CHIEF'S PREFACE
The Vancouver Police Department's Policy Manual is designed to guide employees of our Department in carrying out their assigned responsibilities. These statements of values, policy and standards shall be considered mandates for all members of the Vancouver Police Department.

It is our collective commitment as a police department to do our jobs in the most professional, ethical, and legal manner while serving the public's interest. This manual is critically important to our overall success.

The content reflects our official position on a range of issues relevant to our purpose and operation. To have and maintain an up-to-date manual is essential to our mission. It is crucial for each member of this Department to read, understand, and accept these policies. Moreover, each employee shares the responsibility to adhere to the provisions of this manual and seek to improve its contents and applicability where necessary. It is important that we work together to keep this manual as a "working" document and an essential resource to be reviewed and referred to on a regular basis.

James P. McElvain, Ph.D.
Chief of Police
LAW ENFORCEMENT CODE OF ETHICS
As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional Rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

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

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

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession . . . Law Enforcement.
MISSION STATEMENT
Motto
Valor, Professionalism, Duty

Vision
To reflect the rich diversity of Vancouver and make it the safest city for everyone to live, work and play.

Mission
We partner with the community to preserve life, protect property and enhance livability through equitable law enforcement and effective use of resources.

We Value
Ethics. Doing the right thing; maintaining self-discipline, credibility and moral behavior.

Respect. Treating all people with compassion, respect and fairness; honoring diversity of thought, experiences and opinions.

Honesty. Upholding the principles of honesty and transparency.

Communication. Communicating with openness, active listening, fostering an environment of inclusion, trust and empowerment.

Collaboration. Actively seeking collaboration with each other and the community to achieve mutually desired outcomes.
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Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
Law enforcement officers are granted the authority to perform their function based on established legal authority. This Department does not tolerate abuse of law enforcement authority.

100.1.1 DEPARTMENT AUTHORITY
The Vancouver Police Department is responsible for law enforcement services in the City of Vancouver.

Chief of Police

The Vancouver Chief of Police is appointed following the City of Vancouver Municipal Code. The Chief is empowered to assign officers to exercise law enforcement powers and enforce state laws and city ordinances. The Chief also defines the rank and duties of officers, makes promotional appointments, and may take disciplinary action up to and including removing employees for cause.

Accountability and Responsibility

The City of Vancouver is ultimately responsible for the performance of the Department. However, authority is empowered to each employee through, or by the virtue of, their commission, position, and/or rank. Employees are responsible for the use of this authority given to them by the laws of the State of Washington and ordinances of the City of Vancouver.

Authority and responsibility may be delegated. However, the ultimate responsibility remains with the delegating authority. Any employee who delegates responsibility will assure that commensurate authority will accompany the responsibility. Responsibility becomes shared due to delegation yet employees are held accountable for their individual actions.

All employees who have had authority delegated to them will be held answerable for the use of authority and likewise be held accountable for the failure to use it. This will be measured through the performance evaluation process.

Supervisors will be held accountable for the performance of the employees under their immediate supervision. Although supervisors may delegate the actual performance of a given task, supervisors cannot rid themselves of the responsibility or accountability for the accomplishment of assigned tasks.

100.2 PEACE OFFICER POWERS
Sworn members of this Department shall be considered peace officers as defined by RCW 9A.04.110(13) and RCW 9A.04.110(15). The authority of any such peace officer to make an arrest without a warrant is enumerated in RCW 10.31.100, and includes:

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

(b) A peace officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in RCW 10.31.100, subsections (1) through (11).

100.2.1 OTHER AUTHORITY
Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles of the Washington-Oregon border under the following circumstances (ORS 133.405):

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents or other similar public safety situations, an Oregon law enforcement official is present at the scene of the incident.

Vancouver Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

100.2.2 DEPARTMENT JURISDICTION
The Vancouver Police Department is the agency with primary territorial jurisdiction (RCW 10.93.020) within the Vancouver city limits and has the primary responsibility to conduct all police activity within its borders as defined by federal, state, and local law.

Concurrent Jurisdiction
The City of Vancouver is a city of crossroads. It has interstate highways and state and county roads that cross city boundaries. Direct enforcement actions may be taken by Vancouver Police, Clark County Sheriff, the Washington State Patrol, and federal law enforcement agencies.

