

The Medina Police Department provides a Law Enforcement response to emergencies on a twenty-four hour a day - seven day a week basis. Under extreme or emergency circumstances when this staffing capability cannot be sustained, the Department shall rely upon mutual aid agreement(s) with surrounding agencies to provide this response capability.

21.18 CIVILIAN RIDER PROCEDURES

All non-Medina Police Department employees will be required to have a criminal history check, including a records check, prior to the ride-along, unless waived by the Chief of Police. The Department may decline ride-along requests for any lawful and proper reason, in keeping with the purpose of the ride-along program. The approval of requests to ride with an Officer is limited to those persons who reside or are employed by the City of Medina, or fall within one of the provisions set forth below:

- A. Civilian employees of the City of Medina, as part of an on-going training/educational program, may ride with a Police Officer for the purpose of familiarizing themselves with the geography of the City of Medina and its Police Department. These rides will be

limited to four (4) hours in duration, and will be limited to one ride per employee each month, unless otherwise approved by the Chief of Police.

- B. Wives and/or husbands of Commissioned Officers, as well as significant others of unmarried Officers, may ride with prior approval of the Chief of Police or Captain, for the purpose of observing the nature of their spouse's employment. Such rides will be limited to six (6) hours in duration, and will be limited to one ride in a six-month period.
- C. Police Officers from other jurisdictions may ride with an Officer, with the approval of the Chief of Police or Captain. The visiting Officer will be instructed that he/she is to conduct themselves as a civilian, except in extreme emergencies, and then only in accordance with Medina Police Department rules, regulations and policy standards.
- D. Persons under the age of eighteen (18) years of age will not be permitted to participate in a ride-along, unless specifically authorized by the Chief of Police.
- E. Riders not falling within any of the above provisions may participate in a ride-along only with the authority of the Chief of Police, and only after execution of the appropriate waiver of liability/notification forms.

General limitations Applicable to the Ride-Along Program

- A. Requests to ride-along will be scheduled and approved in advance.
- B. Prior to the ride-along, all persons requesting a ride will sign appropriate waiver and notification forms, with the exception of City employees and members of the City Council.
- C. Waivers are valid for only one ride-along and are effective only for the date indicated on the form. Any subsequent and approved ride-along will require a newly signed waiver.
- D. Riders will be instructed to follow the direction and orders of the Host Officer at all times. Riders will not get out of the patrol vehicle on traffic stops or in any situation that poses risk of injury. The Host Officer will advise when the rider may accompany the Officer on citizen contacts.
- E. Riders will be required to wear a protective ballistic vest at all times during the ride-along.
- F. Under no circumstances may a civilian rider (non-law enforcement personnel) possess a firearm (regardless of their CCW status), or any other dangerous weapon(s), including baton, knife, mace or pepper spray.
- G. Riders will be advised that failure to comply with any of the above conditions will result in the immediate termination of the ride.

- H. While on a ride-along, riders will be dressed in appropriate attire.

21.19 BIAS BASED PROFILING

The purpose of this policy is to affirm Medina Police Department's commitment to unbiased policing and to establish procedures that serve to ensure the public we are providing service and enforcing laws in a fair and equitable manner. While profiling, in itself, can be a useful investigative tool, bias based profiling can lead to allegations of violations of the constitutional rights of citizens we serve, undermines the legitimate law enforcement efforts, and may lead to claims of civil rights violations. Bias based profiling can alienate citizens and foster distrust of law enforcement by the community.

- A. All investigative detentions, traffic stops, arrests, searches, and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and Article I, Section 7 of the Washington State Constitution. Officers must be able to articulate specific facts, circumstances, and conclusions which support probable cause for arrest or reasonable suspicion for the traffic stop or investigative detention.
 - 1. Except as provided below, officers shall not consider race, ethnicity, national origin, gender, age, economic status, cultural group, or sexual orientation in establishing either reasonable suspicion or probable cause.
 - a. Officers may, however, take into account the reported race, ethnicity, national origin, or gender of a specific suspect or suspects based on credible or reliable information that links specific suspected unlawful activity to a particular individual or group of associated individuals of a particular race, ethnicity, or nationality in the same way they would use specific information regarding age, height, weight, etc., about specific suspects.
 - b. No person shall be singled out or treated differently as a consequence of race, ethnicity, national origin, gender, age, economic status, cultural group, or sexual orientation.
- B. In an effort to prevent perceptions of biased law enforcement, officers shall utilize the following strategies when conducting investigative detentions, traffic stops, arrests, searches, and seizures of property:
 - 1. Be courteous, polite, and professional.
 - 2. Introduce themselves and explain to the person the reason for the stop as soon as practical, unless providing this information will compromise the investigation of the safety of officers or other persons.

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22.1 VICE CONTROL FUNCTION CALEA 43.1.1

22.1.1 RESPONSIBILITY

The responsibility for vice control and investigation of vice complaints will be assigned by the Chief of Police to a Lieutenant or the Captain.

22.2 ORGANIZED CRIME CONTROL CALEA 43.1.1

22.2.1 RESPONSIBILITY

The responsibility for Organized Crime Control and Investigation will be assigned by the Chief of Police to a Lieutenant or the Captain.

22.3 COMPLAINTS CALEA 43.1.1

22.3.1 SOURCES OF INFORMATION

An investigation of those persons or groups involved in organized crime, vice activities, or gambling activities can be initiated by, but is not limited to, any of the following sources of information:

- Complaint from the public
- Law Enforcement sources (including informants)
- Other Criminal Justice sources

22.3.2 PROCESS

The complaints will be assigned a case number and included in the records of the Police Department, unless the information is submitted as intelligence or raw data. If the information is considered intelligence it will be processed according to the procedures outlined for intelligence information

and/or raw data.

22.3.3 INVESTIGATIVE PROCESS

Once a complaint has been received, it shall be investigated by the Assigned Supervisor, under the supervision of the Chief of Police. If any aspect of an investigation is delegated, the management of the Police Department shall be so advised and kept informed of all investigative developments. Once the investigation is completed, the record of the investigation shall be filed with the appropriate prosecutorial authority for criminal charging. Investigations revealing insufficient information for a criminal prosecution, shall be assigned to inactive status. If further information is developed, the case will be reopened and processed per this policy.

22.4 INVESTIGATIONS

CALEA 43.1.1

22.4.1 DUTIES AND RESPONSIBILITIES

Investigations will be conducted by the Assigned Supervisor and will be specifically approved by the Chief of Police, who periodically will report the status of the investigation to the City Manager, as appropriate. Investigations will be conducted in a manner consistent with procedures for the conduct of all criminal investigations, keeping in mind the necessity of strict maintenance of confidentiality.

22.5 MAINTENANCE OF RECORDS

CALEA 43.1.1

22.5.1 DISCLOSURE

Criminal information files relating to organized crime and vice contain data of potential investigative value should not be disclosed to any unauthorized source. This information should also never be used except within the strict confines of law enforcement procedures on a need-to-know basis. These files will therefore be kept in a manner consistent with intelligence files procedures and will be secured in the same manner.

22.6 CONFIDENTIAL FILES

CALEA 42.2.9

22.6.1 INFORMATION

The Chief of Police will maintain a confidential file on each informant, to include:

- Biographical and background information;
- Criminal history records, if any;
- Payments made to informant;
- Information received from informant;
- The nature of the informant's operational involvement within the agency;
- Code name of the informant

22.7.1 IDENTITY

Employees will not divulge the identity of persons giving confidential information to the Department except as authorized by proper authority.

22.7.2 PAYMENTS MADE TO INFORMANTS

In the event an informant is identified and it becomes necessary to provide payment for investigative assistance, such payments will be made from the Investigative Fund managed by the Captain.

A. Accounting

1. No more than \$500 cash will be maintained in the Investigative Fund
2. All transactions affecting this fund will be recorded in the Investigative Fund Accounting Log.
3. Officers requesting funds must receive approval from a supervisor if that supervisor is not the Captain.
4. Officers receiving funds for the payment of informants will sign the appropriate receipts. Receipts are maintained in duplicate form. The Captain will maintain a complete record of all transactions and corresponding receipts.
5. Only the Chief of Police may authorize a draw of funds from the City Finance Officer to restore the Investigative Fund to its maximum level.

B. Procedures

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

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23.1 JUVENILE OPERATIONS FUNCTION

CALEA 44.1.1

The Medina Police Department is committed to the development, implementation, and continual improvement of programs that focus on the prevention and control of juvenile delinquency. Law enforcement practices related to juveniles recognize several objectives: hold juveniles responsible for their actions, influence juveniles toward rehabilitation, protect society and prevent recidivism.

- A. All Officers of the Medina Police Department share in the responsibility to conduct timely and thorough investigations as listed in this chapter. Depending upon Departmental needs, one Officer may be designated as the primary juvenile crimes investigator. The duties associated with juvenile crimes investigation include, but are not limited to, the following:
1. Conducting investigations and follow-up investigations of child abuse and/or neglect.
 2. Conducting investigations and follow-up investigations in cases where juveniles are named or are specific suspects.
 3. Conducting investigations and follow-up investigations in all cases where juveniles are crime victims; all allegations of child physical and sexual abuse will be aggressively investigated to their fullest potential.
 4. Conducting investigations and follow-up investigations of all runaways.
 5. Coordinating, recording, and routing of all juvenile cases to the appropriate prosecution agency.
 6. Function as Department liaison with the King County Juvenile Court, Child Protective Services, DSHS, and other governmental and private agencies related to juveniles, and with other divisions of this and other agencies.
 7. Function as Training Officer on Juvenile Code, inter-agency procedure, and other related juvenile matters.
 8. Conduct parent/offender interviews, if needed or requested.
 9. Function as Resource Officer to other members of this Department and to assist them in juvenile matters and investigations.

10. Coordinate, develop, implement, and monitor programs which are designed to prevent and control juvenile delinquency.
 11. Maintain statistics on juvenile matters, and complete monthly and periodic reports on statistics related to juvenile cases.
- B. The responsibility of supporting, promoting, and implementing the Department's juvenile function is shared by all members and divisions of the Department. Officers assigned juvenile cases will investigate and follow up in accordance with current standards and orders. The guidelines for conducting incidents of special assaults involving juveniles are specified in the **King County Special Assault Network Agreement**. This document is prepared by the King County Prosecutor's Office and maintained by the Captain.

23.2 JUVENILE OFFENDER CONTACT (USE OF FORCE)

CALEA 44.2.1

It is the policy of the Medina Police Department to interact with juvenile offenders in a manner that is the least coercive among reasonable alternatives, consistent with the preservation of public safety, order, and individual liberty.

23.3 RELEASE OF JUVENILES

CALEA 44.2.1

- A. Juvenile offenders may be dealt with in one of the following methods:
1. Outright release without any further law enforcement action.
 2. Referral to a diversion program.
 3. Referral to social service agencies for programs coordinated with parental agreement.
 4. Referral to juvenile court.
 5. As a last resort, the youth may be booked directly into the Youth Detention Center or released on future filing of charges with the juvenile court.

23.4 REFERRAL TO INTAKE

CALEA 44.2.2

- A. The Medina Police Department, in accordance with the King County Juvenile Prosecutor's Office and the Washington State Juvenile Justice Act, will participate in the King County Juvenile Courts Diversion Program. Eligibility to enter this program will be determined by the King County Juvenile Prosecutor's Office. This is a recognized program providing an alternative to the filing of criminal charges. Factors that are used for consideration are the juvenile's age, offense, and past criminal behavior.

- B. The Medina Police Department, in accordance with reasonable and accepted Police practices, utilizes dispositions other than diversion or formal juvenile filing. These disposition range from issuance of verbal warnings to agreements for parental discipline. An Officer who investigates a case and establishes sufficiency for filing may elect not to charge. Dispositions shall be noted in the case file, along with the reason(s) justifying action.
- C. It is the policy of the Medina Police Department to comply with R.C.W. 13.40.040 as it relates to intake and referral of juvenile offenders. In cases not covered by this specific statute, the Medina Police Department adheres to the principles of the Washington Juvenile Justice Act and those guidelines found in the publication called "Guidelines for Release of Juvenile Suspects".

23.5 DRUG AND ALCOHOL ENFORCEMENT – PERSONS UNDER 21 YEARS OF AGE

Given consideration to staffing and activity constraints, the following Department standards regarding drug and alcohol abuse will be adhered to:

- A. Misdemeanor arrests, citations, or juvenile arrest notices will be issued to persons under the age of 21 whenever practical, when probable cause exists to verify that he/she is in possession and/or consumption of an alcoholic beverage.
- B. Misdemeanor arrests or citations will be issued to anyone furnishing premises for a party or gathering where alcoholic beverages are being served or consumed by persons under the age of 21 years, other than parents serving to their children.
 - 1. When appropriate, persons hosting a juvenile drinking party should be physically arrested and booked. The decision to release on citation or hold for bail is at the discretion of the Investigating Officer.
 - 2. Officers will take appropriate legal action to curtail or disband any drug or alcohol related juvenile party observed in the City of Medina.
- C. Misdemeanor citations will be issued to anyone over the age of 21 who is found to be purchasing or providing a minor with alcoholic beverages.
- D. Misdemeanor arrests, citations, or juvenile arrest notices will be made, when practical and no staffing or activity constraints prevent, on every person under the age of 21 found to have consumed alcohol and is in a public place (as per the state law).
- E. Misdemeanor arrests and citations will be made when persons are found in possession of marijuana under 40 grams and/or in possession of drug paraphernalia. Felony arrests for all other controlled substances will be done per our standard arrest procedures.
- F. When an Officer makes an arrest, issues a citation or juvenile arrest notice for any drug or alcohol related offense, and when the person involved is under 18 years of age, the Officer is responsible to notify the parents of the person cited or contacted. If the Charging Officer or the oncoming shift cannot notify the parents, a Supervisor will be notified.

- G. If an arrest is made of a person under 21 years of age, or a subject claims that the alcohol is owned by a parent or guardian over 21, then any and all unopened alcohol or resealable items, as well as alcohol related items such as beer kegs and taps, will be confiscated and placed into evidence or found property. The alcohol or alcohol related items will be released only to an adult over 21 years of age, or will be destroyed by or at the discretion of personnel responsible for property destruction.
- H. Only opened containers that contain an alcoholic beverage will be dumped or destroyed at the scene by the Investigating Officers. This will be photographed on scene and noted in the case report.
- I. All drug evidence will be submitted to either the in-house or state lab for examination. Paraphernalia will be maintained in evidence until a disposition on the case. It will be destroyed by or at the direction of personnel responsible for property disposition. All marijuana and/or drugs will be put into evidence. The Property Evidence Officer will package and deliver such evidence to the lab.
- J. The Washington State Liquor Control Board will be notified of any business establishment that is found serving or selling alcoholic beverages to anyone under 21 years of age.

23.6 CITATIONS OR SUMMONS

CALEA 44.2.1

- A. Filing of misdemeanor charges or civil infractions will be handled in the following manner: Juveniles who are charged with traffic violations (non-felony), will be released on issuance of citation except in the following circumstances:
 - 1. If the juvenile is not licensable age (under 16 years of age), a citation is not issued. A juvenile arrest/detention notice is issued. An arrest/detention sheet is completed along with a filing sheet listing the defendant, victim, witness information, and a brief summary of the circumstances. These documents are attached to the Officer's report and forwarded via Supervisor approval to the Records Manager and forwarded to Juvenile - Superior Court for charges.
 - 2. Arrest for D.U.I. and reckless driving will normally coincide with the booking. When evidence gathering is complete and the threat of continuing jeopardy is removed, juvenile may be released on citation if they are licensable age (16 years of age or over). Anytime a juvenile is issued a misdemeanor citation, the word "JUVENILE" should be written or stamped at the top of the citation. Parents or guardians are to be notified and present, if practical, in these circumstances. In all cases, the Arresting Officer will attempt to notify parents/guardians as soon as possible. In all cases where the juvenile is issued a citation, the case will be subsequently forwarded to the Kirkland District Court.
 - 3. Should a juvenile refuse to sign the traffic infraction, he/she shall be handled in accordance with Department standards and orders relating to "Failure To Sign."
 - 4. Juveniles who are charged with misdemeanor criminal charges shall normally be arrested and released in accordance with the state laws governing arrests. The

Arresting Officer will complete the Department's arrest form that will be subsequently routed to the Assigned Officer or a Supervisor for parental contact and case disposition.

5. The Assigned Officer is required to contact the parent/guardian within three working days.

B. Filing of felony charges will be handled in the following manner:

1. Juveniles who are arrested for felonies will be booked into the King County Youth Center or released on investigation. Normally, juveniles are not held at the Youth Center unless they are being charged with a violent felony. All that is needed at the time of transport to the Youth Center is a copy of the arrest report and the original Superform including. All appropriate forms will be completed and should accompany the juvenile to the Youth Center.
2. When the juvenile is in custody, the felony filing forms and Officer's report must then be completed and delivered to the Juvenile Court within 72 hours. The case must be logged by the Records Manager before being delivered to the Juvenile Court. The report should be flagged as an in-custody case. The criminal history form is not needed on juvenile cases. The original Superform must accompany the juvenile to the King County Youth Center at the time of transport.
3. If the juvenile is not in custody, then the case must be forwarded to the Juvenile Court within 14 days from the date the investigation is completed. Neither the Superform nor the criminal history form is needed for the felony filing.

23.7 PROTECTIVE CUSTODY

CALEA 44.2.2

In addition to handling juvenile offenders, the Medina Police Department also responds to juveniles in crisis i.e., matters involving non-criminal behavior. It is the policy of the Department to interact with these individuals in a manner that establishes trust between the juvenile and the juvenile justice-social service system. The overarching goal is to ensure the protection of the juvenile.

- A. Juveniles in crisis will be handled according to the appropriate state statutes when taken into custody.
1. Status offender (runaway) cases are governed by R.C.W. 13.32A.050 through .070.
 2. The Medina Police Department will, on notification of a runaway, respond to and complete a full report to be signed by the parent or guardian.
 3. The Reporting Officer will immediately notify the Communications Center of the signed runaway, and dispatch will immediately make computer entries of same. House Bill 242 requires entries to be made within 12 hours.
 4. A copy of the completed approved case will be routed to the Supervisor and Assigned Officer if the runaway is still at large.
 5. The Assigned Officer will follow up each runaway case in logical progression and as soon as practical.

6. Within 30 days, the Assigned Officer will complete the Washington State Patrol's Missing Persons Report Form #ID24 if the subject has not been located. This requires a Release of Information Report #ID25 from the subject's family or guardian which enables the police to get dental records, as required by R.C.W. 13.32A.050.
- B. "Child At Risk" cases are also governed by R.C.W. 13.32A.050 through .070, and R.C.W. 26.44.050.
1. The Medina Police Department will investigate all cases of child abuse or neglect occurring within the city limits.
 2. The Reporting Officer will immediately take into custody any child who is in continuing jeopardy and will handle the child according to law. The Department of Child and Family Services will be contacted to provide shelter (safe house) for the child. The address of the "safe house" will not be noted in the case report or released to the parents.
 3. All reported incidents require a written report. Each report will be forwarded to D.S.H.S. (CPS) after supervisory approval. A copy of each case will be routed to the Assigned Officer who will coordinate or complete follow up if necessary.
 4. All cases of physical or sexual abuse will be forwarded to the King County Special Assaults Unit for review.
 5. The Medina Police Department, as a participating agency, adheres to the King County Child Abuse Network protocol unless exigent circumstances exist.
- C. Mental illness cases are governed by R.C.W. 71.05.150, section 4.
1. Medina Police Officers occasionally deal with youths who, without being involved in criminal conduct, are a danger to themselves or others due to their mental state. The Department's purpose is to assist in providing immediate professional outreach resources to the individual.
 2. In cases where outreach resources are unavailable, Officers shall take the juvenile into custody in accordance with R.C.W. 71.05.150. The juvenile, along with a case report, will be transported to Harborview Involuntary Treatment Facility. Transportation may be by ambulance, Police vehicle, or other suitable vehicle.

23.8 JUVENILES IN CUSTODY

CALEA 44.2.3

A. The following procedures will be adhered to when taking juveniles into custody:

1. When arresting a juvenile, the Arresting Officer should (when practical) immediately advise the juvenile of the offense committed.
2. Prior to conducting an interview, the juvenile should be advised of his/her constitutional rights, to include the potential of adult prosecution if the Juvenile Court declines jurisdiction. If the juvenile is under 13 years of age, his parent or guardian must sign the

Rights Waiver and Acknowledgment segment of the form along with the juvenile before an effective waiver is complete. The parent signing as a witness is not adequate.

3. On completion of the investigation, the juvenile should be transported to the Youth Center if applicable, unless medical attention is required.
4. When available, or as soon as possible after the arrest, the parents or guardian will be notified by the Arresting Officer (or the next shift, if required).

B. Interrogation of Juveniles

CALEA 44.2.2

1. A juvenile shall be allowed parental or attorney contact prior to the interview if he/she so chooses.
2. Not more than two Officers will be directly involved in an interrogation at any time. The mere presence of three or more Officers in a field situation is not prohibited, but when practical, the number of Officers should not exceed the number necessary to control the situation at hand.
3. At the beginning of any interrogation of a juvenile, the Officer will explain the Medina Police Department and Juvenile Court's procedures governing such interrogation.
4. Interrogations should not last longer than is necessary to gain adequate information on the matter of concern. In no case should an interrogation last longer than three hours without supervisory approval. In such a case, the Supervisor should assess the matter with the following factors being considered prior to permitting the continued interrogation:
 - a. Age of the juvenile.
 - b. Location of the interview.
 - c. Maturity of the juvenile being interrogated.
5. Juveniles will be allowed breaks for personal necessities.

23.9 SOCIAL SERVICE AGENCIES

Resource and referral information including a listing of social service agencies providing youth services will be maintained by the Records Section and made accessible to all Department personnel.

23.10 FINGERPRINTS AND PHOTOGRAPHS

CALEA 82.1.1

- A. The Medina Police Department has adopted the Privacy and Security Provisions as mandated by State Statute; RCW 10.97, Washington State Criminal Records Act; RCW 13.50, Juvenile

Records Access; RCW 40.14, Preservation and Destruction of Public Records; RCW 42.17, Disclosure of Public Records; and RCW 46.52.080, Confidentiality of Reports. Copies of each statute are maintained by the Records Manager.

