

DATE: August 5, 1998
TO : All personnel
FROM: Mitch Barker
RE : DEPARTMENT MANUAL REVISIONS

Attached are pages which will update our department manual. Please replace the existing pages with the ones enclosed. Changes to the department manual include:

1.08.0 Changes "unusual circumstances" to "special occurrence procedures."
4.02.00 Adds: 6) Narcotics and general investigations.
4.07.00 Deletes reference to "officer's reports."
Annex A
to Chapter 4 Updates authorized staffing.
5.10.01 Eliminates reference to "Department pager."
7.20.00 Deletes this section. Information is included in 5.19.00.
7.21.00 Re-numbered as 7.20.00 through end of chapter.
8.02.02 Adds "Untruthfulness" as a serious violation.
Add 8.08.06 Life Saving Award
10.03.00 Changes manner in which evidence custodians are assigned.
11.02.01 Corrects "reasonable" to "reasonably."
14.03.08 Section referencing authorized sweaters deleted. Section renumbered.
15.00.04 Deletes reference to "unit lieutenant."
Delete 16.02.00 Deletes reference to opticom training.
16.02.01 Re-numbered to 16.02.00.
17.03.02 Deletes Fire District 5 as required aid personnel.
17.05.00 - Re-numbered as 17.04.00 through end of chapter.
18.07.02 Replaces "County Youth Services" with "Child Protective Services."
Annex A
to Chapter 18 Updates Mutual Aid Agreements with outside agencies.
19.07.00 Eliminates description of steps to be followed when performing traffic stops.
19.07.02 Adds name of vehicle operator to required officer notebook information during traffic stops. Note license plate requirement.
Chapter 19 is reduced to 14 pages.

After you have reviewed these modifications and made the page replacements in your existing department manual, please sign and return the acknowledgment on the reverse of this memorandum.

GIG HARBOR POLICE DEPARTMENT

On _____, I _____ received copies of changes to the department manual as listed on the reverse of this form. These changes are dated 06/15/98. These changes will be included with my personal copy of my department manual.

I also understand each of the changes listed, or will contact my supervisor for clarification on any item which requires explanation.

Employee signature _____

Date signed _____ Witness _____

**GIG HARBOR POLICE DEPARTMENT
GENERAL RULES AND REGULATIONS MANUAL**

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FOREWORD

The Gig Harbor Police Department exists to protect the citizens of Gig Harbor, and to improve their quality of life. We must recognize that all department operations are in the interest of public welfare and safety. It must also be recognized that we, as peace officers, have been delegated certain legal powers not possessed by the private citizen. It is most important that our objective be achieved in a manner which inspires the confidence and respect of the public.

While no absolute rules of conduct can be established which will embrace all cases arising in the general discharge of police duties, or in personal activities of each individual employed by the Gig Harbor Police Department, the provisions listed in this manual provide the framework and direction for policy and conduct of personnel. All persons employed by the Gig Harbor Police Department shall conform with the spirit and intent of the provisions contained in this manual.

Mitchell K. Barker
Chief of Police

DEFINITIONS

The following definitions shall apply to the words or phrases listed below whenever used in the provisions of this or other official publications or directives of the Department.

1. **Command Officer:** Means the rank of Lieutenant or above.
2. **Department or Departmental:** Alone shall mean the Gig Harbor Police Department.
3. **Department Member:** Any employee or volunteer of the Gig Harbor Police Department.
4. **Genders:** The masculine gender includes the feminine gender.
5. **May:** Is permissive
6. **Off-Duty:** Any person in the service of the Gig Harbor Police Department not being governed by days and hours assigned to them by the duty schedule or order of a supervisor or command officer.
7. **On-Duty:** Any person in the service of the Gig Harbor Police Department being governed by days and hours assigned to them by the duty schedule or order of a command officer or supervisor.
8. **Shall:** Is mandatory.
9. **Should:** Is not mandatory, but is strongly recommended.
10. **Supervisor:** Means a sergeant or other person who has been designated as a supervisor by the Chief of Police.
11. **Will:** Is mandatory.

All other words shall have their common and ordinary meaning.

Severability: If any section, subsection, item, clause or phrase in this manual is found to be illegal or otherwise incorrect or inapplicable, such findings shall not affect the validity of the remaining portions of this manual.

Supersessions: The rules and regulations contained herein supersede all Rules and Regulations manuals that were in effect prior to the adoption and institution of this manual.

Issued: June 1, 1996

Last Revised: February 5, 2001

CHAPTER 1

INTRODUCTION TO THE MANUAL

- 1.00.00 **MANUAL IS ISSUED BY THE CHIEF OF POLICE:**
This manual is issued and authorized by the Chief of Police of the Gig Harbor Police Department. It contains the policies and rules of this department. These policies and rules are established to direct personnel in carrying out their duties and responsibilities.
Violations of any of the policies or rules contained in this manual will be grounds for disciplinary action.
- 1.01.00 **DEPARTMENT MEMBERS WILL HAVE KNOWLEDGE OF MANUAL CONTENT:**
Every member of the department shall have knowledge of, and abide by, all policies and rules contained in this manual.
- 1.02.00 **DEPARTMENT MEMBERS WILL SIGN FOR RECEIPT OF MANUAL:**
Every member of the department, after being issued a manual, will:
- 1) Sign a dated form indicating receipt of the manual.
 - 2) Read the manual within thirty days of receiving it.
 - 3) At the end of thirty days, sign an additional form indicating they have read and understand the manual.
- 1.03.00 **DEPARTMENT MEMBERS WILL KEEP THE MANUAL SECURE:**
Department members will keep their manual secure. Any information which could hamper the department's operations will be kept strictly confidential. Loss of a manual or any of its parts will immediately be reported, in writing, to a supervisor. Any request, by persons outside the department, for information on the contents of this manual will be referred to the Chief of Police.
- 06/15/98
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- 1.04.00 **DEPARTMENT MEMBERS WILL KEEP MANUAL IN GOOD REPAIR:**
Department members will keep their manual in good condition. Broken covers or torn pages will be repaired. When necessary, replacement of these parts will be requested.

1.05.00 **DEPARTMENT MEMBERS WILL KEEP THE MANUAL UPDATED:**
Department members will keep their manual up to date by making changes as directed. Upon being issued manual updates, department members will:

- 1) Sign a dated form indicating receipt of the updated material.
- 2) After reading the update, sign an additional form indicating they have read and understand the updated material prior to its effective date.

1.06.00 **DEPARTMENT MEMBERS WILL CONSULT WITH SUPERVISORS:**
Department members shall consult a supervisor or command officer if they have questions as to proper policies or their responsibilities, after consulting the manual.

1.07.00 **MANUAL ORGANIZED AND INDEXED FOR REFERENCE:**
This manual has been organized and indexed to assist in locating material. To find a general area, consult the table of contents at the front of the manual for the correct chapter. To find a specific subject, consult the index at the back of the manual.

1.08.00 **KNOWLEDGE OF OTHER OFFICIAL PUBLICATIONS IS MANDATORY:**
Department members shall have knowledge of other official city and departmental publications. These include, memoranda, special occurrence procedures, and the City Personnel Manual. Department members will also maintain and update these publications, keep them secure, and treat them as confidential.

06/15/98

CHAPTER 2

DEPARTMENT PURPOSE AND MISSION

The mission of the Gig Harbor Police Department is to enhance the quality of life in the City of Gig Harbor by working co-actively with the community. Department members will support this mission by protecting persons and property; maintaining peace and order; assisting citizens in times of need; and enforcing city ordinances, and state and federal laws.

2.00.00 INTENT OF MISSION STATEMENT:

The mission statement serves as the basic concept of all police services for this department. It is the primary rule of the department and is to be followed when performing any duty. This effort begins with the commitment of each of us to perform our duties professionally, to interact with citizens in a positive caring manner, and to assume the responsibility of the department mission as our own.

06/01/96

CHAPTER 3

DEPARTMENT AUTHORITY AND JURISDICTION

3.00.00 **DEPARTMENT AUTHORITY IS ESTABLISHED BY MUNICIPAL CODE:**

The Gig Harbor Police Department is established by Section 2.47.010 of the Gig Harbor Municipal Code which states in part:

"There is established and created a department of police to be operated under the direction and control of the City's chief law enforcement officer, the Chief of Police."

The authority of officers derives from Section 2.47.060 of the Gig Harbor Municipal Code which states in part:

"The Chief of Police and all commissioned police personnel, including reserve police officers, shall have the powers granted, with the duties imposed, by the laws of the State of Washington relating to the Chief of Police and law enforcement personnel of Optional Code cities. In addition, the Chief and all other commissioned police personnel of the police department shall have the power and the duty to enforce ordinances of the City, and to perform such other services as the ordinances of the City may now or hereafter require. "

Commissioned personnel shall be sworn to enforce the ordinances of Gig Harbor, state and federal law and to protect public peace and safety within the City of Gig Harbor, and to abide by the canon of ethics prescribed in this chapter.

3.00.01 **DEPARTMENT MEMBERS ACCOUNTABLE FOR DELEGATED AUTHORITY:**

Each department member is accountable for the authority delegated to them under the laws of the State of Washington, ordinances of the City of Gig Harbor, and any applicable commissions or authority.

06/01/96

3.01.00 **DEPARTMENT HAS JURISDICTION AS DEFINED:**

The Gig Harbor Police Department shall have jurisdiction within the corporate limits of the City of Gig Harbor and in other cities or counties as

defined within any mutual aid agreement or the Peace Officers Powers Act of 1985.

06/01/96

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GIG HARBOR POLICE DEPARTMENT
CODE OF ETHICS

As a member of the Gig Harbor Police Department, my fundamental duty is to serve the public, and to safeguard lives and property. I will protect all citizens against deception, oppression, violence or disorder, and respect the Constitutional Rights of all persons to liberty, equality and justice.

I will remain honest in actions in both my personal and official life. I will obey the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duties.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. With no compromise, I will enforce the law courteously and appropriately without fear or favor, malice or violence.

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

06/01/96

CHAPTER 4
DEPARTMENT ORGANIZATION

4.00.00 **DEPARTMENT IS ORGANIZED INTO TWO UNITS:**
The department is organized into two units;
Operations and Administration. Each of these units
may encompass one or more functions.

4.01.00 **ADMINISTRATIVE UNIT FUNCTIONS DEFINED:**
The primary functions of the administrative unit
are:

- 1) long range departmental planning
- 2) formulation of policy and operational budget
- 3) setting goals and objectives
- 4) monitoring the overall efficiency of the
department
- 5) assuring that training needs are met
- 6) assisting personnel with personal and career
development

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4.01.01 **POLICE SUPPORT SPECIALIST RESPONSIBILITIES DEFINED:**
These personnel are responsible for:

- 1) processing and initial distribution of departmental reports
- 2) efficiently maintaining and controlling an up to date records system
- 3) maintaining a good order of office supplies
- 4) providing information and dissemination of records within guidelines
- 5) providing communications with department members and the public
- 6) processing Concealed Pistol License applications
- 5) other duties as assigned by supervisors or command officers

4.02.00 **OPERATIONS UNIT RESPONSIBILITIES DEFINED:**

The Operations Unit performs several functions and is responsible for:

- 1) the first line police function
- 2) basic crime prevention and education
- 3) marine patrol function
- 4) bicycle patrols
- 5) narcotics and general investigations

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4.02.01 **PATROL RESPONSIBILITIES DEFINED:**

Patrol personnel perform the majority of the first line services necessary in accomplishment of the operational police task. They are responsible for:

- 1) protection of life and property

- 2) initial response to calls for service and the identification and apprehension of offenders
- 3) preliminary and follow-up investigation of misdemeanor and felony crimes
- 4) working closely with the public to identify concerns and cooperatively develop solutions to those concerns

4.02.02 **RESERVE OFFICER RESPONSIBILITIES DEFINED:**

These personnel are non-paid commissioned personnel utilized to augment and support other members of the department. Their duties and responsibilities are the same as those paid personnel performing a similar function.

4.03.00 **DEPARTMENT PERSONNEL ARE SUBORDINATE TO CHIEF OF POLICE:**

The department command structure is subordinate to the Mayor, through the City Administrator. All department personnel are ultimately responsible to the Chief of Police. A rank structure has been established to provide efficient span of control and unity of command. Personnel are accountable for the use of authority which is delegated to them. Department members shall report directly to the person designated as their immediate supervisor prior to contacting other personnel in the command structure, unless other provisions are made in this manual.

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4.03.01 **CHIEF OF POLICE IS CHIEF EXECUTIVE OF DEPARTMENT:**

The Mayor has designated the Chief of Police as the department's Chief Executive and fiscal manager. The rules, regulations, policies and procedures, governing the operation of the Department are initiated, authorized and issued by him. (For complete job description reference Annex B of this chapter)

4.03.02 **LIEUTENANT IS SECOND LEVEL OF COMMAND:**

The rank of Lieutenant is the second level of command within the Department and is responsible to

the Chief of Police. This person oversees the activities of those personnel assigned to him. (For complete job description reference Annex C of this chapter)

4.03.03 **SERGEANT IS THIRD LEVEL OF COMMAND:**

The rank of Sergeant is the third level of command within the Department. Sergeants are responsible to the Chief of Police through the Lieutenant and supervise the activities of the subordinate personnel assigned to them. (For complete job description reference Annex D of this chapter)

4.03.04 **POLICE OFFICERS ARE SUBORDINATE TO SERGEANTS:**

The rank of police officer is subordinate to the rank of Sergeant and above. The police officer is responsible to the Chief of Police through the Sergeant and the Lieutenant. (For complete job description reference Annex E of this chapter)

4.03.05 **POLICE SUPPORT SPECIALISTS ARE SUBORDINATE TO SUPERVISORS:**

The position of police support specialist is responsible to the Chief of Police through the Lieutenant. These persons have no supervisory authority or responsibility unless delegated or assigned these duties by a command officer. (For complete job description reference Annex F of this chapter)

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4.03.06 **RESERVE OFFICERS SUBORDINATE TO COMMISSIONED PERSONNEL:**

The position of Reserve Officer is responsible to the Chief of Police through the Sergeants and Lieutenant. These persons have no supervisory authority or responsibility unless delegated or assigned these duties by a command officer. The position of Reserve Officer is subordinate to all commissioned personnel.

4.04.00 **SUPERVISOR'S AUTHORITY IS CONFINED TO THEIR UNIT:**

Supervisory personnel are accountable for the performance of the personnel under their immediate control.

4.05.00 **COMMAND PROTOCOL WHEN CHIEF IS ABSENT:**

When the Chief of Police is absent or otherwise unavailable, the succession of command is:

- 1) Lieutenant
- 2) Sergeant

In the absence of a command officer or sergeant, the senior police officer on duty shall assume command of operations. This person shall maintain command until the situation is concluded or until relieved by the sergeant or command officer.

4.06.00 **SUPERVISORS SHALL BE CALLED TO SCENES WHEN NEEDED:**
A supervisor shall be called to a scene when:

- 1) the situation requires more expertise or authority than is present
- 2) the situation could reasonably be considered of major importance or impact
- 3) there is uncertainty of the proper course of action to be taken

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4.07.00 **DEPARTMENT MEMBERS SHALL COOPERATE WITH EACH OTHER:**
All department members shall share information, and cooperate fully, with other members in order to further the department's mission and objectives. Information will be shared between all department personnel via:

- 1) shift logs
- 2) case reports
- 3) memoranda

4.07.01 **CONCERNS CAN BE DISCUSSED IN CHIEF'S CONFERENCE:**
Any department member, or group of members having any matter that needs to be discussed or addressed by the Chief, may request a conference with the Chief. The subject for the conference will be specified in advance, in writing, allowing ample time in which to prepare.

4.07.02

CITY ADMINISTRATOR MAY BE REQUESTED AT MEETINGS:

Employees may request that the Chief invite the City Administrator or his designee to informal, regular or special staff meetings.