A limited number of other agencies are given authority by the Chief of Police to act in a full or limited law enforcement capacity within the City. Chiefs and Sheriffs from other jurisdictions have also given consent to Vancouver Officers to exercise law enforcement authority in their jurisdictions. A list of these agencies receiving consent from Vancouver and giving consent to Vancouver is maintained by the Police Legal Advisor. Original documents of consent are maintained in the office of the Police Legal Advisor.
Collisions on roads and streets within the corporate limits are investigated by the Vancouver Police Department unless it is an on-view situation by another agency. The exception to this applies to collisions on limited access highways including freeway on and off ramps to and from the stop bars. Collisions occurring within these areas are investigated by the Washington State Patrol.

Questions Regarding Jurisdiction

In any situation where a question arises concerning jurisdiction with another agency, the involved officer will make every effort to resolve the matter in the most professional manner possible. In situations where no agreeable solution is reached, a supervisor will review the situation for resolution. If the officer has any doubt as whether to take a report or not, in the interest of service to the public, the officer should take the report.

100.3 CONSTITUTIONAL REQUIREMENTS

All employees shall observe and comply with every person’s clearly established rights under the United States and Washington Constitutions.
Mutual Aid

101.1 MUTUAL AID
To provide emergency services when there is a depletion of Department resources, the Department has entered into Mutual Aid agreements with adjoining jurisdictions. The Department's legal advisor maintains a list of all mutual aid agreements.

Officers involved in any exercise of police authority outside the city of Vancouver are bound by Vancouver Police Department policies, procedures, and regulations that limit Department officers in their exercise of the authority given by the Washington Mutual Aid Peace Officer Powers Act. The Washington Mutual Aid Peace Officers Powers Act gives general authority to Washington Peace Officers who possess a certificate of basic law enforcement training or a certificate of equivalency authority to enforce state traffic or criminal laws throughout the state.

101.1.1 REQUESTING MUTUAL AID
1. In situations that require mutual aid assistance, any on-duty Vancouver Police supervisor may request assistance from a neighboring agency.

2. The request may be made either by direct contact with the agency or through CRESA.

3. Outside personnel responding to a Vancouver Police Department request will be requested to report to the Vancouver Police supervisor in charge of the incident (Incident Commander).

4. Maintaining radio communications between Vancouver Police and other responding agencies will be coordinated by CRESA.

5. If enforcement action is taken, the Vancouver Police supervisor will ensure appropriate documentation and reporting of the names and agencies of officers that responded to a mutual aid request. Before the end of the shift in which aid was received, the supervisor shall report the mutual aid incident through the chain of command. The Vancouver Police supervisor will ensure police reports are completed prior to the end of the shift, or other specified time, documenting the actions taken by responding agency officers or deputies.

101.1.2 RESPONDING TO A MUTUAL AID REQUEST
1. No officer shall respond outside the City of Vancouver to a request for mutual aid by another law enforcement agency without first being authorized by the on-duty Vancouver Police supervisor.

2. The supervisor shall designate how many (if any) units will be sent to provide mutual aid.

3. A supervisor shall also respond to monitor the mutual aid being provided and to ensure direct supervision of Vancouver Police personnel. If a supervisor is not available, a supervisor or Command officer will designate one of the responding officers as a “lead” officer.

4. The Vancouver Police supervisor will ensure any necessary reports are provided to the agency requesting mutual aid by the end of the shift, or other specified time, in which the aid was provided.
Mutual Aid

Before the end of the shift in which aid was provided, the supervisor shall report the mutual aid incident through the chain of command.

5. When the requesting agency does not border the city of Vancouver, officers shall not respond without receiving a specific request from the requesting agency and shall not respond without approval from a Vancouver Police supervisor.

6. If not requested at the mutual aid incident, officers should prepare to assist other agencies that will have diminished resource capabilities due to its support of the incident.

101.1.3 STATE OR NATIONAL GUARD ASSISTANCE

Civil emergency, whether natural or manmade, may require the assistance of the National Guard. Should such circumstances arise, National Guard resources may be activated in accordance with the State Emergency Management Statute (RCW 38.52.070).

Prior to requesting National Guard assistance, a declaration of civil emergency shall be issued pursuant to Vancouver Municipal Code Section 2.12.030.

Upon written proclamation of a state of emergency, the City of Vancouver’s Emergency Preparedness Director will contact the Clark County Emergency Management Council, which will in turn coordinate the activation of the National Guard through the Governor's Office of the State of Washington. These procedures are outlined in the Washington State Comprehensive Emergency Management Plan maintained by the City's Emergency Preparedness Director.