- B. The Medina Police Department will fingerprint and photograph juveniles in accordance with RCW 43.43.735. All juveniles arrested and booked for a felony or gross misdemeanor will be photographed and fingerprinted.
1. Photographs of juvenile suspects will be maintained in a file reserved exclusively for juvenile photos, and will be maintained by the designated agency taking the photographs.
 2. Fingerprints of juveniles will be dispersed as follows:
 - a. One set will be sent to Washington State Patrol, ID Division.
 - b. One set will be sent to King County AFIS.
 - c. Two sets will be filed with the juvenile's CHRI packet that is kept in Records.
 3. Juvenile photographs and fingerprints will be maintained for the purpose of criminal investigations.
 4. Only authorized law enforcement agencies or entitled social service agencies will be allowed access to these items. (Reference RCW 13.50)
 5. The Records Manager is responsible for maintenance of the CHRI packets.
 6. Expungement of prints, photos, or materials of identification will occur on order of a competent court and/or state law. (Reference RCW 13.50)

23.11 RECORDS

CALEA 82.1.1

Officers, when processing a juvenile arrest, will (when applicable) complete the necessary documents that will not only meet reporting standards but will allow for current information on all subjects arrested by this agency.

- A. The following information shall be completed on all juvenile arrests, when applicable:
1. Complete Arrest Reports
 2. Fingerprints
 3. Photographs
 4. Juvenile Booking Log
 5. Holding Facility Register (if applicable)
 6. Prisoner Property Form
 7. Case Disposition Reports

- B. The Records Manager will maintain separate records and criminal history files for adults and juveniles. The Records Manager separates files as mandated by State Statutes RCW 40.14, Preservation and Destruction of Public Records; RCW 13.50 Juvenile Records Access; and RCW 10.97, Washington State Criminal Records Privacy Act. Copies of all State Statutes are maintained by the Records Manager.
 - 1. Information contained in the criminal history files is separated into adult and juvenile files in separate file cabinets.
 - 2. The destruction or expungement of juvenile records shall comply with state law, RCW 13.50.
- C. No juvenile case files shall be removed from the Records Section without prior authorization. Personnel who need to review a case can request a copy of the case from the Records Manager. Exceptions to this procedure may be made for highly sensitive and/or large files with approval by the Records Manager. These cases may be checked out for a period not to exceed 72 hours. Any file removed for review will be noted on a Records "out" card. The card will be signed by the Officer receiving the document and the Records Manager, and then inserted in the removed file's sequential location.
- C. The procedures and criteria for the release of agency records are mandated by RCW 10.97, RCW 42.17, RCW 13.50, and RCW 46.52. All Records personnel will be familiar with these laws and records will be released accordingly.
 - 1. All requests will be in writing and will be responded to in five (5) business days.
 - 2. Any record released will be noted on the audit trail located in the case jacket.
 - 3. Appropriate fees will be assessed, if applicable.

23.12 POSITION ACCOUNTABLE FOR RECORDS

The Records Manager will be responsible for maintaining all juvenile records in accordance with State of Washington laws governing retention and destruction of public records and documents (R.C.W. 13.50).

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|---------------------------------------|---|----------------|
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24.1 PLANNING

CALEA 46.1.1

24.1.1 RESPONSIBILITY

It is the responsibility of the Chief of Police to establish the planning for the Medina Police Department's response to unusual occurrences. The Critical Incident Response Manual is a guide to all employees handling unusually serious police incidents requiring multiple police responses or the establishment of Incident Command protocols.

EXCEPTION: Nothing contained herein will restrict a member from deviating from this Manual when a particular situation requires it. However, justification for such deviation may be required at the conclusion of the incident.

24.2 NATURAL AND MANMADE DISASTERS

CALEA 46.1.2

24.2.1 RESPONSE

The response of the Medina Police Department to natural and manmade disasters is governed in this manual and the Medina Disaster Preparedness Plan.

- A. **Communications** - Dispatch will be the primary source of communications during an unusual occurrence.
- B. **Field Command Posts** - Will be located in such a fashion as to afford supervisors access to information necessary for directing operations while at the same time providing for the safety and security of occupants. When possible co-locate with other agencies to facilitate communication and coordination.
- C. **Casualty Information** - Will be relayed from the field to the Emergency Operations Center and compiled there. Public release will be made through the incident public information officer or the American Red Cross, depending on which release point is most appropriate.

- D. **Community Relations/Public Information** - The Incident Commander will appoint a Public Information Officer (PIO) for each major incident. The PIO will work with the Supervisors to meet the needs of accredited media in reporting on the incident.
- E. **Other Law Enforcement Agency Support** - Upon initiation of an unusual occurrence requiring mutual aid, the Chief of Police or representative will request that the ranking Officer in charge of any assisting law enforcement agency confer with the Incident Commander in order to determine the mission of their personnel consistent with the mutual aid agreement then in effect. The Incident Commander will ensure that a Medina Police Department advisor is assigned to assist them with their mission.
- F. **Military Support - Washington State National Guard:** The City Manager will be the sole authorization for and will forward all requests for assistance and/or aid from the government of the State or any other State or Territory of the United States to the Governor of the State of Washington. Such requests will normally be forwarded from the City Manager through the Department of Emergency Services who contacts the Governor.

When State National Guard Troops are assigned to an area within the City for the purpose of assisting in preserving law and order and/or the protection of life and property, they will be under the command of and directly responsible to their military commanders. The authority of the Chief of Police or any other Department supervisors will not extend to such troops. However, the Chief of Police or representative will advise the military commanders as to the specific needs of the City, recommending areas in which the military can most appropriately be used to restore order in support of the civil authorities.

Intervention by Federal Troops - In cases of intervention by Federal Troops, the military commander will cooperate to the fullest extent with the Governor or other local and state authorities and forces unless such cooperation interferes with the accomplishment of his or her federal mission. Military personnel assigned to a problem area may recognize the authority of the Department Incident Commander and assist in mutually restoring the area to normalcy, or if circumstances warrant sole command of the area may be assumed by the Military Commander. Officers of the Medina Police Department will cooperate with the military forces assigned.

G. Public Facility Support - The City will maintain emergency shelters in various public buildings and other locations within the community. The location and contact person is listed in the Disaster Preparedness Plan. The City Building Official will check and certify as safe for occupancy all public buildings used for official purposes in an unusual occurrence as a high priority. The Incident Commander will assign police personnel as needed to provide security at these locations.

- H. **Traffic Control** - The Incident Commander will assign available personnel to perform traffic control. This will be augmented by patrol officers from other agencies, explorers, and other volunteers as needed.
- I. **Equipment Requirements** - Coordination of equipment needs will be made via the Emergency Operations Center. If City needs exceed resources, the Department of Emergency Services will coordinate for resources outside the City Boundaries.
- J. **De-escalation Procedures** - The Incident Commander will monitor the need for resources throughout the incident. Once it is clear that no re-escalation is likely, the Incident Commander will check with field units prior to release of assets.

- K. **Rumor Control** - The Public Information Officer will, through the release of accurate and timely information, quell inaccurate rumors and keep the public apprised of the situation.
- L. **Availability for Command** - The operational structure of the Police Department may be modified during Emergency Operations. When necessary, a Field Command Post and/or a Department Emergency Operations Center may be activated and staffed. Whenever a Police incident requires the establishment of a Field Command, the Department chain of command for line control of the incident will be as follows, depending on availability:
1. Police Chief
 2. Captain
 3. Lieutenant
 4. The Officer assigned to the scene of the incident

Assuming Field Command - In an on-view situation or during the initial stage of an emergency incident investigation, the first officer on the scene (senior officer if more than one officer arrives simultaneously) will assume and retain Field Command until relieved by a supervisor or command level officer.

Field Command Exception - The modification of the Department's organizational structure for line control during an emergency situation does not supersede the Department's established chain of command. This means that any command level officer in the Department's normal chain of command may assume command and responsibility for the police function at any time during the police emergency situation. When this occurs, however, the Department's Field Commander must be specifically informed that he or she has been relieved of his or her command and Communications and/or the Department Command Post notified of the new Field Commander.

The appearance or mere presence of a command level officer at the scene of a police incident will not indicate his or her assumption of command. However, should this command level officer issue orders and/or direct the activities of any personnel, he or she then automatically assumes Field Command and must follow the procedure outlined under this policy. If this command level officer wishes to remain at the scene in an advisory capacity to the Field Commander, he or she must not issue orders or direct the activities of police personnel.

When the Chief of Police has personally appointed a Field Commander, this officer will normally be relieved of command by only the Police Chief, or a ranking officer.

The Field Commander, regardless of rank, will have complete authority and responsibility for conducting the field operations of the Police Department for the duration of the emergency, or until relieved of command by only the Police Chief, or ranking officer.

All personnel assisting in or assigned to the involved area will be subject to the direct command and supervision of the Field Commander. When the Field Commander is physically or mentally unable to perform his or her duties, an officer of equal or junior rank may relieve the Field Commander by identifying him or herself and informing the Field Commander of their intentions.

Whenever feasible, the officer who plans to relieve the Field Commander will communicate his or her reasons and intentions to the Police Chief prior to initiating such action.

- M. **Post Occurrence Duties** - All Police personnel assigned to an unusual occurrence incident will remain at their post until relieved by competent authority. Each assigned person will then report to the Emergency Operations Center for reassignment or dismissal from duty.
- N. **After Action Report** - Will be completed by each officer. If the situation permits, these will be completed prior to dismissal from duty. If, because of the length of time on duty, injury, or other compelling reason after-action reports cannot be completed prior to leaving duty, they will be completed at the earliest practical date and time.
- O. **Transportation** - Will be coordinated through the Emergency Operations Center from the inventory listing kept as part of the City of Medina Disaster Preparedness Plan.

24.3 CIVIL DISTURBANCES

CALEA 46.1.2

24.3.1 PLAN

This plan is a guide to all employees when preparing for police control of an anticipated event having the potential for civil disorder.

- A. **Communications** - Dispatch will be the primary source of communications during an unusual occurrence.
- B. **Field Command Posts** - Will be located in such a fashion as to afford supervisors access to information necessary for directing operations while at the same time providing for the safety and security of occupants. When possible co-locate with other agencies to facilitate communication and coordination.
- C. **Casualty Information** - Will be relayed from the field to the Emergency Operations Center and compiled there. Public release will be made through the incident Public Information Officer or the American Red Cross, depending on which release point is most appropriate.
- D. **Court and Prosecutorial Liaison** - Will be handled by a combination of the City Attorney and the City Prosecutor, depending on availability.
- E. **Community Relations/Public Information** - The Incident Commander will appoint a Public Information Officer (PIO) for each major incident. The PIO will work with the commanders to meet the needs of accredited media in reporting on the incident.
- F. **General Liaison with Other Agencies** - The Incident Commander will assign a Medina Police Department Employee to act as liaison, as needed, with other non-police agencies.
- G. **Legal Considerations** - Police personnel will remember that they are governed by Federal, State, and Local Statutes as well as Constitutional considerations during civil disturbances. They will conduct their actions accordingly.
- H. **Other Law Enforcement Agency Support** - Upon initiation of an emergency situation requiring mutual aid, the Chief of Police or representative will request that the ranking officer in charge of the assisting police agencies confer with the Incident Commander in order to determine the mission of their personnel

consistent with the mutual aid agreement then in effect. The Incident Commander will ensure that a Medina Police Department advisor is assigned to assist them with their mission.

- I. **Military Support - Washington State National Guard:** The City Manager will be the sole authorization for and will forward all requests for assistance and/or aid from the government of the State or any other State or Territory of the United States to the Governor of the State of Washington. Such requests will normally be forwarded from the City Manager through the Department of Emergency Services who contacts the Governor.

When State National Guard Troops are assigned to an area within the City for the purpose of assisting in preserving law and order and/or the protection of life and property, they will be under the command of and directly responsible to their military commanders. The authority of the Police Chief or any other Department commanders will not extend to such troops. However, the Police Chief or his or her representative will advise the military commanders as to the specific needs of the City, recommending areas in which the military can most appropriately be used to restore order in support of the civil authorities.

Intervention by Federal Troops: In cases of intervention by Federal Troops, the military commander will cooperate to the fullest extent with the Governor or other local and state authorities and forces unless such cooperation interferes with the accomplishment of his or her federal mission. Military personnel assigned to a problem area may recognize the authority of the Department Field Commander and assist in mutually restoring the area to normalcy, or if circumstances warrant sole command of the area may be assumed by the Military Commander. Officers of the Medina Police Department will cooperate with the military forces assigned.

- J. **Public Facility Security** - The City will maintain emergency shelters in various public buildings and other locations within the community. The location and contact person is listed in the Emergency Operations Plan. The City Building Official will check and certify as safe for occupancy all public buildings used for official purposes in an unusual occurrence as a high priority. The Incident Commander will assign Police personnel as needed to provide security at these locations.
- K. **Traffic Control** - The Incident Commander will assign available personnel to perform traffic control. This will be augmented by Patrol Officers from other agencies, explorers, and other volunteers as needed.
- L. **Juvenile Offenders** - Will be handled in accordance with procedures prescribed under law. They will be segregated from adult offenders and either released to a responsible adult pending court appearance or booked at the Youth Center. Temporary holding facilities may be used during the incident as needed.

M. Equipment Requirements - Coordination of equipment needs will be made via the Emergency Operations Center.

- N. **De-escalation Procedures** - The Incident Commander will monitor the need for resources throughout the incident. Once it is clear that no re-escalation is likely, the Incident Commander will check with field units prior to the release of assets.

- O. **Rumor Control** - The Public Information Officer will, through the release of accurate and timely information, quell inaccurate rumors and keep the public apprised of the situation.

- P. **Availability for Command** - The operational structure of the Police Department may be modified during Emergency Operations. When necessary, a Field Command Post and/or a Department Emergency Operations Center may be activated and staffed. Whenever a Police incident requires the establishment of a

Field Command, the Department chain of command for line control of the incident will be as follows, depending on availability:

1. Police Chief
2. Captain
3. Lieutenant
4. Officer assigned to the scene of the incident

Q.Post Occurrence Duties - All Police personnel assigned to an unusual occurrence incident will remain on their post until relieved by competent authority. Each assigned person will then report to the Emergency Operations Center for reassignment or dismissal from duty.

R.After Action Report - Will be completed by each Officer. If the situation permits, these will be completed prior to dismissal from duty. If, because of the length of time on duty, injury, or other compelling reason after-action reports cannot be completed prior to leaving duty, they will be completed at the earliest practical date and time.

S. Transportation - Will be coordinated through the Emergency Operations Center from the inventory listing kept as part of the City of Medina Disaster Preparedness Plan.

T. Arrest/Confinement Procedures - Will be made in accordance with Section 24.12

24.4 ANNUAL REVIEW

CALEA 46.1.2

24.4.1 REVIEW PROCEDURE

The Medina Police Department Manual of Standards, Critical Incident Response Manual and the City of Medina Disaster Preparedness Plan which contain unusual occurrence plans will be reviewed by the Chief of Police annually. Alternatively, these plans may be reviewed through practical exercise. Any deficiencies or changes will be made as needed.

24.5. EMERGENCY MOBILIZATION PLAN

CALEA 46.1.8

24.5.1 PLAN PROCEDURES

The Medina Police Department shall generally follow the below procedures in executing an Emergency Mobilization Plan:

A. Communications - Dispatch will be the primary source of communications during an unusual occurrence.

B. Alert Stages:

On-Call Alert: All Officers are on-call and will keep the office advised of their location and provide them with a phone number where they can be reached. Officers must be prepared to respond to the designated assembly point, fully equipped, 60 minutes after notification.

Standby Alert: Officers will equip themselves, remain at home, and be prepared to respond to the assembly point immediately upon notification.

Duty Alert: All Officers will report immediately to the assembly point in full uniform prepared for an indefinite tour of duty. The duty alert will include the location of the assembly point. All vacations, sick leave and days off will be canceled during the crisis.

C.Primary and Alternative Assembly Areas - The Primary Assembly area will be at the Medina Police Station. The Alternative Assembly area will be another location, preferably a public facility, designated by the Incident Commander in the alert broadcast.

D.Equipment Distribution - Coordination of equipment needs will be made via the Emergency Operations Center. If City needs exceed resources, the Incident Commander will coordinate for resources outside the City Boundaries.

E. Special Task Force Activation - Incident Command will be activated by the Senior Police or Fire Official on-duty during an unusual occurrence. Depending on circumstances and availability of higher command, the Senior on-duty Public Safety Official may elect to consult with higher command if time and circumstances permit.

F. Key Personnel Designations - Key personnel will be designated positions per the incident command system.

G.Transportation Assignments - Will be coordinated through the Emergency Operations Center from the inventory listing kept as part of the City of Medina Disaster Preparedness Plan.

H.Management Control Measures - Unity of command will be maintained in a manner consistent with good management practices. The Department rank structure will remain in place with the exception of modifications for Incident Command implementation.

I. Rehearsals - Will be exercised on a periodic basis with the coordinated efforts of the police Department and other interested parties.

24.6 EQUIPMENT INSPECTION

CALEA 46.1.6

24.6.1 INSPECTION PROCEDURES

All equipment maintained by the Medina Police Department designated for unusual occurrences will be inspected by the Officers using the equipment at least monthly for operational readiness. Any deficiencies will be reported to the assigned Lieutenant.

24.7 **EMERGENCY OPERATIONS MANUAL** **CALEA 46.1.7**

24.7.1 **MANUAL REVIEW**

The portion of the policy and procedures manual relating to Unusual Occurrences and the Medina Disaster Preparedness Plan will be reviewed annually by the Chief of Police and Supervisors of the Medina Police Department. This review may be done through practical exercise as a preferred way to test the plan.

24.8 **MUTUAL AID AGREEMENTS** **CALEA 46.1.2**

24.8.1 **CONSISTENCY**

The use of outside agencies will be consistent with State and Federal Laws, as well as negotiated Mutual Aid Agreements.

24.9 **CORRECTIONAL FACILITIES** **CALEA 46.1.2**

24.9.1 **RESPONSE**

Any response by the Medina Police Department to the Correctional facilities operated in King County will be governed by any Mutual Aid Agreement in effect at the time. The primary responsibility for planning and implementation rests with King County and the King County Corrections Department for County facilities.

24.10 **SITUATION MAPS** **CALEA 46.1.2**

24.10.1 **ACCESS**

The Medina Police Department has situational maps available for use during unusual occurrences. These situation maps are kept in the supervisor's office in the Police Department.

24.11.1 CHAIN OF COMMAND

Whenever a police incident requires the establishment of a Field Command, the Department chain of command for line control of the incident will be as follows:

1. Police Chief
2. Captain
3. Lieutenant
4. Officer assigned to the scene of the incident

Location Criteria:

1. The facility should be located out of sight of the scene of the mass arrest.
 2. The facility should be large enough to accommodate the anticipated number of prisoners, all processing procedures, and the storage of necessary supplies.
 3. If transportation to jail is not immediately available shelter, warmth, toilet facilities, food, water and security of the prisoners will be required.
- B. **Transportation** - The Transporting Officers will communicate with the King County Jail about the mass arrest probability and coordinate with that facility for booking procedures. The transportation detail will be responsible for procuring vehicles to transport the anticipated number of arrestees. If the arrested individuals are to be cited and released, the transportation detail will be responsible for transporting those individuals away from the incident site.
- C. **Detention** - The Arresting Officer will deliver cuffed or otherwise restrained prisoners to a detention facility or county jail along with the appropriate completed paperwork.
- D. **Evidence Collection** - Evidence will be collected in the field by Arresting/Assisting Officers. It will be recorded and turned over to the Booking Officer at the field booking facility for transportation to the Police Property Room. A chain of custody will be maintained and recorded on evidence sheets as proof of custody.
- E. **Security** - The appropriate number of Officers will be assigned to maintain exterior and interior security of the field booking facility. The security detail will provide assistance to Arresting Officers and those working in the field booking facility.
- F. **Identification** - The Identification Officer will use an instant camera to photograph the prisoner and Arresting Officer together with suspect's name, DOB, offense, case number, date and time on a card. Any evidence or property should be prominently displayed in the photograph.
- G. **Inter-Agency Agreements** - Any use of outside agencies will be consistent with the State and Federal laws as well as current mutual aid agreements. Authorization to request mutual aid assistance or to grant assistance will come from the Chief of Police or representative only.

H. Defense Counsel Visitations - All prisoners will be advised of their constitutional rights by the Arresting Officer. During a mass arrest incident the first opportunity for a detained person to consult legal counsel is after the booking process has been completed at the Jail.

I. Court and Prosecutorial Liaison - When a mass arrest situation is anticipated, prior to its actual inception, an Officer will be selected as liaison with the City Prosecutor's office. The liaison Officer will solicit legal advice from the attorney who will be available to give continued advice for the duration of the incident. The City Prosecutor will act as liaison with court system.

J. Media Relations/Public Information - A Public Information Officer at the request of the Field Event Commander will be assigned to the Emergency Operations Center. The Officer will act as a liaison between the Field Commander and the news media.

K. Food, Water and Sanitation - Will be adequate for staff and prisoners. Assistance may be obtained from the American Red Cross or other sources as needed. Field booking facilities will be located in such a manner as to allow for adequate food, water and sanitation.

L. Medical Treatment - A Fire Department aid crew will be called if arrested individuals require medical treatment. If the arrested individual requires hospitalization, he or she will be transported to the Hospital prior to being booked into the Jail. If an arrested individual requires prescribed medication while detained, and that individual is in possession of the medication at the booking facility, a medic's recommendation concerning the prescribed medication will be obtained prior to dispensing such medication.

24.12. MASS ARREST PROCEDURE

CALEA 46.1.3

24.12.1 The following procedures shall generally be followed when making mass arrests:

A. Processing - To expedite the handling and processing of arrestees, while safeguarding their constitutional rights, a field booking facility may be established.

Location Criteria-

1. The facility should be located out of sight of the scene of the mass arrest.
2. The facility should be large enough to accommodate the anticipated number of prisoners, all processing procedures, and the storage of necessary supplies.
3. If transportation to jail is not immediately available shelter, warmth, toilet facilities, food, water and security of the prisoners will be required.

B. Transportation - The transporting officers will communicate with the King County Jail about the mass arrest probability and coordinate with that facility for booking procedures. The transportation detail will be responsible for procuring vehicles to transport the anticipated number of arrestees. If the arrested individuals are to be cited and released, the transportation detail will be responsible for transporting those individuals away from the incident site.