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ANNEX A TO CHAPTER 4

AUTHORIZED STAFFING

GIG HARBOR POLICE DEPARTMENT

2000

13 Full Time Commissioned Personnel:

1 Chief of Police
1 Police Lieutenant
2 Police Sergeants
9 Police Officers

2 Full Time Noncommissioned Personnel:

2 Police Services Specialists

10 Non Paid Commissioned Personnel:

10 Reserve Police Officers

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CHAPTER 5

PERSONNEL MATTERS

5.00.00 **DEPARTMENT MEMBERS SHALL REPORT WITHIN ONE HOUR:**
The location of a department member's residence must be such that if the employee is contacted and called back to duty in an emergency, he/she can report to the station, ready for duty, within sixty (60) minutes of being contacted. New department members will meet this requirement within six (6) months of successfully completing their probationary period.

5.01.00 **CURRENT ADDRESS SHALL BE ON FILE WITH DEPARTMENT:**
Department members shall keep their current address on file with the department. Department members will promptly inform their supervisor, in writing, of any change in address. This requirement applies even when the change of address is of a temporary nature.

5.02.00 **DEPARTMENT MEMBERS REQUIRED TO HAVE HOME TELEPHONE:**
Department members are required to have a telephone in their residence. Department members shall maintain their telephone number on file with the department. Department members will promptly inform their supervisor, in writing, of any change of their telephone number. This requirement applies even when the change is of a temporary nature.

5.03.00 **PERSONNEL SHALL MAINTAIN PHYSICAL/MENTAL FITNESS:**
Department members shall maintain a level of physical and mental fitness which will allow them to effectively perform their duties. If a question arises as to a department member's ability to perform regular duties due to an apparent low level of physical or mental health or fitness, the department member may be required to submit to a physical or mental health examination and bring their physical or mental fitness to a level which will allow them to effectively perform their duties.

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5.04.00 **DEPARTMENT MEMBERS SHALL REPORT FOR ASSIGNED SHIFTS:**
Department members shall report for duty on their assigned shifts except when injury, illness, or emergency situations prevent them from doing so.

5.04.01 **PERSONNEL SHALL REPORT PREPARED FOR DUTY:**

All personnel will report to duty, appropriately attired and equipped, at the beginning of their shift and will be physically and mentally fit to perform their duties.

- 5.04.02 **LATE REPORTING PERSONNEL SHALL NOTIFY SUPERVISOR:**
Department members unable to report for duty at the assigned time, shall notify their supervisor before the start of the shift to explain the situation and provide an estimated time of arrival.
- 5.04.03 **SUPERVISOR SHALL BE NOTIFIED OF FAILURE TO REPORT:**
Any department member unable to report for duty because of illness or injury must notify the supervisor on duty at least four (4) hours prior to their scheduled shift. Sudden onset of injury or illness or other emergency circumstances are sufficient cause for departure from the 4-hour notification requirement. However, the duty supervisor must still be advised as soon as possible.
- 5.05.00 **BRIEFING SHALL BE DONE AT START OF SHIFT:**
Department members will make themselves aware of any information necessary for proper performance of their duties during the beginning of their shift.

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- 5.06.00 **DEPARTMENT MEMBERS SHALL WORK A FULL SHIFT:**
Department members shall remain on duty for their entire assigned shift unless excused by a supervisor or command officer. During the shift, personnel will carry out their duties to the best of their ability. If any department member must leave duty before the end of shift that person will obtain permission of the supervisor before leaving.

- 5.07.00 **MEAL BREAKS ARE LIMITED TO SIXTY MINUTES:**

One hour of the daily scheduled shift will be a paid meal period. Meal breaks will be taken as approved by the shift supervisor.

5.07.01 **BREAKS ARE LIMITED:**

One half hour of the daily scheduled shift may be taken as paid breaks and will be taken as approved by the shift supervisor. During these breaks, the department member is not relieved of duties and will be obligated to respond from the break for any calls for service that occur unless directed otherwise by a supervisor or command officer.

5.08.00 **SICK LEAVE SHALL NOT BE ABUSED:**

Department members shall take sick leave only for instances of illness or injury or as specified in the City Personnel Manual. The department may at any time require a physician's statement to determine if a physician approves a department member's return to duty.

5.08.01 **SICK LEAVE ACCRUAL SPECIFIED IN CITY MANUAL:**

Sick leave will be accrued and administered as specified in the City Personnel Manual or as provided by City, State or Federal guidelines.

5.09.00 **WORK PERIOD ESTABLISHED BY AGREEMENT:**

Individual work unit labor agreement, or contract shall establish the work period for all employees of the Department.

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5.10.00 **PERSONNEL MUST REPORT FOR CALL BACK:**

In unanticipated emergency situations, department members may be called back to active duty after their assigned shift. In these situations, department members will be required to report back to duty and to carry out duties assigned by supervisors or command officers.

5.10.01 **PERSONNEL MAY BE PLACED ON STAND-BY STATUS:**

Department members may be placed on "stand-by" status when it is anticipated they may be called back to duty after going off shift. When placed on stand-by status, department members will:

- 1) remain near a telephone and leave the number with the designated person, or
- 2) utilize a pager and leave the number with the designated person, and
- 3) be prepared to report for duty immediately upon being notified to do so.

5.10.02 **COMPENSATION FOR CALL BACK/STAND-BY SPECIFIED:**
Department members shall receive compensation for call back and stand-by duty in accordance with the provisions of the City Personnel Manual and the current employee labor agreement.

5.11.00 **OVERTIME MAY BE REQUIRED:**
Department members may be required to work in excess of normally scheduled hours in a work period.

5.11.01 **OVERTIME COMPENSATION SPECIFIED IN CITY MANUAL:**
Department members will receive overtime compensation in accordance with the provisions of the City Personnel Manual or current employee labor agreement, when the overtime is authorized by a supervisor or command officer.

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5.11.02 **COURT APPEARANCES MAY BE REQUIRED OFF-DUTY:**
Department members who are required to appear in court in connection with their official duties, will appear and testify as directed even though the time of appearance falls when they are off duty.

5.11.03 **COMPENSATION FOR COURT APPEARANCES SPECIFIED:**
Compensation for court appearances will be paid in accordance with the provisions of the City Personnel Manual or current employee labor agreement.

5.12.00 **VACATION/ANNUAL LEAVE SPECIFIED IN CITY MANUAL:**
Department members shall accrue annual vacation with pay in accordance with the provisions of the City Personnel Manual.

5.13.00 **VACATION ELIGIBILITY SPECIFIED IN CITY MANUAL:**

Paid vacation leave may be taken in accordance with the provisions of the City Personnel Manual.

5.13.01 **VACATION REQUESTS SHALL BE MADE FOURTEEN DAYS PRIOR:**

Requests for vacation time shall be submitted for approval at least fourteen (14) calendar days in advance. If sufficient justification is presented, a supervisor may waive the 14-calendar days advance notice.

5.14.00 **LEAVE FROM WORK SPECIFIED IN CITY MANUAL:**

Leaves from work may be requested and taken in accordance with the provisions of the City Personnel Manual. Unless specified by law, labor agreement, or contract, no other leave shall be allowed.

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5.15.00 **SPECIAL UNIT ASSIGNMENTS SHALL BE ROTATED:**

Transfer of personnel to special unit duties will be on a rotational basis. The Chief of Police will determine the duration of these assignments. The following process will accomplish announcement and assignment of personnel to these units:

- 1) A written announcement of the opening and its requirements will be distributed to all personnel.
- 2) Department members wishing to apply for the position will submit a memorandum of intent, via the chain of command, to the Chief of Police indicating their desire to be considered for the position. This memorandum shall include,
 - a. an explanation of why the department member wishes to be considered for the position and,
 - b. a list of any qualifications which may be relevant, and
 - c. any other facts or reasons the department member feels should be considered.

- 3) The Chief of Police and the appropriate supervisor(s) will review these documents. If a decision is not made after the initial review, oral interviews may be conducted at the discretion of the Chief of Police.
- 4) The final decision will then be made and the assignment to the position will be announced via written memorandum.
- 5) If no personnel apply for the position, or those persons applying are deemed unsuited for assignment to the position, the vacancy will be filled with an appointment by the Chief of Police.
- 6) Officers vacating an assignment from a special unit may not reapply for any special unit position for a minimum of twelve (12) months, unless the Chief of Police waives this condition.

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5.16.00 **PROMOTIONS ARE SPECIFIED BY CIVIL SERVICE COMMISSION:**

All promotions will be made in accordance with the City of Gig Harbor Civil Service Commission Rules and Regulations.

5.17.00 **INITIATING LAWSUITS SHALL BE REPORTED TO CHIEF:**

No department member will bring a civil suit for damages sustained in the line of duty without first reporting the civil suit in writing to the Chief of Police.

5.17.01 **BEING NAMED IN LAWSUIT SHALL BE REPORTED TO CHIEF:**

Any department member who becomes aware that he/she will be named as a respondent in a civil suit arising from action in an official capacity, whether on or off duty, will immediately notify the Chief of Police in writing.

5.17.02 **BEING SERVED LEGAL PROCESS SHALL BE REPORTED TO CHIEF:**

Any department member who is served with a subpoena or other legal process relating to the business, operations, policies or procedures of the Department will inform the Chief of Police, in writing, immediately. This requirement does not apply to subpoenas relating to the prosecution of a routine criminal case.

5.17.03 **SELECTION TO JURY SHALL BE REPORTED TO SUPERVISOR:**

Department members receiving notice to appear for jury duty shall immediately notify, and deliver a copy of such notice to, their supervisor.

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5.18.00 **OFF-DUTY EMPLOYMENT SHALL BE APPROVED BY CHIEF:**

Any department member who wishes to take additional employment during off-duty hours will make written request to the Chief of Police before accepting the employment. In doing so, the department member will:

- 1) name the company and/or employer
- 2) fully describe the nature of the work to be performed
- 3) list hours of work

The request may be rejected, or resignation of off-duty employment may be ordered, if the Chief determines that the job:

- 1) involves misuse of, or is outside the jurisdiction of the commission
- 2) could adversely affect the department member's on duty work performance
- 3) could adversely affect the department's image or efficiency

This section also applies to off duty work with volunteer groups. Time worked in off-duty employment is not recognized as hours worked.

5.18.01 **PERSONNEL'S FIRST WORK OBLIGATION IS TO DEPARTMENT:**

The primary work obligation and responsibility of a department member who accepts off-duty employment will be to the department. Department members directed to report for duty will do so regardless of their off-duty employment status.

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5.19.00 **OFF DUTY OFFICERS SUBJECT TO COMPETENT AUTHORITY:**

Off duty officers are subject to orders from competent authority, and to emergency requests for assistance from citizens, *provided*; the officer has the necessary resources available to properly handle the emergency.

5.19.01 **OFF DUTY OFFICERS SHALL CARRY OFFICIAL IDENTIFICATION:**

While off duty, officers will carry official identification.

5.20.00 **COMMAND OFFICER SHALL BE NOTIFIED OF INJURY TO EMPLOYEE:**

In the event of serious illness or injury to a department member, the shift supervisor or a command officer shall notify the next of kin. Whenever possible, this notification shall include the department member's condition and location, and any assistance requested by the family shall be made. In all such events, a command officer shall be notified.

5.20.01 **CHIEF SHALL BE NOTIFIED OF EMPLOYEE DEATH:**

In the event of the death of a department member, the Chief of Police shall be notified. The Chief or his designee will assure that notification of the next of kin is completed in the manner specified by the department member in their personnel packet.

5.21.00 **CITIZEN DEATH NOTIFICATIONS MADE BY MEDICAL EXAMINER:**

Notifications of citizen death are normally made by the County Medical Examiner's Office. On occasion it is necessary for officers to make notifications of citizen death, serious injury, or serious illness. When requested to make such notifications, officers will do so, in person, in a professional, courteous and compassionate manner. Whenever possible, at least one uniformed officer shall be present when making such notifications.

12/30/99

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**ANNEX A TO CHAPTER 5
PATROL SHIFT ASSIGNMENT AND ROTATION**

The **normal** shift assignment, shift rotation and regular days off for patrol members shall be:

Work four consecutive ten-hour shifts, followed by three consecutive days off.

Normal shifts are:

Day -	0600 to 1600
Day Overlap -	0800 to 1800
Swing -	1600 to 0200
Overlap -	1700 to 0300
Early Grave -	1800 to 0400
Grave -	2000 to 0600

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CHAPTER 6

APPEARANCE STANDARDS AND GROOMING

- 6.00.00 **UNIFORMED PERSONNEL SHALL WEAR UNIFORM ON DUTY:**
Uniformed department members shall wear uniforms while on duty unless other attire is approved by a supervisor or command officer.
- 6.00.01 **UNIFORMS AND EQUIPMENT SUPPLIED BY DEPARTMENT:**
Equipment required to perform specified job duties, and initial uniform clothing, is supplied by the department. A yearly clothing maintenance allotment is provided to personnel on an as needed basis after initial outfitting.
- 6.00.02 **UNIFORM ITEMS SHALL NOT BE WORN WITH NON-UNIFORM ATTIRE:**
Uniform items shall not be worn with non-uniform attire.
- 6.00.03 **UNIFORMS SHALL BE KEPT IN GOOD REPAIR:**
All parts of the uniform shall be kept clean, neatly pressed, in good repair and properly fitting. Items worn out or damaged shall be replaced or repaired as necessary.
- 6.01.00 **MODIFICATIONS TO THE UNIFORM ARE PROHIBITED:**
Uniformed department members will wear only items approved by the department. No modifications to the uniform are permitted.
- 6.01.01 **ON DUTY CIVILIAN ATTIRE:**
Department members assigned to investigative or administrative positions shall wear clothing approved by their supervisor. Exceptions may be granted by a command officer. Personnel attending court or making other public appearances for the department shall wear the duty uniform or appropriate business attire.
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- 6.01.02 **COMMISSIONED PERSONNEL SHALL CARRY POLICE IDENTIFICATION:**
Commissioned personnel will be issued an official badge appropriate for their rank, and a commission

card. Every officer will carry the commission card while on duty, and shall display it upon request. Loss of the commission card or badge shall be immediately reported in writing to the Chief of Police through the Chain of Command.

6.01.03 **DRIVER'S LICENSE REQUIRED TO OPERATE CITY VEHICLES:**
Every department member who operates a city vehicle shall have a current, valid Washington State driver's license and shall carry such license when operating any city vehicle.

6.01.04 **UNAUTHORIZED EQUIPMENT IS PROHIBITED:**
No department member shall use or have any item of equipment that is not approved by the department while acting under color of authority as a member of the department. Unauthorized items shall not be kept in department facilities.

6.02.00 **DEPARTMENT EQUIPMENT SHALL BE USED FOR INTENDED PURPOSE:**
Department members will use department equipment only for its intended purpose in accordance with established departmental procedures and will not abuse, damage or lose that equipment. They will maintain all departmental equipment assigned to them in good condition. Department members will not convert department equipment to personal use.

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6.02.01 **DAMAGED EQUIPMENT SHALL BE REPORTED TO SUPERVISOR:**
Department members will immediately report, in writing, to a supervisor:

- 1) any damage to department property or equipment assigned to them
- 2) any inoperative, defective or hazardous equipment which comes to their attention

6.02.02 **DEPARTMENT MEMBERS MAY BE CHARGED FOR DAMAGED EQUIPMENT:**

Department members shall not lose, damage or waste department property or equipment through negligence, carelessness, or improper use. Department members responsible for such loss, damage or waste may be charged for replacement or repair of the property.

6.02.03 **EQUIPMENT SHALL BE RETURNED UPON REQUEST:**

Department members will turn in any department equipment assigned to them whenever directed. Upon separation of employment, all department owned property will be promptly returned.

6.02.04 **PERSONNEL SHALL NOT ATTEMPT MAJOR EQUIPMENT REPAIRS:**

With the exception of routine maintenance and cleaning, department members will not dismantle or attempt to repair equipment unless authorized to do so by a supervisor or command officer.

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CHAPTER 7

RULES OF CONDUCT

7.00.00 **DEPARTMENT MEMBERS SHALL ABIDE BY ALL LAWS:**
All members of the department shall be familiar with, conform to and abide by the laws of the United States, State of Washington, City of Gig Harbor and the departmental rules and regulations.

7.01.00 **MISCONDUCT WILL NOT BE TOLERATED:**
The duties performed by this agency are vital to the safety and well being of this community. Because of the importance of these duties, it is essential that the department set and maintain high standards of conduct among its personnel. Misconduct by department members will not be tolerated because it weakens the department's effectiveness, erodes public trust, and can endanger members of the public or personnel of this department.