101.1.4 COMPENSATION

Compensation for expenditures incurred by agencies responding to a mutual aid request from Vancouver Police, if not previously arranged, shall be decided through an administrative review of the incident after the fact.

The Vancouver Police Legal Advisor and Administrative staff shall periodically review this policy and make changes as necessary.
Law Enforcement Certification

102.1 PURPOSE AND SCOPE
All sworn officers employed by the Vancouver Police Department shall receive certification by the Washington State Criminal Justice Training Commission prior to assuming law enforcement duties and responsibilities, and shall begin attending an approved academy within the first six months of employment, unless the basic training requirement is otherwise waived or extended by the Washington State Criminal Justice Training Commission. (RCW 43.101.095(1); RCW 43.101.200(1)).
Police Authority Outside City Limits

103.1 ON-DUTY RESPONSE IN JURISDICTIONS OF CONSENT
Response to and/or exercising police authority in jurisdictions outside the city of Vancouver, which have consented to Vancouver Police Department's exercise of full law enforcement authority are limited to:

1. Investigations arising out of crimes or infractions that are alleged to have occurred within the city of Vancouver. "Conducting investigations" includes arrests without an arrest warrant in jurisdictions outside the city of Vancouver where full authority consent has been given.
2. Search or arrest warrants can be served when they are pursuant to investigations arising out of crimes that are alleged to have occurred within the city of Vancouver or within the jurisdiction that has given full authority consent.
3. Transporting a prisoner.
4. Fresh pursuit (refer to Policy 313 - Vehicle Pursuits).
5. Responses to a law enforcement officers requesting immediate help in a life-threatening situation.
6. Requests of Clark County Sheriff Office to respond into unincorporated Clark County for police assistance when no Sheriff's Deputy is available to respond.
7. Requests of the Vancouver Fire Department for Police assistance in unincorporated Clark County.
8. At the request for assistance by an adjacent jurisdiction or an officer thereof.

This type of response will be at the discretion of the shift supervisor. Adjacent jurisdictions are Battle Ground, Camas, Washougal, Ridgefield, La Center and Washington State Patrol. (Unincorporated Clark County is not included within the content of this paragraph; response to Clark County requests will be governed as specified in 6 and 7 above).
9. Requests for special unit responses (i.e., K-9, Bomb Squad) into jurisdictions in which letters of mutual aid exist will be according to existing policies, procedures, and rules.
10. Multijurisdictional investigative units such as the Children's Justice Center, Domestic Violence Unit and Drug Task Force may operate as needed outside the city limits of Vancouver.

Exercise of police authority during the above 10 incidents is limited to that which is necessary to effectively perform the requested task.

103.2 ON-VIEW INCIDENTS
Response by uniformed officers in marked units and on-duty detectives in civilian clothing and in unmarked vehicles to an on-view incident occurring outside the city of Vancouver in jurisdictions which letters of full consent do exist is limited to situations that:
1. Pose a threat of death or serious injury to the officer, another officer, or a member of the public.
2. Place the officer in a position to affect the arrest and/or prevent the escape of a person who is known by the officer to have committed a dangerous felony, when not securing the person's immediate arrest would result in an unacceptable risk to the public safety.

103.3 ON-DUTY RESPONSE IN JURISDICTIONS THAT HAVE NOT CONSENTED
Response to and/or exercise of police authority within jurisdictions outside the city of Vancouver which have not consented to Vancouver Police Department's exercise of full law enforcement authority in their jurisdiction are limited to:

1. Investigations arising out of crimes that are alleged to have occurred within the city of Vancouver can be conducted. "Conducting investigations" does not include arrests without an arrest warrant in jurisdictions outside the city of Vancouver where no full authority consent has been given.
2. Search or arrest warrants pursuant to investigations arising out of crimes which are alleged to have occurred within the city of Vancouver may be served.
3. Transporting a prisoner and when such exercise of police authority is in direct relationship to the custody of that prisoner.
4. Fresh pursuit (refer to Policy 313 - Vehicle Pursuits).
5. A police officer is authorized and has the duty to prevent death or serious injury to self, a fellow officer, or a member of the public by utilizing whatever force necessary, including the use of deadly force.

Response to any other on-view incident is limited to notification of the proper agency. An officer may, but has no duty to, observe the incident until that jurisdiction arrives, communicate by radio with responding units, protect the scene, and render necessary emergency care (i.e., accident scenes).