C. Detention - The arresting officer will deliver cuffed or otherwise restrained prisoners to a detention facility or county jail along with the appropriate completed paperwork.

D. Evidence Collection - Evidence will be collected in the field by arresting/assisting officers. It will be recorded and turned over to the booking officer at the field booking facility for transportation to the police property room. A chain of custody will be maintained and recorded on evidence sheets as proof of custody.

- E. **Security** - The appropriate number of officers will be assigned to maintain exterior and interior security of the field booking facility. The security detail will provide assistance to arresting officers and those working in the field booking facility.
- F. **Identification** - The identification officer will use an instant camera to photograph the prisoner and arresting officer together with suspect's name, DOB, offense, case number, date and time on a card. Any evidence or property should be prominently displayed in the photograph.
- G. **Inter-Agency Agreements** - Any use of outside agencies will be consistent with the State and Federal laws as well as current mutual aid agreements. Authorization to request mutual aid assistance or to grant assistance will come from the Chief of Police or representative only.
- H. **Defense Counsel Visitations** - All prisoners will be advised of their constitutional rights by the arresting officer. During a mass arrest incident the first opportunity for a detained person to consult legal counsel is after the booking process has been completed at the Jail.
- I. **Court and Prosecutorial Liaison** - When a mass arrest situation is anticipated, prior to its actual inception, an officer will be selected as liaison with the City Prosecutor's office. The liaison officer will solicit legal advice from the attorney who will be available to give continued advice for the duration of the incident. The City Prosecutor will act as liaison with court system.
- J. **Media Relations/Public Information** - A public information officer at the request of the field event commander will be assigned to the Emergency Operations Center. The officer will act as a liaison between the field commander and the news media.
- K. **Food, Water and Sanitation** - Will be adequate for staff and prisoners. Assistance may be obtained from the American Red Cross or other sources as needed. Field booking facilities will be located in such a manner as to allow for adequate food, water and sanitation.
- l. **Medical Treatment** - A fire Department aid crew will be called if arrested individuals require medical treatment. If the arrested individual requires hospitalization, he or she will be transported to the Hospital prior to being booked into the Jail. If an arrested individual requires prescribed medication while detained, and that individual is in possession of the medication at the booking facility, a medic's recommendation concerning the prescribed medication will be obtained prior to dispensing such medication.

24.13 PLANNING

24.13.1 AREA AGENCY PARTICIPATION

The Medina Police Department participates with other area agencies to assist in the planning for the Medina Police Department's response to those unusual occurrences not outlined in this chapter of the manual.

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|------------------------------------|--|---------------|
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25.1 INTELLIGENCE GATHERING

CALEA 51.1.1

25.1.1 PROCESS

The intelligence process involves the collection, evaluation, collation, analysis, dissemination and review of intelligence information. The Medina Police Department will comply with RCW 10.97 and all intelligence gathering will be within the restrictions and guidelines of federal, state and local laws. All information must be verifiable related to criminal activity and the constitutional rights of all individuals must be protected. The following guidelines shall be adhered to with regard to the intelligence process.

25.2 GUIDELINES

CALEA 51.1.1

25.2.1 COLLECTION OF DATA

Any member of the Medina Police Department may collect information. Collection involves initial gathering of raw information. Initial collection of information is not considered intelligence. The data produced as a result of collation, evaluation, comparison and analysis is considered intelligence.

25.2.2 COLLECTION PROHIBITIONS

Members of the Medina Police Department shall not collect intelligence data on person(s) merely on the basis that such person(s) supports unpopular causes. Additionally, intelligence shall not be collected on the basis of ethnicity or race or religious and/or political affiliations.

25.2.3 LIMITATIONS

No employee of this Department will engage in any illegal activity in collecting intelligence information; nor will any member employ or direct another to engage in the collection of intelligence information through illegal means.

25.2.4 PROCESSING OF INFORMATION

Information will be submitted to the Supervisor from Patrol Officers and after reviewing the information the Supervisor will distribute the information to the Captain. A file number will be assigned or a case number will be used to cross-reference the information already existing in file.

25.2.5 EVALUATION AND FOLLOW UP

The information will be evaluated. That information found to be accurate and requiring immediate follow-up shall be assigned for investigation and the originating Officer so advised. Information that is accurate and does not require immediate attention will be assigned as caseload and staffing permits.

25.2.6 INFORMATION NOT REQUIRING FOLLOW UP

The Captain will file information that does not require follow-up.

25.2.7 INTELLIGENCE INFORMATION LOG

The Captain will maintain an intelligence information log on a Confidential File Control Worksheet. This log will include any dissemination information and the record of destruction. Dissemination of intelligence files shall only be made on a need-to-know basis and destruction shall be in accordance with State Law.

25.3 VERIFIABLE CRIME INFORMATION

CALEA 51.1.1

25.3.1 COLLATION

Collation is the first step in translating raw information into intelligence-type information. Collation is not merely the bulk gathering and filing of everything a collection effort produces. Where criminals interrelate and the result of the collation process demonstrates that modus operandi (MO's) are developing, the MO's then become the basis for predicting activities of criminal groups. Forecasting allows strategic planning which offers the opportunity of law enforcement interception. Only verifiable crime related information germane to the mission and the objective of the unit is retained.

25.3.2 RETENTION, REVIEW AND DESTRUCTION OF FILES

Intelligence files will be retained for a period of up to three years. These files will be reviewed annually. Outdated files will be destroyed in a manner consistent with law.

25.3.3 EVALUATION OF INFORMATION

All intelligence information will be evaluated for content and reliability as outlined on the Department's Intelligence Credibility Checklist. The credibility of intelligence information will be evaluated by considering the source of the information and corroborative factors. Information received from a criminal justice agency will be given an "A" rating. Other governmental agency information will normally be considered "B" rated intelligence unless information has been corroborated. Information received from reliable informants may provide intelligence rated as high as "B" if the information is corroborated, or is expected to be corroborated. Other information received will be rated "C" information.

25.3.4 CODING

All intelligence information will be coded as to content. The coding will be noted in the master log of the intelligence files.

25.3.5 GANG AFFILIATION DESIGNATION/ GANG INTELLIGENCE PROCEDURES

- A. Policy: The Medina Police Department recognizes that by their very nature, criminal gangs pose a serious threat to the community and its Police Officers. The Department therefore believes that it must gather and organize information about participants in criminal gang activity in order to effectively address the law enforcement problems which criminal gangs present. The Department further recognizes that gang affiliation in and of itself does not constitute a crime; hence, the designation of a person as a criminal gang affiliate does not give any member of this agency the authority to take action against that affiliate which could not be otherwise lawfully taken against a person not so designated.

B. Definitions:

Gang: A gang is an ongoing organization, association, or group consisting of three (3) or more persons, whether formal or informal, which:

1. Uses a gang name, common identifying sign or symbol, or acknowledges an identifiable leadership;
2. Has a strong bond between its associates to the exclusion of other persons or gangs.

Criminal Gang: A gang is criminal if persons affiliated with it have committed two (2) or more crimes which:

1. Benefit members of the group;
2. Are committed as part of an initiation process or membership ritual;
3. Are designed to announce the existence of the gang, its affiliates or its territorial claims;
4. Are committed because of the race, ethnicity, religion, national origin or gang association of the victim; or
5. Are designed to intimidate a victim in the name of the gang.

C. Identification Criteria: In order to maintain accurate intelligence records and prevent the erroneous classification of persons as gang affiliated, it is the policy of the Medina Police Department that a person will be designated as a gang affiliate only when he/she meets at least one of the following primary criteria or at least two of the following secondary criteria:

Primary Criteria: Any one (1) of the following criteria is sufficient grounds for identifying the person concerned as a gang affiliate:

1. The person admits or asserts to the police that he/she is affiliated with a criminal gang.
2. The person participates in a criminal gang initiation ritual or ceremony ("jumping in").
3. The person conspires to commit or commits a crime:
 - a. Which is part of a pattern of violent or property crimes facilitated by the efforts of other gang affiliates, which advance the interests of the person;
 - b. To attract the attention of the criminal gang or enhance the standing of the person with the criminal gang;
 - c. For the benefit of the gang;
 - d. To announce the existence of the gang, its membership or its territorial claims, or;

- e. In response to the race, religion, ethnicity, national origin or gang association of the victim.
4. The person is identified as gang-affiliated based upon reliable information from another law enforcement agency (including out-of-state or federal agencies), a reliable informant, or other credible intelligence source. In the latter instance, such sources may include, but are not limited to, education and social services professionals. (See limitations below under Section H.)

Secondary Criteria: Any two (2) of the following criteria are sufficient grounds for identifying the person concerned as a gang affiliate:

1. The person displays knowledge of the gang's history, leadership, activities or rituals in a context that clearly indicates affiliation with the gang.
2. The person announces to a Law Enforcement Officer that he/she is willing to commit crimes or make other sacrifices for the benefit of the gang.
3. The person has tattoos, clothing or jewelry unique to a gang in a context that clearly indicates affiliation with the gang.
4. The person uses a hand sign or language that, due to its content or context, clearly indicates affiliation with the gang.
5. The person's name appears on a criminal gang document, including but not limited to gang-related graffiti or membership rosters ("roll calls," "homeboy lists," etc.)
6. The person is in a photograph with other people who collectively display criminal gang signs or apparel to exhibit solidarity.

D. **Gang Associates:** A person who does not meet sufficient criteria to be designated as a gang affiliate, but who is nevertheless involved in gang activity, may under specific circumstances be classified as a "gang associate." The classification of "gang associate" shall be used when there is a reasonable and articulate basis to believe that while a given subject may not necessarily be a direct affiliate of a gang, he/she nevertheless demonstrates through specific conduct an active involvement in gang-related activity. In order to be classified as a gang associate, a person must:

1. Meet any one (1) of the secondary criteria listed above; or
2. Associate with known gang affiliates in a context which indicates general sympathy with the gang's activities; or
3. Be involved in the commission of gang-related crimes.

E. **Documentation of Gang Affiliation/Gang Activity Report:**

All relevant documentation (incident reports, etc.) pertaining to gang-related incidents/contacts shall be forwarded to the Captain for review. After reviewing this documentation and combining it with other pertinent intelligence, the Captain will make a determination regarding the gang affiliation status of persons involved in each specific incident/contact. This information shall then be recorded on a gang activity report. Information regarding gang affiliation/association shall also be forwarded to the records section for entry into RMS. In order to ensure the accuracy of the review/designation process, all documentation of gang-related incidents/contacts must give specific information that supports the designation of an individual as a gang affiliate/associate.

F. **Confidentiality of Information:** Information regarding gang affiliation of specific individuals shall be considered "Law Enforcement Sensitive" and as such shall not be disseminated except to other law enforcement agencies.

G. **Reciprocity of Intelligence:** Effective gang intelligence policies dictate the need for close cooperation between federal, state, county and local law enforcement agencies. Nevertheless, the Medina Police Department recognizes that policies and standards vary widely between agencies. In light of this fact, gang intelligence received by the Medina Police Department from other agencies must meet or exceed the standards outlined in this policy before being considered valid.

25.4 FILES

CALEA 51.1.1

25.4.1 COLLATION/PROCESSING

The Captain will be sent all information to be collated and processed. The Captain or his/her designee will verify that the information, subject, business or corporation is not already indexed in file(s). The information will be filed with the proper cross-reference to specific criminal activity.

25.4.2 INTELLIGENCE CONFIDENTIALITY

There will be no general criminal information or information that is considered in the public domain in the intelligence files. The Captain will review information that is questionable with regards to intelligence confidentiality.

25.4.3 HYPOTHESES

The Captain or designee will formulate a hypothesis summarizing the intelligence information. This will be a tentative statement believed to describe the activity under review. It will be based on the information at hand and the result of all available resources at the time. The statement must be flexible enough to allow change to accommodate new information or to be abandoned or expanded as new information presents itself.

25.5 SECURITY

CALEA 51.1.1

25.5.1 CONTROL

The intelligence files that are maintained by the Medina Police Department will be kept in locked file cabinets. The Captain will maintain control over the intelligence files and only authorized personnel as designated by the Chief of Police will be granted access.

25.6 DISSEMINATION

CALEA 51.1.1

25.6.1 BASIS

Dissemination of intelligence information will only be on a need-to-know basis, right-to-know basis, and where there are no conflict-of-interests to law enforcement agencies.

25.6.2 MAINTENANCE OF RECORDS OF DISSEMINATION

The Captain will maintain a record of dissemination on the prescribed control form.

25.7 ANNUAL REVIEW / REEVALUATION

CALEA 51.1.1

25.7.1 CLASSIFICATION

The Chief of Police and the Captain will review all information in intelligence files annually to determine the validity and current status of the information. Information in the files shall be classified as active, inactive or to be purged. Active information consists of that which is currently being investigated, inactive consists of information that requires no further follow up and is closed or pending until further information becomes available. Information to be purged is that which is no longer accurate, relevant or useful for follow-up activity.

25.7.2 RECORD OF DESTRUCTION OF FILES

The Captain will keep a record of the destruction of intelligence files, indicating the date destroyed and by whom.

27.7.2 CERTIFICATION

The Chief of Police and the Captain will certify the records of destruction as files are purged or eliminated.

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26.1 INTERNAL AFFAIRS COMPONENT

CALEA 52.1.1

The purpose of the Internal Affairs component in the Medina Police Department is to provide all those served by this standard a procedure for receiving, recording, and fairly investigating complaints against the Department or alleged employee misconduct. The Medina Police Department has established the Internal Affairs component under the direction of the Chief of Police.

A. The Internal Affairs (IA) Complaint Form shall be utilized any time a complaint of alleged misconduct is lodged against a Police Department employee, and the complaint can not be resolved satisfactorily by the Supervisor taking the complaint, or the complaint is of such nature that, if substantiated, could result in formal disciplinary action from the Chief of Police.

1. Any Police Department Supervisor can receive a complaint of alleged misconduct from a complainant.
2. It is recommended that the Supervisor who receives such a complaint and determines that this form be used, have the complainant fill out the form.
3. Some situations, such as complaints received by mail or telephone, or from persons who are unable to fill out the form, require the Receiving Officer to fill out the form. Any employee who interferes with, discourages or delays the making of such complaints shall be subject to disciplinary action.
4. If the report is filled out by the complainant, the Receiving Officer will only sign at the bottom of the report. If the Receiving Officer completes the report, then in addition to signing the report, he/she shall make a short notation as such in the space marked "Details of Complaint".
5. If the name(s) and/or ID number(s) of the employee(s) involved in the complaint are known, these shall appear in the appropriate spaces. In some cases, only a departmental vehicle may be known. In such a case, the vehicle number shall be placed in the space marked "Vehicle No."
6. The person making the complaint shall sign the report in the space marked "Complainant Signature". In the cases where the receiving officer fills out the report for a complainant, then the complainant should examine the report fully before signing.
7. In cases where a report is used for a telephone or mail complaint, the "Complainant Signature" is not needed. However, a notation to this effect should be made in the space marked "Details of Complaint". Every reasonable effort will be made to secure a complainant signature at some point during the complaint investigation process.

8. The IA Control Number shall be left blank by the Receiving Officer. A control number will be assigned at a later time.

9. The Receiving Officer shall note any comments or observations regarding the complaint or complainant in a signed follow-up report and will attach their report to the IA Complaint Form. When it appears to the employee receiving the complaint that the complainant is apparently under the influence of intoxicant or drug, or is apparently suffering from a mental disorder or evidences any other trait or condition bearing on his/her credibility, the employee shall note these conditions and any other pertinent remarks on the follow-up report. Comments will also be made as to the physical condition of the complainant, specifically noting any visible marks or injuries relative to the alleged complaint. It is important to document only those observations and not conclusive statements.

10. Any employee receiving a citizen complaint through the US Mail shall place the correspondence and envelope in a sealed envelope and forward it to the Captain, who will determine investigative responsibility.

11. Complaints received by any Department member will be courteously and promptly referred to the Captain, or in his/her absence, the On-Duty Supervisor, or a call-back name and number taken and the caller advised that their call will be promptly returned as soon as a Supervisor is available.

12. The above procedure may also be utilized when Department employees desire to enter a complaint against any other employee governed by this order.

13. All employees are required to cooperate with the investigation of employee misconduct. The employee can be required to answer all questions specifically, narrowly and directly related to the performance of his/her official duties. Refusal to comply with an order to truthfully answer such questions is a violation of departmental rules, which may subject the employee to further discipline, up to and including dismissal. Employee interviews will be in compliance with current labor contracts, and Garrity Warnings shall be presented when applicable.

B. After the IA Complaint Form is completed, including any follow-up information, it shall be forwarded to the Chief of Police as soon as possible. The Chief of Police will log the report in the Internal Affairs Complaint Register, establish an incident control number and then assign the report to the Captain for investigation.

1. The IA Complaint Register shall consist of a standard with ruled pages and shall contain the following information: IA Control Number, Medina Police Department case number (if applicable), complainant(s)' name, name of employee(s) involved, date of complaint, date of incident, alleged misconduct, disposition, comments, date case closed, and investigating officer's name. The IA Complaint Register shall record only those complaints that are reported on the IA Complaint Form, in most cases.

2. When an IA Complaint Form is received, the appropriate information from the form will be noted in the register. An IA Control Number will be assigned to that report and the number will be noted in the register. IA Control Numbers shall be assigned in numerical order as received and shall be indicated by the year and the number by which the report was received (i.e., the first report received in 2000 will be numbered 00-1, the second

00-2, etc.). At the start of each new year at 0001 hours of January first, a new sequence of numbers will begin.

3. The same IA Complaint Register book shall be used until that book is full and then a new book will be used, keeping the control numbers in the same sequence. The starting date and ending date of each register will be noted in the front of each book. As each complaint register is completed, it shall be filed in such a manner as to allow access on future dates and shall be kept by the Chief of Police.
4. An IA case report file will be initiated on each IA complaint received. The report case file shall remain intact throughout the investigation of that case. The case file shall include one complaint report, any and all continuation/follow-up sheets, all photographs, and the record of all evidence referring to that case. The case file will also include any recommendation, as well as any written disposition of that case, along with any other information, letters, or documents referring to the individual case.

5. When a case is completed and signed off in the IA Complaint Register, it will be filed in numerical order by its control number and maintained by the Chief of Police.

6. After the Chief of Police has reviewed the case and established a final disposition, the Captain will send a disposition form to the concerned employee with one of the following dispositions indicated:

- a. Actual Misconduct – substantiated misconduct.
- b. No Misconduct – the allegation is either false or not factual.
- c. No Conclusion – the allegation is not substantiated. There is no sufficient evidence to prove or disprove the allegation.
- d. Exonerated – the incident occurred, but the employee involved acted lawfully and properly.
- e. Misconduct Not Based On Complaint – substantiated employee misconduct not alleged in the complaint, but disclosed by the investigation.
- f. Suspended – no further investigation conducted or conclusions made in the interest of employment rights and/or laws.

Note: Misconduct is defined as wrongful actions by an employee, which results (intentionally or unintentionally) from a lack of training, erroneous judgment, or a disregard for established policies and procedures.

7. IA investigative protocol is to maintain regular contact with the complainant to include the following:
 - a. Furnish the complainant with a copy of the initial complaint form, acknowledging the lodging of a complaint.
 - b. The investigator will keep both the accused employee(s) and the complainant(s) advised as to the status of the investigation at least once weekly. Documentation of these status notifications will be placed in the case file.
 - c. The Assigned Investigator will notify the complainant in writing of the results of the investigation, and in non-specific terms, what action, if any, was taken after approval of the Chief of Police. A copy of the letter will be filed with the case.

8.The concerned subject's Supervisor will be notified of the outcome and final disposition of the investigation.

9. The Chief of Police will close out the investigation, make appropriate notations in the IA Complaint Register and file the case in the IA files, in numerical order. The Department will not publicly post the results of investigations.

10.Notice of the IA case disposition will be delivered by the employee's Supervisor, in person.

11.Once concluded to disposition, the file will be made available to the involved Officer, upon written request to the Chief of Police.

12. The time frame for completing an IA investigation will be no longer than 30 days, except under extenuating circumstances.

C. Unless otherwise delegated or assigned, the Chief of Police will direct and control all IA activities within the Department.

D. The repository of all IA records including the IA Complaint Register shall be maintained by the Chief of Police and shall be considered confidential.

1. All activities, documents, reports, photographs and any recorded information associated with an IA investigation are confidential and shall be treated as such.

2. All IA files and materials are maintained in a secure area by the Chief of Police.

3. The removal of any case file or any documents from the IA repository by anyone other than the Chief of Police, will be recorded in a sign-out log. The removal of any case file or documents from the repository should be witnessed by a second party.

26.2 CATEGORIES OF COMPLAINTS

CALEA 52.1.1

A. Investigation of On-Duty Conduct: In addition, but not limited to the above, the Internal Affairs Unit will investigate allegations of corruption, brutality, use of force, breach of civil rights, insubordination, or criminal misconduct. It may include performance for duty, discourtesy, or sexual harassment, etc., covered under Civil Service Rules, the City's Personnel Manual, and the Manual of Standards.

B. Investigation of Off-Duty Conduct: Off-duty conduct normally will not be a matter of Department review. The exceptions are when the act is under color of office or official capacity, or when the act impairs the efficiency and operation of the Department, or when an off-duty act is criminal or is specifically prohibited by policy, i.e., private vehicle pursuits, carrying an unauthorized weapon, etc.

C. The below listed categories of complaints shall be investigated by the Department's IA authority:

1. Use of Force
2. Discrimination
3. False Arrest-Imprisonment
4. Unlawful Search-Seizure
5. Violation of Policy-Procedure
6. Conduct Unbecoming
7. Dishonesty
8. Discourtesy
9. Neglect of Duty
10. Traffic
11. Slow-No Response
12. Harassment
13. Civil Rights Violation
14. Failure To Appear – Court
15. Abuse of Authority

26.3 RESPONSIBLE INDIVIDUAL OR POSITION

CALEA 52.1.2

- A. IA complaint can either be investigated by the Captain or it can be assigned to the affected employee's Supervisor for investigation. The assignment of the case depends on the seriousness of the charge. Investigations will be conducted by those trained in applicable IA rules, regulations and procedures and may be assisted by other specialty investigators approved by the Chief of Police.
- B. The Captain responsible for internal affairs investigative activities reports directly to the Chief of Police and will ensure that the Chief of Police reviews all pertinent information regarding the investigation. The Chief of Police will supervise and control all IA investigations, and will ensure the confidentiality of all files and related documents.
- C. The Captain or Assigned Supervisor will report directly to the Chief of Police on all tasks and activities associated with an internal affairs investigation.