7.01.01 **CONDUCT UNBECOMING A DEPARTMENT MEMBER DEFINED:**
Conduct unbecoming a department member shall include that which would tend to bring the Department into disrepute, erode public trust, reflect discredit upon the employee as a member of the Department or that which would tend to impair the operation, effectiveness or efficiency of the Department or the employee.

7.01.02 **CRIMINAL CONDUCT SHALL BE GROUNDS FOR TERMINATION:**
Violations of any law, an indictment of information filed against any department member, or a criminal conviction will be cause for disciplinary action up to and including termination of employment.

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7.02.00 **BASIC DUTIES ENUMERATED:**
Department members will perform their basic duties, preserve the public peace, prevent crime, detect and arrest law violators, protect life and property and enforce the criminal laws of this jurisdiction, the State of Washington and the United States, to the best of their ability and in accordance with the directives within this manual.

7.02.01 **DUTIES WILL BE PERFORMED IN A COMPETENT MANNER:**

Department members will perform their assigned duties in a competent manner. Incompetence may be demonstrated by, but not necessarily limited to:

- 1) a lack of knowledge of the laws to be enforced
- 2) an unwillingness to perform an assigned task
- 3) failure to conform to work standards established for the member's rank or position
- 4) failure to take appropriate action on the occasion of a crime, instance of disorder, or other incident
- 5) repeated performance evaluations showing substandard performance in a single category or overall composite score

7.03.00 **DEPARTMENT MEMBERS SHALL BE COURTEOUS TO PUBLIC:**

Department members will be courteous to the public and fellow employees. They will be orderly, attentive, and will exercise patience and discretion in dealing with the public.

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7.03.01 **DEPARTMENT MEMBERS SHALL REFRAIN FROM RIDICULE:**

Department members shall not engage in any political or religious discussions to the detriment of discipline. They shall not speak in a derogatory manner of the nationality, sex, race, creed or color of any person. They shall not ridicule or make remarks that would tend to jeopardize working relationships with other public agencies.

7.04.00 **DEPARTMENT MEMBERS SHALL COMPLY WITH ORDERS:**

Department members will promptly obey lawful orders or directions given by ranking personnel. This shall apply to any lawful orders or directions which are relayed through another department member. Any department member who fails to promptly obey a lawful order or direction will be considered insubordinate.

7.04.01 **SUPERIOR IS RESPONSIBLE FOR CONFLICTING ORDERS:**
A department member receiving any lawful order or direction given by a superior, which conflicts with any previous order or published directive, will respectfully bring this conflict to the attention of the superior. The superior who issued the conflicting order shall assume responsibility for the subordinate's action.

7.05.00 **POLITICAL ACTIVITY ON DUTY IS PROHIBITED:**
Department members shall not participate in political activities while on duty. Political activities include, but are not limited to:

- 1) soliciting or receiving any assessment, subscription or contribution for any political party or cause
- 2) storing, posting, carrying or distributing political literature of any nature

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7.06.00 **PUBLIC STATEMENTS MUST BE AUTHORIZED:**
Department members will not make statements on behalf of the department or city for publication or broadcast concerning the plans, policies, or administration of the department or city unless authorized to do so. Department members who plan to speak publicly concerning the work of the department or city will notify their supervisor, in writing, prior to speaking. Any public statement concerning department policy will accurately represent that policy. Any statement about the department or its functions which reflects a department member's personal opinion will be clearly identified as such.

7.07.00 **DEPARTMENT MEMBERS SHALL RESPOND TO CALLS PROMPTLY:**
Department members will respond in a prompt manner, appropriate to the circumstances, when dispatched or ordered to respond to a situation.

7.08.00 **PERSONAL BUSINESS ON DUTY IS PROHIBITED:**
Department members will not conduct personal business during duty hours.

7.09.00 **DEPARTMENT MEMBERS SHALL NOT ACCEPT GRATUITIES:**
Department members will not directly or indirectly solicit or accept gratuities, loans, gifts, merchandise, meals, beverages, or any other thing of value in connection with or resulting from their official position. Department members shall not use their official position, badges, or identification cards to obtain privileges not otherwise available to them.

7.09.01 **DEPARTMENT MEMBERS SHALL NOT ACCEPT REWARDS:**
No department member will accept or solicit any fee or other thing arising from performance of official duties unless first approved by the Chief of Police.

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7.10.00 **VERBAL ABUSE, HARASSMENT IS PROHIBITED:**
Department members will not verbally or otherwise abuse or harass other department members, or members of the public.

7.11.00 **DEPARTMENT MEMBERS SHALL NOT CONSUME ALCOHOL ON DUTY:**
Department members will not:

- 1) consume alcohol while on duty
- 2) report for duty with the odor of alcohol on their breath
- 3) consume any alcoholic beverage during the four hour period preceding the start of their scheduled shift
- 4) be under the influence of alcohol while on duty

7.12.00 **DRUGS AND MEDICATIONS AFFECTING DUTIES SHALL BE REPORTED:**
Department members will not have in their possession any controlled substance, narcotic, or hallucinogen, except in furtherance of their duties or when legally prescribed by a physician or dentist. When a department member is taking any medication that could affect work performance, the department member will notify their supervisor in writing.

7.13.00 **SLEEPING ON DUTY IS PROHIBITED:**
Department members will remain awake while on duty. If a department member is unable to remain awake, that person will report this to their supervisor.

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7.14.00 **DEPARTMENT MEMBERS SHALL NOT AID ESCAPE:**

Department members shall not:

- 1) aid any person to escape arrest or escape after arrest
- 2) aid anyone under suspicion or investigation by any department, to hamper an investigation

7.15.00 **CITY STATIONARY SHALL BE USED FOR OFFICIAL BUSINESS:**

City stationary or letterhead will be used for official purposes only.

7.16.00 **COMMERCIAL ENDORSEMENTS ARE PROHIBITED:**

Department members will not permit or authorize the identification of themselves as members of the department or use their official titles or uniforms in connection with any testimonials or advertisements for any commodity or any commercial enterprise.

7.17.00 **ASSOCIATION WITH KNOWN OFFENDERS IS PROHIBITED:**

Department members will avoid regular, unnecessary association with persons who they know or should know are racketeers, sexual offenders, professional gamblers, suspected felons, or persons under criminal investigation or indictment.

7.18.00 **DEPARTMENT MEMBERS ARE REQUIRED TO REPORT MISCONDUCT:**

Department members will report, in writing, any violation of department orders, neglect of duty, or illegal conduct by any member of the department to their supervisors or command officers.

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7.19.00 **OFF DUTY CONDUCT SHALL REFLECT FAVORABLY ON DEPARTMENT:**

Department members shall conduct themselves at all times while off duty, in such a manner as to reflect most favorably on the Department. When off duty, department members will not:

- 1) become involved in minor family or neighborhood disputes in their official capacity
- 2) exercise their official authority in disputes to which they are a party except in cases where there is an immediate danger to themselves or others

7.20.00 **DEPARTMENT MEMBERS SHALL NOT MAKE UNTRUTHFUL STATEMENTS:**

Department members shall not make false or misleading statements to a supervisor or command officer when questioned, interviewed or in submitting any verbal or written reports, or when testifying in court or other legal hearings.

7.21.00 **SPECIAL PRIVILEGE CREDENTIALS SHALL NOT BE GIVEN:**

Department members are prohibited from issuing any type of credential, or device which assumes to grant to the person holding such credential any special privileges or consideration so far as the business of the department or city is concerned.

7.22.00 **DEPARTMENT MEMBERS SHALL NOT FURNISH BOND OR BAIL:**

Department members shall not furnish bond or bail for any person other than a family member.

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7.23.00 **PERSONNEL SHALL NOT RECOMMEND LAWYER/BAIL BONDSMAN:**

Department members shall not recommend to any person, other than a family member, the services of any lawyer, bail bondsman, or bonding company.

7.24.00 **PURCHASES SHALL BE AUTHORIZED:**
Department members shall not purchase anything chargeable to the department except as authorized by a supervisor or command officer.

7.25.00 **SUPERVISORS SHALL BE NOTIFIED OF MAJOR INCIDENTS:**
Department members shall either personally or through the dispatcher, notify their supervisor and/or the Chief of Police of any crime or incident of major importance which, by its circumstances, may require their immediate attention at that time or upon reporting to duty at the start of the next business day.

06/15/98

CHAPTER 8

DISCIPLINE

8.00.00 **CITIZEN COMPLAINANTS SHALL BE REFERRED TO CHIEF OF POLICE:**

Citizens who wish to file complaints against department members will be informed of the manner in which this may be done. Department members shall courteously and promptly accept and record, in writing, any complaint made by a citizen against any department member and submit it through the chain of command to the Chief of Police. Department members shall never dissuade any citizen from lodging a complaint. As necessary, department members will refer citizens wishing to make complaints to the proper authority within the department. Anonymous complaints will be taken in the same manner.

8.01.00 **COMPLAINANTS SHALL NOT BE HARASSED:**

No department member will harass, verbally abuse, or threaten any person who files a complaint against any department member or whom they should reasonably believe will file such complaint in the future.

8.01.01 **COMPLAINTS SHALL BE LOGGED IN CENTRAL REGISTRY:**

Department members receiving any complaint made by a citizen against any department member, shall make a written entry in a central registry book. Entries shall include:

- 1) time and date of complaint
- 2) name of complainant (note also if anonymous)
- 3) how received (phone, in person, written)
- 4) to whom complaint was forwarded
- 5) name and personnel number of person receiving complaint

12/30/99

8-1

8.01.02 **REGISTRY SHALL BE MAINTAINED IN SGT.'S OFFICE:**

The central registry book shall be maintained in the Sergeant's office. It shall:

- 1) be constructed in such a manner that pages may not be easily removed

- 2) have sequentially pre-numbered pages
- 3) be reasonably secure from public view

Contents of the registry are confidential and release of any information therein is the sole responsibility of the Chief of Police.

8.02.00 **INTERNAL INVESTIGATIONS ARE RESPONSIBILITY OF CHIEF:**

The authority to initiate internal investigations, and to apply the disciplinary process, is the sole responsibility of the Chief of Police. Complaints to be addressed by either supervisory review or internal investigation are those which allege that an employee violated a law or department policy or regulation, and which are supported by reasonable cause to believe the violation may have occurred as alleged.

8.02.01 **NON-SERIOUS VIOLATIONS MAY BE HANDLED INFORMALLY:**

Minor violations by department members which come to the attention of a supervisor, may be handled informally at that level. The supervisor will not administer any disciplinary action, but will make a verbal or written corrective action. Written corrective actions will be forwarded to the Chief of Police.

12/30/99

8-2

8.02.02 **SERIOUS VIOLATIONS SHALL BE FORWARDED TO CHIEF:**

Serious violations by department members which come to the attention of a supervisor will be reduced to writing by the supervisor and immediately forwarded to the Chief of Police for a determination of the course of action to be taken. Serious violations will result in the initiation of an internal investigation. These violations include but are not limited to:

- 1) excessive use of force

- 2) criminal conduct
- 3) misconduct
- 4) untruthfulness

8.02.03 **PERSONNEL MAY BE RELIEVED OF DUTY PENDING INVESTIGATION:**

The Chief of Police may relieve department members from their normal duty assignment pending the outcome of the complaint process.

8.03.00 **DISPOSITION OF COMPLAINTS CLASSIFIED:**

Upon completion of the review of the charges in a complaint, the matter will be classified as:

- 1) Exonerated - the alleged conduct occurred, but it was lawful and proper
- 2) Unfounded - the complaint was false or did not occur
- 3) Not sustained - there was insufficient evidence to prove or disprove the allegation
- 4) Sustained - the allegation was supported by proper and sufficient evidence.

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8-3

8.03.01 **DISPOSITION OF COMPLAINTS SHALL BE IN WRITING:**

Department members will be promptly notified, in writing, of the disposition of the complaint.

- 1) A written record of the disposition of any sustained complaint will be placed in the department member's personnel file and maintained as a permanent part of the file. The department member may make a written statement regarding the outcome of the investigation, which will be placed in the personnel file upon their request and maintained as a permanent part of the file.
- 2) A written record of the disposition of any complaints which are not found to be sustained, will be maintained in a separate file for the

duration specified by the State Archivist, and then destroyed. No record of exonerated, unfounded or not sustained complaints will appear in the department member's personnel file.

8.04.00 **DISCIPLINARY ACTION TAKEN IN SUSTAINED COMPLAINTS:**
If a complaint is found to be sustained, disciplinary action will be taken. Depending on the severity of the violation involved and the employee's past record, such action could include but will not necessarily be limited to:

- 1) Written reprimand
- 2) Loss of accrued vacation days
- 3) Suspension without pay
- 4) Loss of pay and/or privileges
- 5) Reduction in rank
- 6) Termination of employment

8.04.01 **DEPARTMENT MEMBERS ARE NOTIFIED OF DISCIPLINARY ACTION:**
Department members will be promptly notified, in writing, of any disciplinary action to be taken.

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8.05.00 **CRIMINAL CHARGES SHALL NOT PREVENT INTERNAL PROCESS:**
Complaints against department members which involve criminal violation will be grounds for bringing criminal charges. This action will not serve to prevent the internal disciplinary process from dealing with the same matter.

8.06.00 **DEPARTMENT MEMBERS SHALL COOPERATE WITH INVESTIGATION:**
Department members will answer fully and truthfully all questions which a supervisor or command officer asks regarding performance of official duties and will cooperate with the internal disciplinary process.

8.06.01 **INVOLUNTARY STATEMENTS NOT USED IN CRIMINAL PROCEEDINGS:**
Statements made in the department's internal investigation which are involuntary will not be admissible in a criminal prosecution.

- 8.07.00 **DEPARTMENT MEMBERS MAY APPEAL DISCIPLINARY ACTION:**
Department members may appeal disciplinary actions:
- 1) to the Civil Service Commission as prescribed in the commission rules and regulations manual, or
 - 2) by following the grievance procedure outlined in the City Personnel Manual

8.08.00 **EXCEPTIONAL PERFORMANCE MAY BE RECOGNIZED:**
The department may recognize personnel who demonstrate exceptional skill, courage, or dedication in any event.

8.08.01 **MERITORIOUS PERFORMANCE CRITERIA:**
A department letter of meritorious performance may be awarded to those department members who distinguish themselves by displaying an especially good performance in a minor or routine situation.

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8.08.02 **EXEMPLARY PERFORMANCE CRITERIA:**
A department letter of exemplary performance may be awarded to those department members who distinguish themselves by displaying an especially good performance in a situation that would not be classed as routine in nature.

8.08.03 **COMMENDATION CRITERIA:**
A department letter of commendation may be awarded to those department members who distinguish themselves by displaying an exceptional performance on a major assignment or in an especially difficult situation.

8.08.04 **AWARD OF VALOR CRITERIA:**
A department award of valor may be awarded to those department members who distinguish themselves by conspicuous bravery and/or heroism involving other persons actually present while hostile action or extreme personal danger is a factor, and injury is not sustained by the department member as a direct result of the action.

8.08.05 **MEDAL OF HONOR CRITERIA:**

A department Medal of Honor may be awarded to those department members who distinguish themselves by conspicuous bravery and/or heroism involving other persons actually present while hostile action or extreme personal danger is a factor, and injury is sustained by the department member as a direct result of the action.

8.08.06 **LIFE SAVING AWARD:**

A department Life Saving Award may be awarded to a department member who performs an act which leads directly to the saving of a human life while in the performance of official duties.