Specialty units (i.e., K-9, Bomb Squad) will not respond, except when assisting VPD on-duty officers in situations specified above.

103.4 OFF-DUTY INVOLVEMENT IN JURISDICTION OF CONSENT/NON CONSENT
Off-duty police officers shall use discretion when becoming involved in any law enforcement action. Off-duty officers will not become involved unless the situation involves public or personal safety, or a life threatening issue (refer to Policy 384 - Off-Duty Law Enforcement Actions).

103.5 REPORTING USE OF AUTHORITY
RCW 10.93.030 requires an officer exercising the powers authorized above shall report such action in a timely manner, after the fact, to the law enforcement agency with primary territorial jurisdiction and shall be subject to any reasonable reporting procedure which may be established by such agency.
Oath of Office

104.1 PURPOSE AND SCOPE
Officers of this Department are sworn to obey and uphold the laws of the United States and of the State of Washington, and observe the provisions of the Charter and Ordinances of the City of Vancouver, and abide by the Code of Conduct and Ethics adopted by the Vancouver Police Department.

104.1.1 OATH OF OFFICE
Upon employment, all sworn employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer.

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

104.1.2 VANCOUVER POLICE OATH OF OFFICE
Each employee hired to function as a police officer will, prior to being commissioned, be required to take an oath of office to enforce the laws of the City of Vancouver, uphold the U.S. Constitution and Constitution of the State of Washington, and to abide by the Code of Ethics as adopted by the Department.

OATH OF OFFICE:

I, (Officer's name), solemnly swear (affirm) that I will support the Constitution and will obey the laws of the United States and of the State of Washington, that I will, in all respects, observe the provisions of the Charter and Ordinances of the City of Vancouver, that I will abide by the Code of Conduct and Ethics adopted by the Vancouver Police Department, and will faithfully discharge the duties of Police Officer for the City of Vancouver.

The Administrative Assistant to the Chief of Police will arrange for all newly hired police officers to take an oath of office and be sworn in prior to assuming their duties as commissioned officers. The Office of the Chief will maintain an oath of office record including the date, time, place, and administering official. The oath of office will be administered by the City Attorney or the City Attorney's designee.
Transporting Department Issued Firearm Out Of State

105.1 TRANSPORTING DEPARTMENT ISSUED FIREARMS OUT OF STATE
Commissioned employees, with the exception of those who have limited enforcement authority in Oregon, do not have law enforcement authority outside the State of Washington, even if on Department business. Any law enforcement outside the State of Washington is outside the scope of duties, except if granted by a court order or from a foreign jurisdiction.

Transporting a Department issued firearm while out of state will be approved under the following circumstances:

1. If the uniform is required to be worn.
2. If the firearm is required for training approved by the Department.
3. If on official Department business.
4. If the firearm is evidence subpoenaed by another jurisdiction.
5. If the situation leads the commissioned employee and his/her supervisor to believe a firearm is needed (circumstances must be specifically outlined in a memo to the Chief of Police).
6. If the employee lives in Oregon.
7. If carrying the firearm off-duty under authority of 18 USC § 926B. (Refer to Policy 311.10 - Carrying Firearms Out Of State)

The firearm must be properly stored and secured when not on the employee’s person.

All applicable state and federal regulations will be followed. This specifically includes FAA and TSA rules and the applicable state and local laws on carrying, possession, and civilian use of force. The commissioned employee is responsible for learning the applicable laws in the other jurisdiction(s).

A request for authorization to carry a Department issued firearm out of state, or to be armed while flying, must be submitted in writing to the Chief of Police via the Chain of Command and include:

1. The laws and policies dictating the use of firearms for the jurisdiction in question.
2. The employee’s acknowledgement that s/he has no law enforcement authority outside the State of Washington.

Authorization to carry does not authorize law enforcement use. It does permit the commissioned employee to use the Department issued firearm in compliance with the other jurisdiction’s laws for civilians.

A request to be armed while flying must also include documentation that the employee has attended the TSA required training class “Law Enforcement Officers Flying Armed” (https://
Transporting Department Issued Firearm Out Of State

www.tsa.gov/travel/law-enforcement). Requests for authorization will not be approved without this proof of attendance.