26.4 POLICY DISSEMINATION

Upon approval and by General Order, every employee will receive a copy of Internal Affairs chapter of the Manual of Standards. Subsequent updates or revisions to this chapter will be disseminated after they have been formally adopted through General Order.

26.5 EMPLOYEE NOTIFICATION

CALEA 52.1.6

- A. When an employee becomes the subject of an IA investigation, he/she will be notified in writing and in person by the Chief of Police or the Captain, using the IA Notification Form, of the allegation(s). Applicable rights will be presented to the employee at that time, using the IA non-criminal rights form, and/or Miranda warnings.

- B. An employee may be required to submit to various investigative techniques to include but not be limited to polygraph, breathalyzer, photographs, tape recordings, financial disclosures, hypnosis, participation in a line up, and any other investigative techniques unless prohibited by law or contractual agreement. These examinations will be specifically directed and narrowly related to a particular IA investigation being conducted by the Medina Police Department.
- C. An employee may be relieved of duty by a Supervisor for, but not limited to, being physically or psychologically unfit for duty. The exact authority and limitations for Supervisors and Command Officers are outlined in the employee discipline standards. In addition to these, refer to Medina Police Department Civil Service Rules and Regulations.

26.6 COMPLAINTS AGAINST AGENCY & EMPLOYEES

CALEA 52.1.1

- A. All complaints of employee misconduct or wrongdoing received from any citizen or agency employee will be fully investigated.
 - 1. A complaint can be lodged by any person, citizen, Fellow Officer or employee, Command Officer or Supervisor, or member of City Government. A complaint can be lodged in person, by mail, or by telephone. Most complaints should be in writing with a penalty of perjury statement. Affidavits will be required of witnesses or complaints when used in a disciplinary proceeding. Some complaints would not be signed but would still be investigated. Complainants will be advised to be specific, factual, and only provide information that is true and correct. This must be done to ensure the integrity of the agency and maintain public trust.
 - 2. Department employees will ensure that all complaints or allegations concerning improper Police response, either against an individual employee or collectively against the Department, are properly recorded, registered and forwarded as expeditiously as possible to the Captain.
 - 3. If the complaint involves questions of policy or procedure or a particular tactic used, it will be addressed as an inquiry. The Supervisor may discuss and clarify procedure with the complainant. If the situation cannot be resolved, or the complainant satisfied, the Supervisor will complete the IA Complaint Form as an inquiry and forward the report to the Chief of Police.
 - 4. Should the complaint involve allegations of misconduct such as slow-no response, rudeness, etc., the employee's supervisor will conduct an investigation and complete a report. The completed report shall be forwarded to the Chief of Police. Other allegations of misconduct, such as police brutality, false arrest, and other allegations of serious misconduct, shall be documented on the IA Complaint Form and forwarded to the Chief of Police.
 - 5. Complaints received as part of a claim for damages against the City will be processed as an internal affairs matter by the Captain and documented in the IA Complaint Form.

6. Any matter that a Supervisor believes should be referred for an internal affairs investigation will be so referred.
7. If a Supervisor is confronted with a significant allegation of employee misconduct requiring immediate investigation, the Chief of Police and/or Captain shall be notified immediately.
8. The goal of the IA system is that each complaint will be processed, investigated and completed in a timely manner. For purposes of this standard, timely is defined as approximately thirty days from date of receipt of the original complaint. An extension beyond thirty days must be approved by the Chief of Police.

B. Investigative Procedures

1. Maintaining the confidentiality of the internal affairs investigation and records is of absolute importance. Employees shall not discuss their involvement in incidents under investigation or their statements made during the internal affairs investigation until the investigation is completed, except with a Police Guild representative/attorney.
2. The Captain and the Chief of Police will maintain close liaison with the City/County Attorney in investigations involving alleged criminal conduct on the part of the employee. In certain matters where liability may be an issue, close liaison will also be maintained with the City Attorney.
3. An employee may request to voluntarily undergo a polygraph examination for exculpatory reasons. If deemed appropriate and arrangements for such examinations can conveniently be made, this will be allowed.
4. Medical or laboratory examinations, if required, will be conducted as in any criminal investigation. As an exception, with the advance approval of the Chief of Police or the Captain, if an administrative question should arise concerning fitness for duty due to possible drug or alcohol consumption, shift supervisors may order an employee to undergo breath, blood, or urine testing, as appropriate.
5. Photographs may be taken of employees for use in internal investigations. Any such use should meet with the legal requirements for photo lineup. Lineups may be required where applicable and pursuant to legal requirements.
6. Financial disclosure statements may be required to conduct an internal investigation.
7. At the time employees are notified that they have become the subject of an internal affairs investigation, they will receive a written statement of the allegations. On the same day the investigation is completed, letters will be sent to all subjects of internal investigations, advising of the outcome.

C. Relief From Duty

1. Relief from duty may be a temporary administrative action due to an employee's physical or psychological fitness for duty or an action pending disposition of an internal affairs investigation.

2. Supervisors have full authority to relieve an employee from duty as a temporary administrative action for periods up to 72 hours and will promptly report such action to the Captain and/or Chief of Police.
3. In an internal affairs situation, if appropriate, the Supervisor may relieve from duty and recommend to the Chief of Police the administrative leave with pay of any Officer whose continued presence on the job is deemed to be a substantial and immediate threat to the welfare of the Department or the public, or the Officer in question.
4. Following a Loudermill Hearing, the Chief of Police may change the administrative leave with pay to a suspension with or without pay if the situation justifies such action.
5. An employee who refuses to obey a direct order issued in conformation with the Department's written rules and regulations may similarly be released from duty by a Supervisor and recommendation made to the Chief of Police concerning suspension without pay.

D. Supervisory Investigation

1. Supervisors shall evaluate the nature of the complaint (refer to 26.2 A4) and determine whether to initiate an IA Complaint. The Supervisor must also carefully determine if the investigation should be handled at the supervisory level or referred to the Chief of Police/Captain. In either case, the Chief of Police will be notified of the complaint in writing.
2. If there is a possibility that disciplinary action might be taken against the employee as a result of an investigation, the accused employee must be advised of the "Weingarten Rights." The employee must also be informed of the "Garrity Warnings" before being compelled to give a statement.
3. If the investigation is conducted at the Supervisor's level, the investigation should include appropriate interviews of the complainant, accused employee, witnesses, and the securing of proper statements, along with the gathering of all pertinent documents and physical evidence associated with the incident.
4. Upon conclusion of the Supervisor's investigation, it shall be reviewed with the Chief of Police and/or Captain to reach consensus on a finding. If the finding is unsubstantiated or unfounded, the Supervisor will notify the employee in person of the finding and forward the completed report to the Chief of Police. The complainant will receive notification of the investigation's findings from the Chief of Police.
5. Should the consensus of the Supervisor and Chief of Police result in a finding of "substantiated," the employee will be notified both in person and in writing. The Supervisor will then request an IA History Report of the employee from the Captain.
6. Considering the nature of the offense and the employee's IA History, the Supervisor and the Chief of Police will determine of the potential discipline may rise to the level of suspension. If the potential level is adjudged to be no greater than a written reprimand,

the Supervisor will provide the employee an opportunity to present any mitigating circumstances (Loudermill Hearing) before reaching a final decision on the level of discipline.

26.7 RECORDS, MAINTENANCE, AND SECURITY CALEA 52.1.10

The Medina Police Department maintains records of all complaints received against the Department and/or an employee of the Department. These records are maintained separate from the Department's central records storage, in a locked cabinet in a secured room.

ANNUAL STATISTICS OF INTERNAL AFFAIRS UNIT

The breakdown of the number of Internal Affairs and Standards Unit investigations conducted, and the number of employees involved along with their dispositions, can be found in an annual report completed by the Captain. After review by the Chief of Police, this report will be made available to anyone from the public or any Department employee who requests it.

26.9 PROCEDURES FOR REGISTERING COMPLAINTS

A pamphlet entitled "Internal Affairs" of the Medina Police Department is available on request. This pamphlet explains the process to be followed by a complainant when making an inquiry or filing a complaint.

APPENDIX TO CHAPTER 26 – INTERNAL AFFAIRS

INTERNAL INVESTIGATION WARNING

(Garrity Warning)

I wish to advise you that you are being questioned as a part of an official investigation of the Medina Police Department. You will be asked questions specifically directed and narrowly related to the performance of your official duties or fitness for office. You are entitled to the rights of the Constitution of the United States, including the right not to be compelled to incriminate yourself. I further wish to advise you that if you refuse to testify or answer questions relating to the performance of your official duties or fitness for duty, you will be subject to Departmental charges which could result in your dismissal from the Medina Police Department. If you do answer, neither your statements nor any information or evidence, which is gained by reason of such statements, can be used against you in any subsequent criminal proceeding. However, such statements may be used against you in relation to subsequent Departmental charges.

RIGHT TO REPRESENTATION

(Weingarten Rights)

The US Supreme Court decision in N.L.R.B. v. Weingarten, 95S.CT959 (1975) held a public employee has a right to union representation whenever the employee reasonably believes that a supervisory interview/interrogation may lead to disciplinary action being taken against the employee. The right to representation only applies to subject officers when the interview is related to fitness for duty issues. Witness officers do not have a right to representation. Weingarten applies to internal investigations, not routine matters or on-scene questions by supervisors such as “What Happened?” Time for private consultation with a Guild representative should be allowed – use a reasonableness standard. This is not a formal hearing/process – do not allow formal objections or unreasonable interruptions. Attorney/representatives should be allowed to make comments at the end of the interview on the records.

DUE PROCESS

(Loudermill Hearing)

Prior to discipline being imposed, an employee is entitled to an OPPORTUNITY TO BE HEARD. This means an employee is given an opportunity to explain why the discipline should not be imposed or why it is too severe before a determination of discipline is made.

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27.1 PUBLIC INFORMATION FUNCTION

The Medina Police Department believes that affirmative media relations are vital to our law enforcement mission. As a law enforcement agency, we depend on community and employee support in the form of trust and confidence in order to carry out our responsibilities and, in this connection, we believe that a vigorous and professional media is an ally to law enforcement efforts. All Department personnel should be aware that at all times their conduct and comments reflect on the Department's effort to maintain positive and pro-active media relations. The Police Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a timely manner, which does not hamper Departmental operations. However, certain information must be withheld from the news media in order to protect the constitutional rights of the accused, to avoid interference with a Police Department investigation or because it is legally privileged. It shall be the responsibility of Department members and employees to cooperate with the Public Information Officer and representatives of the media consistent with criteria set forth below.

Duties of the Public Information Officer

It shall be the responsibility of the Public Information Officer of the Department to coordinate effective relations between the media and all Department members and employees. The Chief of Police or his designee is the Public Information Officer, and he/she has the authority to speak on behalf and of the Department in matters relating to the release of information to the media, as set forth in this chapter.

The Public Information Officer shall:

1. Serve as the primary contact for all releases of information to the media and the public;
2. Be responsible for the release of all information on all major incidents, unless otherwise delegated;
3. Assist Departmental Staff Officers in handling any problems which may be encountered in dealing with the media;
4. Serve as the official liaison between media and representatives and members of the Department;
5. Be responsible for notifying the acting P.I.O. of absences;
6. Perform duties as outlined in Departmental emergency operations plans;

7. Identify appropriate local and regional news agencies and keep a current roster of agency phone numbers, addresses, and reporters; contact all news agencies to alert them about major incidents;
8. Be responsible for seeing that news releases are written and distributed for major cases and incidents;
9. Be responsible for identifying deadlines of news agencies and establishing appropriate news release times to accommodate those deadlines.

27.2 PRESS RELEASES

A well-written news release is an essential tool in communicating with the media. It serves as a basis for delivering basic information on a particular event, case, or activity. Whether written or oral, news releases shall be timely and accurate. They shall contain information necessary to apprise the media of details of incidents or crimes subject to the limitations of this chapter. In ongoing investigations, releases shall contain information providing an update of the status of the investigation since the last release was made.

The following guidelines shall govern when a news release is written and the approved format.

1. A news release shall be written on major incidents as defined in this chapter. In addition, they should be issued in searches for lost individuals or cases with unusual circumstances. As a general rule of thumb, they are to be written for any situation that would interest the media. When in doubt, be sure to write one.

2. News releases may be written by the Captain or designees, Supervisors or designees (such as involved Officers). If written by other than the Captain, the news release will be approved by the Chief of Police prior to release. Normal chain of command procedures will be followed. The distribution and contact point for releases will be the Captain whenever possible.
3. News releases will be written according to the prescribed format. News releases shall be typewritten, error free and double spaced. A sufficient number of copies will be left with the Records Manager for each local media as well as one copy for Departmental records.
4. All local media agencies will be contacted by telephone when a news release is available. A copy of the news release shall be made available to all local media whether or not the telephone contact has been successful.
5. News releases should be issued as frequently as necessary to apprise the media of developments in ongoing investigations.
6. Any member is authorized to read the content of the news release to media representatives.
7. The content should include the basic who, what, where, when, why, and how of the case or activity. The release should contain all information necessary to apprise the media of the event. In general, they should not exceed one page, however, exceptions can be made as the situation dictates.

RELEASING INFORMATION**A. Authority to Release Information**

The timely and accurate release of information is essential to the law enforcement function of the Department, the operation of the local media and the relationship between the two. Thus, the release of information must be structured to ensure that the appropriate information flows in a smooth fashion. In accordance with that objective, the following procedures for issuing information should be adhered to.

In all major cases or incidents, the Chief of Police or a designee will coordinate and be responsible for the release of information to the media. All requests from the media should be directed to the Chief of Police who may, at his or her discretion, refer the request to the Captain, Lieutenant, or other member.

1. **The Chief of Police shall be notified in all incidents involving personnel matters or complaints against the Department or its members.**
2. The following positions may release information to media representatives under the following circumstances.
 - a. At the scene of an incident -the on-scene Commander.
 - b. From agency files:
 1. The Records Manager is authorized to release information from agency files subject to the limitations described in this chapter, in criminal investigations.
 2. The Records Manager is authorized to release information from agency files such as crime reports and criminal history information subject to the limitations provided in this chapter.
 3. The Chief of Police is the only one authorized to release information contained in Department administrative files, including information contained in personnel files and information regarding complaints against Department members.
 - c. Ongoing criminal investigations - The Captain or his designee is authorized to release information to the media concerning ongoing investigations. The designee should be advised of all releases of information to the media made by other authorized members.
 - d. Acknowledgment of existence of an event - Any full time regular member may acknowledge that an event is taking place or that the Department is responding to a call for service.
 - e. Media representative questions concerning minor events - When on duty, the Lieutenant shall answer media questions about minor events. When the Lieutenant is not on duty, questions from the media about minor events may be answered by any Supervisor who has specific knowledge about the question asked. In the absence of specific knowledge, the member asked shall refer the media representative to the Captain if on duty, or the Lieutenant. Any member of

the Department answering media questions about minor events should notify the Captain about the request and the member's response.

- f. Non-availability of Captain - during times when the Captain is not available, his duties shall be assumed by the duty supervisor.
3. Questions relating to matters regarding Department policies, philosophy, or enforcement procedures shall be directed to the Chief of Police, the Captain or, in their absence, the duty supervisor.
 4. Members of the Department must exercise care, common sense and discretion in order to avoid rendering statements or information which, if later quoted, may create a misunderstanding or compromise the effectiveness of the Department.
 5. No preferential treatment will be accorded any representative of the news media. This statement is not to be construed to prohibit initiative reporting, nor does it require notifying all news media prior to the release of information requested by a news agency. Local media shall be contacted first.
 6. Members of the Department may not comment or offer information to the media on cases which belong to other jurisdictions. Members should direct the reporter to the proper agency.

B. Information Release Guidelines

Several factors and considerations must be balanced in the release of information by the Department to the media and the public. In criminal cases, a balance must be struck between the First Amendment Right to free speech, free press and the importance of the public's right to know what their law enforcement agency and the courts are doing, as well as the defendant's Sixth Amendment guarantee to a fair trial, free of public pressure or a jury biased by news heard or read that an individual is guilty. It is equally important that the lawful investigation by Department personnel is not obstructed or compromised. In the context of those considerations the following guidelines related to the release of information have been established.

1. Release of information regarding individuals arrested, but not yet formally charged, will be restricted to the following:
 - a. The suspect's age, sex, address, marital status and occupation;
 - b. The alleged offense and description of the event;
 - c. The identity of the investigating and arresting units and/or agencies and the length of the investigation;
 - d. The circumstances immediately surrounding an arrest, including time and place of arrest, resistance, pursuit, possession of weapons and a description of items seized at the time of arrest.
 - e. The status and location of the suspect as they relate to confinement, release and bail.

2. The greatest damage to a defendant's right to a fair trial occurs during the pre-trial stage of a criminal case. With that realization in mind, only the following information concerning an individual arrested and charged with an offense will be released:
 - a. The defendant's name, age, sex, residence, marital status and occupation;
 - b. The substance or text of the charge;
 - c. The identity of the investigating and arresting units and/or agencies and the length of the investigation;
 - d. The circumstances immediately surrounding an arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a description of items seized at the time of arrest.

3. No significant law enforcement or public interest function would be served by release of the following information. Accordingly, this information will not normally be released by members of this Department.
 - a. Opinions about a defendant's character, guilt or innocence;
 - b. Admissions, confessions, contents of a statement or alibi attributable to a defendant;
 - c. Reference to the result of an investigative procedure, such as fingerprints, polygraph examinations, ballistic tests or laboratory examinations;
 - d. Statements concerning the credibility or anticipated testimony of prospective witnesses;
 - e. Opinions concerning evidence or arguments of the case, whether or not it is anticipated that such evidence or argument will be presented at trial;
 - f. Information regarding bomb threats will normally be dealt with as a "non-published" incident for three (3) reasons:
 1. Notoriety encourages repetition (i.e., the "copycat" syndrome);
 2. The offender is commonly seeking, and is encouraged by public recognition of the act; and
 3. At the victim's request;

- g. The home address or home telephone number of any Department employee without that employee's expressed consent.

27.4 MEDIA ACCESS

A. Release of Arrest Records

Although the Bench-Bar-Press Guidelines for the State of Washington do not specifically preclude the release of prior arrest records, it is the policy of this Department not to release such information unless a significant law enforcement (pre-arrest) interest would be served. Various agreements between this Department, the F.B.I. and other information system administrators restrict our disclosure of this information. Additionally, Privacy Act considerations generally restrict us to the release of conviction data only, except to other Administration of Justice agencies.

B. Release of Department Photographs to Media

Photographs of a suspect may be released by the Department, provided a significant law enforcement or public interest is served. It would be proper, for example, to release such a photograph in order to enlist public assistance in apprehending a suspect or fugitive.

If the above criteria is met, photographs of suspects will only be released following approval from the Chief of Police, or the Captain.

Members of the Department shall not prevent press photographers from photographing defendants and victims when they are in public places; however, members of this Department shall not encourage such photographs and shall not under any circumstance, pose a defendant or victim.

1. The media may have access to the Call for Service Log, Public Service Announcements, news releases and News Conferences.
2. Intelligence information and investigative records are exempt from public disclosure (RCW 42.17.310(1)(d)). Accordingly, the Police Department retains the discretion to disseminate such information.
3. If a complainant of a crime wishes to retain his or her anonymity or privacy to be maintained, such request must be honored (RCW 42.17.310(1)(e)). This same section of law ensures that records of investigations are exempt from disclosure if release of information would endanger someone's life, physical safety or property.
4. Department personnel should be aware that in the case of the no publish log, members of the media may have access to the log but may not release the name of the complainant. However, the release of details of a crime while omitting the complainant's name may actually result in the identity of the complainant being published. Thus, some discretion must be used by the Department when releasing information in order that a complainant's privacy be maintained.

C. Access by Media to Department Facilities

Representatives of the media may be granted access to Department facilities, for purposes of reporting items of public interest. Such access may be granted by the Chief of Police or the Captain.

Media representatives desiring access to non-public areas shall be directed to the Chief of Police. Access to non-public areas shall be consistent with the preservation of privacy and the maintenance of order and security.

D. Access to Crime Scene or Dangerous Areas

When a member is contacted by a media representative, requesting access to a restricted area such as within the perimeter of a major crime scene, natural disaster, major fire or other catastrophic event, the matter shall be referred to the On-Scene Commander. The on-scene commander will warn the media representative of known dangers at the location. The media representative will be responsible for their own safety, upon entry to restricted areas.

Entrance to any area wherein evidence could be destroyed or compromised shall be denied temporarily to media representatives. Their entry shall be expedited after the evidence is protected, their entry will not interfere with the investigation and their safety is not unreasonably jeopardized.

In the case of a long term investigation, or in the event of major incidents, crimes, major fires, natural disasters, or other catastrophic events, the on-scene commander, may at his/her discretion, arrange guided tours for representatives of the media. This would enable the media to visit the scene, take photographs, etc., while allowing the investigation to continue.

E. Response to Surveys and Information from Other Agencies

Requests for information from other federal, state or local legislative or executive bodies regarding programs and specific cases will be responded to promptly. Responses will be directed through the Chief of Police, and will be answered fully and promptly, subject to the provisions of this chapter relating to privacy and the release of information.

27.5 ONGOING CRIMINAL INVESTIGATIONS

Consistent with the Public Disclosure Law, the Criminal Records Privacy Act, and Departmental procedures and regulations, the Department shall take all necessary steps to ensure prompt and impartial disclosures of information in all cases of crimes or incidents of substantial importance or interest to the media with the following exceptions:

1. When, in the opinion of the Department, such release would prejudice the outcome of an investigation.
2. When, in the opinion of the Department, such release would prejudice the outcome of court proceedings.
3. When such release is prohibited by law.
4. When, in the opinion of the Department, such release would prejudice the safety, rights and/or privileges of such persons identified in investigations.
5. When such release would be likely to cause public hysteria or panic.

27.6 COMMUNITY RELATIONS FUNCTION

27.6.1 RESPONSIBILITY

Each member of the Medina Police Department is charged with the responsibility of developing and maintaining positive community relations.