12/30/99

CHAPTER 9

GENERAL VEHICLE STANDARDS

- 9.00.00 **VEHICLES SHALL BE OPERATED SAFELY:**
Department members shall operate city vehicles in a safe and skillful manner and in compliance with the vehicle laws of the State of Washington and the City of Gig Harbor.
- 9.01.00 **VEHICLES SHALL BE USED FOR OFFICIAL DUTIES:**
Department members will not use department vehicles except for assigned official duties or department functions.
- 9.01.01 **SPECIAL PURPOSE VEHICLES OPERATED BY AUTHORIZED PERSONS:**
Any city boat or special purpose vehicle operated or used by this department shall be operated only by a person authorized to operate such vehicle. All operations shall be in accordance with municipal, state, and federal regulations. The utilization or operation of such vehicle shall be accomplished only with the approval of the Chief of Police or his designee. Specific written policies and procedures will be made available to the operator of the special purpose vehicle prior to such operation or utilization.
- 9.02.00 **DEPARTMENT MEMBERS RESPONSIBLE FOR VEHICLE EQUIPMENT:**
Department members are responsible for their vehicle being properly equipped.
- 9.02.01 **VEHICLE SHALL BE INSPECTED PRIOR TO USE:**
Department vehicles will be inspected by department members prior to being driven. Any damage to the vehicle or inoperative or faulty equipment will be documented immediately and submitted to the shift supervisor.
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- 9.03.00 **UNAUTHORIZED PERSONS SHALL NOT BE TRANSPORTED:**
Department members will not transport or let unauthorized persons ride in city vehicles unless the transportation is in connection with official department business. Department members shall not

let unauthorized persons drive a City vehicle or have in their possession the keys to such vehicles.

9.04.00 **TRANSPORTING SICK OR INJURED PERSONS:**

Department members shall not transport sick or injured persons in a police vehicle except:

- 1) in extreme emergency to save a person's life, or
- 2) when a person in custody needs transport to a medical facility for a minor injury or illness

9.05.00 **VEHICLES SHALL BE PARKED LEGALLY:**

Department members will legally park vehicles in a position that enables them to exit quickly and easily in an emergency response situation.

9.06.00 **DEPARTMENT MEMBER DUTIES AT CITY VEHICLE ACCIDENT:**

When a city vehicle is involved in an accident, department members will:

- 1) render necessary aid to the injured
- 2) remove any hazards to life or property
- 3) contact their supervisor promptly
- 4) admit no liability to other persons
- 5) cooperate fully with the supervisor investigating the accident
- 6) prepare an officer's report and state accident report and submit them to the supervisor

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9-2

9.06.01 **SUPERVISORS DUTIES AT CITY VEHICLE ACCIDENT:**

When a city vehicle is involved in an accident, supervisors shall:

- 1) thoroughly investigate the accident
- 2) submit all reports to the Chief of Police

9.06.02 **CHIEF MAY DEFER ACCIDENT TO REVIEW BOARD:**

When an accident occurs, the Chief of Police may convene a department accident review board

9.06.03 **REVIEW BOARD SHALL CONSIST OF DEPARTMENT MEMBERS:**
The accident review board shall consist of three members of the department and will be chaired by the Chief or his designee. It shall be the assignment of the board to determine:

- 1) if the accident is "chargeable" or "not chargeable", and
- 2) the degree of responsibility, and
- 3) whether any laws or department procedures or policies were violated

9.06.04 **REVIEW BOARD SHALL SUBMIT FINDINGS TO CHIEF:**
The accident review board shall submit their findings to the Chief in writing along with any recommendations the board may deem necessary.

9.06.05 **CHIEF TO REVIEW FACTS OF ACCIDENT:**
After receiving the reports and findings of the accident review board, the Chief will make the final determination as to what action is to be taken and will so advise the department member.

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9-3

9.07.00 **SEAT BELTS SHALL BE USED IN ALL CITY VEHICLES:**
When driving or riding in a city vehicle, department members shall use the seat belts in the manner for which they were designed. Department members shall also assure that others in the vehicle adhere to this requirement.

9.08.00 **PERSONNEL SHALL NOT REPAIR VEHICLES:**
With the exception of what would generally be considered routine maintenance and cleaning, department members will not dismantle or attempt to repair vehicles unless authorized to do so.

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CHAPTER 10

EVIDENCE AND PROPERTY

10.00.00 **DEPARTMENT MEMBERS SHALL PROTECT EVIDENCE/FOUND PROPERTY:**

Department members shall protect, control, and correctly process all evidence or property which comes into their possession during their official duties. In processing property and evidence, department members will follow all departmental rules, procedures and training they have received.

10.01.00 **DESTRUCTION OF EVIDENCE/FOUND PROPERTY PROHIBITED:**

Department members will not convert to their own use, loan, destroy, or give away any item of property or evidence coming into their possession during their official duties.

10.02.00 **EVIDENCE/FOUND PROPERTY SHALL BE SECURED:**

When department members take possession of evidence or found property, they will retain it in their possession and will check it into the property room or property locker as soon as possible, but no later than the end of their shift.

10.02.01 **DEPARTMENT MEMBERS SHALL MAINTAIN CHAIN OF EVIDENCE:**

When processing evidence, department members will keep evidence secure and in good condition and will maintain a documented chain of custody.

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10.02.02 **DEPARTMENT MEMBERS SHALL TAG EVIDENCE/FOUND PROPERTY:**

When checking evidence or found property into the property room or property lockers, department members will:

- 1) mark the item, or attach a tag, with

- a. case number
 - b. date of case
 - c. personnel initials
 - d. unique item number
 - e. additional identifiers as needed
- 2) complete all necessary forms associated with the item being checked into the property system

10.03.00 **EVIDENCE CUSTODIANS:**

The Chief of Police shall designate custodians of evidence and found property via memorandum.

10.03.01 **LIEUTENANT SHALL ESTABLISH PROPERTY ROOM RULES:**

The Lieutenant shall establish written rules governing the operation of the property room. These rules shall be approved by the Chief of Police. Personnel working in the property room shall follow these rules.

10.04.00 **DISPOSITION OF PROPERTY SHALL COMPLY WITH STATE LAW:**

All property retained by the evidence custodians will be disposed of in accordance with applicable state law. Regardless of method of final disposition, the evidence custodians shall assure the appropriate documentation is completed and retained on file and that appropriate notations are made in all control records.

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CHAPTER 11

REPORTS, RECORDS AND DEPARTMENT INFORMATION

11.00.00 **DEPARTMENT MEMBERS SHALL ACCURATELY COMPLETE REPORTS:**

Department members shall accurately complete all required forms and reports. Department members will not divulge the contents of reports or records or other departmental information except as authorized.

11.01.00 **REPORTS SHALL BE SUBMITTED BY END OF SHIFT:**

Department members shall submit reports as soon as possible, but no later than leaving duty at the end of the shift, unless directed otherwise by the shift supervisor or command officer.

11.02.00 **CRIMINAL HISTORY RECORDS ARE CONFIDENTIAL:**

All information contained in the department's criminal history records file are confidential. This information shall not be released except in instances where law requires or allows dissemination to serve a legitimate law enforcement or other public interest function. All requests for criminal history record information by any individual who does not represent a criminal justice agency will be referred to a police services specialist.

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11-1

11.02.01 **RELEASE OF JUVENILE RECORDS IS RESTRICTED:**

Juvenile records will only be released to other members of the juvenile justice system, and then only for the purpose of an investigation involving that juvenile, or for assisting that agency in supervising the juvenile. Requests from other

agencies, or for other purposes, should be referred to the juvenile court. This policy shall not prohibit the release of juvenile records:

- 1) when such release cannot reasonably be expected to identify the juvenile or the juvenile's family
- 2) to a victim as provided under state law

11.02.02 **JUVENILE JUSTICE AGENCIES DEFINED:**

For the purpose of this policy, juvenile justice agencies shall include:

- 1) police departments
- 2) diversion units
- 3) courts
- 4) prosecuting attorneys
- 5) detention centers
- 6) DSHS and its contracting agencies

11.02.03 **DEPARTMENT MEMBERS SHALL NOT FALSIFY OR DESTROY RECORDS:**

No department member will falsify, destroy, alter, or remove any report or record of this department. Anyone having knowledge of such behavior will report it to his supervisor.

11.02.04 **DEPARTMENT MEMBERS SHALL NOT REMOVE ORIGINAL DOCUMENTS:**

Department members will not remove original case reports, packets, or other records from the police station unless authorized to do so by a command officer or required for court purposes.

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11.02.05 **COMPLAINANTS, VICTIMS, WITNESSES SHALL NOT BE DISCLOSED:**

Department members shall not release the names, addresses, or phone numbers of complainants, victims or witnesses unless in conformity with state law or regulation.

11.03.00 **DEPARTMENT INFORMATION IS CONFIDENTIAL:**

Department members will regard all information concerning the official business and policies of the department as confidential and will not release such information unless its release is specifically

permitted. No department member will communicate, relay or release any department information to any person which would in any way hamper or compromise the department's operations or investigations. Any person requesting such information should be told to submit the request in writing to the Chief of Police.

11.04.00 **ADDRESS/TELEPHONE NUMBER OF PERSONNEL IS CONFIDENTIAL:**

Department members will not divulge the address or telephone number of any department member to any person outside the department.

11.04.01 **PERSONNEL SHALL NOT DIVULGE IDENTITY OF INFORMANTS:**

Department members will not divulge the identity of persons giving confidential information to the department except as directed by a supervisor or command officer, or as directed by a court order.

06/15/98

CHAPTER 12

COMMUNICATIONS

12.00.00 **COMMUNICATION EQUIPMENT ONLY USED FOR OFFICIAL BUSINESS:**
Department members shall use city communication facilities or equipment for official purposes only.

12.01.00 **REPORTING LOCATION AND SERVICE STATUS:**
Officers will keep radio dispatchers advised of their location and current status.

12.02.00 **OFFICERS SHALL PROMPTLY ANSWER RADIO CALLS:**
Officers will promptly answer all radio calls from dispatchers.

12.03.00 **RADIO COMMUNICATION SHALL REMAIN COURTEOUS:**
Department members shall not argue, chide or exchange curt remarks while making radio transmissions. If there is cause for complaint, it will be made in writing and submitted to a supervisor.

12.04.00 **TELEPHONE COMMUNICATION SHALL REMAIN COURTEOUS:**
Department members will conduct telephone conversations in a courteous manner and will attempt to see that the caller receives any department services that are needed.

12.05.00 **ACCESS SYSTEM INFORMATION IS CONFIDENTIAL:**
Messages sent or received via the ACCESS system will be regarded as the official business of the department and will not be divulged to persons outside the department unless necessary for department operation.

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12.05.01 **DEPARTMENT MEMBERS SHALL BE FAMILIAR WITH ACCESS SYSTEM:**
Department members shall be familiar with the operation of the ACCESS system and have a basic understanding of its capabilities.

- 12.06.00 **OFFICIAL CORRESPONDENCE SHALL BE APPROVED BY SUPERVISOR:**
All official department correspondence shall be reviewed and approved by a supervisor or command officer before being forwarded.
- 12.07.00 **PERSONNEL SHALL NOT REPAIR COMMUNICATION EQUIPMENT:**
Under no circumstances shall anyone, other than personnel so designated, transmit, adjust, repair or attempt to adjust or repair any communications or computer equipment.
- 12.08.00 **RADIOS SHALL BE OPERATED IN COMPLIANCE WITH FCC:**
Department members will operate radios in the proper manner and strictly adhere to all applicable laws, rules and regulations of the Federal Communications Commission.

06/01/96

CHAPTER 13

MEDIA RELATIONS

- 13.00.00 **DEPARTMENT MEMBERS SHALL BE COURTEOUS TO THE MEDIA:**
Department members will treat official news media personnel in a courteous, professional manner. Official news media personnel are those individuals who are directly employed by agencies of the electronic or print media. Freelance workers in this field are to be regarded as other members of the general public unless otherwise designated by the chief of police. Any request by the media for confidential information or access to restricted areas should be politely referred to the chief of police or his designee.
- 13.00.01 **CONTROVERSIAL QUESTIONS SHALL BE REFERRED TO SUPERVISOR:**
Department members who are confronted by members of the media with questions of a controversial nature or which might compromise department operation will immediately refer the matter to a supervisor or command officer.
- 13.01.00 **STATEMENTS ON DEPARTMENT POLICY MADE BY CHIEF:**
Statements to the media regarding department policies, philosophy, internal matters or enforcement procedures will only be made by the Chief of Police or his designated representative.
- 02/05/01
- 13-1
- 13.02.00 **RELEASE OF INFORMATION TO MEDIA REQUIRES SUPERVISOR:**
Release of public information to the media, which is disseminated at the scene of a crime, from agency

files, or concerning an ongoing criminal investigation will be made only upon approval of a supervisor or command officer. Public information is information that may be of interest to the general public regarding events involving the department or otherwise newsworthy information that is not legally protected, which does not unduly interfere with the mission of the department, infringe upon the rights of a defendant, or compromise the legitimate safety and privacy interests of officers, victims, witnesses, or others.

13.02.01 **PRESS RELEASES SHALL BE AVAILABLE TO MEDIA:**

When approved, as directed in 13.02.00, press releases shall:

- 1) be written and posted with the police services specialists for dissemination upon request
- 2) be made available to any bona fide media representative by telephone, facsimile, or other means upon request
- 3) contain only subject matter which serves the public need for information relating to the incident in question

02/05/01

13-2

13.02.02 **RELEASE OF INFORMATION AT ARREST RESTRICTED:**

Following arrest or the issuance of an arrest warrant, *it is* permissible to release:

1. The suspect's name, age, city of residence, occupation, unless the accused is 17 years of age or under or is taken into custody because of mental illness;

2. The date, time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges forwarded to the prosecutor's office, and description of contraband seized;
3. The duration of the investigation;
4. The amount of bond, scheduled court dates, and place of the suspect's detention.

13.02.03 **ONGOING INVESTIGATION INFORMATION IS LIMITED:**

Release of information to the media, pertaining to an ongoing investigation, will be made as directed by a command officer. Information that **may be released** in connection with investigations includes:

1. The type or nature of an event or crime;
2. The general location, date and time, injuries sustained, damages, and a general description of how the incident occurred;
3. Type of property taken or damaged;
4. The identity and approximate address of a victim with the exception of sex crime victims, victims 17 years of age or under, or in cases where reprisals or intimidation may be employed;
5. Requests for aid in locating evidence, a complainant, or a suspect;
6. Number of officers involved in an event or investigation, and the length of the investigation.

02/05/01

13-3

Information, which **may not be released** in connection with investigations of an event or crime, unless authorized by the chief of police, includes:

1. The identity of a suspect prior to arrest unless such information would aid in the apprehension of the suspect or serve to warn the public of potential danger;
2. The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim's identity;

3. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim or witness in potential danger;
4. The identity of any juvenile, 17 years of age or under, who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court;
5. The identity of any complainant 17 years of age or under;
6. The identity of any critically injured or deceased person prior to notification of next of kin;
7. The results of any investigation procedure such as lineups, polygraph tests, or other procedures. The fact that these tests have been performed may be revealed without further comment;
8. Information which, if prematurely released, may interfere with the investigation or apprehension such as the nature of leads, specifics of an MO, details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension;

02/05/01

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9. Information that may be of evidentiary value in criminal proceedings;
10. Specific cause of death unless officially determined by the medical examiner, and;
11. The home address, telephone number, or email address of any member of the department.

13.02.04 **CHIEF SHALL APPROVE INFORMATION AFTER FORMAL CHARGING:**

After formal charging has been accomplished, the Chief of Police or his designee will approve all release of information.

13.02.05 **PUBLIC INFORMATION OFFICER MAY BE APPOINTED:**

A command officer may appoint any department member as a Public Information Officer (PIO) for any individual incident. The PIO will be responsible for supplying all information to the media and will be available to:

1. Prepare and distribute news releases.
2. Arrange for, and assist at, news conferences.
3. Coordinate and authorize the release of information about victims, witnesses and suspects.
4. Assist in crisis situations within the agency.
5. Coordinate the release of authorized information concerning confidential agency investigations and operations.

In instances where more than one public safety agency is involved in a mutual effort, the agency having primary jurisdiction should be responsible for release, or coordinating the release of, information.

02/05/01

13-5

13.03.00 **MEDIA MAY PHOTOGRAPH DEFENDANTS:**

Department members will not prevent press photographers from photographing defendants when they are in public places. Department members shall not encourage such photographs and will not pose a defendant.

13.03.01 **MEDIA SHALL HAVE SAME ACCESS AS GENERAL PUBLIC:**

Media representatives have no guaranteed right to access beyond those established for the general public. The lead investigator, assigned PIO, or a command officer is responsible for coordinating the media at a crime scene under the department's control. Media members will be allowed up to, but not beyond, the defined crime scene boundaries. Media members shall be denied access to specific areas if:

- 1) the owner of private property requests they be excluded, or

- 2) there is any possibility of evidence being compromised or removed from the scene, or
- 3) the investigation may be hampered, or
- 4) their presence will effectively disrupt tactical operations or place a citizen or police officer at risk of injury.