Once approved to be armed while flying, the employee is responsible for contacting the Records unit to have a NLETS message sent to TSA. The response to this message will contain a unique identifier which is required on the day of travel. Employees are responsible to ensure that requests are submitted with sufficient time to allow the request to be reviewed and the NLETS message to be sent. The TSA suggests that messages be sent at least 24 hours prior to travel. (Refer to Policy 311.9 - Flying While Armed)

This policy does not prevent off-duty commissioned employees from carrying their personal firearm out of state in accordance with state and federal laws.
Policy Manual

106.1 PURPOSE AND SCOPE
The Vancouver Police Department Policy Manual is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this Department. The Department policies are permanent directives and remain in full effect until amended or canceled by the Chief of Police. All members are to conform to the provisions of the Department's official policy manual located in Lexipol.

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

106.2 POLICY
This Policy Manual should be read as a whole and interpreted so that no word, phrase, or section is rendered meaningless or superfluous. In the event of a conflict between a general policy and a specific policy, the more specific provision shall control.

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

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

106.3 AUTHORITY
The City of Vancouver shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they are revoked, or may be permanently incorporated into the manual.
106.4 DEFINITIONS
The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Administrative Assistant - A civilian employee who performs a wide variety of functions to include the supervision, coordination, and performance of a wide variety of responsibilities and complex administrative and secretarial duties for a City department; and to provide information and assistance to the public regarding the department to which assigned.

Adult - Any person 18 years of age or older.

Assistant Chief of Police – Second in command to the Chief of Police.


Chain of Command – The relative order of authority or responsibility in ascending or descending order of rank.

Chief of Police – Director of the Department, and the highest ranking commissioned officer within the Department.

City - The City of Vancouver.

Civilian – Employees and volunteers of the Department who does not hold a commission as a sworn police officer.

Civil Service Commission – Governing body for the City of Vancouver public employees.

Civil Service Rules – Personnel rules promulgated by the Civil Service Commission.


Commander – Person in charge of an incident or precinct or division within the Police Department.

Command Officer – Any officer who holds the rank of Commander or higher. All command officers are also supervisors of subordinate employees.

Commissioned Employee – All personnel employed by the Department, following certification by the Civil Service Commission, who have been commissioned as a Police Officer by the Chief of Police.

Concurrent Jurisdiction – A range of territory where two governmental entities have equal enforcement rights.

Corporal – A police officer who shall be considered the senior officer at any crime scene, incident, or occurrence until relieved by a supervisor or assigned investigator. A Corporal may take on other supervisory responsibilities at the direction of his/her supervisor. When a first line supervisor is absent, the Corporal may be designated as the first line supervisor by a Sergeant or above.

Crime Analyst - A civilian employee whose duties emphasize technical work in the development and analysis of data related to various elements of criminal activity, including research and analysis, technology, and development of recommendations in the area of crime analysis.
Delegation of Authority – Authorizing a selected person to act or make decisions as one’s legal representative.

Department/VPD - When the word Department is used alone, it means the Vancouver Police Department.

Department Manual – The manual issued by the Chief of Police that contains rules and regulations, and policies and procedures that govern the actions of all employees.

Departmental Memorandum - A written communication issued by the Chief of Police, Assistant Chief of Police, or Commander, or at their direction, advising announcements, suggestions or Department, Bureau, Division, Precinct, or Facility information on various topics or issues, and can be directed outside the Department.

Department Order – An inclusive term embracing policies, procedures, rules, regulations, Executive Orders, special notices, and manuals of the Department.

Department Property – Any City property assigned to the Department whether purchased leased, donated, or rented by the Department.

Department Vehicle – Any City-owned, leased, donated, or rented vehicle assigned to the Department.

Designee – A person who has been designated by a person of higher authority to carry out the authority’s assigned responsibility or duty.

Direct(ed) – Any means of notification (i.e., court calendars, subpoenas, written or verbal order, by supervisor or court personnel).

District - A geographical subsection of a precinct, within the City, for police responsibility.

Division – A division is the primary subdivision of the Police Department with responsibility for providing specific functions. A division is commanded by a division commander.

Division Commander – Commander of a Division within the Department.

DOL - The Washington State Department of Licensing.

Employee/personnel - Any person employed by the Department. As used in this manual, the word “employee” will also include Department volunteers.

Evidence Technician - A civilian employee whose duties include technical tasks relating to crime scene investigation including photographing, collecting, examining, and preserving evidence; to perform evidence and property control activities; to develop and maintain related records; and to provide testimony during court proceedings.

First Line Supervisor – Any commissioned employee who holds the rank of Sergeant or non-commissioned personnel holding the authorized position of supervisor.