27.6.2 MISSION AND DUTY

It is the mission and duty of all Department personnel to foster cooperation and involvement between the community and the Police Department. A continuing effort will be made to acquaint the public with law enforcement tasks through programs and activities designed for community participation to include tours of the police facility.

27.7 COMMUNITY RELATIONS

27.7.1 COMMUNICATION

Police Officers often perform in public, under circumstances that could cause misunderstanding and/or misinterpretation of law enforcement activities. Witnesses and participants are influenced by their preconceptions and biases when they evaluate police action. This can lead to incidents that cause resentment of all police action; no matter how legitimate. If the public understands and appreciates the nature of the police task, they can better judge whether police are serving the community. As part of the process of the police/public communication, the public needs information about the nature of the police role in order to develop an understanding. The Medina Police Department will maintain an on-going line of communication with its stakeholders through a variety of medium as outlined in the Department's multi-year strategic plan.

27.8 SEXUAL PREDATOR NOTIFICATION

Section 117 of SSB-6259, 1989 Session of the Legislature authorizes a public law enforcement agency to release "relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection."

Once information relating to a sexual predatory offender is received from the state or any other source, several levels of dissemination should be considered, depending upon the risk that the offender poses to the community. The following levels of dissemination will be considered.

27.8.1 LEVEL I

The information will be maintained with the Police Department and will be disseminated to other appropriate law enforcement agencies (photograph[s] of the offender may be included).

27.8.2 LEVEL II

Includes the actions within Level I. Also, schools as well as neighborhood groups may be notified. These groups will be responsible for their individual dissemination. Photograph(s) of the offender may be included.

27.8.3 LEVEL III

This includes Level I and II. Also, the public will be notified through specific press releases. Level III is the highest level of notification and may include a photograph.

27.8.4 NEED-TO-KNOW BASIS

Release of information should be based on a need-to-know basis to other law enforcement agencies, schools, and/or other people in the community who could be affected by the release.

27.8.5 PROCEDURE

Upon receipt of information that a sexual offender has been released, detectives will contact DOC, DSHS, or the State Juvenile Justice System, and the original investigating agency. Prior to any release of information a detective will check for the physical presence of the offender in the community following the offender's release from state custody. Before a Level III release of information, detectives will check with the original arresting agency to discuss the assessment of this offender as a Level III threat.

27.8.6 RECORDS CHECK

Detectives who conduct background investigations on released offenders will keep accurate reports. When the information from the state contains convictions for crimes other than the one the offender was last incarcerated for, the detective should conduct a records check to obtain a complete and accurate record of all the offender's convictions.

27.8.7 REPORT

Upon the completion of the background investigation of the released offender, the report will be forwarded to the Captain. If the a supervisor believes a Level II or III release should be made, the report with recommendation will be forwarded to the Chief of Police.

27.8.8 CLASSIFICATION AND NOTIFICATION

Upon receipt of the report, the Police Chief will classify the offender as Level II or III. Following the classification, the Police Chief will ensure the appropriate notification is made.

27.8.9 LIST

Any member of the public may inspect, during normal business hours, the Medina list of registered Level 2 and Level 3 sex offenders residing in Medina.

27.9 RELEASE OF INFORMATION

A. Definitions

1. Criminal History Record Information is information containing:

- a. An individual's name.
- b. The date and place of arrest, charge or detention.
- c. Any disposition or arrest, charge or detention.
- d. The name of the arresting and/or charging agency.

Criminal history record information includes:

- a. Information generated or collected by and stored or maintained by the Medina Police Department; and
- b. Information properly obtained by the Medina Police Department from another agency and retained for our use including federal, state or local rap sheets.

2. Non-conviction Data is all criminal history record information relating to an incident which has not led to a conviction or other disposition adverse to the subject and for which proceedings are no longer actively pending. Non-conviction data includes:

- a. Police decisions not to charge or refer a case to the Prosecutor;
- b. Prosecutorial decisions not to charge;

c. Dismissals (except dismissals following probation, suspension or deferral);

- d. Acquittals;
- e. Arrest information more than one year old with no related disposition and with respect to which the Prosecutor will not certify in writing that proceedings are still pending.

A deferred prosecution does not become non-conviction data until there is a final decision to dismiss charges or not to prosecute.

3. Conviction Record is all criminal history record information relating to an incident which led to a conviction or other disposition adverse to the subject.

4. Conviction or Other Disposition Adverse to the Subject means any disposition of charges except:

- a. A decision not to prosecute;

- b. Dismissal;
- c. Acquittal

A dismissal after probation, suspension or deferral is a disposition adverse to the subject.

- 5. Criminal Justice Agency means (a) a court or (b) a local, state or federal agency which administers criminal justice pursuant to statute or executive order; and includes sub-units of non-criminal justice agencies if the sub-unit allocates a substantial part of its annual budget to and has as its primary functions, its administrations of criminal justice.

The following agencies are considered criminal justice agencies:

- a. Washington State Patrol, including the State Identification Section.
 - b. Foreign, state and local governmental law enforcement, prosecutorial and correctional agencies or departments.
 - c. Courts at any level, if they exercise criminal jurisdiction.
 - d. Department of Corrections, including institutions and probation and parole services; and appropriate certified sub-units.
 - e. The Board of Prison Terms and Paroles.
 - f. The Office of Information Systems of the Department of Social and Health Services, and any other agency that collects, stores and disseminates criminal history record information.
 - g. An agency or sub-unit that has been certified as a criminal justice agency by the Washington State Patrol (WAC 446.20.060).
 - h. Enforcement Division of the Liquor Control Board.
 - i. Department of Labor and Industries -Crime Victims Compensation Unit.
 - j. State, County or City Fire Marshal.
- 6. Administration of Criminal Justice is the performance of any of the following activities relating to accused persons or criminal offenders:
 - a. Detection, apprehension, detention;
 - b. Pre-trial release, post-trial release, prosecution;
 - c. Adjudication, correctional supervision, rehabilitation.

This term also includes criminal identification activities; the collection, storage and dissemination of criminal history record information and the compensation of victims of crime.

This term does not include crime prevention activities as a sole function or criminal defense activities.

7. Disposition means the formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.
8. Dissemination means disclosing criminal history record information or its absence to any person or agency outside the Medina Police Department.

Dissemination includes:

- a. Confirming the existence or non-existence of criminal history record information;
- b. Disclosing criminal history record information to the subject thereof.

Dissemination does not include:

- a. Furnishing criminal history record information to personnel of any criminal justice agency which jointly participates with the Medina Police Department in the maintenance of a single record keeping department.
 - b. Furnishing criminal history record information by one criminal justice agency to another for the purpose of processing a matter through the criminal justice system.
 - c. Reporting an event to a record keeping agency for the purpose of maintaining the record.
9. Processed by the Criminal Justice System includes the entire period of time and all proceedings from arrest through correctional supervision and final discharge from parole or any other final disposition.

B. Dissemination of Criminal History Record Information

1. All criminal history record information pertaining to an arrest, detention, indictment, information, or other formal criminal charge made after December 31, 1977, shall not be disseminated without statement of disposition unless:
 - a. A disposition, having occurred within ten days prior to dissemination, has not been reported to the Medina Police Department Records Section; or
 - b. Said disposition was received by the Medina Police Department Records Section within 72 hours prior to dissemination.
2. Providing the criteria established in section one of this order are met, the following criminal history record information may be disseminated without restriction:
 - a. Conviction records (State rap sheets may only be disseminated to other criminal justice agencies for criminal justice purposes).
 - b. Information pertaining to an incident for which a person is currently being processed by the criminal justice system.

If the fact that a conviction is on appeal is known to the Medina Police Department Records Section, such information shall be included in any dissemination under 2A or 28.

3. Criminal history report information including information concerning a felony or gross misdemeanor shall not be disseminated without first making inquiry of the Washington State Identification Section (WASIS) to obtain most current and complete information available, except where:
 - a. Information is needed for the administration of criminal justice for which time is of the essence and the WASIS is technically or physically unable to respond within the required time; or,
 - b. The information requested is within the direct knowledge of the Medina Police Department Records Section (Medina Police Department case and we have most current information); or,
 - c. The information requested is contained in a summary sheet issued by the WASIS to the Medina Police Department Records Section not more than thirty (30) days prior to dissemination; or,
 - d. The information is contained solely with the Medina Police Department Records Section files and is disseminated pursuant to statute, executive order, court rule, or court order; or,
 - e. The information is for the express purpose of research, evaluation, or statistical activities based upon information maintained in the Medina Police Department files and is obtained by contact with the Medina Police Department.

Criminal history record information including information concerning a misdemeanor shall not be disseminated without first making inquiry of the municipal court to obtain the most current disposition information available.

4. Criminal history record information including non-conviction data may be disseminated as follows:
 - a. To another criminal justice agency.
 - b. To implement statute, ordinance, executive order, or a court rule, decision or order which expressly authorizes or directs that non-conviction data be available or accessible for a specific purpose.
 - c. To individuals and agencies pursuant to our contract with a criminal justice agency to provide services related to the administration or criminal justice.
 - d. To individuals and agencies pursuant to contract for the express purpose of research, evaluation, or statistical activities.
5. It shall be the responsibility of the Records Manager to assure that adequate records are maintained by the Medina Police Department relative to the dissemination of criminal history record information. Such records shall include, but not be limited to, the following:

- a. To whom the criminal history record information was disseminated.
- b. Date of dissemination.
- c. Subject of the criminal history record information.
- d. A brief description of information disseminated.

Records Section shall retain such dissemination records for not less than one year (RCW 34.04.025).

6. The following information may be given to persons who verify in writing that they have suffered physical loss, property damage, or injury that is compensable through civil action:

The identity and last known address of the person (s) suspected of being responsible for the loss, damage, or injury, without regard to suspect's age, and regardless of whether charges have been filed, declined or dismissed.

C. Subject's Review of Record

1. Any person who believes he/she is or may be the subject of criminal history record information maintained by the Medina Police Department Records Section may, by appropriate request, review such criminal history record information. This right to access and review of criminal history record information does not include information contained in intelligence, investigative or similar files, or any information not defined as criminal history record information.
2. Requests for review of criminal history record information are to be made in writing on a form provided at the Medina Police Department Records Section during normal business hours by the person whose file is subject to review. The requesting persons must provide suitable identification as determined by the Records Manager.
3. An appointment will be made for the review of the requested criminal history record information during normal business hours within ten working days from the date of the request.
4. The subject of criminal history record information must appear in person to review the criminal history record information, however, he/she may be accompanied by counsel, an interpreter or other appropriate person.
5. Criminal history record information being reviewed may not leave the immediate control of the Records Manager providing the information.
6. No person may retain or mechanically reproduce any non-conviction information, except for the purpose of challenge or correction. In order to obtain a copy of such non-conviction data for the purpose of challenge or correction, the subject must first state in writing his/her belief that the information regarding him/her is inaccurate, incomplete or maintained in violation of law.

D. Deletion of Non-Conviction Criminal History Record Information

1. Criminal history record information consisting solely of non-conviction data is subject to deletion from Medina Police Department Records Section computerized files which are available and generally used to respond to criminal history inquiries naming or otherwise identifying individuals.
2. Non-conviction criminal history record information qualifies for deletion if it meets the requirements of this paragraph and none of the requirements of paragraph 3. Non-conviction criminal history record information may be subject to deletion if:
 - a. It is maintained in the computerized file identified in paragraph 1 above; and
 - b. Two years or longer have elapsed since the criminal history record information became non-conviction data as a result of the entry of a disposition favorable to the defendant; or
 - c. Three years have passed from the date of arrest or the issuance of a citation or warrant for an offense for which a conviction was not obtained.
3. Non-conviction criminal history record information will not be deleted if:
 - a. The disposition of the record was a deferred prosecution or similar diversion of the alleged offender which has not become non-conviction data; or
 - b. The subject of the record has had a prior felony or gross misdemeanor conviction; or
 - c. The subject of the record has been arrested or charged with another crime in the intervening period; or
 - d. The subject of the record is a fugitive; or
 - e. The case is under active prosecution according to current written certification by the Prosecuting Attorney.
4. Deletions of non-conviction criminal history record information will not be made except at the written request of the subject of such criminal history record information.
5. Any record may be deleted or modified by court order pertaining to a particular case, individual or event.
 - a. All such court orders shall be referred, with a copy of the record concerned, to the Chief of Police prior to taking any action on the subject record.
 - b. Upon notification from the Chief of Police, Records Section shall take such action as the court order directs.

E. Challenge of Criminal History Record Information

1. All challenges to criminal history record information are to be reviewed by the Records Manager before either correction or refusal is made.

2. Criminal history record information maintained by the Medina Police Department Records Section may be challenged on the basis of accuracy, completeness or legality of maintenance, in whole or in part by the subject thereof. All challenges shall clearly identify the criminal history record information challenged and shall be:
 - a. Made during normal business hours.
 - b. Submitted on forms provided by Medina Police Department.
3. If the criminal history record information being challenged originated from another Washington agency outside the Medina Police Department, the Department Records Section will:
 - a. Supply the subject with the address of the agency.
 - b. Forward a copy of the challenge to the originating agency (ies) along with a copy of the challenged criminal history record information.
 - c. Check Medina Police Department records to ensure that the criminal history record information is correctly recorded.
4. If the Medina Police Department originally submitted or generated the criminal history record information being challenged, the Records Manager shall:
 - a. Acknowledge receipt of challenge within ten business days of receipt thereof; and
 - b. Within ten business days of acknowledgment, amend any criminal history record information found to be inaccurate, incomplete or maintained in violation of law; or
 - c. Inform the subject challenging the criminal history record information in writing of the Medina Police Department's refusal to amend, its reasons therefore, and the procedures for review of the refusal.
5. If the Medina Police Department, as originating agency, corrects or amends challenged criminal history record information, the Records Manager shall:
 - a. Provide to the subject the names of all non-criminal justice agencies or persons to which the incorrect criminal history record information was disseminated.
 - b. Disseminate the corrected or amended criminal history record information to every recipient of the incorrect criminal history record information within one year prior to the date of the challenge.
6. If the Medina Police Department Records Section determines that it has generated significant unchallenged and inaccurate criminal history record information, it shall correct the same and:
 - a. Disseminate corrected criminal history record information to every recipient of the erroneous criminal history record information within the preceding one year; and

b. Disseminate corrected criminal history record information to the subject thereof.

F. Review of Refusal to Amend Criminal History Record Information

1. The subject of challenged criminal history record information which the Medina Police Department Records Section has refused to amend or correct may request review of said refusal by the Chief of Police. All requests for review must be made in writing and within 20 days of the subject's receipt of the refusal.
2. The Police shall make a final determination of the challenge within 30 days from the date review was requested unless the review period is extended an additional 30 days for good cause.
3. The subject of the challenged criminal history record information shall be notified in writing of the decision of the Chief of Police.

G. Dissemination of Juvenile Records

Juvenile records, including criminal history records, arrest records, incident reports containing juvenile offender or witness identities, or other records containing juvenile identities may only be disseminated under the following circumstances. Juvenile records shall only be disseminated by the Records Manager. Any dissemination of juvenile record information shall be considered a dissemination of Criminal History Records Information and shall be recorded as such by the Records Manager.

1. Juvenile records may be released to any Criminal Justice Agency as defined in this chapter, when that agency is a participant in an investigation or case involving the juvenile in question or when the agency is responsible for the care and/or supervision of the juvenile in question.
2. Juvenile records may be released to the Prosecuting Attorney at his request or to any other attorney upon the authorization of the Prosecuting Attorney.
3. Juvenile records of conviction and/or arrest may be released upon official request of military personnel performing background investigations on persons entering the military service. The dissemination may be made only after receipt by the member making dissemination of an originally signed statement giving permission for such release and providing waiver of liability for the release of such information.
4. Upon the request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parents, guardian or custodian and the circumstances of the alleged or proven crime may be released to the victim of the crime or the victim's immediate family. Dissemination of these records shall only be made when this Department is the primary investigating agency in the crime in question.

H. Disclosure to Assist Victim

RCW 10.97.070 and WAC 446-20-200 state that "...the department may, at its discretion, but need not, disclose investigative information to persons who have suffered physical loss, property

damage, or injury compensable through civil action ...". It is the policy of this Department to disclose such information when there is a reasonable belief that the information released will be used for civil action, that the release will not endanger any of the persons whose identity is released, and that disclosure will not materially hamper a continuing investigation.

Disclosure of information to victims will be made by the Records Manager. Disclosure may be made to the victim, the victim's parent or legal guardian, an attorney or insurance company representing the victim, any criminal justice agency inquiring on behalf of the victim, or any other authorized agent of the victim. Proof of identity and/or written authorization to act on behalf of the victim may be required at the discretion of the member releasing such information. Disclosure may be made without regard to whether the suspected offender is an adult or a juvenile, whether charges have or have not been filed, or a prosecuting authority has declined to file a charge or a charge has been dismissed. If the incident has been referred to the Prosecuting Attorney's Office and is either awaiting a charging decision or is currently being prosecuted, the victim or agent will be referred to the Prosecuting Attorney's Office for information release.

Information which may be released includes any investigative information which may be of assistance to the victim in obtaining civil redress including but not limited to:

1. The name, address, and other location information about a suspect, witness and in the event of a juvenile, the suspect's parent or guardian.
2. Information contained in incident reports including details of investigation, photographs, statements and other materials collected in the course of an investigation. Disclosure of information contained in incident reports will be in accordance with policies contained in this chapter.
3. The location of, and identity of receivers and custodians of stolen property and of property recovered as lost and found property.
4. The progress of proceedings arising from the incident and the disposition of any prosecution or other action.

The member making disclosure is not expected to evaluate the merits of a victim's claim for civil relief. Disclosure merely indicates the information has been received and the Department reasonably believes the information may be useful to the recipient in seeking civil redress. Disclosure does not constitute an opinion or comment upon the existence or merits of a claim and it does not vouch for the accuracy or completeness of the information.

I. Disclosure of Information to Insurance Companies

In order to validate that a report was made to law enforcement, most insurance companies only require that the law enforcement agency verify in writing the existence of an incident report.

When insurance companies request verification that a crime report was made to the Department, the Records Manager will be responsible to verify the information using the standardized letter that the Records Section maintains. Specific investigative information will be released only when the insurance company indicates that the information is necessary in order to pursue redress for the victim.

J. Release of Incident Reports

Incident reports and information contained therein may be released as follows:

1. The Public Information Officer may release information contained in incident reports at his discretion according to procedures established in this chapter.
2. Incident reports, including statements, photographs and other investigative data, but excluding the prosecutor's referral sheet may be inspected at the Department by victims or their representatives. Copies of incident reports may not be made except as in 3 below.
3. Copies of incident reports, to include statements, photographs and other investigative data, but excluding the prosecutor's referral sheet may be released as follows:
 - a. Upon the order of the court or the request of the Prosecuting Attorney's Office.
 - b. Upon the request of an attorney representing the victim in the matter or the insurance company representing the victim, if the attorney and/or insurance company indicates in writing that the purpose of the release is for redress of the loss and that a lawsuit against the suspect is either filed or anticipated.

K. Release of Washington State Accident Reports

Copies of Washington State Accident Report Forms or information contained there in may be released to any of the parties involved in the specific accident for which the report was written.

L. Release of Statistical Data

The Department receives numerous requests from individuals and groups for statistical data relating to activities of the Department. Members will refer individuals or groups making requests for statistical data to the Captain. Records personnel will make reasonable efforts to provide statistical data requested by members of the public. Requests which cannot be met will be referred to the Chief of Police.

Computer generated statistical data reports may be summarized or, if the report does not contain data which identifies specific individuals or addresses, the computer generated report may be released. Requests for specific members' activity or data relating to specific incidents for which the Department may be sued, will be referred to the Chief of Police.

M. Release of Recorded Videotape or Communications Information

No tapes, copies of tapes, or other reproductions of telephone or radio communications will be released outside the Department without the approval of the Prosecuting Attorney.

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| Reference | Special Instructions | |
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28.1 VEHICLE POLICY

28.1.1 RESPONSIBILITY

It shall be the responsibility of employees for seeing that their assigned vehicle(s) are properly equipped with routine equipment (first aid kit, road flares or traffic cones, fire extinguisher, reflective vest(s), taser, shotgun, extra ammunition, etc., as appropriate or required for their duties) at the beginning of their shift. On a monthly basis, this inspection will be conducted by the assigned officer. Fluid levels are checked periodically on a random and scheduled basis.

28.1.2 INSPECTION

All Department vehicles shall be inspected by Officers for damage and faulty equipment prior to being driven. Special attention will be given to brakes, lights and emergency equipment (sirens, lights). When damage or faulty equipment is discovered, it shall be reported to a Supervisor. The Supervisor shall check the damage and/or faulty equipment. If it is of a minor nature, and the vehicle is drivable, the supervisor shall complete a damage report. If the damage is major, the Officer will take the vehicle out of service pending repair.

28.1.3 GUIDELINES

All employees shall adhere to Departmental guidelines for routine emergency and pursuit operation of Departmental vehicles.

28.1.4 PURSUIT POLICY

Vehicle pursuits will be covered by Pursuit Policy (21.10).

28.1.5 VEHICLE ACCIDENTS

It shall be the policy of the Medina Police Department that all Police vehicle accidents, including those involving injury or recklessness, shall be handled through an Accident Review Board. The board shall consist of the Captain, another Officer, and an Officer chosen by the employee involved. The board shall convene within two weeks of the accident unless circumstances prohibit.

The Review Board shall comply with the provisions contained within labor contracts, personnel ordinances and/or Civil Service rules. A written report of the board's findings and recommendations will be sent to the Chief of Police.

28.1.6 VEHICLE OPERATION

Officers have the responsibility to operate their vehicles in a safe and skillful manner and in compliance with State Traffic Laws. When responding to emergency situations or when in pursuit of violators, Officers will comply with all applicable Department procedures, regulations and state law. In these situations an Officer's first concern should be the safety of the public. No commissioned personnel shall operate police vehicles under code or emergency situations until after successful completion of emergency vehicle operation training.

28.1.7 APPLICABLE LAWS

RCW 46.61.035: Exempts emergency vehicles from certain traffic laws under specific circumstances and subject to certain conditions on the use of emergency lights and siren.

RCW 46.61.210 : Requires all drivers to yield to emergency traffic that makes use of audible and visual signals, or, in the case of police vehicles, audible signals only. There is NO statutory requirement to yield to a vehicle using only visual signals.