At the scene of major crimes or incidents, the officer in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow. At the discretion of the officer in charge, an inner perimeter may be established for the media from which to record the event.

02/05/01

13-6

13.03.02 **DEPARTMENT MEMBERS SHALL WARN MEDIA OF DANGERS:**

Department members shall make a reasonable attempt to warn media representatives of any known dangers, but the presence of danger will not prevent media personnel from entering a particular area. The department shall not be held responsible for the safety of media personnel. Department members may warn media members who enter restricted areas or refuse to remain in a specified media area, that they may be subject to arrest for interfering with police investigations.

02/05/01

13-7

CHAPTER 14

UNIFORMS, GROOMING AND EQUIPMENT

14.00.00 **PATROL PERSONNEL SHALL WEAR UNIFORMS:**
Patrol personnel shall wear the proper and complete department uniform in the prescribed manner except when working in an assignment which requires them to be out of uniform.

14.01.00 **PERSONNEL WILL WEAR ONLY ISSUED UNIFORM:**
Patrol personnel will wear only uniform items authorized by the department.

14.02.00 **BODY ARMOR SHALL BE WORN UNDER DUTY UNIFORM:**
Patrol personnel shall wear body armor beneath their duty uniform shirt, or as otherwise directed, while on duty.
Personnel assigned to Bicycle Patrol or Marine Services duties should wear body armor but are not required to do so *when weather conditions make this impractical.*

14.03.00 **DUTY UNIFORM DESCRIBED:**
Patrol personnel will wear the duty uniform as specified. (with or without coat or sweater)

- 1) Cap (Optional) - Authorized Navy blue baseball cap with department emblem attached to front
- 2) Short or long sleeve shirt, with open collar or tie
- 3) White or Navy blue, crew-neck undershirt, or Navy blue turtleneck undershirt
- 4) Trousers and issued belt.
- 5) Navy blue or black socks.
- 6) Duty belt/equipment
- 7) Black leather footwear.

12/30/99

14.03.01 **LONGEVITY STRIPES WORN ON LONG SLEEVE SHIRTS:**
Officers will wear one longevity stripe for every three years of full time service. The longevity stripes will be worn on the long sleeve shirt. They

will be worn centered three (3) inches above the lower edge of the left sleeve.

14.03.02 **BADGE SHALL BE WORN ON PROVIDED TAB:**

The badge will be worn above the left pocket on the provided badge tab of the uniform shirt.

14.03.03 **NAME TAGS SHALL BE WORN ON UNIFORM SHIRT:**

A nametag shall be worn centered above the right breast pocket of the shirt. The name will contain either the first or middle initial and full last name or first initial and full last name.

14.03.04 **DEPARTMENTAL PATCHES SHALL BE WORN ON BOTH SHOULDERS:**

The departmental patch will be worn centered on both shirtsleeves one (1) inch below the shoulder seam.

14.03.05 **CLOTH NAME TAGS SHALL BE WORN ON CERTAIN GARMENTS:**

Cloth nametags will be substituted for the metal nametags on the coat, sweater, fatigues, and jump suit. The cloth nametag shall be worn centered above the right breast pocket. The name will contain either the first or middle initial and full last name or first initial and full last name. The nametag for fatigue uniforms shall be subdued.

14.03.06 **AUTHORIZED COATS MAY BE WORN:**

Officers may wear an authorized coat at their option. Departmental patches will be worn centered on both sleeves one (1) inch below the shoulder seam. A cloth badge will be worn on the left side of the coat.

12/30/99

14-2

14.03.07 **AUTHORIZED RAIN JACKETS MAY BE WORN:**

Rain jackets shall be reversible black/orange in color. Department members wearing the reversible jackets shall wear the orange side out when heightened visibility will aid in officer safety.

14.03.08 **JUMP SUITS MAY BE WORN WITH SUPERVISOR APPROVAL:**

Jump suits may be worn upon authorization of a supervisor or command officer. All patches, nametags, and insignia will be worn on the jump suit in the same manner prescribed for the duty coat. A navy blue turtle neck undershirt will be worn under the jump suit.

14.03.09 **LEATHER GLOVES MAY BE WORN:**

Black leather gloves may be worn when needed for protection from weather or other existing elements. No "Sap" type gloves will be permitted.

14.03.10 **DISPOSABLE GLOVES SHALL BE WORN WHEN REQUIRED:**

Disposable gloves shall be worn when possible exposure to health risk is present. All personnel shall have at least one pair of disposable gloves included in their personal equipment while on duty.

14.04.00 **DUTY AMMUNITION SHALL BE ISSUED BY DEPARTMENT:**

The department shall furnish all ammunition carried while on duty.

14.05.00 **SERVICE SIDEARM SHALL BE AUTHORIZED BY DEPARTMENT:**

The department shall issue a standard service sidearm to all full time, fully commissioned personnel. Personnel desiring to carry a different service sidearm may do so at their own expense, *provided*; the department rangemaster and Chief of Police approve the weapon. All department rules and regulations apply to privately purchased weapons.

12/30/99

14-3

14.06.00 **OPTIONAL BACKUP HANDGUN MUST BE AUTHORIZED BY DEPARTMENT:**

Fully commissioned personnel desiring to carry a backup handgun may do so at their own expense, *provided*; the weapon is

- 1) the same caliber as the service sidearm, and
- 2) approved by the department rangemaster and Chief of Police, and
- 3) concealed in a secure holster which is approved by the rangemaster.

All department rules and regulations apply to optional backup handguns.

14.07.00 **CARRYING WEAPONS OFF DUTY IS RESTRICTED:**

Officers may carry the authorized service sidearm and issued ammunition while off duty, *except when*:

- 1) participating in social functions, engagements, recreational activity, or any personal business where being armed is not practical
- 2) participating in any personal activity while consuming intoxicating beverages

12/30/99

14-4

14.08.00 **ITEMS ON DUTY BELT SHALL NOT IMPAIR SIDEARM:**

Officers will assure that no item of equipment impairs their ability to safely draw and holster their service sidearm or ammunition under any condition.

- 1) The duty belt shall be snug and worn directly over the trouser belt.
- 2) The holstered weapon will be worn on the strong side.
- 3) In addition to the fully loaded magazine carried in the service sidearm, two fully loaded magazines will be carried in a holder on the belt.
- 4) A maximum of two (2) handcuff cases are authorized to be worn on the belt.
- 5) Radio holder will be worn on the belt.
- 6) Authorized impact weapon holders may be worn as specified in training.
- 7) Flashlight holders may be worn on the belt.

- 8) Aerosol Subject Restraint (ASR) holder will be worn as specified in training.
- 9) Key ring may be worn on the belt.
- 10) Mini-mag light, if used, will be the standard six (6) inch light, sheathed in an authorized holder.
- 11) A knife, if used, shall be limited to a single bladed, folding knife with a closed overall length of no more than four (4) inches. It will be sheathed in an authorized holder.

14.09.00 **HANDCUFFS SHALL BE OF MAJOR MANUFACTURE:**
Handcuffs and key shall be Peerless, Smith and Wesson, or equivalent.

12/30/99

14-5

14.10.00 **UNIFORM EQUIPMENT SHALL BE MAINTAINED:**
Personnel will maintain all equipment items in good condition and repair. All department issued equipment shall be readily available for inspection upon the direction of a supervisor or command officer.

14.11.00 **DRESS UNIFORM SHALL BE WORN WHEN DIRECTED:**
Uniformed department members will wear the dress uniform when directed or authorized by a supervisor or command officer, as specified.

- 1) The cap shall be worn with the dress uniform. Officers will wear a silver cap band and sergeants and command officers will wear a gold cap band.
- 2) Long sleeve, white shirt
- 3) Authorized dress uniform jacket
 - a. The Lieutenant will wear one gold braid on each sleeve of the dress uniform jacket, two and one-half inches from the bottom of the cuff.
 - b. The Chief of Police will wear two gold braids on each sleeve of the dress uniform jacket, two and one-half inches from the bottom of the cuff.

- 4) Black, cloth necktie and issued tie bar.
- 5) Trousers and issued belt.
- 6) Black leather footwear.
- 7) Navy blue or black socks.

14.11.01 **BADGE SHALL BE WORN ON DRESS JACKET:**

The badge will be worn on the provided badge tab of the dress uniform jacket.

12/30/99

14-6

14.11.02 **LONGEVITY STARS SHALL BE WORN ON DRESS JACKET:**

Longevity stars will be worn on the dress uniform jacket. Officers will wear one longevity star for every five years of full time service. They will be worn centered three (3) inches above the lower edge of both jacket sleeves. Patrol officers will wear white longevity stars and gold longevity stars will be worn by officers with the rank of Sergeant or above.

14.12.00 **CHIEF OF POLICE SHALL WEAR THREE STARS:**

The Chief of Police will wear three gold stars on each side of the uniform shirt collar.

14.13.00 **LIEUTENANT SHALL WEAR ONE BAR:**

The Lieutenant will wear a gold bar on each side of the uniform shirt collar.

14.14.00 **SERGEANT SHALL WEAR THREE CHEVRONS:**

Sergeants will wear three blue chevrons with a white border on both sleeves. The chevrons will be centered on the sleeve one (1) inch below the shoulder patches of the shirt and jackets. The one (1) inch minimum will be waived if there is insufficient room to comply.

14.15.00 **APPEARANCE AND GROOMING STANDARDS:**

Department members shall practice the highest level of personal hygiene so as not to become offensive to the public or other employees. Hair styles will be in conformance with the following restrictions:

- 1) Hair shall be well groomed and neatly kept. The back may extend to the shirt collar. Hair may cover a small portion of the top of the ear. Side burns may extend to mid-ear and will be trimmed horizontally. Hair shall not create a safety problem and shall not interfere with wearing the uniform cap. Conspicuous berets, pins or combs will not be worn.
- 2) Mustaches, if worn, shall be trimmed at the edge of the upper lip. Beards are prohibited.

12/30/99

14-7

14.16.00 **DEPARTMENT SHALL PROVIDE EQUIPMENT LOCKERS:**

The department shall provide each officer with a locker for the storage of departmental equipment, uniforms, and necessary personal items. These lockers remain the property of the Department. Officers shall keep their lockers clean and orderly. Lockers will be open for inspection at the discretion of a supervisor or command officer. The department shall keep the master key for all lockers and officers are prohibited from installing their personal locks on these lockers.

12/30/99

14-8

CHAPTER 15

UTILIZATION OF INFORMANTS

15.00.00 **USE OF INFORMANTS CONTROLLED BY SUPERVISORS:**

The use of informants shall be controlled by the sergeant(s) or lieutenant. During an investigation, department members shall not authorize informants to:

- 1) consume any alcoholic beverage while under the age of 21
- 2) carry any firearm or other dangerous weapon
- 3) use illegal drugs

15.00.01 **LIEUTENANT WILL DETERMINE SUITABILITY OF INFORMANTS:**

The lieutenant will determine the suitability of informants. In making this determination the lieutenant shall:

- 1) prepare a confidential file on informant applicants
- 2) conduct a local and national criminal history record check of informant applicant
- 3) maintain a hard copy of the results of the records check in the informant's file
- 4) prepare a list of categories of crimes for which the informant may not be used
 - a. this list shall be developed, keeping in mind the informant's criminal record and the possible conflict with the community's moral and ethical standards, if the informant were to be used in a specific type of criminal investigation
 - b. this list shall be reviewed by the Chief of Police
 - c. this list shall be maintained in the informant's file

06/01/96

15-1

15.00.02 **USE OF JUVENILE INFORMANTS RESTRICTED:**

No juvenile will be used as an informant unless written consent is obtained from a parent or legal guardian. Every effort shall be made to obtain consent of both parents.

15.00.03 **INFORMANT USE WILL BE REVIEWED WITH LIEUTENANT:**

Any department member utilizing an approved informant shall review the informant file with the lieutenant. The lieutenant shall explain any informant use restrictions listed in the file.

15.00.04 **LIEUTENANT WILL MAINTAIN INFORMANT FILES:**

Informant files shall be maintained in a locked file cabinet in the lieutenant's office. The lieutenant will maintain control over the informant files. Only authorized personnel will be allowed access to the files. These files will include:

- 1) biographical and background information
- 2) criminal history records, if any
- 3) payments made to the informant, if any
- 4) information received from the informant
- 5) the nature of the informant's operational involvement within the agency
- 6) code name or number of the informant
- 7) the file security classification
- 8) a photograph of the informant
- 9) a copy of the informant's fingerprints

06/01/96

15-2

15.00.05 **INFORMANT PAYMENTS REQUIRE SUPERVISOR APPROVAL:**

Promises of payment shall not be made to an informant without the prior approval of a supervisor. All payments will be witnessed by a second officer and the informant will sign a receipt for the payment received. Payments made to an informant will be listed in the informant's confidential file.

15.00.06 **LIEUTENANT MAY ISSUE UP TO \$300:**

The lieutenant is authorized to issue up to \$300 (three hundred dollars) to a department member to

carry for prospective purchases. Any single purchase or payment:

- 1) over \$100 (one hundred dollars) must be authorized by a supervisor
- 2) over \$500 (five hundred dollars) must be authorized by a command officer
- 3) over \$1000 (one thousand dollars) must be authorized by the Chief of Police.

15.00.07 **CHARGE REDUCTIONS REQUIRE APPROVAL:**

Promises of dropping or reducing a charge or charges will not be made to an informant without the prior approval of a command officer and the city or county prosecutor's office.

15.00.08 **TWO OFFICERS SHALL BE PRESENT WHEN CONTACTING INFORMANT:**

When contacting informants outside the police station, two department members shall be present. One of the department members shall be present in the area to provide protection for the other member and shall maintain constant visual observation of the contact.

15.00.09 **INFORMANT SEARCHES SHALL BE DONE BY SAME SEX EMPLOYEE:**

Searches of informants shall be conducted by a department member of the same sex.

06/01/96

15-3

15.01.00 **LIEUTENANT SHALL MAINTAIN INVESTIGATIVE FUNDS:**

The lieutenant shall:

- 1) maintain the department's investigative funds
- 2) maintain these funds in a locked safe
- 3) maintain a written record of these funds including:
 - a. the current account balance
 - b. the name of the person checking money in or out
 - c. the date of the activity
 - d. the amount of money returned or received

e. initials of all parties involved

15.01.01 **PERSON ISSUED DEPARTMENT FUNDS IS ACCOUNTABLE:**

Any person with department funds shall, upon request, be able to produce and account for such funds. Persons who are provided department funds are required to:

- 1) keep an accurate account of the money checked out to them
- 2) submit a monthly accounting form of all funds expended or received to the unit supervisor

15.01.02 **DEPARTMENT/PERSONAL FUNDS SHALL NOT BE CO-MINGLED:**

Department funds shall not be co-mingled with personal funds.

06/01/96

CHAPTER 16

USE OF POLICE VEHICLES

16.00.00 **RESPONSE TO ROUTINE ASSIGNMENTS:**

Routine assignments are those in which there is no threat to persons or property. When responding to routine assignments, personnel shall comply with all traffic laws and regulations, and respond as safely and efficiently as possible.

16.01.00 **EMERGENCY ASSIGNMENTS DEFINED:**

Emergency situations are defined as those calls involving:

- 1) injury or likelihood of injury to a person
- 2) any crime in progress which is classified as a felony

16.01.01 **RESPONSE TO EMERGENCY SITUATIONS:**

When responding to emergency assignments, police vehicles may be operated as emergency vehicles, *provided*; the emergency lights and siren shall be activated continuously as officers proceed to the scene of the incident.

- 1) If the assignment involves a response to an incident where it would not be advisable to sound the siren or display the emergency lights in order to enhance the probability of an apprehension, officers may discontinue the use of such devices, but then must operate the vehicle in compliance with all traffic laws and regulations.

16.01.02 **SPOTLIGHT SHALL NOT CAUSE HAZARD TO MOTORISTS:**

When using vehicle spotlights, officers shall not cause hazards to motorists.