General Order - A written order issued by the Chief of Police or an Assistant Chief of Police for the administration of Departmental affairs. Said order is to remain in effect until amended, rescinded,
or printed in the Policy Manual. Genera Orders define either new or a change in policy and/or procedure pertaining to the Department. They have the authority as policy.

**Hold** – To place a retainer or restriction on an individual or property.

**Incident** – An occurrence requiring or suggesting action or service by employees of the Department.

**Information Bulletin** - A document used to disseminate and request information that will assist employees in properly and effectively carrying out their duties. They may refer to, but not be limited to, wanted subjects, certain duties, or improve employee safety. Information Bulletins may not always be applicable to all employees.

**Investigating Officer** – An officer, of any rank, assigned as the lead investigator of a reported incident or internal investigation.

**Jurisdiction** – The territorial range of authority or control.

**Juvenile** - Any person under the age of 18 years.

**Lead Employee** – A civilian employee assigned to the Operations Support Bureau with the additional duty of providing technical leadership for members of their shift. A Lead may take on other supervisory responsibilities at the direction of his/her supervisor.

**Limited Commission** – A commission issued by the Chief of Police to specific civilian employees of the Department, other City Departments, or entities contracting with the City authorizing the performance of limited police and/or code enforcement duties.

**Lieutenant** - Person in charge of a district or special unit within the Department.

**Manager** – Any non-commissioned employee above the level of first line supervisor.

**Manual** - The Vancouver Police Department Policy Manual.

**May** - When used in a policy, procedure, rule, or regulation the word “may” indicates a permissive, discretionary, or conditional action.

**Member** - Any person employed or appointed by the Vancouver Police Department, including full-time sworn officers, reserve officers, civilian employees and volunteers.

**Memorandum** – A transitory notice, issued or approved for distribution by a supervisor, for the guidance and information of employees.

**Officer** - Those employees, regardless of rank, who are sworn peace officer employees of the Vancouver Police Department.

**Officer-in-charge** – Any commissioned employee who is placed in control of, or assumes responsibility for a crime scene, incident, or occurrence.

**Off Duty** – Off duty is time spent where the City of Vancouver has no financial obligations to an employee.
On Duty -- A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

On Scene Commander – The person who is in charge of an incident scene. This position may be filled by an officer of any rank.

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

Overtime – Any time an employee works outside their normal scheduled shift.

Personal Property – Any personally owned property of an employee that is used in conjunction with his/her assignment, or which affects or represents the Department while on or off duty.

Plurality of Words – The singular included the plural and the plural includes the singular.

Police Officer – A duly appointed employee commissioned to perform police duties.

Police Records Specialists - A Civilian employee who performs a variety of responsible duties with processing records in support of the police department.

Police Service Technician - A civilian employee who performs a variety of responsible duties in support of the police department including providing information and assistance regarding various criminal or civil processes; interviewing crime victims and producing crime reports; responding to non-emergency calls for service; and providing information for requests for crime prevention information.

Policy – A Department Policy is a written order, issued by the Chief of Police outlining a policy, procedure, rule or regulations regarding a matter that affects the entire Department or a portions thereof.

Precinct - A geographical division of the City for police responsibility.

Preponderance of Evidence – A greater weight of evidence, or evidence that is more credible and convincing to the mind; not necessarily the greater number of witnesses or evidence.

Primary Jurisdiction – A range of territory where more than one group has authority and/or enforcement rights, but, through agreement, one group has initial responsibility.

Probable Cause - Means the fact that would cause a reasonable cautious officer to believe this person had committed a crime. In determining whether the facts known to the officer justified the belief, you may take into account the officer's experience and expertise.

Procedure – A method of performing an operation or a manner of proceeding on a course of action.

Procedure Manuals – Manuals issued by division commanders or other unit supervisors that pertain to operations of a specific division or unit.

Proprietary Jurisdiction – A range of territory where one group has full governing and enforcement rights to the exclusivity of all others.

Rank - The title of the classification held by an officer.
Ranking Officer – The sworn officer of the highest rank on duty or at an incident scene regardless of time in grade.


Reasonable Belief – That belief that is known to a reasonable person.

Reserve Officer – Reserve officers are specially commissioned and trained officers that augment the staffing of the agency at times determined by the Chief of Police.

Restraint Devices – Restraint devices are those items used to cuff or otherwise restrain a person who is in the custody of an officer.