28.2 EMERGENCY VEHICLE OPERATION TRAINING

28.2.1 SAFETY

All employees will operate their vehicles with due regard for safety. Even when responding in emergency situations or while in pursuit of another vehicle, employees will take into consideration the condition of the road, the surrounding traffic and other hazards. Vehicles will be operated within the scope of State Law and any provisions for exceptions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons. Nor, shall such provisions or exceptions protect an employee from the consequences of his/her reckless disregard for the safety of others.

28.2.2 REQUIREMENT

Employees will not operate Police vehicles for patrol, enforcement activities, or in an emergency mode (emergency lights and/or siren) until having successfully completing a prescribed course in emergency vehicle operation (EVOC).

28.3 RESPONSE TO ROUTINE AND EMERGENCY SITUATIONS (Reference Chapter 21. 9D)

28.3.1 CALL RESPONSE

The purpose is to guide Officers and Dispatchers in determining the appropriate level of response to various situations, and to provide guidelines for Officers' driving responses to these situations. Classification of response: a code designator of 1, 2, or 3 will be the standard by which all responses are classified.

5. Code 1: A response of a non-emergency nature to a request for service. During Code 1 responses, Officers will observe and obey all driving regulations and rules of the road as required by law, and department rules and regulations. Code 1 responses are generally one unit responses.
6. Code 2: A response to an urgent situation of a probable non-life threatening nature. Emergency lights will be activated at all times during the response, with the siren being used as necessary. Officers may exceed the posted speed limit by a maximum of 15 MPH, depending on traffic and/or weather conditions. Responding units will come to a complete stop at all regulated stop areas before proceeding through the controlled area against traffic control devices. At signaled intersections with a green light, units will slow as necessary to proceed safely.

When proceeding through controlled or non-controlled intersections while operating Code 2, the siren will be in operation continuously through the intersection. All driving maneuvers will be made so as to be certain that other vehicles are yielding, and it is safe to continue.

7. Code 3: A response to an in-progress, possibly life threatening situation. Officers will respond as quickly and safely as possible with emergency lights in operation and siren activated. During Code 3 responses, emergency lights and siren will be activated when proceeding through both controlled and non-controlled intersections.
8. Officers, when proceeding through a controlled intersection against the traffic control device, or through a non-controlled intersection where they would not normally have the right of way, will slow to a safe speed or stop if necessary to allow the Officer to determine if opposing traffic will recognize and yield to the emergency vehicle. Code 3 responses are two or more unit responses. All non-involved units will stay off the air.
5. Code 4: An assessment of circumstances by personnel on scene concludes that conditions are, or have become, stable.
6. Although required to stay within the guidelines of department policy and rules and regulations, Officers shall also act within the statutory limits of RCW 46.61.035. The Supervisor may upgrade or downgrade any call to a higher or lower level of response at their discretion.

28.4 POLICE VEHICLE COLLISION

28.4.1 PROVISIONS OF POLICY

This policy will provide for compliance with State Law requirements for reporting collisions; to provide the necessary information to the City of Medina for purposes of risk management and to provide a means for an Accident Review Board to review all collisions involving Police vehicles. It also sets out the procedure for investigation of collisions to insure uniformity.

28.4.2 ON-DUTY PERSONNEL INVOLVEMENT

All collisions involving on-duty personnel will be investigated.

28.4.3 JURISDICTION AND INVESTIGATION

When a collision occurs outside the city limits of Medina the authority exercising jurisdiction will investigate the collision. This however, will not prevent the Medina Police Department from conducting a concurrent investigation.

28.4.4 NOTIFICATION

When a collision involving a Police vehicle occurs within the City of Medina, the on-duty or on-call Supervisor will be notified.

NOTE: Employees involved in the collision and the investigating Officer(s) will refrain from making statements concerning liability or fault to other parties involved in the collision. Statements made to investigating authorities should be confined to factual observations.

NOTE: The City Risk Manager will be contacted when any investigation involving City employees or City vehicles is initiated.

28.4.5 INFORMATION PROCESSING

All material concerning the investigation of on-duty personnel involved in collisions will be forwarded to the Chief of Police.

28.4.6 OFF-DUTY PERSONNEL INVOLVEMENT – OUTSIDE MEDINA

Reportable collisions involving off-duty personnel that are outside the City of Medina will be investigated by the authority having jurisdiction.

28.4.7 OFF-DUTY PERSONNEL INVOLVEMENT – WITHIN MEDINA

Reportable collisions involving off duty personnel that are inside the City of Medina will be investigated by the Medina Police Department.

28.4.8 MOTOR VEHICLE OPERATION INVESTIGATION

Nothing in this policy/procedure will prevent the Medina Police Department from conducting an investigation into the manner in which Department employees operate motor vehicles.

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| Subject TRAFFIC ADMINISTRATION | | |
| Reference CALEA Chapter 82 | Special Instructions | |
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29.1 TRAFFIC FUNCTION

29.1.1 RESPONSIBILITY

The Medina Police Department is responsible for the enforcement of traffic laws, investigation of traffic accidents, and the direction of traffic when necessary for safety concerns or because of undue congestion.

29.2 TRAFFIC RECORD SYSTEM

CALEA 82.3.3

29.2.1 RESPONSIBILITY

Maintenance of traffic information/data and dissemination shall be the responsibility of the Records Manager (accident reports and copies of citations). The City contracts for court services with the Kirkland Municipal Court. The Court's Violation Bureau is responsible for the collection of fines and records of judicial actions.

29.3 CONTENTS OF TRAFFIC RECORD SYSTEM

CALEA 82.1.1

29.3.1 PROCESS

Processing, maintenance, and distribution of traffic records are the responsibility of the Records Manager. All written traffic reports are reviewed by the Supervisor and then forwarded to the Records Manager for data entry. Reports of reportable accidents (as defined by state law) are forwarded by the Records Manager to the Department of Licensing and the Washington State Patrol. Reports of non-reportable accidents (as defined by state law) are filed by the Records Manager.

29.3.2 RETENTION AND DISTRIBUTION OF TRAFFIC RECORDS

Retention and distribution of traffic records will be in compliance with Washington State law.

29.3.3 RELEASE OF TRAFFIC INFORMATION

Release of traffic information will be in compliance with public disclosure laws. Reasonable fees will be assessed for traffic accident reports and photographs.

29.4 TRAFFIC REPORT REVIEW

CALEA 82.2.4

29.4.1 PROCESS

The assigned Supervisor and Records Manager will review all traffic accident reports prior to the Records Manager forwarding the reports to the Washington State Patrol.

29.4.2 STATISTICAL DATA REVIEW

The Captain or a designee will review all statistical data regarding traffic accidents at least monthly. The data will be used to direct enforcement emphasis when warranted. The Captain will also consult with the City Planner to share data regarding accident frequency and causation.

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| Reference CALEA Chapter 61, 82 | Special Instructions Last Reviewed January 25, 2002 | |
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30.1 TRAFFIC LAW ENFORCEMENT

CALEA 61.1.2

30.1.1 ENFORCEMENT ACTION

Officers of the Medina Police Department will take enforcement action when traffic violations of a possible or actual accident causing nature occur in their presence, or when probable cause exists upon investigation of an accident or criminal traffic matter. Enforcement may be in the form of a written notice of infraction/citation, written or verbal warning, or a custodial arrest for those traffic violations enumerated in R.C.W. 46.63.020. Enforcement of other traffic laws such as parking, equipment violations and other non-hazardous violations is encouraged as assignment and/or work load permits.

30.1.2 EMPHASIS VIOLATIONS

Supervisors will encourage and monitor their Officers in the enforcement of emphasis violations as designated by the Chief of Police or the Captain.

30.2 SPECIAL GROUP VIOLATORS

CALEA 61.1.3

30.2.1 NON-RESIDENTS

Non-Residents - Unless a traffic law is unique to the City of Medina, no immunity should be granted to any person, because that person is not a resident of this community.

30.2.2 JUVENILES

Juveniles - Juveniles sixteen and seventeen years of age will be cited and handled as adult violators. Juveniles under sixteen (16) years old who commit traffic offenses will be processed according to juvenile court rules and/or policy, which will include a citation/infraction AND a juvenile court referral. An attempt should be made by the Officer to inform the juveniles' parent or guardian of violations resulting in referral or local intake.

30.2.3 LEGISLATORS

Legislators - During the legislative session, legislators are, "privileged from arrest in all cases except treason, felony, and breach of the peace," (Art. II, sec. 16, Wa. St. Cont.). Legislators may be issued traffic citations and they may be taken into custody for the purpose of obtaining a breath test, but they should not be incarcerated for infraction or misdemeanor violations during the legislative session.

30.2.4 FOREIGN DIPLOMATS AND CONSULATE OFFICERS

Foreign diplomats and consulate officers may be issued traffic notice of infractions and citations. They may also be taken into custody for the purpose of a breath test. Should the question arise as to proper protocol, we will contact the U.S. Department of State Operations Center at (202) 647-1512 (24hrs).

30.2.5 MILITARY PERSONNEL

When a custodial arrest is made of military personnel, the Arresting Officer should notify the individual's home base. If this is not possible, we should contact the nearest base of the same service and inform them of the detention. This does not apply to the issuance of a traffic citation when an actual custodial arrest is not made.

30.3 INFORMATION PROVIDED TO VIOLATORS

CALEA 61.1.4

30.3.1 SPECIFICS

Upon issuance of a notice of infraction or citation, the Officer will inform the violator of the following:

- a. If the violation requires a mandatory court appearance; and

b. Instruct the violator to read the front and back sides of the notice of infraction or citation for instructions.

30.4 UNIFORM ENFORCEMENT

CALEA 61.1.5

The following uniform enforcement policies regarding the below enumerated traffic violations are necessary in order to provide a fair and reasonable approach to traffic enforcement, and to promote the public acceptance of traffic enforcement:

30.4.1 DRIVING UNDER THE INFLUENCE OF ALCOHOL/DRUGS

Because of the negative impact on society by the impaired driver, it is the Department's policy to vigorously seek out and arrest the impaired driver.

30.4.2 SPEED VIOLATIONS

Verbal warnings or a Notice of Infraction may be issued for speed violations. The Officer shall take into consideration time of day, pedestrian traffic, other traffic conditions, weather conditions, amount of speed in excess of speed limit, as well as other factors affecting the safety of the public in determining the appropriate enforcement action for speeding.

30.4.3 OTHER HAZARDOUS VIOLATIONS

Officers will take enforcement action upon witnessing traffic violations of a possible or actual accident causing nature.

30.4.4 PUBLIC CARRIER/COMMERCIAL VEHICLE VIOLATIONS

A. Local Transit and School Buses: If a local transit or school bus is stopped for a violation, the Officer will obtain the driver's name, inform him/her of the violation. If a citation is to be issued, it will be issued in an expeditious manner so as not to interfere with the bus schedule more than is necessary.

B. Commercial Vehicles: The enforcement of commercial vehicle laws should be accomplished with the advice and assistance of the Washington State Patrol.

30.4.5 EQUIPMENT VIOLATIONS

Officers shall be alert to all factors contributing to the safety on the roadways. Specific attention shall be paid to vehicle equipment defects i.e. functional turn signals and brake lights, appropriate tire tread depth, windshield and mirrors (Reference RCW traffic title 46.37). While officer discretion shall dictate enforcement action, the likelihood of the equipment defect contributing to unsafe driving conditions shall be given primary considerations.

30.4.6 NON-HAZARDOUS VIOLATIONS

Officers are encouraged to enforce non-hazardous violations as assignment and work load permits.

30.4.7 MULTIPLE VIOLATIONS

No more than three violations will be written on one N.O.I. and no more than two on Criminal Citation. Infractions and misdemeanors will not be cited on the same form. All traffic violations arising from the same incident should be cited into the same court.

30.4.8 NEWLY ENACTED LAWS AND/OR REGULATIONS

Normally a period of public information and/or warnings will take place before written citations are issued regarding newly enacted laws and/or regulations.

30.5 EMERGENCY EQUIPMENT

CALEA 61.1.7

30.5.1 USE COMPLIANCE

The use of emergency equipment by employees of the Medina Police Department shall be in compliance with R.C.W. 46.61.035.

30.5.2 SPOTLIGHT

When stopping a traffic violator a spotlight may be used for illumination of the violator's vehicle, after the violator has come to a complete stop.

30.5.3 EMERGENCY AND/OR HAZARD LIGHTS

Overhead emergency lights and/or hazard lights will normally be left on during a traffic stop.

30.5.4 MOTORCYCLE LIGHTS

Officers operating motorcycles are not required to leave their emergency/hazard lights on after stopping a violator during daylight hours. At night they should use, at a minimum, their hazard lights unless additional warning lights are needed due to safety concerns.

30.6 REPORTS

CALEA 61.2.1

30.6.1 SPECIFICS

Traffic citations, arrest, accident and all other supplemental reports will be completed and turned in to the Supervisor before Officers go off shift, except those reports put on hold by the Supervisor or when circumstances will not reasonably allow for reports/citations to be completed. In the latter instance, if the Supervisor is not on duty, a memo will be written explaining the necessary delay. Following approval by the Supervisor, the above reports are turned in to the Records Manager for proper dissemination. Citations are filed with the appropriate court; arrest reports are entered into RMS. Accident reports are disseminated per Policy 29.3. Officers will not charge a felony and a misdemeanor charge against the same person as a result of the same incident. The felony charge will take priority.

30.7 CONTACT WITH VIOLATORS

CALEA 61.1.7

30.7.1 PROFESSIONALISM

Officers will maintain a positive and courteous demeanor when contacting traffic law violators. This enforces an educational attitude and projects a professional image of our Police Department.

30.7.2 OFFICER AND VIOLATOR SAFETY AND WELL BEING

Officers should take whatever reasonable steps and precautions necessary during traffic stops to assure the safety and well being of the detained violator and officer. Procedures common to effective/safe contact with violators shall include:

- A) Making initial contact in safe well lit areas
- B) All appropriate use of emergency lights including spotlight and overheads
- C) Proper notification to dispatch of the contact with violator
- D) Proper patrol vehicle positioning (angled slightly behind the violator vehicle to protect violator vehicle and officer's walking approach) to ensure officer and motorist safety from traffic
- E) If contacting the violator outside of the vehicle, contact is made either in front of all vehicles or on the side of the road, but never between the patrol vehicle and the violator vehicle unless unavoidable.
- F) Any secondary police units shall position themselves in accordance with these guidelines unless in a high risk situation, in which case the department's protocol for such maneuvers will be observed.

30.8 SPEED MEASURING DEVICES

CALEA 61.1

30.8.1 CERTIFICATION OF OPERATOR

Officers will not operate traffic radar devices until they have completed a WSCJTC certified radar instruction class, or its equivalent, and/or not have had practical experience supervised by a qualified radar operator. This will be deemed to be certification to operate radar units.

30.8.2 OPERATION AND MAINTENANCE

The operation and maintenance of radar devices will be in compliance with the manufacturers recommendations and Departmental instruction.

30.8.3 MALFUNCTION

Any malfunction of a radar device will be brought to the immediate attention of fleet/equipment Supervisor.

30.8.4 UNIT PLACEMENT INTO SERVICE

Routine maintenance and certification of radar units will be done before a new radar unit is placed into service, and at least annually for existing units.

30.8.5 ROLE OF FLEET/EQUIPMENT SUPERVISOR

The Fleet/Equipment Supervisor will maintain all radar maintenance logs and certification records. He/She will also maintain a radar manual for each different type of radar unit the Department uses. The Fleet/Equipment Supervisor will ensure that all radar devices are properly maintained and certified in accordance with this policy.

30.9 TRAFFIC CITATIONS

CALEA 82.3.4

30.9.1 NOTICE OF INFRACTION/CITATION BOOKS

Officers will obtain Notice of Infraction/Citation books from the Lieutenant. The return receipt on each book will be updated, signed, and returned to the Lieutenant by the Officer taking possession of the books. Each citation is accountable to the Officer. Discrepancies will be explained to the Captain through the Lieutenant so a proper notation can be logged.

30.10 CITATIONS

CALEA 82.3.4

30.10.1 ISSUANCE

Employees will issue traffic and non - traffic infraction notices and misdemeanor citations in accordance with prescribed law.

30.10.2 SATISFACTORY IDENTIFICATION

Employees will not issue citations or infraction notices if a subject cannot or will not provide satisfactory identification or cannot be identified by other means, except as necessary to proceed with court prosecution. In those instances the ticket will be issued to "John or Jane Doe."

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31.1 REPORTING AND INVESTIGATING ACCIDENTS

CALEA 61.2.1

31.1.1 RESPONSIBILITY

Officers must complete a police traffic collision report on all reportable accidents as defined by the State of Washington using the Washington State Collision Report. Primary assignment of traffic accident investigations will fall to the Officer on duty.

31.1.2 NON-REPORTABLE ACCIDENTS

For non-reportable accidents, Officers should use the Departments Incident Report form.

31.1.3 HIT & RUN/DRUG OR ALCOHOL INVOLVEMENT

Hit and run accidents or accidents involving drugs or alcohol will be handled in accordance with 31.1.1. If additional pages are needed, use an incident report narrative sheet.

31.1.4 ARRESTS

Arrests as a result of a traffic accident require incident reports to be completed.

31.1.5 HAZARDOUS MATERIAL INVOLVEMENT

Accidents involving hazardous material will be coordinated with the Fire Department and/or the State Department of Ecology as needed.

31.2 OFFICER RESPONSE/TRAFFIC FATALITIES/VEHICULAR HOMICIDE

CALEA 61.2.2, 61.2.3

31.2.1 OFFICER RESPONSE

Officers will respond to all reportable accidents as defined by R.C.W. 46.52.030. In addition, Officers will respond to all accidents where there is impairment of an operator due to alcohol or drugs; damage to public vehicles or property; a disturbance between the principals; major traffic congestion as a result of the accident; or damage to vehicles requires towing.

31.2.2 TRAFFIC FATALITIES

It is the policy of the Medina Police Department that whenever a traffic collision results in death or there is reasonable cause to believe that injuries sustained are likely to cause death, the incident will be investigated by the this Department with the assistance of other Department personnel and/or coordination with outside agencies.

31.2.3 NOTIFICATIONS

The responding Patrol Officer will notify the Supervisor of the serious nature of the accident. The Supervisor will take charge of the investigation, and make appropriate notifications: Washington State Patrol, King County Sheriff's Office or another outside agency with the equipment and expertise to conduct an investigation of such complexity. This Department will provide all possible assistance in such an investigation.

31.2.4 INVESTIGATION

The Supervisor has the authority to cause a thorough investigation, which may include videotape of the collision scene, to include vehicles and occupants; still photographs; measurements; searches; statements; blood and urine tests; and the activities of the driver(s) and others involved prior to the incident.

31.2.5 CONTACTS

The Supervisor will immediately notify the Captain, who will make the required contacts.

31.2.6 BLOOD AND URINE TESTS

Blood and urine tests will be requested and/or taken according to the current procedures outlined in state law.

31.3 ENFORCEMENT ACTIONS

31.3.1 CITATIONS

If an accident reveals probable cause to believe a traffic infraction or criminal violation occurred, the Investigating Officer will issue a citation to the violator(s).

31.3.2 PUBLIC AGENCY EMERGENCY VEHICLE INVOLVEMENT

If an emergency vehicle belonging to a public agency is involved, the driver will not be cited for an infraction. Information regarding the accident will be forwarded to the driver's agency for an internal review. Any disciplinary action will be the responsibility of the driver's agency. Any enforcement action will be coordinated between the Medina Police Department – Chief of Police and the driver's agency.

31.4 PRIVATE PROPERTY

CALEA 61.2.1

31.4.1 RESPONSE/REPORTS

Officers will respond and report accidents on private property as outlined in Policy 31.1.

31.5 ACCIDENT SCENE PROCEDURES

31.5.1 INJURIES

Officers arriving at an accident scene will first determine if there are any injuries. If injuries are present, Officers will render aid within their abilities until relieved by fire or medical personnel.

31.5.2 FIRE HAZARD/HAZARDOUS MATERIALS

If a fire hazard or hazardous materials are involved, the Officers will clear citizens to a safe distance and summon the Fire Department.

31.5.3 “NON-REPORTABLE” INVOLVING HAZARDOUS MATERIALS/FIRE

Accidents classified as "non-reportable" that involve hazardous materials or fire will be reported on an incident report.

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|---|---|--------------|
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| Subject TRAFFIC DIRECTION AND CONTROL | | |
| Reference CALEA Chapter 61 | Special Instructions Last reviewed June 27, 2001 | |
| Distribution February 22, 2002 | Approval | No. Pages -2 |

32.1 TRAFFIC DIRECTION AND CONTROL FUNCTION

CALEA - 61.3.2

32.1.1 MANUAL CONTROL

Due to accidents, hazards, special events or other such incidents, it may be necessary for Officers and/or volunteers to assist vehicles and pedestrians by manually controlling traffic.

32.1.2 SAFETY

Manual traffic control will be accomplished with consideration for the safety of the Officer and/or volunteer at all times.

32.2 HIGH VISIBILITY CLOTHING

CALEA - 61.3.2

32.2.1 SAFETY VESTS

Officers and volunteers will not be allowed to direct traffic in a traffic lane, unless that person is wearing a reflective safety vest. Extra vests will be maintained in the Supervisor's vehicle and are the responsibility of the Supervisor on duty.

32.2.2 NOTIFICATION OF NEED FOR SAFETY CLOTHING

Officers and volunteers without safety vests that must direct traffic will immediately notify a Supervisor of the situation. The Supervisor will immediately respond and provide vests to those people needing them.

32.3 ESCORT SERVICES

CALEA - 61.3.3

32.3.1 AUTHORITY

Public service escorts are authorized at the discretion of the Chief of Police and in accordance with state statutes.

32.4 ROADBLOCKS

CALEA – 61.3.4

32.4.1 USE

Roadblocks will not be employed as specified in the Department's pursuit policy, Chapter 21.10 (E)11.

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33.1 EMERGENCY ASSISTANCE

CALEA – 61.4.1

33.1.1 POLICY

It shall be the policy of the Medina Police Department to offer reasonable assistance at all times to the stranded motorist.

33.2 CIVILIAN ESCORTS

CALEA – 61.3.3

33.2.1 USE OF EQUIPMENT

Escorts of private vehicles with use of emergency lights and siren are not authorized. Officers will not authorize the driver of any private vehicle to exceed the speed limit or to ignore stop signs or signals, or to otherwise violate traffic regulations.