12/30/99

16.02.00 **OPTICOM SHALL ONLY BE USED IN EMERGENCY RESPONSES:**

Officers shall only use the Opticom system in emergency responses that are defined in this chapter. Officers will not use the Opticom system

when such use would interfere with the response of fire department vehicles.

16.03.00 **TRAINING REQUIRED TO OPERATE EMERGENCY VEHICLES:**

Officers shall not drive a police vehicle in an emergency response manner until they have successfully completed training in emergency vehicle operation as approved by the Chief of Police.

16.04.00 **PURSUIITS ARE INITIATED BY VIOLATORS:**

Law enforcement officers have the authority to attempt to stop any persons suspected of committing any criminal offense or traffic violation. While an officer initiates such stop, it is clear that it is the violator that initiates any pursuit.

16.04.01 **PURSUIT DEFINITION:**

A pursuit is defined as: an active attempt by an on-duty law enforcement officer in an authorized emergency vehicle to apprehend one or more occupants of a motor vehicle, *provided*; that the officer reasonably believes the driver of such vehicle is aware of the attempt to stop the vehicle and is resisting apprehension by,

- 1) increasing speed, or
- 2) taking other evasive actions

in an attempt to elude the law enforcement officer.

12/30/99

16-2

16.05.00 **RESPONSIBILITY FOR PURSUIT RESTS WITH OFFICER INVOLVED:**

The ultimate responsibility for entering or continuing a vehicle pursuit rests with the officer involved. In pursuit situations, an officer's first concern shall be the safety and protection of human life. Officers shall not be sanctioned for choosing not to enter into, or continue, a pursuit.

16.05.01 **PURSUIITS LIMITED TO FULLY MARKED VEHICLES:**

Only uniformed police personnel operating fully marked police vehicles, with overhead light bars, are authorized to engage in a pursuit. The vehicle's emergency lights, siren, and Opticom will be activated continuously during any pursuit.

16.05.02 **PURSUIT CRITERIA AND RESPONSIBILITIES:**

Officers are *prohibited from entering a pursuit* of a fleeing suspect in a motor vehicle *unless* the officer reasonably believes the *violator poses an immediate threat to the safety of the public or officers*, other than from the pursuit, or the officer reasonably believes the *need for immediate apprehension outweighs the danger to the public and officers created by the pursuit*.

Reserve Police officers are prohibited from driving in any pursuit situation.

12/30/99

16-3

16.05.03 **OFFICERS SHALL CONSIDER EXISTING FACTORS:**

Officers shall consider all existing factors before entering into, or continuing a pursuit, including:

the seriousness of the offense causing the officer to attempt apprehension, *and*

likelihood of apprehension, *and*

whether the identity of the violator is known to the point where later apprehension is possible, *and*

the degree of risk created by the pursuit due to road and weather conditions, traffic volume, and characteristics of the eluding driver, *and*

the capabilities of the pursuing officer and vehicle.

12/30/99

16-4

16.05.04 **OFFICERS SHALL TERMINATE UNSAFE PURSUITS:**

Officers shall not enter into, or continue, a pursuit if they conclude from the circumstances that the potential risk would not be worth the benefit of the apprehension. Officers involved in a pursuit shall continually question whether the violation warrants the continuation of the pursuit. Officers shall not enter into, or continue a pursuit, when:

the danger to the public or officers outweighs the necessity for immediate apprehension, or

the violator's identity is known to the point where later apprehension is probable, and where there is no immediate threat other than the pursuit itself, to the safety of the public or officers, or

if the pursued vehicle's location is no longer known or the distance between the pursuing vehicle(s) and

the violator vehicle becomes so great that further pursuit is futile, or

if any person is injured during the pursuit and no other emergency personnel are able to render assistance, or

if instructed to do so by a supervisor.

Discontinuation of a pursuit may be based on any other criteria the officer or supervisor feels is pertinent.

16.05.05 **SUPERVISORS SHALL CONTROL PURSUITS:**

The shift supervisor shall control the pursuit of a fleeing suspect vehicle and decide if the continuation of the pursuit is warranted.

12/30/99

16-5

16.05.06 **PRIMARY OFFICERS SHALL PURSUE:**

The first responsibility of the officer(s) in the primary unit is the apprehension of the suspect without unnecessarily endangering themselves or others. Officers in the primary unit shall immediately inform the dispatcher of:

- 1) their location and direction of pursuit
- 2) reason for the pursuit
- 3) a complete description of the vehicle
- 4) number of occupants in the fleeing vehicle

Unless relieved by a supervisor, the senior officer in the primary unit shall be responsible for:

- 1) the control of pursuit tactics
- 2) the continuing decision to pursue
- 3) whether more than two units are necessary to safely effect the stop and arrest

16.05.07 **SECONDARY OFFICERS SHALL ASSIST IN PURSUIT:**
The secondary unit shall be responsible for assisting the primary unit and broadcasting necessary information at the termination of the pursuit.

16.05.08 **PURSUIING UNITS SHALL BE LIMITED TO TWO:**
No more than two police units shall be operated in direct pursuit of a vehicle unless a supervisor approves additional aid. An officer who joins as the second pursuit vehicle shall immediately inform the dispatcher. Other units shall avoid the pursuit, remain alert to its progress, and restrict the use of radio traffic to emergency broadcasts.

06/15/98

16-6

16.05.09 **PURSUIITS INTO OUTSIDE JURISDICTIONS ARE RESTRICTED:**
Whenever pursuit of a vehicle into another jurisdiction occurs, officers will notify the affected agency in the quickest way possible. This notification must include the reason for the pursuit. As soon as possible Gig Harbor officers will turn the pursuit over to the local jurisdiction law enforcement personnel.

16.05.10 **OUTSIDE JURISDICTION PURSUIING INTO GIG HARBOR:**
Officers will not enter into another agency's pursuit which enters our jurisdiction unless

- 1) the reason for that pursuit falls within the guidelines specified in this chapter, or
- 2) it is necessary to enter the pursuit to provide officer safety, at the ultimate point of arrest, for the other agency's officer.

16.06.00 **VEHICLES SHALL NOT BE DRIVEN THE WRONG DIRECTION:**
Police vehicles will not be driven the wrong way on a one way street under any conditions.

16.07.00 **VEHICLES SHALL NOT PASS ON RIGHT DURING PURSUIT:**
Officers will not pass other vehicles on the right side during a pursuit, unless absolutely necessary.

06/15/98

16-7

16.08.00 **SUPERVISORS SHALL BE REQUIRED AT SOME PURSUITS:**

If during a pursuit, one or more of the following circumstances exist,

- 1) any person is injured as a direct result of the pursuit
- 2) any property is damaged
- 3) the pursuit guidelines set forth in this policy are violated
- 4) unusual circumstances are encountered during the pursuit which should be brought to the attention of the Chief of Police
- 5) involved personnel request a supervisor

an officer of the department, superior in rank to the officer involved in the pursuit, shall immediately be called to the point of the pursuit.

16.08.01 **SUPERIOR OFFICERS SHALL INVESTIGATE SOME PURSUITS:**

Superior officers called to a pursuit scene due to one or more of the circumstances listed in 16.08.00 shall:

- 1) conduct an inquiry, and
- 2) within twenty-four (24) hours submit a written report to the Chief of Police

16.09.00 **PURSUIT SHALL BE REPORTED TO CHIEF:**

Any officer entering a vehicle pursuit, shall submit an Officer's Report by the end of their shift, which contains all the relevant information that will explain the actions taken and reasons for those actions. These reports will be

submitted via the normal chain of command. An Officer's Report will not be required if a case report or other standard report, required by the incident, clearly covers the points required in the Officer's Report.

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16.10.00 **RAMMING VEHICLES PROHIBITED:**

An automobile used to force a vehicle off the roadway is considered deadly force. Such methods shall not be used.

16.11.00 **ROADBLOCKS PROHIBITED:**

Roadblocks, utilizing vehicles or devices *other than those prescribed by section 16.12.00 of this manual*, intended to obstruct a roadway and stop or prevent the escape of a fleeing vehicle, are considered deadly force. Such methods shall not be used.

16.12.00 **TIRE DEFLATION DEVICES MAY BE PROVIDED:**

The department may supply Tire Deflation Devices for officer use. A TDD is a portable device equipped with hollow metal spikes designed to be deployed in the path of a fleeing vehicle. The design of this device allows for the controlled deflation of the fleeing vehicle's tires. The use of a TDD is considered less-than-lethal force.

16.12.01 **TDD MAY BE USED BY TRAINED PERSONNEL:**

The use of a TDD is authorized when required to stop or significantly slow a vehicle which is fleeing from any actively pursuing law enforcement agency. The shift supervisor has final responsibility in determining if a TDD shall be used. A TDD shall only be deployed in accordance with Special Procedure #01.

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CHAPTER 17

USE OF FORCE

- 17.00.00 **ONLY REASONABLE AND NECESSARY FORCE SHALL BE USED:**
Officers will employ only that amount of force which is reasonable and necessary to effect an arrest or assume control of a situation. Officers shall escalate and de-escalate force based on the direct actions of the person being confronted. (Refer to Annex A of this chapter.)
- 17.00.01 **USE OF FORCE SHALL BE REPORTED:**
Officers will submit a written report whenever they employ an amount of **force capable of causing injury**, or which **causes injury**, in the course of effecting an arrest, overcoming resistance, or controlling a dangerous situation.
- 17.01.00 **OFFICERS SHALL CARRY ONLY AUTHORIZED WEAPONS/AMMUNITION:**
Officers shall carry only the weapons and ammunition that have been authorized by the department.
- 17.01.01 **OFF DUTY WEAPONS USE IS GOVERNED BY DEPARTMENT POLICIES:**
All departmental weapons policies shall apply to department members using any weapon off duty, when acting under color of office.
- 17.02.00 **IMPACT WEAPONS DEFINED:**
Impact weapon shall mean:
- 1) baton
 - 2) side handle baton
 - 3) ASP baton
 - 4) Authorized flashlight
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- 17.02.01 **OFFICERS SHALL NOT CARRY IMPACT WEAPONS UNTIL TRAINED:**
Officers shall not carry or use an impact weapon until they have been properly trained in its use. All impact weapons shall be carried in an approved carrier/retainer and shall not be unnecessarily brandished.

- 17.02.02 **OFFICERS SHALL USE IMPACT WEAPONS AS TRAINED:**
Officers will use impact weapons in a manner consistent with training and department directives.
- 17.03.00 **OFFICERS SHALL NOT CARRY ASR UNTIL TRAINED:**
Officers shall not carry or use an Aerosol Subject Restraint (ASR) until they have been properly trained in its use. All ASR shall be carried in an approved carrier/retainer and shall not be unnecessarily brandished.
- 17.03.01 **OFFICERS SHALL USE ASR AS TRAINED:**
Officers shall use ASR in a manner consistent with training and department directives.
- 17.03.02 **USE OF AEROSOL SUBJECT RESTRAINTS SHALL BE REPORTED:**
Officers who use ASR during the discharge of their official duties, shall make a written officer's report regarding the incident. Officers will summon first aid/medical attention from appropriate aid personnel for any person upon whom an ASR has been utilized.
- 17.04.00 **DEADLY FORCE SHALL BE A LAST RESORT FOR APPREHENSION:**
Officers shall exhaust all reasonable means of apprehension before resorting to the use of deadly force. The control of deadly force is the responsibility of each individual officer.
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- 17.04.01 **DISCHARGE OF FIREARM PERMITTED IN LIMITED CIRCUMSTANCES:**
Officers shall not discharge any firearm in connection with police duty except under the following circumstances:
- 1) at an approved firearms range
 - 2) killing animals seriously wounded or dangerous
 - 3) when authorized by a superior officer
 - 4) in the defense of their own life

- 5) in the defense of another person's life
- 6) to prevent the escape of a fleeing felon when it is consistent with the provisions of Washington State law as provided for in RCW 9A.16 (Refer to Annex A of this chapter.)

17.04.02 **WARNING SHOTS ARE PROHIBITED:**

Officers are prohibited from firing warning shots.

17.04.03 **OFFICERS SHALL REPORT DISCHARGE OF FIREARM:**

In the event of either accidental or purposeful discharge of a duty firearm by an officer, either on duty or off duty, except at a firearms range, the officer will:

- 1) immediately notify his supervisor of the incident
- 2) submit a detailed written report of the incident to the Chief of Police no later than the end of the shift in which the incident occurred

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17.04.04 **FIREARMS SHALL NOT BE EXPOSED TO PUBLIC:**

Department members shall not place or store any firearm in the police department in a manner so as to be exposed to the public, prisoners or suspects.

17.04.05 **OFFICERS SHALL BE PROFICIENT WITH FIREARMS:**

Officers shall be proficient in the use of their authorized firearms as determined in departmental firearms qualifications. Officers shall participate in departmental firearms qualifications and compile a qualifying score as established by the Chief of Police. Firearms qualifications shall be conducted at least annually.

17.04.06 **FIREARMS SHALL NOT BE UNNECESSARILY DISPLAYED:**

Officers shall not unnecessarily display, brandish, or carelessly handle a firearm at any time.

17.05.00 **OFFICERS SHALL NOT USE CAROTID HOLD UNLESS TRAINED:**

Officers shall not use the carotid sleeper hold unless they have been properly trained and certified

in its use by the Washington State Criminal Justice Training Commission. This hold shall be considered **deadly force** and officers will use this hold only in defense of human life. Anytime this hold is used, an officer's report will be submitted.

17.05.01 **MEDICAL EXAMINATION REQUIRED AFTER CAROTID SLEEPER HOLD:**

Any person upon which a carotid sleeper hold has been used will be transported for a medical examination as soon as possible. This will be done regardless of the effect the hold may have had on the person.

17.06.00 **CHOKE HOLD IS CONSIDERED DEADLY FORCE:**

The choke hold shall be considered **deadly force** and officers will use this hold only in defense of human life. Anytime this hold is used, an officer's report will be submitted.

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17.06.01 **MEDICAL EXAMINATION REQUIRED AFTER CHOKE HOLD:**

Any person upon which a choke hold has been used will be transported for a medical examination as soon as possible. This will be done regardless of the effect the hold may have had on the person.

17.07.00 **LOADED SHOTGUNS SHALL NOT BE BROUGHT INTO STATION:**

With the exception of emergency situations, loaded shotguns shall not be brought into the police station. Shotguns will not be carried in the vehicle with a round in the chamber. When carrying a shotgun to and from the building, officers shall carry the shotgun with the barrel pointed directly upward.

17.08.00 **OFFICERS SHALL MAINTAIN THEIR FIREARMS:**

Officers will maintain their service sidearm and shotgun in proper working order. With the exception of what would generally be considered routine maintenance and cleaning, officers will not dismantle or attempt to repair firearms unless authorized to do so.

17.09.00 **CHIEF MAY CONVENE USE OF FORCE REVIEW BOARD:**

After reviewing use of force reports, the Chief of Police may convene a review board. The board will:

- 1) determine if the force used was:
 - a) justified or not justified

- b) accidental or purposeful
 - c) within or outside departmental policy
- 2) make a recommendation to the Chief of Police, at the time their findings are presented

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17.09.01 **USE OF FORCE REVIEW BOARD MAY BE DELAYED:**
The Chief of Police may delay the use of force board until inquest or court action in the matter is concluded.

17.10.00 **OFFICERS WILL BE REASSIGNED PENDING REVIEW:**
Any department member who causes the death of another person, or discharges a firearm at another person, while acting in an official capacity, will be placed on administrative leave or assigned to administrative duties until the conclusion of the department's review of the incident.

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Annex A to Chapter 17

RCW 9A.16 states, in part:

9A.16.010 Definitions. In this chapter, unless a different meaning is plainly required:

(1) "Necessary" means that no reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended.

(2) "Deadly force" means the intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.

9A.16.020 Use of Force-When lawful. The use, attempt or offer to use force upon or toward the person of another is not unlawful in the following cases:

(1) Whenever necessarily used by a public officer in the performance of a legal duty, or a person assisting the officer and acting under the officer's direction; ...

9A.16.040 Justifiable homicide or use of deadly force by public officer, peace officer, person aiding. (1) Homicide or the use of deadly force is justifiable in the following cases:

(a) When a public officer is acting in obedience to the judgment of a competent court; or

(b) When necessarily used by a peace officer to overcome actual resistance to the execution of the legal process, mandate, or order of a court or officer, or in discharge of a legal duty.