Retention Schedule – A schedule, approved by the State Auditor’s office, that lists the normal amount of time completed forms or documents should be kept by the agency.

Rules and Regulations – A statement(s) of a prohibition or requirement which allows little deviation other than for stated exceptions, issued exclusively by the Chief of Police. Rules and regulations are applicable to all employees of the Department.

Senior Officer – A commissioned employee, in any given rank, with the longest service in that rank.

Sergeant – Person who is a first level supervisor responsible for the daily supervision of a patrol shift or special unit within the Department.

Sexual Orientation - Heterosexuality, homosexuality, bisexuality, and gender expression or identity. The term “gender expression and identity” is broadly defined as someone who either has or is perceived to have or display a self-image, appearance, behavior, or expression that is different from that which is traditionally associated with the sex assigned to that individual at birth.

Shift - The regular hours and/or geographic location for an employee's particular duty assignment.

Shall or will - Indicates a mandatory action.

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

Special Order – Special Orders announce policies or procedures of a specific circumstance or procedures that involve only specific divisions or segments of the agency. Special orders may be written by the Chief of Police, or one or more of the bureau assistant chiefs.

Superior Officer – One who is higher in rank or authority.

Supervisor - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.
The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

**Support Specialist (I-III)** - A civilian employee who performs a wide variety of clerical and general office work, secretarial, and transaction processing in support of the assigned department; and to provide general information and assistance to the public.

**Training Bulletins** - Training Bulletins are used to disseminate information on new or revised procedures that will assist employees in properly carrying out their duties. They may refer to certain policies and further clarify certain duties, expectations, or improve employee safety. Training Bulletins may not always be applicable to all employees.

**Tense of Words** – All words used in the present tense include the future.

**Unit** – A unit is a subdivision of a division, with employees assigned to perform a specialized activity.

**USC** - United States Code.

**Volunteers** – Persons who perform voluntary services for the Vancouver Police Department. Due to federal law, in most circumstances, employees cannot volunteer their services to the Department.


**Will** – When used in a policy, procedure, rule, or regulation the word “will” denotes mandatory compliance.

**WSP** - The Washington State Patrol.

### 106.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the Department network for viewing/printing from the Lexipol website. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each new or updated Department Policy, Procedure, Rule and Regulation, General Order, Training Bulletin, Department memorandum and Informational Bulletin become effect on the date of issuance.

### 106.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.
106.7 NEWLY ISSUED OR UPDATED POLICIES

It is the responsibility of each member to read and acknowledge the policy through the Lexipol website within 14 calendar days of issuance. If the employee is on leave for more than 14 days post issuance, they are responsible to acknowledge the policy on their immediate return to work.

Once you open a new or updated policy in Lexipol, you will find an acknowledgement statement with an adjoining “Acknowledge” tab, which you must click in order to receive credit for reading and understanding the policy. The failure of any Department member to acknowledge the newly issued or updated policy does not exempt them from that policy.

Members are responsible for keeping abreast of all Policy Manual revisions and shall seek clarification from an appropriate supervisor as needed.

All Department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Commanders, who will consider the recommendations and forward them to the Office of the Chief as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

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

200.2 DEFINITIONS
Bureau - A branch of the Department
District - A distinct geographical area of the city designated for a patrol assignment
Division - A specific function within a bureau of the Department
Precinct - An area of the city marked out for policing responsibility
Squad - A small group of personnel assigned to a particular task (e.g., patrol shift)
Unit - A group of personnel assigned to a component within a division within specialize
skills (e.g., Major Crimes Unit, Children's Justice Center, Logistics, etc.)

200.3 THE OFFICE OF THE CHIEF
The Chief of Police is responsible for administering and managing the Vancouver Police
Department. The Department is divided into two bureaus which are as follows:
· Operation Bureau
· Support Bureau
The Professional Standards Unit reports directly to the Office of the Chief for personnel
investigations, and to the Administration Division Commander for auditing internal processes.

200.4 BUREAUS

200.4.1 OPERATIONS BUREAU
The Operations Bureau is commanded by an Assistant Chief whose primary responsibility is
to provide general management direction and control for that bureau. The Operations Bureau
consists of two precincts (West and East).
Each Precinct is commanded by a Commander, and is divided into two districts. The
precincts provide Uniformed Patrol shifts, Neighborhood Police Officers, School Resource
Officers, a Neighborhood Response Team, Police Service Technicians and Crime Analysts for
law enforcement services.
Each district is managed by a Lieutenant, and divided into multiple squads based on Patrol shifts.
Each squad is supervised by a Sergeant, and each squad consists of multiple officers who are
responsible for the police service for their assigned area (i.e., beat/district).
200.4.2 SUPPORT BUREAU
The Support Bureau is commanded by an Assistant Chief whose primary responsibility is to provide general management direction and control for that bureau.