33.2.2 APPROPRIATE USE OF SERVICE

Officers will not lead or otherwise escort ambulances or emergency runs. If assistance is necessary, officers may render such assistance by attempting to clear intersections along the route of the emergency vehicle.

33.2.1 EXTREME EMERGENCY CONDITIONS

Officers are not to use Police vehicles in lieu of an ambulance except under the most extreme emergency conditions. In the case of seriously endangered children, when an ambulance is not immediately available, Police Officers should transport the child and parent/guardian to the hospital.

33.2.2 SAFETY CONCERNS

Under certain circumstances and on request, Officers may escort civilian persons/vehicles for safety reasons, such as a night cash deposit at a bank or other circumstances that are determined to be a legitimate/reasonable concern of fear for the person's safety.

33.3 HAZARDOUS HIGHWAY CONDITIONS

CALEA – 61.4.2

33.3.1 NOTIFICATION AND PROCEDURES

When any hazardous road conditions(s) come to the attention of an Officer, such as traffic light malfunction, stop sign damaged or missing, pot hole, street light out, oil on the road, debris, etc., the Officer will notify dispatch immediately. Dispatch will notify the responsible agency. If the hazard is a serious public safety concern the Officer will stand by until such hazard has been abated and/or relieved by member(s) of the responsible agency.

33.4 HAZARDOUS MATERIALS

CALEA – 61.2.2

33.4.1 RESPONSIBILITY AND PROCEDURES

The Bellevue Fire Department is responsible for hazardous material control and removal. Officers will notify the Fire Department immediately any time an incident involving actual or suspected hazardous materials occurs. Normal procedure will require the notification and call-out of Washington State Department of Ecology personnel to manage and order the clean up.

33.5 ABANDONED VEHICLES/IMPOUND OF UNAUTHORIZED VEHICLES

CALEA – 61.4.3

33.5.1 DEFINITION/ABANDONED VEHICLE

“Abandoned vehicle” means a motor vehicle certified under RCW 46.55.230, as meeting the following requirements:

- a. Is three (3) years old or older.
- b. Is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield, missing tires, motor, or transmission.
- c. Is apparently inoperable.
- d. Is without valid, current registration plate.
- e. Has a fair market value equal to the value of the scrap in it.

33.5.2 DEFINITION/STREET

“Street” means every city street and/or public highway within the city limits of the City of Medina and

cities to whom the Medina Police Department contracts its police services.

33.5.3 NOTIFICATION STICKERS

A Law Enforcement Officer discovering an apparently unauthorized abandoned vehicle shall attach a notification sticker to that vehicle. The sticker will be attached in a readily visible location. A notice of violation will also be attached. High-visibility markings will also be written on the back window denoting the time and date of the initial contact by the Officer.

33.5.4 IDENTITY OF REGISTERED OWNER

The Officer shall check with records to learn the identity of the last known registered owner.

33.5.5 CONTACTING REGISTERED OWNER

The Officer shall make a reasonable effort to contact the owner to inform them of the violation. It is the policy of this Department to give the registered owner twenty-four hours to move the vehicle. Additionally, we will notify the registered owner by mail at the last known address on file with the Department of Licensing.

33.5.6 IMPOUNDING OF VEHICLE

After the allotted time the Reporting Officer or the Follow-up Officer assigned will check the area. If the vehicle has not been moved it will be impounded with Supervisor's approval. If it has been moved, a follow-up report will be filed indicating so.

33.5.7 TOWING

The on-call towing company will be called to tow the abandoned vehicle. A Vehicle Impound Waiver & Release Report will be completed by the Officer. The original shall be retained and attached to the Officer's report. A duplicate shall be given to the tow truck driver.

33.5.8 INFORMATION

The Officer will provide the tow truck driver with the name and address of the registered and legal owners of the vehicle. Additional pertinent information will also be given to the tow truck operator.

33.5.9 NOTIFICATION

The Officer will notify the Communications Dispatcher when a vehicle has been impounded and the appropriate entry into the ACCESS computer will be made. Notification of impound shall be made to the Records Manager while he/she is on duty.

33.5.10 NOTICE OF VEHICLE IMPOUND LETTERS

Notice of Vehicle Impoundment letters will be sent to the last known registered owner informing them of the Department's impoundment procedures and other pertinent information for the recovery of their vehicle.

33.5.11 RELEASE OF IMPOUNDED VEHICLE

Individuals seeking release of an impounded vehicle will be directed to the tow company involved. NO Police authorization is required for the release. If a vehicle is impounded pursuant to a criminal investigation, only the assigned investigator or supervisor may authorize a release.

33.6 TOWING

CALEA – 61.4.3

33.6.1 STATE LAW AND DEPARTMENT POLICY

Towing of vehicles when warranted by an Officer will follow applicable State Law and Department policy as specified. A Vehicle Impound form and inventory record will be completed and distributed as a record of the vehicle impounded and its contents. A copy of the Vehicle Impound form will be given to the tow truck operator at the time of the impound. An Incident Report will be completed on all Police impounds, with specific reasons listed as to why the vehicle was impounded. A letter to the last known registered owner will be sent notifying them of the impound if they were not notified at the scene. Copies of this letter will be attached to the incident report.

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34.1 RECORDS INTEGRITY

CALEA – 82.1.9

34.1.1 ACCESS

Access to Police records is restricted to the Records Manager. The Records Manager is primarily responsible for maintaining the integrity of Police records, although it is important that every Department member assists with this goal. In the event of an emergency nature where the Records Manager is unavailable, the Chief of Police or Captain will be contacted.

34.1.2 DISSEMINATION OF RECORDS INFORMATION

Dissemination of records information will be limited to authorized Criminal Justice user agencies. In the event that doubt exists concerning a requesting source, the source may be directed to request in writing on official letterhead, by teletype or upon approval of the Medina City Attorney.

34.1.3 COMPUTER SYSTEM ACCESS

Accessing information in the Department's computer system will be accomplished only by those personnel who have proper authority to do so.

34.2 WASHINGTON CRIME INFORMATION CENTER

CALEA – 82.1.3

34.2.1 PARTICIPATION

The Medina Police Department maintains full participation in the Washington Crime Information Center (WACIC) and the National Crime Information Center (NCIC).

34.3 WANTED, MISSING & RUNAWAY PERSONS

CALEA – 41.2.6

34.3.1 INCIDENT REPORT

An incident report listing all relevant information will be completed and faxed or a copy hand-carried to the Kirkland Police Dispatch Center within four hours. The original case report will be filed with the Records Manager.

34.3.2 MISSING CHILDRENS' CLEARING HOUSE

The Assigned Officer will be responsible for making the appropriate inquiries to the Missing Children's Clearing House maintained by the Washington State Patrol, for persons entered into WACIC/NCIC computer systems.

34.4 WASHINGTON UNIFORM CRIME REPORTING CALEA – 82.1.3

34.4.1 PARTICIPATION

The Medina Police Department maintains full participation within the Washington Uniform Crime Reporting System.

34.5 REPORTING SYSTEM CALEA – 82.2.1

34.5.1 RESPONSIBILITY

Officers in the field are responsible for the decision as to whether reports concerning a particular event are required.

34.5.2 WHEN REPORTS NOT NEEDED

A report need not be written if:

- a. There is no crime involving loss or injury to property or person, and,
- b. There was no contact made with suspicious or suspect persons or vehicles, and
- c. There is no information that could assist in a crime being cleared or advance a community care taking function.

34.5.3 MONITORING OF DECISIONS

The decisions made by Officers concerning incident reporting will be closely monitored by Supervisors. The Supervisor may direct that an Officer write a report on any matter deemed necessary.

34.5.4 POLICE TRAFFIC COLLISION REPORTS

Police traffic collision reports must be completed by an Officer for all reportable accidents as defined by the State of Washington.

34.5.5 ARRESTS RESULTING FROM TRAFFIC ACCIDENT

Arrests as a result of a traffic accident require a separate incident report to be completed.

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| Subject COLLECTION AND PRESERVATION OF EVIDENCE | | |
| Reference CALEA Chapters 83 & 84 | Special Instructions Revision #1 – March 26, 2002 | |
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35.1 EVIDENTIARY ITEMS

CALEA 84.1.1

35.1.1 EVIDENCE

Evidence is property which may be related to a crime or which may implicate or clear a person of a criminal charge. All evidence is required to be logged into Medina Police Department records as soon as possible following acquisition.

All evidence/property submitted to the Property Room will be done using the following procedure(s):

A. Identification

1. Officers shall mark evidence as soon as possible after it has been discovered in order to assure its identity at a later date.
 - a. Evidence marks should be placed on items to prevent them from being altered, or having their value as evidence contaminated or destroyed. The marks should be placed so they do not reduce or destroy the market value of the items. Items should not be marked in any unnecessary manner.
 - b. Items of evidence shall not be marked if such markings would alter or change the evidence in any way. Such items of evidence shall be placed in containers. The containers can then be properly marked and sealed.
 - c. All items not in containers will be tagged, as well as being marked with case number, date, and officer's name.
 - d. Seized controlled substances should be weighed in their containers and the weight noted on the evidence form. The notation should indicate that the weight includes the weight of the container and a description of the container.

B. Marking/Sealing of Property and Evidence

Property/Evidence should be marked and sealed for storage in the following manner:

- i. Envelope, Property/Evidence: Place item inside 9X12 manila evidence envelope, fill out preprinted information on the exterior, seal with evidence tape, and mark sealed portion with initials.

- ii. Over-Sized Items: Items which do not fit into any of the other categories may have an evidence label affixed to them, as long as the label does not damage the intrinsic value of the item; or a labeled cardboard evidence tag may be tied to the item.
- iii. Brown Paper Bag, Property/Evidence Label: Place item(s) inside brown paper bag, seal with staples or evidence tape, and mark sealed portion with initials. Place the evidence label in the upper right portion of the bag.
- iv. Currency Envelope: Place all money into a container separate from other property. Money should be counted with the amount documented both on the Report Property Form and the clear plastic bag.
- v. Controlled Substances: All controlled substances should be packaged separately in the narcotics envelopes with the appropriate lab request form attached to the envelope. Once sealed, the weight of the envelope will be taken and recorded by the property room manager when received and released.
- vi. Request for Analysis: The State Toxicology's "Request for Analysis: form shall accompany any evidence submitted to the State Toxicology Lab.

NOTE: In the absence of appropriate materials, plain envelopes with evidence labels may be used.

C. Preservation

1. Packages should be the type that can be sealed and should contain the Submitting Officer's initials or identification mark and corresponding incident number. Controlled substances should be packaged separately from all other items to prevent contamination.
2. Currency will be sealed in a currency envelope. Currency totaling \$500 or more shall be verified by a Supervisor.
3. The Property Custodian will not open any sealed package containing money which is submitted to the Property Room.

D. Sealing and Identification Number

1. Properly seal all property, including evidence. After the evidence/property has been marked, packaged and sealed, the Submitting Officer will label the outside of the package with a property tag.
2. It is the responsibility of the collecting officer obtaining any type of property having distinguishable identification number, to check the property through WACIC and NCIC. Check the property prior to placing the item into storage.

E. Logging Evidence/Property

1. Upon receiving evidence/property that has been properly packaged and labeled, the Property Custodian will record each individual item in Evidence Room Property Log. A notation will be made to document the storage location of each item inside the Evidence Room. Items that are not properly packaged and identified will not be accepted by the Property Custodian.

F. Destruction of Property/Evidence

1. The Property Custodian will notify the Captain of controlled substances to be disposed of.
2. All substances to be destroyed shall be sealed in a container, marked by at least two of those conducting the inventory and subsequently transported to the incinerator by the Property Custodian and an assisting departmental member.
3. Prior to personally witnessing the incineration of the containers, the package will be weighed, the seals will be examined, the containers opened and the contents viewed by all persons transporting same. Presumptive field analysis will be performed on any questioned contents.
4. Firearms which are deemed to be unsafe by the Chief of Police shall be transported by the Property Custodian and an assisting departmental member, to a place of destruction where they will personally destroy each item.
5. Obscene materials will be personally destroyed by the Property Custodian by shredding or incineration.
6. Alcoholic beverages will be personally destroyed by the Property Custodian by pouring them down the drain.
7. Miscellaneous property or property held for evidence but no longer needed, that is of little or no monetary value, may be disposed of by the Property Custodian. This would include car parts, glass, paint chips, clubs, clothing, etc.

35.1.2 LOST OR ABANDONED PROPERTY

Found property is that non-evidentiary property which, after coming into the custody of this agency, has been determined to be lost or abandoned. This property is not known or suspected to be connected with any criminal offense.

35.1.3 TEMPORARY PROTECTION OF PROPERTY

Property held for safekeeping is that non-evidentiary property which is in the custody of this agency for temporary protection on behalf of the owner.

35.1.4 DUTY

It is the duty of all employees to care for, control and correctly process all evidence or property which may come into their possession in the course of their official duties. Employees shall in every instance place all property obtained in the course of their official duties, in the agency's property system before going off duty.

35.1.5 UNAUTHORIZED STORAGE

In no instance shall an employee store property in a personal locker or other unauthorized location.

35.1.6 REPORTS/EVIDENCE SHEET

Employees shall prepare a report describing how, when, where and what he or she came into possession of with regards to property. The employee will also complete an Evidence/Property Form.

35.1.7 TEMPORARY STORAGE OF EVIDENCE

Upon completion of the Evidence/Property form, the employee will properly mark and/seal the evidence or affix a property tag to the property item. The Evidence /Property Form will be submitted to the Property custodian and the evidence placed in a temporary evidence locker. The locker will then be locked.

35.1.8 EXPLOSIVES/FIREWORKS & AMMUNITION

No explosives other than fireworks and ammunition will be impounded into the Police Property Room. Per the Fire Marshal, fireworks are not to be soaked or placed in water.

35.1.9 TOXIC/DANGEROUS MATERIALS

No toxic or dangerous materials will be seized or stored in the property room or elsewhere in the Police Department. No flammable or explosive liquids (gasoline, etc.) will be placed in the evidence lockers. These will be handled by the Fire Department. There are no exceptions.

35.1.10 PERISHABLE EVIDENCE

Employees who have the opportunity to collect perishable evidence (toxicology, sex crime kits, baby bottles, etc.) will do so according to the prescribed and/or adopted methods. All perishable items are to be refrigerated as soon as possible. When perishable items are obtained, a call to the Evidence Technician or Detective Supervisor is to be made. Under no circumstances are perishable items of evidence to be placed in the lunchroom refrigerator. There is a biohazard and non-biohazard refrigerator located in the Property Room for these items.

35.1.11 FIREARMS

A. Whenever officers place firearms into the property room for storage as evidence seized property, or safekeeping, they will secure the firearms in the following way:

- (1) Pistols: Remove magazine, open slide, and eject round from chamber. Visually inspect the weapon to make sure it is empty. Insert a flex cuff through the barrel and lock the cuff in place. Release the slide and let it rest against the flex cuff.
- (2) Revolvers: Open the cylinder and remove all ammunition. Insert a flex cuff through the barrel and lock the cuff in place. Leave the cylinder open and the hammer in the down position.
- (3) Shotguns/Rifles: Unload the firearm, open the action, and insert a flex cuff through the action to secure the weapon.

B. Follow all other department procedures for marking and tagging the firearm. When the flex cuffs are in place the property custodian can see immediately that the firearm is not loaded and is safe for storage in the property room. The ammunition shall be packaged and tagged separately.

- (1) Before handling a firearm, the following should be noted:
 - Position of the hammer
 - Position of slide mechanism (automatic).
 - Position of safety.
- (2) If handling is required to determine the firearm's condition, it should be picked up by the edge of the trigger guard or textured finish of the handle that would not ordinarily retain an identifiable print. The make, model, serial number, caliber, and other descriptive information should be recorded.
- (3) All firearms will be unloaded before packaging unless otherwise directed by the WSP Crime Laboratory. When unloading a firearm, the following should be noted:
 - Condition of ammunition beneath the firing pin
 - Position of fired/unfired ammunition
 - Number of rounds left in the magazine, and whether or not a round is in the chamber.

35.1.12 CRIME SCENE PROCESSING

A. PROCESSING PHYSICAL EVIDENCE

It is the responsibility of the first officer at the scene of a major crime to secure that scene from all non-essential personnel to prevent the loss of evidence. The officer securing the scene should initiate a log listing the time, name and reason for all personnel who enter the crime scene. Personnel at the scene will not disturb, touch or handle physical evidence, unless a danger exists that the evidence will be lost or destroyed prior to processing. Should such a situation arise, it becomes the responsibility of the officer to mark, seal, tag and preserve the evidence. Once a scene of a serious crime has been identified, the supervisor in charge will identify a specific person(s) as the primary crime scene investigator. A Patrol Officer, Detective, or others may have primary responsibility for processing the scene. The crime scene investigator is responsible for photographing, collecting, preserving, transporting and submitting all evidence to the Property Room.

B. COLLECTING CONTROL SAMPLES

When the following types of physical/trace evidence are collected from a crime scene, a known standard sample must be collected for comparison by the Washington State Patrol Regional Crime Laboratory (WSPRCL):

1. Blood
2. Hair
3. Fibers
4. Paint
5. Glass
6. Wood
7. Metal
8. Soil
9. Tool Marks
10. Footwear

Special attention to the location the samples are collected from is critical for the WSPRL and should be documented on the lab report and/or the officer's report. All standards for comparison will be collected in accordance with procedures established by the WSPRCL.

C. COLLECTION OF BLOOD

- a. A physician, registered nurse, qualified technician or chemist may only withdraw blood.
- b. Blood specimens will be placed in designated containers and sealed with a tape or label that displays the following information:
 - i. Name of person blood is drawn from;
 - ii. Date and time of collection
 - iii. Name of person(s) collecting and/or sealing the sample.
- c. All blood specimen containers shall be handled with latex gloves and placed in a biohazard container prior to transport.
- d. All samples will be submitted and placed in the Property Room refrigerator until transported to the WSPRL for appropriate testing and/or screening.

D. COLLECTION OF BLOOD AND/OR OTHER BODY FLUIDS AT CRIME SCENES

1. Blood, urine, semen and other body fluids will be collected at a crime scene by the designated crime scene investigator.
2. All specimens collected in liquid form will be maintained in the Property Room refrigerator.
3. All specimens shall be collected and packaged utilizing accepted Washington State Patrol Crime Laboratory procedures, and marked, sealed and tagged as appropriate to identify and preserve them for analysis.
4. Clothing should always be packaged individually. If the clothing is damp, it should be air dried prior to packaging.

E. TRACE EVIDENCE

Trace evidence is minute material that is easily exchanged through contact or transferred by air current. The clothing of suspects/victims are prime accumulations of trace evidence and should be collected as soon as possible.

1. Clothing should be collected from a person while the person is standing on a clean piece of butcher type paper. Carefully fold each item as it is removed and package the item separately. After all items of clothing are collected carefully fold and package the paper and submit with the clothing for analysis.
2. Suspect and victim clothing must be kept separate from each other to prevent cross-contamination.
3. Hair, thread and fiber samples should be collected/handled utilizing accepted Washington State Patrol Crime Laboratory procedures.

F. LATENT PRINTS

Latent impressions developed with fingerprint powder may be photographed on the original object prior to lifting. Lifted prints should be placed on Latent Fingerprint cards, identifying information requested on the card filled in, and packaged in an evidence envelope.

All latent print cards will be forwarded to King County AFIS for value rating and comparison with the AFIS database along with any known suspect information or inked print cards. When possible, elimination prints of victims/complainants should be taken and forwarded to King County AFIS with the latent print cards.

G. OTHER ITEMS COLLECTED AS EVIDENCE

1. Wet clothing collected as evidence should be air-dried in a secure evidence area prior to marking, packaging and sealing the item.
2. Documents that are wet for any reason shall be handled in the same manner as wet clothing.
3. Perishable evidence such as blood or urine samples shall be stored in the Property Room refrigerator. Another small refrigerator is kept in the department storage room if the primary refrigerator is locked. This refrigerator will be locked when items are placed inside.
4. Dangerous drugs (including but not limited to narcotics, hallucinogens and narcotic implements) submitted to the Property Room will be weighed and counted, if appropriate, by the submitting officer. Each separate container of the material will be marked with the weight, count, officer's evidence mark and date.
5. The submitting employee shall count all money submitted. All money in excess of \$500 shall be counted by the submitting employee and a supervisor. The currency envelope must identify the amount of money, who submitted it and who verified the count.
6. No explosive, volatile fluids, dangerous chemicals, nuclear material or ammunition greater than .50 caliber shall be submitted to the Property Room. The recovering officer will contact the appropriate specialized agency for handling when such material is recovered. All items should be photographed prior to removal/disposal.

35.2 EVIDENCE CONTROLS

CALEA 83.3.1, 84.1.2, 84.1.3, 84.1.4, 84.1.5

35.2.1 MEDINA POLICE DEPARTMENT

The Medina Police Department Evidence and Identification Section utilizes the system whereby evidence held is controlled by assigning evidence numbers in sequential order to each piece. The property is tagged with the evidence number or slip. A log and/or master file is maintained to control intake, storing and disposition of property and evidence. Additionally, a personnel entry logbook will be maintained by the Property Room Manager to record the date and time an individual enters and leaves the Evidence Room.

35.2.2 WITHDRAWN PROPERTY

Property may be temporarily withdrawn from the Property Storage Area for:

- A. Intra-agency reasons (purposes of identification)
- B. Inter-agency reasons (laboratory examination, court)
- C. In those special circumstances when property is withdrawn for this department or another department's use for an ongoing investigation, written authority from a Command Staff Officer is required.

35.2.3 INTER-AGENCY WITHDRAWAL

In the event that property is withdrawn for inter-agency purposes, the Property Custodian shall record on the front of the Property/Evidence Form the item(s) of property to be withdrawn. This recording shall be logged by using the appropriate Disposition Code "E: To Other Agency".

- A. The Evidence/Property Form will be completed with the item number, date, name of the person withdrawing the property and the destination of the property.
- B. The person to whom the property is delivered shall sign the Evidence/Property Form **before** the property is released.

35.2.4 AUTHORIZED PERSONNEL

Only the employee assigned to investigate a case or an employee authorized by that person is permitted to withdraw property.