(c) When necessarily used by a peace officer or person acting under the officer's command and in the officer's aid:

(i) To arrest or apprehend a person who the officer reasonable believes has committed, has attempted to commit, is committing, or is attempting to commit a felony;

(ii) To prevent the escape of a person from a federal or state correctional facility or in retaking a person who escapes from such a facility; or

(iii) To prevent the escape of a person from a county or city jail or holding facility if the person has been arrested for, charged with, or convicted of a felony; or

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(vi) To lawfully suppress a riot if the actor or another participant is armed with a deadly weapon.

(2) **In considering whether to use deadly force under subsection (1)(c) of this section, to arrest or apprehend any person for the commission of any crime, the peace officer must have probable cause to believe that the suspect, if not apprehended, poses a threat of serious physical harm to others.** Among the circumstances which may be considered by peace officers as a "threat of serious physical harm" are the following:

(a) The suspect threatens the peace officer with a weapon or displays a weapon in a manner that could reasonably be construed as threatening; or

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

Under these circumstances deadly force may also be used if necessary to prevent escape from the officer, where, if feasible, some warning is given.

(3) A public officer or peace officer shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section.

(4) This section shall not be construed as:

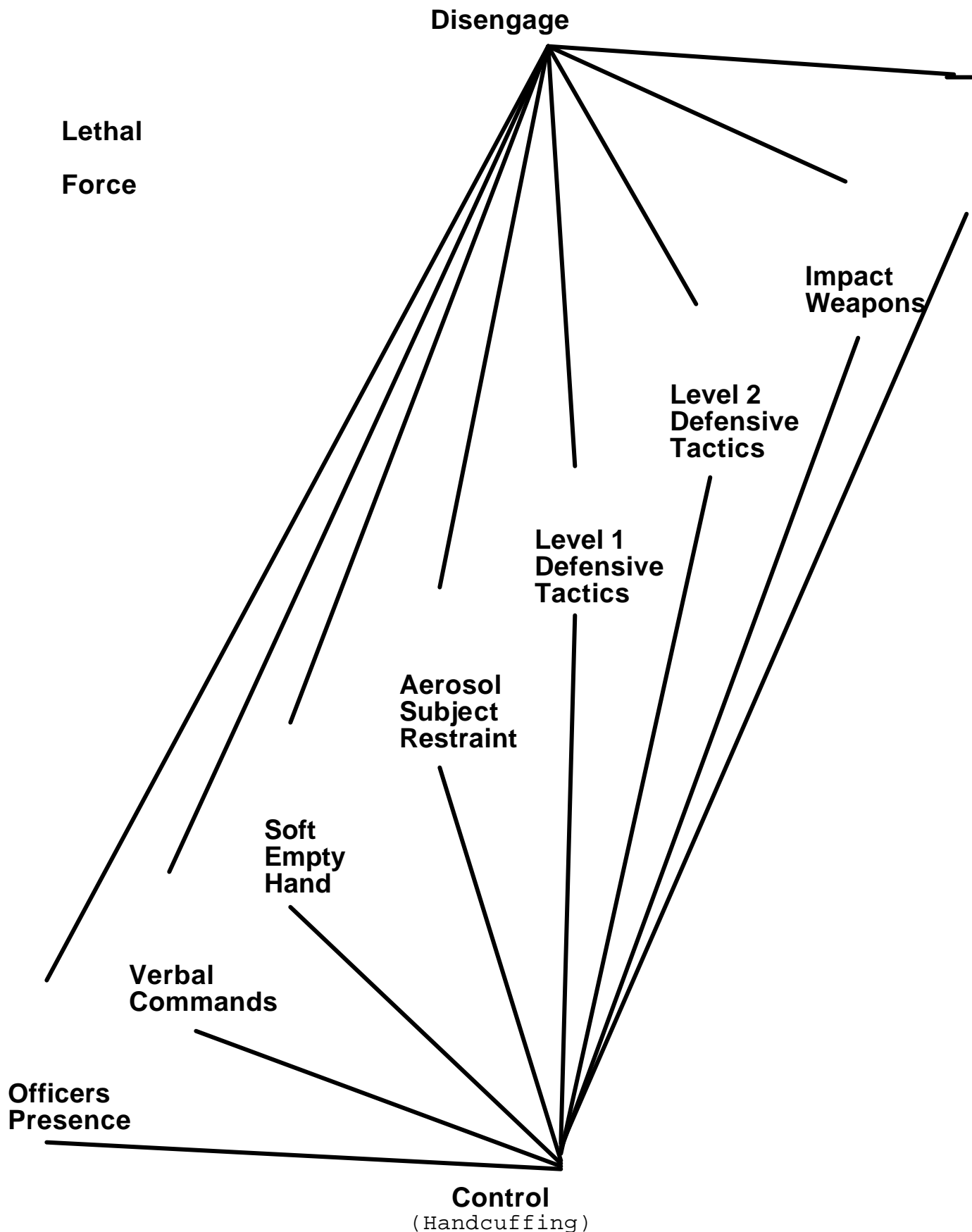
(a) Affecting the permissible use of force by a person acting under the authority of RCW 9A.16.020 or 9A.16.050; or

(b) Preventing a law enforcement agency from adopting standards pertaining to its use of deadly force that are more restrictive than this section.

Legislative recognition: "The legislature recognizes that RCW 9A.16.040 establishes a dual standard with respect to the use of deadly force by peace officers and private citizens, and further recognizes that private citizens' permissible use of deadly force under the authority of RCW 9.01.200, 9A.16.020, or 9A.16.050 is not restricted and remains broader than the limitations imposed on peace officers.

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The Confrontational Force Continuum



Each situation requires individual actions through the Force Continuum. You must be able to de-escalate as well as escalate the use of force.

CHAPTER 18

ARREST

- 18.00.00 **OFFICERS SHALL THOROUGHLY INVESTIGATE CRIME:**
Officers will initiate a prompt and thorough investigation and make every reasonable effort to identify and arrest the violator(s) when a crime is committed.
- 18.01.00 **OFFICERS WILL NOT INFRINGE ON CONSTITUTIONAL RIGHTS:**
Officers will not infringe upon the constitutional rights of any person while performing their duties.
- 18.02.00 **OFFICERS WILL USE REASONABLE FORCE IN MAKING ARREST:**
Officers will not use more force than is necessary to make an arrest or in taking a person into custody for involuntary medical treatment or psychiatric treatment.
- 18.03.00 **ARRESTEES SHALL BE ADVISED OF CONSTITUTIONAL RIGHTS:**
Officers making an arrest of any person for any charge will advise the arrested person of their constitutional rights as soon as practical.
- 18.04.00 **OFFICERS SHALL TAKE SAFETY PRECAUTIONS WITH ARRESTEES:**
Department members will take precautions to prevent escape, injury to themselves or others, or damage to property in the arrest, transportation, and detention of suspects.
- 18.04.01 **ARRESTEES SHALL BE HANDCUFFED:**
When making an arrest, officers will:
- 1) handcuff the suspect's hands behind the back
 - 2) search suspects carefully
 - 3) immediately take possession of all evidence and weapons
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- 18.04.02 **PRISONERS SHALL BE TRANSPORTED WITHOUT DELAY:**
Arrested persons shall be transported to the holding facility to be booked without delay. Prisoners will

be processed and booked in accordance with holding facility procedures.

18.04.03 **DEPARTMENT MEMBERS SHALL NOT MISTREAT ARRESTEES:**

Department members shall treat arrested persons with as much respect as that person will allow. Department members will not physically mistreat, intimidate, or verbally harass any individual taken into custody.

18.04.04 **ARRESTEES SHALL BE PROVIDED MEDICAL ATTENTION:**

Medical treatment will be provided as necessary when the person taken into custody is ill or injured or requests medical treatment.

18.04.05 **"SAFETY CORD RESTRAINT" DEFINED:**

The term "safety cord restraint" shall mean any use of a tether, or other authorized device to connect handcuffs, or other restraints of the wrists, to any other restraining device.

18.04.06 **SAFETY CORD RESTRAINTS REQUIRE PRECAUTIONS:**

Prisoners shall only be placed in safety cord restraints where there is no other safe and practical means to restrain a combative prisoner. Only department authorized safety cord restraint devices shall be used. Prisoners placed in safety cord restraints shall be transported in an upright, seated manner if at all possible. If it is impossible to transport the prisoner in this position, the officer shall request prisoner transport by medical/ambulance personnel. This will allow the prisoner to be restrained while being monitored for medical distress.

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18.05.00 **SEARCHES SHALL BE CONDUCTED IN LEGAL MANNER:**

Department members will conduct all searches in a legal manner consistent with the training they have received and in accordance with current law. If a suspect cannot be thoroughly searched before being turned over to another person, the arresting officer will make this known to the person receiving the prisoner.

18.06.00 **CITATIONS MAY BE ISSUED IN LIEU OF CONTINUED CUSTODY:**
Officers may issue citations at the scene in lieu of continued custody. If the citation is issued, the officer shall assure:

- 1) the citation is signed by the defendant prior to release
- 2) the appropriate copy of the citation is served on the defendant prior to release

18.07.00 **LEAST FORCE SHALL BE USED WHEN ARRESTING JUVENILE:**
Response to crimes involving juveniles will not differ from that for adult crimes. Department members may use reasonable means to protect themselves when a juvenile is a threat to personal or public safety, but they shall use the least amount of force necessary.

18.07.01 **JUVENILES TAKEN INTO CUSTODY SHALL BE ADVISED OF RIGHTS:**
Juveniles taken into custody shall be advised of their Constitutional Rights as soon as practical.

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18.07.02 **JUVENILES SHALL BE RELEASED IF POSSIBLE:**
Whenever reasonable, juveniles shall be interviewed and/or released rather than held in custody. Juveniles taken into custody shall be:

- 1) released to a parent, or;
- 2) placed into custody at the Pierce County Juvenile Detention Center, or;

3) released as directed by Child Protective Services

18.07.03 **OFFICERS SHALL EXPLAIN COURT PROCEDURES TO JUVENILES:**
Court procedures shall be explained to juveniles who are cited or referred to Juvenile Court but not physically arrested.

18.07.04 **JUVENILE DETENTION MUST BE APPROVED BY SCREENER:**
Juveniles who are to be held in custody at the Juvenile Detention Center must be accepted by a screener at that agency, and shall be transported without delay unless emergency medical treatment is required. Juvenile justice processes shall be explained to the detainee prior to any interview.

18.07.05 **JUVENILE CUSTODY REQUIRES DANGER OF HARM:**
Juveniles shall not be taken into custody for non-criminal misbehavior (status offenses) unless such behavior poses a **clear and present danger of harm** to the juvenile or others. In these instances, officers will take the necessary action to protect the juvenile and other members of the public and notify Child Protective Services for direction on disposition.

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18.07.06 **PARENT/GUARDIAN SHALL BE NOTIFIED OF POLICE ACTION:**
Parents or legal guardians shall be notified as soon as practical of any police action involving the arrest or referral to court by citation, of any juvenile.

18.07.07 **JUVENILE REPORTS COORDINATED BY SUPERVISORS:**
Complaints of criminal law violations involving juveniles shall be received and processed in the same manner as adult criminal complaints. Case reports shall be forwarded to a supervisor and submitted to the proper juvenile justice court authority. The sergeant(s) and lieutenant are responsible for coordinating misdemeanor and felony cases involving juveniles.

18.08.00 **OFFICERS SHALL FOLLOW IDENTIFICATION PROCEDURES:**

Pursuant to RCW 43.43.735, the following persons shall be fingerprinted and photographed, when possible, when taken into custody:

- 1) All adults arrested for felonies, gross misdemeanors, or misdemeanors.
- 2) All juveniles arrested for felonies or gross misdemeanors.

18.09.00 **OTHER AGENCIES SHALL BE NOTIFIED OF WARRANT SERVICE:**

When serving arrest or search warrants out of jurisdiction, officers will notify the local police or sheriff's department of the intentions to serve the warrant.

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18.10.00 **FIRs SHALL BE USED TO DOCUMENT CRIMINAL ACTIVITY:**

Field Interview Reports (FIR) shall be used to document persons that may have **reasonably** been involved, or planning involvement in criminal activity. They may also be used to document persons which may be a victim of, or witness to a crime, whether reported or not. Field Interview Reports are to be completed when a contact is made in the field **and the officer can articulate:**

- 1) a justifiable reason to contact the person(s), and;
- 2) a justifiable law enforcement reason that the contact should be recorded and disseminated through the department records process, and;

- 3) that no other report or document would fulfill the same purpose

18.10.01 **FIR SHALL BE FORWARDED THROUGH REPORT PROCESS:**
Field Interview Reports shall be properly completed and forwarded through the normal report review process. They shall be maintained and disposed of in the manner prescribed by state archive standards.

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18.11.00 **WASHINGTON MUTUAL PEACE OFFICERS POWERS ACT:**
In addition to any powers vested by law, a **General Authority Washington peace officer who possesses a certificate of basic law enforcement training, or a certificate of equivalency, or has been exempted from the requirement therefor by the Washington State Criminal Justice Training Commission**, may enforce the traffic or criminal laws of this state throughout the territorial bounds of this state, under the following enumerated circumstances:

- 1) Upon the prior written consent of the sheriff or chief of police in whose primary territorial jurisdiction the exercise of the powers occurs;
- 2) In response to an emergency involving an immediate threat to human life or property;
- 3) In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a peace officer with enforcement authority;

- 4) When the officer is transporting a prisoner;
- 5) When the officer is executing an arrest or search warrant; or
- 6) When the officer is in fresh pursuit, as defined in RCW 10.93.120.

For a listing of the agencies giving written authorization for exercise of police powers in their jurisdictions officers will consult Annex A of this chapter.

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ANNEX A TO CHAPTER 18

GENERAL AUTHORITY

The following agencies have authorized **General Authority Gig Harbor Police** personnel to exercise full peace officer powers within their jurisdiction:

CITIES/TOWNS/UNIVERSITIES

Aberdeen	Fircrest	Pasco
Algona	Forks	Port Angeles
Anacortes	Goldendale	Port Orchard
Arlington	Hoquiam	Port Townsend
Auburn	Issaquah	Poulsbo
Bainbridge Island	Kalama	Puyallup
Blaine	Kelso	Quincy
Bonney Lake	Kent	Rainier
Bremerton	Kettle Falls	Raymond
Brewster	Kirkland	Redmond
Buckley	La Center	Renton
Burien	Lacey	Ruston
Burlington	Lake Forest Park	SeaTac
Camas	Lake Stevens	Seattle
Carnation	Long Beach	Sedro Wooley
Castle Rock	Longview	Selah
Chehalis	Lynden	Skykomish
Chelan	Mabton	Snoqualmie
Clarkston	Marysville	Soap Lake
Cle Elum	Medina	Spokane
Clyde Hill	Mercer Island	Stanwood
Cosmopolis	Milton	Steilacoom
Darrington	Montesano	Sultan
Des Moines	Morton	Sumas
Duvall	Mossyrock	Tacoma
Eatonville	Mukilteo	Tenino
Edmonds	Newcastle	Toppenish
Ellensburg	Napavine	Tukwila
Elma	Normandy Park	Twisp
Enumclaw	North Bend	Vader
Everett	Oak Harbor	Vancouver
Everson	Ocean Shores	Warden
Ferndale	Omak	Washington State University
	Pacific	Washougal
		Wenatchee
		Yakima

Counties

Clallam	King	Skamania
Clark	Lewis	Snohomosh
Ferry	Mason	Spokane
Island		

CHAPTER 19

TRAFFIC SERVICES

- 19.00.00 **TRAFFIC SERVICE SHALL BE DIRECTED BY SUPERVISORS:**
General traffic services shall be provided by patrol personnel, at the direction of shift supervisors. Responsibility for major accident scenes or other specialized traffic duties shall be assigned by supervisors or command personnel.
- 19.01.00 **PROTECTION OF LIFE IS PRIORITY AT TRAFFIC ACCIDENTS:**
Officers shall assure the protection of life, property and evidence at traffic accident scenes.
- 19.01.01 **OFFICERS SHALL RESPOND SAFELY TO TRAFFIC ACCIDENTS:**
Officers will respond directly and in a safe manner to all reported traffic accidents. Time of day, traffic and weather conditions and severity of the reported accident will be taken into consideration when responding.
- 19.02.00 **PATROL VEHICLE MAY BE POSITIONED TO PROTECT LIFE:**
The patrol vehicle may be used, in addition to warning devices, to protect life at accident scenes. It will not be used to protect property at accident scenes. All overhead emergency lighting shall be utilized; *provided*, that only the outside flashers will be used when additional emergency light activation would cause an unnecessary distraction to other motorists.

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- 19.02.01 **PATROL VEHICLE SHALL BE PROPERLY POSITIONED:**
Officers shall position patrol vehicles at accident scenes to protect persons from injury whenever such persons must remain in the road area. Ample space shall be allowed between the patrol vehicle and

accident scene to insure that the patrol vehicle will not be pushed into the scene if struck by another vehicle. In addition the officer shall, as soon as possible, place a line of warning flares or cones to protect the patrol vehicle and accident scene.

19.02.02 **VEHICLES SHALL BE REMOVED AS SOON AS POSSIBLE:**
Officers shall move patrol vehicles to a position that affords the least opportunity of being involved in a collision with other traffic once all persons have been removed from the road area. Roadway characteristics, visibility, traffic and weather conditions will be taken into consideration when positioning the vehicle. In addition the officer shall, as soon as possible, place a line of warning flares or cones to protect any vehicle, evidence or other property in the road area.

19.02.03 **OFFICERS SHALL PROVIDE FIRST AID AT ACCIDENTS:**
Officers shall render first aid to injured persons at accident scenes until relieved by competent medical personnel.

19.02.04 **OFFICERS SHALL EXTINGUISH SMALL FIRE:**
Officers shall make reasonable attempts to extinguish fires resulting from traffic accidents, with the equipment provided for this purpose. Officers are not expected to endanger themselves or others by attempting to fight fires beyond their limitations.

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19.02.05 **OFFICERS SHALL PROTECT PUBLIC FROM HAZARDOUS MATERIAL:**
When hazardous material(s) is present at an accident scene, officers will establish a perimeter to exclude any person from coming into contact with the material. Officers shall not enter areas contaminated by hazardous materials. The presence of hazardous material(s) shall be reported to fire district personnel as soon as possible. The

disposition of such material shall be directed by fire district personnel.

19.03.00 **OFFICERS SHALL USE WARNING DEVICES AT ACCIDENTS:**
Officers shall use warning flares to attract the attention of motorists or divert traffic during hours of darkness or limited visibility. They may be used in place of traffic cones during other times at the officers option, *provided*; that during daylight hours the three warning devices closest to the accident scene shall be traffic cones. Warning flares shall not be used at any time where a likelihood of fire, explosion or other damage might occur from their use.

19.04.00 **ACCIDENT REPORTS REQUIRED IN CERTAIN SITUATIONS:**
Officers shall make a written accident report of vehicular accidents, occurring on both public and private property, when one or more of the following circumstances is present:

- 1) Death or injury to any person resulting from the accident
- 2) dollar damage to any one person's property meets or exceeds the reporting limit established by the WSP
- 3) any accident involving an alcohol or drug affected driver
- 4) any accident involving a hazardous material carrier
- 5) any accident involving a City of Gig Harbor vehicle or property

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- 6) any accident involving a City of Gig Harbor employee acting in their official capacity
- 7) when requested by any person involved in the accident

19.04.01 **STATE TRAFFIC COLLISION REPORT SHALL BE USED:**
Officers will use the standard Washington State Police Traffic Collision Report Form when reporting the initial facts of a traffic accident. If this form does not provide sufficient space to describe

the accident the Washington State Supplemental Accident Report Form will also be used. Officers investigating accidents shall:

- 1) gather all information at the scene
- 2) complete the accident report in the manner prescribed by the State of Washington Police Traffic Collision Report Instruction Manual

All accident reports will be reviewed by a supervisor.

19.04.02 **ACCIDENT INVESTIGATION FOLLOW-UP SHALL BE REPORTED:**

The officer taking the initial accident report, unless otherwise directed by a supervisor, shall:

- 1) conduct any follow-up investigation
- 2) report all follow-up investigation on the Department Supplemental Report Form
- 3) report any change in disposition of the investigation to the State on the Washington State Supplemental Accident Report Form

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19.05.00 **OFFICERS SHALL TAKE ENFORCEMENT ACTION AT ACCIDENT SCENE:**

Officers shall take the required enforcement actions while at the scene of the accident. However, Citations/Notices of Infraction may be forwarded through the Prosecutor's office after investigation, if circumstances preclude enforcement actions at the scene.

19.06.00 **SUPERVISORS SHALL DIRECT MAJOR TRAFFIC CASES:**

Officers investigating vehicular assault or vehicular homicide accident scenes shall immediately request that a supervisor be notified. Officers shall secure the scene and protect any evidence until the arrival of the supervisor or the person assigned to direct the investigation.

19.07.00 **OFFICERS SHALL MAINTAIN SAFETY DURING TRAFFIC STOPS:**

Officers must keep in mind that safety to themselves and the public is the primary concern during traffic stops.

19.07.01 **OFFICERS SHOULD NOTIFY DISPATCHER OF TRAFFIC STOPS:**

Officers should notify the dispatcher of traffic stops whenever practical. Notification should include the location of the stop and license number of the vehicle being stopped.

19.07.02 **OFFICERS SHALL LOG TRAFFIC STOPS:**

Officers shall make an entry in their notebook of all traffic stops. This entry will include:

- 1) location and time of the stop
- 2) reason for the stop
- 3) license number of the vehicle stopped, and
- 4) last name of vehicle operator

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19.08.00 **OFFICERS SHALL ENFORCE LAWS EQUALLY:**

Officers shall enforce all traffic laws equally, regardless of whether the violator is a private motorist or public carrier, and regardless of whether the violator is a city resident or non-resident. Generally, citations may be issued for city or state ordinances involving misdemeanor or traffic violations. Officers shall remain aware of exceptions for juveniles. Officers have the following options when enforcing traffic regulations:

- 1) **Verbal Warnings** may be appropriate when a new ordinance has been passed and the driving public is not yet informed of the change, or where overall traffic safety education would be best served by such a warning.
- 2) **Notices of Infraction/Citations** may be issued to any violator who jeopardizes the safe and efficient flow of vehicular traffic, including hazardous violations and unsafe vehicles.

- 3) **Physical Arrest** for a criminal traffic violation shall follow state law and department policy. The decision to physically arrest shall be based on relevant factors present at the time and shall not be based on the violator's attitude.

19.08.01 **OFFICERS WILL PROVIDE INFORMATION TO VIOLATORS:**
When issuing a citation/notice of infraction, the officer will notify the violator of:

- 1) the specific charge(s)
- 2) amount of bail
- 3) whether court appearance is mandatory

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- 4) location of the court

Such information written on the document is sufficient notice, unless the violator asks for clarification or additional information.

19.08.02 **OFFICERS SHALL LIMIT MULTIPLE CHARGES:**
Officers shall use discretion when issuing multiple charges. The department intent is to correct behavior through voluntary compliance. Officers shall equate the observed violation with the appropriate charge.

19.09.00 **SPECIAL GROUP VIOLATORS REQUIRE EXTRA PROCEDURES:**
Certain violators, due to national status, or for other reasons, fall into the special group violator categories. These persons shall be processed as directed in the following sections.

19.09.01 **ACTIVE MILITARY PERSONNEL:**
Active U.S. military personnel shall be processed as regular citizens. If they are booked, or held in custody, the Military Police may be notified.

19.09.02 **OUT OF STATE CITIZENS:**
Out of state citizens or citizens of another nation shall be treated in the same manner as state citizens in reference to traffic violations.

19.09.03 **FOREIGN DIPLOMATS AND CONSULAR OFFICERS:**

Foreign diplomats may not be arrested for any crime. Career Consular Officers may not be arrested for any crime unless it is a felony and a warrant has been issued for their arrest. Officers contacting such persons will afford them every courtesy and privilege to which they are entitled. Traffic citations may be issued to Diplomats or Career Consular Officers but they normally cannot be prosecuted. When there is a present public safety issue, such as driving while intoxicated, an officer will assure that these persons are transported to their destination or contact will be made with their organization to arrange transportation. Their vehicles may not be impounded or searched. In the case of necessary enforcement, the officer will immediately contact a supervisor or command officer for guidance.

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19.09.04 **STATE LEGISLATORS:**

Legislative immunity is governed by Article II, Section 16 of the Washington State Constitution. This article states, "Members of the legislature shall be privileged from arrest in all cases except treason, felony and breach of peace. They shall not be subject to any civil process during the session of the legislature nor for fifteen days next between the commencement of each session."

19.09.05 **SOME VIOLATIONS MANDATE OFFICER RESPONSE:**

Officers shall take immediate action on traffic violations which pose a direct threat to public safety. Nonhazardous violations may be dealt with as time and other circumstances dictate. Violations which require immediate action/enforcement include:

- 1) Driving under the influence of intoxicants
- 2) Reckless driving
- 3) Negligent driving
- 4) Excessive speeding
- 5) Hazardous public carrier or commercial vehicle violations
- 6) **Serious** equipment violations

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19.09.06 **WARNINGS SHOULD BE GIVEN FOR NEWLY ENACTED LAW:**

In lieu of enforcement actions, warnings should be given to persons violating newly enacted traffic laws or regulations during the thirty (30) day period immediately following such enactment. However, enforcement actions should be taken when:

- 1) the violation was the cause of an accident
- 2) the violation was clearly hazardous to other persons
- 3) the violator has been contacted prior for the same offense
- 4) other circumstances indicate that enforcement action would better serve the goal of traffic safety

19.09.07 **DUI VIOLATORS WILL USUALLY NOT BE BOOKED:**

Following arrest and processing, persons arrested for Driving Under the Influence of Intoxicants (DUI), or a combination of DUI/Negligent Driving, or a combination of DUI/Reckless Driving, will be released provided the following criteria are met:

- 1) There are no other criminal charges or warrants pending, and;
- 2) a responsible third person is available and signs the proper release form;
- 3) there are no other reasons to hold the arrestee, and;
- 4) the breath test result, or other observations, do not indicate a medical emergency.

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19.10.00 **CRITERIA FOR IMPOUNDING VEHICLES:**

Officers shall impound vehicles for the following reasons:

- 1) When parked on a city right of way for over 24 continuous hours, *provided*; the vehicle has been tagged with an impound notice by a member of the Department for a minimum of 24 hours and has not been moved during that time period.
- 2) When parked on a city right of way posing an immediate safety hazard to any person or property or obstructing vehicular or pedestrian traffic to any degree. Officers impounding vehicles under this category shall cause reasonable efforts to be made to notify the owner of the vehicle prior to its impound.
- 3) When the driver or registered owner has been arrested from the vehicle and declines to sign a waiver of impound or release the vehicle to another party, provided the vehicle is not on the driver's or registered owner's property.
- 4) When the vehicle is deemed to be/contain evidence in any crime and must be secured to prevent destruction of evidence.
- 5) When the vehicle is deemed to be unsafe to operate on public highways **and** there is no alternative means to legally move or park the vehicle.

Officers shall not operate or park any privately owned vehicle except in cases of emergency or other immediate operational necessity.

19.10.01 **IMPOUND REPORT REQUIRED FOR ALL IMPOUNDED VEHICLES:**

Any department member directing the impound of any vehicle, shall document such impound on an impound report form.

02/05/01

19-10

19.10.02 **ABANDONED VEHICLES SHALL BE TAGGED WITH IMPOUND NOTICE:**

Any abandoned vehicle on City right of way shall be tagged with the Department 24 hour impound notice. Officers will complete this notice fully and affix it to the vehicle in a conspicuous manner. In addition officers shall assure that a reasonable effort is made to notify the registered owner regarding the impound notice.

19.10.03 **IMPOUNDED VEHICLES SHALL BE INVENTORIED:**

When impounding vehicles, officers will:

- 1) make a full inspection of the vehicle and its contents
- 2) document all vehicle damage
- 3) document all exterior accessories
- 4) document all vehicle contents
- 5) require the tow driver to sign the impound report
- 6) give a copy of the report to the tow driver

19.11.00 **OFFICERS SHALL PROTECT THEMSELVES WHEN DIRECTING TRAFFIC:**

Department members shall take extra precautions to avoid injury from vehicles during traffic control duties.

19.11.01 **PATROL VEHICLE SHALL BE LOCATED OFF ROADWAY:**

During traffic control duties, officers shall locate patrol vehicles completely off the right of way unless it is needed to protect the department member or others. If located in the roadway, the vehicle shall be positioned as stated in 19.02.01 of this chapter.

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19-11

19.11.02 **WARNING DEVICES SHOULD BE USED WHEN DIRECTING TRAFFIC:**

Department members directing traffic while located in the roadway should utilize a minimum of two traffic cones or flares, or a combination of both, to attract motorists' attention to the officer's location; *provided*; that during daylight hours at least two of the devices should be cones.

19.11.03 **TRAFFIC FLOW SHALL BE MAINTAINED:**

Department members shall attempt to keep traffic patterns moving in the same manner and volume as would be normal with standard traffic control devices while directing traffic. If additional manpower is needed to maintain proper traffic flow, the department member shall request such assistance immediately.

19.11.04 **TRAFFIC FLOW WILL BE REDIRECTED TO THE SAFEST ROUTE:**

If it is necessary to route traffic into an oncoming lane, onto the shoulder or through private property the department member shall first assure that the route is safe to travel, is marked completely with warning devices, is properly manned and is the best route available.

19.11.05 **SAFETY CLOTHING SHALL BE WORN WHEN DIRECTING TRAFFIC:**

Department members performing traffic control or accident investigation functions for an extended period of time shall wear a high visibility safety vest, and may wear:

- 1) high visibility gloves
- 2) any other safety device authorized by the Chief of Police

12/30/99

19.12.00 **ROAD HAZARDS & DAMAGED SIGNS SHALL BE REPORTED:**

Department members finding road hazards, or damaged or missing signs, shall report such hazards to Public Works by the end of shift. If the department member deems the hazard to need immediate attention he shall cause a Public Works employee to be notified immediately. Whenever possible, the department member shall place warning devices at the location of the hazard and assure that such devices remain in place until repairs have been made.

19.12.01 **NEEDED SIGNS SHALL BE REQUESTED:**

Department members shall forward recommendations for needed signs to the Public Works Director via a written officer's report. These include, but are not limited to, parking signs, stop or yield signs and other regulatory signs that would improve overall traffic safety.

19.13.00 **RADAR SHALL BE USED BY TRAINED PERSONNEL:**

Speed measuring devices (radar) shall be used by department members in the manner specified by the manufacturer and in compliance with certified training. Such devices shall be operated only by department members who have read the manufacturer's operating manual and who have successfully completed a training course approved by the Chief of Police.

19.13.01 **RADAR UNITS SHALL BE PROPERLY MAINTAINED AND OPERATED:**

Radar units shall be maintained and operated as specified in the manufacturer's instruction manual. All repairs and maintenance of radar units will be made at a repair center certified by the radar unit manufacturer. Department members shall not attempt any repair of any radar unit. Radar units shall undergo regular calibration and certification at approximately twelve (12) month intervals.

19.13.02 **CHIEF SHALL DESIGNATE RADAR MAINTENANCE CUSTODIAN:**

The Chief of Police shall designate a custodian of radar records. This person shall maintain all radar records, including instruction manuals and repair and certification reports, and make copies of those records available to any person upon legal request.

12/30/99

19-13

19.14.00 **OFFICERS SHALL PROVIDE MOTORIST ASSISTANCE:**

Department members becoming aware of disabled motorists shall contact such motorist and render any aid, reasonable transportation or other assistance deemed necessary.

19.15.00 **VEHICLE ESCORTS ARE PROHIBITED:**

Department members shall not provide private vehicle escorts for funerals or other motorcade functions. Department members shall not provide escorts, for any vehicle, for emergency medical or other reasons.

Exception: This section does not pertain to money or bank escorts where the purpose of the escort is to provide security and not traffic control.

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