35.2.5 REQUIRED SIGNATURES

To withdraw property, an employee of this agency shall sign his or her name on the front of the Evidence/Property Form (white copy) next to each item that is being withdrawn.

35.2.6 ITEMS WITHDRAWN

The Property Custodian shall note in the space provided on the front of the Evidence/Property Form (white copy) the item number, destination, date, time, and shall sign his/her name beside each item that is withdrawn.

35.2.7 RETURN OF WITHDRAWN PROPERTY

Property that is withdrawn from the property storage area and not kept at its destination, shall be returned to the property system as follows:

A. When the Property Custodian is present, the person returning the property shall sign his/her name in the space provided on the front of the Evidence/Property (white copy) Form. The Property Custodian shall countersign for each item returned.

B. When the Property Custodian is absent, the person returning the property shall place it in the receiving lockers and at the next earliest convenience shall sign-in on the Evidence/Property (white copy) Form.

35.2.8 NARCOTICS/DRUGS

All narcotics/drugs entered into the Evidence Room will be weighed by the Property Room Manager upon receipt. All entries will be weighed with packaging or as received. Weights will be recorded on the Evidence/Property Form. At each removal, and each re-entry from court, lab testing, etc., the drugs/narcotics will again be weighed and recorded on Evidence/Property Form by the Property Room Manager or custodian with appropriate date and time.

1. The Property Custodian will not open any sealed packages to verify the weight or count of controlled substances; only note that it has been properly sealed, weighed or counted; if the Property Custodian has been certified as a Marijuana Leaf Identification Technician by the Washington State Patrol, he/she may open a container holding the leaf material to perform the appropriate tests.

2. Exceptions to weighing narcotics and dangerous drugs are permissible when auditing evidence that is officially sealed in a tamper-proof protective package.

35.3 PROCEDURES APPLICABLE TO ALL METHODS OF PROPERTY DISPOSAL

CALEA 84.1.6

35.3.1 CHARGES NOT FILED

The employee handling the case may authorize the disposal of property when no charges were filed.

35.3.2 PROSECUTING ATTORNEY

The Prosecuting Attorney in the case may authorize the disposal of property.

35.3.3 DISPOSITION OF ARREST AND OR COURT ACTION

The property may be disposed of upon receipt of the disposition of the arrest and or court action.

35.3.4 DEFENDANTS TRIALS

When there are two or more defendants in a case, property shall not be disposed of until all defendants' trials have been concluded.

35.3.5 APPEALS

Property shall not be disposed of until the period for appeals has closed and all appeals have been conducted (Rules of the Court, Rule 5.2:30 days).

35.3.6 TIME ESTABLISHED BY LAW

The Property Manager may authorize disposal at the end of the time period established by law for holding the particular item.

35.3.7 AUTHORIZED METHODS OF PROPERTY DISPOSAL

A. Return to Owner (RCW 63.32)

B. Return to Finder (RCW 63.21)

C. Sale (RCW 63.32) (RCW 9.41)

D. Agency or Other Public Use (RCW 63.32) (RCW 9.41)

E. Destruction (RCW 63.32)

35.3.8 CLAIMING OF PROPERTY

Authorized property and/or evidence may be claimed at the Medina Police Department by appointment only. All property will be signed for by the receiving party on the bottom of the Release of Property/Property Disposition Form, with a copy filed in the Property Room. The original form shall be filed with the Records Manager. A photocopy of the claimant's identification is required and should be attached to the Evidence Report for the case file.

Disposition of found, recovered and evidentiary property, other than firearms, will be accomplished within six months after legal requirements have been satisfied. Final disposition of firearms will be accomplished at least once annually.

A. Release of Property and Evidence

1. Property may be released to the rightful owner once all Police use of property is satisfied and the Officer who submitted the property has approved the property for release.
2. Once an item has been cleared for release by the Submitting Officer, the Property Custodian will make every reasonable effort to contact the owner and inform the owner when and where the property may be claimed.
3. If the property remains unclaimed for a period not less than sixty days from the date of a written notice to the owner, if known, the property will be considered unclaimed.

B. Release To Finder

1. Property, except that which is illegal for the finder to possess, shall be released to the finder of the item if the rightful owner is unknown or cannot be located; PROVIDED, that the finder has complied with all the duties imposed by RCW Chapter 63.21 and the release has been approved by the Captain or Chief of Police.
 - a. The property shall be released to the finder sixty days after the find was reported to the Police if the rightful owner is unknown.
 - b. If the rightful owner is known but cannot be found, the property shall be released to the finder sixty days following the required written notice to the owner.
 - c. When ninety days has passed after the found property was reported to the Police or ninety days after the required written notice to the owner and the finder has not completed the requirement of RCW Chapter 63.21, the finder's claim shall be deemed to have expired and the found property may be disposed of as unclaimed property under RCW Chapter 63.32.

35.4 CONVERSION, DESTRUCTION OF EVIDENCE/PROPERTY

CALEA 84.1.5

35.4.1 EMPLOYEES

Employees will not, under any circumstances, convert to their own use, loan or give away any item of property or evidence coming into their possession in the course of their official duties. Nor will they destroy any such property or evidence without proper authority. Any instance of conversion or destruction will be grounds for disciplinary action.

1. A City of Medina employee who finds or acquires any property covered by Chapter 63.21, while acting within the course of his or her employment, may not claim possession of the lost property as a finder.

35.5 INVENTORIES AND AUDITS

CALEA 84.1.6

35.5.1 INVENTORY

Whenever a new Property Custodian is designated, an inventory of property will be completed. This inventory will ensure that the records are correct and properly annotated. The inventory will be conducted jointly by the property manager or the newly designated Property Custodian and the outgoing Property Custodian.

35.5.2 AUDIT

The Captain or the Chief of Police shall at least annually conduct an unannounced audit of the evidence and property function. The Captain or the Chief of Police may use assistance from outside the agency when necessary to insure the objectivity of the audit. This audit shall include all guns, money and controlled substances. A sampling of no less than ten per-cent of all other items in storage selected at random by the auditor will be inspected.

35.5.3 UNANNOUNCED INSPECTIONS

Unannounced inspections of the property storage areas are conducted by the State Auditor.

35.6 SECURITY

CALEA 84.1.2

35.6.1 HOURS

The property storage areas of the Medina Police Department shall be secured during all non-business hours and during business hours when the Property Custodian is absent.

35.6.2 ENTRY

Entry into the property storage areas shall only be made under the supervision of the Property Custodian, with the exception as noted in 35.6.7.

35.6.3 KEYS

One complete set of keys to the Main Property Room, Supplemental Property Room and all temporary storage lockers shall be assigned to the Property Custodian. The Department will designate no more than a Property Custodian and an alternate to maintain a set of keys to the Property Room.

35.6.4 DUPLICATE KEYS

A complete set of duplicate keys shall be placed in an envelope that is sealed and kept in the Administrative Storage Room, in the locked key box. Access to these keys is restricted to the Chief of Police and Captain.

35.6.5 DUPLICATION/POSSESSION OF KEYS

Duplication or possession of the keys that are assigned to Property Custodian or other authorized person is prohibited unless authorized by the Lieutenant.

35.6.6 SEGREGATION OF EVIDENCE

Firearms, money, controlled substances (except marijuana) and other high-value items will be segregated from other evidence to facilitate greater security and accountability.

35.6.7 ABSENCE OF PROPERTY CUSTODIAN

Any entry into the Property Room in the absence of the Property Custodian requires a memorandum report to be filed. This report will include the date, time, circumstances and justification or authorization for entry into the storage area. The report will include the Chief or Captain who witnessed the entry, and a summary of actions taken while these persons were in the storage area.

35.7 EMERGENCY ENTRANCE INTO SECURE AREAS OF EVIDENCE

35.7.1 EMERGENCIES

CALEA 84.1.4

Ordinarily there is no reason for an unauthorized person to enter the secure areas of the Property Room(s). However, from time to time there may be an emergency that makes entry necessary and warranted. The Captain or Chief of Police will make the decision as to whether the emergency warrants entry. Emergency entry into the property room shall be authorized only if there

- is a specific request from City Prosecutor to retrieve evidence when both the property manager or custodian are unavailable.
- is an event or the sudden need to evacuate the building and its critical contents.

35.7.2 KEY

The key to this area is kept in the Administrative Storage Room, in the locked key box. It will be logged out and back in.

35.7.3 OFFICER PRESENCE

The Chief and Captain will be present during entry into the Property Room, along with another Officer if one is available.

35.7.4 REPORT

A memorandum will be completed by the Chief or Captain entering the Property Room under emergency conditions. A full report will be filed with regards to the entry and actions taken therein.

35.7.5 NOTIFICATION

The Property Manager and/or Custodian will be notified of any emergency entry into the Property Room. The Property Manager and/or Custodian will take steps to secure the Property Room key and establish a new alarm code. Such actions will also be taken when entry to the Property Room has been made under circumstances identified in 35.6.7.

35.7.6 ALARM

The property room shall be alarmed and monitored on a 24 hour basis to announce unauthorized entry. This alarm will be monitored by a contract monitoring service that will notify Kirkland P.D. dispatch upon receipt of an unauthorized alarm.

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|--------------------------------------|---|---------------|
| Effective Date September 21, 2001 | Number WASPC Chapter 36 | |
| Subject Custodial Care | | |
| Reference | Special Instructions Last Reviewed February 19, 2002 | |
| Distribution February 22, 2002 | Approval | No. Pages - 1 |

36.1 CUSTODIAL CARE

36.1.1 The Medina Police Department does not currently have or operate a holding facility or jail. All prisoners are booked directly into the Kirkland or King County Jails.

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| Subject Police Communications | |
| Reference CALEA Chapter 81 | Special Instructions Last Reviewed February 5, 2002 |
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37.1 USE OF TELEPHONE

37.1.1 EMERGENCY CALLS

All emergency calls for service within the city are accessed through an area-wide Enhanced 911 communications network.

37.1.2 PUBLIC REQUESTS

The telephone is the primary means by which the public requests the services of this Department. For this reason, all incoming calls will be answered promptly to determine if a need for Department services exists.

37.1.3 TELEPHONE SERVICE

Employees will conduct telephone conversations in a courteous manner and will attempt to see that the call receives any and all Department services that are needed.

37.1.4 LONG DISTANCE CALLS

No employee will charge personal long distance telephone calls to the city.

37.2 COMMUNICATION SERVICES

The Police Department contracts for its E-911 services with the Kirkland Police Department Communications Center. The Kirkland Police Communications Center is staffed on a 24x7 basis. The Center is overseen by the Communications Center Supervisor, who reports to the Services Lieutenant.

37.3 COMMUNICATIONS SYSTEM

37.3.1 DISPATCH SERVICES

The Police Department contracts for its E-911 services with the Kirkland Police Department Communications Center. Services of this agency consist of radio dispatching for field units,

reception of 911 calls through a county-wide system and data requests processed through the Washington State ACCESS System.

37.3.2 TELETYPE AND AUTOMATED DATA COMMUNICATIONS

ACCESS and Mobile Data Computers (MDCs) owned and operated by the Department are intended to be used by field personnel for the purpose of accessing NCIC/WACIC databases, computer-aided dispatch (CAD), reporting writing, records management system (RMS), and a two-way communications alternative to radios and cell phones. The use and administration of MDCs are controlled by a separate operational order.

37.3.3 RADIO AND TELEPHONE COMMUNICATION ETIQUETTE

All verbal and digital radio communication is regulated by the FCC. Employees of the Medina Police Department will not use any lewd, vulgar, or otherwise offensive language on any communication channel or device, and will always maintain the highest standards of professionalism in their utilization.

37.4 COMMON PROCEDURES

37.4.1 TERMINOLOGY

All of the users of Medina's police dispatching services will use common terminology while communicating and adopt the unit numbering system as outlined in Chapter 21 of this manual.

37.5 PERSONNEL

37.5.1 COMMISSIONED

Commissioned officers, while on-duty, will have available to them portable and mobile radios capable of communicating with other users and the Medina system.

37.5.2. FREQUENCIES

Each radio applicable to 37.5.1 will have, at minimum, the following frequencies:

| | |
|-----------|-----------|
| KPD/DIS 1 | CH-ME/TAC |
| KPD/DIS 2 | BEL-1 |
| KPD/TRFC | MI/DISP |
| KPD/TAC1 | RED/DISP |
| SPEAST | MARS |

37.6 12-DECIBEL OR GREATER

The radio system used by the Medina Police Department will have the capability of providing 12-decibel or greater (SINAD) radio to radio receivers within 95% of the City.

37.7 PUBLIC SAFETY SOURCES

37.7.1 PERSONNEL PHONE ROSTER

The Kirkland Police Department Supervisor in charge of dispatch services, or his/her designee, will insure that there is a roster of all current Medina Police Department personnel, and their home and pager numbers. The responsibility of notifying the Kirkland Supervisor of personnel or number change will be the Records Manager.

37.8 MISDIRECTED EMERGENCY CALLS

37.8.1 TRANSFER OF CALLS

The Enhanced 911 system is capable of receiving calls of an emergency nature. This system is also capable of transferring those calls to other nearby jurisdictions.

37.8.2 CALLS OUT OF SERVICE AREA

Personnel that receive emergency 911 calls not within the service area of the City of Medina, will transfer those calls to the appropriate agency.

37.9 MAPS

City of Medina (and surrounding areas) will be available and visible to dispatch personnel while on-duty.

37.10 PORTABLE RADIOS

37.10.1 RADIO ISSUE – COMMISSIONED PERSONNEL

Every commissioned, full-time officer of the Medina Police Department shall be issued a portable, multi-channel radio. The issued radio will have the minimum required frequencies as outlined in Section 37.5.

37.10.2 RADIO ISSUE – CIVILIAN PERSONNEL

Civilian personnel will have available to them a portable radio meeting the requirements of Section 37.5, and will not be issued for permanent use. Use of department portable radios by civilian personnel will be only with the approval of the Captain. Commissioned personnel shall have priority of spare radio assignment over civilian personnel.

37.11 RECORDING

The Kirkland Police Communications Center will maintain the capability of recording and playing back all radio transmissions and all telephone calls received at a dispatching console.

37.12 RELEASE OF RECORDED INFORMATION

Medina Police Department personnel will have available to them copies of radio and phone traffic that come through the Kirkland Police Dispatch recording system. These tapes will be for the investigation of a particular incident. Tapes will be requested on the standard Tape Requisition form, and be released by the Medina Police

Department per current policies. The permission of the Captain is required prior to releasing or making the tape copy.

37.13 ANSWERING THE TELEPHONE

The Kirkland Police Department Communications Center telephone system will be capable of answering emergency phone calls within 30 seconds, and non-emergency phone calls within 60 seconds. Enforcement of this section will rest with the Kirkland Communications Center Supervisor.

37.14 CENTRALIZED COMMUNICATIONS CENTER

King County E911 shall be governed by a policy board, of which a representative of the Kirkland Police Department Communications Center Command shall be appointed to.

37.15 EMERGENCY POWER

37.15.1 BACK-UP CAPABILITIES

The Kirkland Police Department Communications Center has back-up power capabilities as outlined below:

- a. Radio Consoles are powered by lead-acid batteries on a full-time basis. These batteries are being charged continuously by AC line voltage.
- b. All other power requirements of the dispatch center are accomplished by AC line voltage.
- c. When AC line voltage should fail, the charging of the lead-acid cells and the other power requirements of the Communications Center will be accomplished with a standby diesel generator, which shall automatically engage when a loss of AC line voltage is experienced.
- d. The diesel generator will be able to accommodate the power needs of the Communications Center until regular AC line voltage is restored.

37.16 SECURITY

The Kirkland Police Department Communications Center is a limited access facility. Authorized personnel in the Communications Center include on-duty communications employees, patrol and traffic supervisory personnel, and on-duty records personnel who have business in the Center, with the exception of official guests, no civilian personnel or off-duty personnel are permitted in the Communications Center.

The Communications Center is located within the Kirkland Police Department away from areas open to the public.

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|---|---|---------------|
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| Subject Law Enforcement Exploring Units | | |
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38.1 EXPLORERS

38.1.1 The Medina Police Department does not sponsor or operate a law enforcement Explorer Post at this time.

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|--------------------------------------|---|---------------|
| Effective Date September 21, 2001 | Number WASPC Chapter 39 | |
| Subject Specialized Units | | |
| Reference CALEA Chapter 11 | Special Instructions Last Reviewed February 15, 2002 | |
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39.1. SPECIALIZED UNITS

The Medina Police Department has two specialty positions – School Resource Officer and Bicycle Patrol. The following defines the operations, selection procedure and training requirements for each position.

39.1.1 SCHOOL RESOURCE OFFICER

The Medina Police Department will assign one regularly employed Medina police officer to serve as a School Resource Officer (SRO) to encompass the three elementary schools within the city limits of Medina. The SRO will provide a uniformed presence on campus to promote safety and serve as a positive resource to the schools, surrounding neighborhoods. The SRO will patrol his/her schools and surrounding areas in order to identify, investigate, deter and prevent crime, especially those incidents involving weapons, youth violence, harassment, gang involvement, drugs, or other similar activities. The SRO will provide students, parents, teachers, administrators, and neighborhood residents with information, support, and problem-solving mediation facilitation.

The SRO shall remain responsive to the supervision and chain of command of the Department, which shall be responsible for their hiring, training, discipline, and dismissal. Any allegation of improper conduct by a SRO will be referred to the SRO's immediate supervisor or directly to the Captain. Scheduling for SRO while school is in session will be determined by mutual agreement of each classroom teacher.

➤ **Selection and appointment of SRO:**

Requirements for SRO assignment include:

- The SRO must volunteer for the assignment. The SRO must have a minimum of two years of police service.
- SRO must attend DARE BASIC for the instructor and child development course, plus the SRO BASIC class for experience of child behavior and state law involving juvenile law and school staff relationships.
- The SRO must have an expressed desire and ability to engage in direct daily activity with students, school staff, parents, and the public. The SRO must convey a positive police presence on the school campus and in the community.

- The SRO must be highly motivated, productive, demonstrate high levels of self-initiative and innovation, and be able to work with minimum supervision. The SRO must be in good physical condition and present and maintain an excellent uniformed appearance.
- The SRO must have the ability to be a positive resource to the school staff, students, parents and residents in the surrounding neighborhood. The SRO's education background, experience, interest level and communication skills must be of such a caliber that the SRO can effectively and accurately be a resource, liaison and mentor at the schools he/she serves.
- The SRO must agree to attend any necessary training schools or classes that are needed to increase his/her skill for the position.

The Police department shall appoint two members each to a selection committee, which shall have the role of interviewing, evaluation and recommending the appointment of those officers nominated by the department or previous SRO. The committee should be made up of two schoolteachers and previous SRO and Captain.

In the event the principal of the school to which a SRO is assigned has cause to believe that the particular SRO is not effectively performing in accordance with this Agreement, the Principal may recommend to the Department that the SRO be removed from the program.

To initiate the replacement of a SRO, the principal will recommend to the Department that the SRO be replaced, stating the reasons in writing. Within a reasonable period of time after receiving the recommendation, the Principal will meet with the Captain to mediate or resolve the problem that may exist. If the problem cannot be resolved or mediated, in the opinion of both the Principal and Captain, the SRO will be removed from the program at the elementary school and a replacement SRO will be selected in accordance with the policy.

➤ **The Duties and Responsibilities of the SRO**

- Perform other duties within the City of Medina such as regular patrol and normal functions of the patrol shift.
- Regularly wear the official police uniform, including firearm, with civilian attire being worn on such occasions as may be mutually agreed upon by the Principal and the SRO.
- Establish and maintain a working rapport with the school administrators and school staff.
- Act as a resource person in the area of Law enforcement education at the request of the staff, speaking to classes on the law, drugs, behavior, etc.
- Assist in providing school-based security during the regular school day, assist in the promotion of a safe and orderly environment at the assigned elementary schools. The SRO will *not* act as a disciplinarian; however, the SRO may assist the school with discipline problems and, if the problem or incident is a violation of the law, will determine whether Law Enforcement action is appropriate.
- Investigate crimes or other school-related incidents on campus and in the surrounding neighborhoods, making arrests when appropriate, and making the necessary notifications to parents, school staff and social service agencies.

- Assist in mediation of disputes on campus, including working with students to help them solve disputes in a non-violent manner.
- Participate in school staff meetings, PTA presentation, and other parent-involvement programs.

39.1.2 BICYCLE PATROL

Bicycles - Bicycle patrol is an alternative to provide a visible police presence and police service to areas not accessible or as efficiently patrolled by other methods. The alternative deployment of Patrol Officers through the use of bicycles is encouraged however minimum staffing levels must be maintained with at least one on-duty patrol vehicle/officer in service: Any officer who rides a bicycle on duty must receive prior supervisor authorization. Bicycle officers will focus on the areas in the City of Medina, Town of Hunts Point, and on youth initiatives in those areas. Bicycle Officers will be supervised by the day shift Lieutenant or in his/her absence the on duty supervisor.

1. Bicycles will generally not be ridden in snow or icy conditions unless authorization is received from the on-duty supervisor. Unattended bicycles will not be used to form a barrier/blockade to oncoming traffic. Included in the certification course required for Bicycle Officers will be operating instructions on the use of the bicycles.
2. Bicycle Officers will be selected through a volunteer basis and upon final concurrence by their immediate supervisor. These officers may be assigned to a designated area but should be available to respond to any call for service. In addition to normal patrol duties, Bicycle Officers are expected to focus on the following areas:
 - a. Involvement in youth initiatives and activities
 - b. Involvement in coordinating and supporting the House Watch Program
 - c. Citizen contacts
3. All maintenance of the department-owned bicycles will be authorized and overseen by the bicycle program officer.
4. Officers assigned as Bicycle Officers will be issued specialized uniforms. These items will be authorized and approved by Command staff. Any Bicycle Officer reassigned to another function will turn in all specialized equipment to the program officer.
 - a. Uniforms and bicycles assigned to the Bicycle Officers will be their responsibility and will require authorization for use by other officers.
5. Bicycles will be equipped as follows: Front and rear lights, side bags, , small first aid kit, and markings with the words "Police". Full-time Bicycle Officer bikes will also include a Palm IIV handheld computer, when available.
6. Any officer who rides a bicycle on duty must receive supervisor authorization and must successfully complete a two-day certification course.

Bicycle Officers may also be required to attend any additional training throughout the year as needed.