The Support Bureau consists of the three divisions (Administration, Investigations, and Records).

The Administration Division is commanded by a Commander, and is divided into several units consisting of Admin/Logistics, Finance, Backgrounds and Recruiting, Case Management, Training, Property and Evidence, and Professional Standards Unit for auditing.

The Investigations Division is commanded by a Commander, and is divided into two sections consisting of Special Operations and Investigations.

Special Operations is managed by a Lieutenant, and consists of Special Weapons and Tactics Team, Homeland Security, K9, and Traffic Unit.

Investigations is managed by a Lieutenant, and consists of the Major Crimes Unit, Digital Evidence Cybercrimes Unit, Domestic Violence Unit, Children's Justice Center, Safe Streets Gang Task Force, and Drug Task Force.

The Records Division is managed by a civilian manager.

200.5 CHAIN OF COMMAND PROTOCOL
The Chief of Police has the authority to designate which assistant chief follows him in order of succession of command. When the Chief of Police is absent or otherwise unavailable, and no decision has been made, the succession of command is as follows:

1. Senior Assistant Chief of Police
2. Next Senior Assistant Chief of Police
3. Command officers in descending order of rank and seniority of rank

Major incidents or emergencies will normally be under the direction of the Chief of Police or the Chief’s designee.

The chain of command will be followed whenever possible by each member of the Department. Employees will strive to operate within the chain of command and to keep supervisors informed as to their activities.

When two or more officers from this Department are dispatched to, or are present at any activity, the primary officer assigned to the respond will assume control of the situation until it is concluded or until properly relieved by a more senior officer.

The arrival of a more senior or superior officer will not be considered as an implicit assumption of command unless such assumption is communicated by the senior or superior officers. A superior officer present at an incident, who does not assume command, is not relieved of the responsibility for the proper handling of the incident.
Organizational Structure and Responsibility

The presence of a sergeant may be requested by any officer at the scene of an incident. Upon arrival, the sergeant will evaluate the scene and assume command as deemed necessary. The sergeant may request the presence of a command-level officer.

200.6 UNITY OF COMMAND
To ensure unity of command, clearly defined lines of authority have been drawn to ensure each employee is accountable to only one supervisor at any given time. Also, each organizational component is under the direct command of only one supervisor.

Whenever a senior employee gives an order to any subordinate employee not attached to their assignment, that senior employee must exercise care that such an order does not unnecessarily conflict with those of the commanding officer of that precinct or division to which the member is assigned.

Whenever orders, so given, require the employee receiving the order to leave their regular assigned post or duty, the senior employee giving such order will, as soon as practicable, inform such subordinate’s commanding officer of the action taken.

When more than one supervisor is working and there exists potential for an employee receive direction from more than one supervisor, the employee will follow the guidelines set forth in section 200.7 below.

In all matters relating to policy and procedures, rules and regulations, employees will strive to resolve them with their immediate supervisor prior to consulting the next higher rank.

Note: An employee’s direct supervisor is the supervisor that the employee is working for on any given day of work.

In situations involving personnel of different assignments engaged in a single incident, the ranking supervisor present from the Department’s component responsible for the incident shall be deemed to have supervisory control.

When an incident or emergency involves more than one precinct/division, and/or more than one district/unit, the overall command will be assigned to the commander, or their designee, of the precinct/division initiating the Department’s action.

Nothing in this procedure is designed to inhibit the Department’s open door policy or inhibit employee suggestions or feedback. Employees responsible for a specified function or functions will have input in the formulation of procedures designed to accomplish those functions and Departmental goals.

200.7 ORDERS
A member who has been given an order and subsequently given a second and conflicting order shall call this fact to the attention of the person giving the second order. The superior giving the second order has the authority to direct the sequence that the orders shall be accomplished. The right to appeal exists only after the orders have been carried out.
Records Management Program

202.1 PURPOSE
The purpose of this program is to establish policy and standard procedures for managing records according to the provisions of the Public Records Act (RCW 40.14) and all the other state and federal statutes and regulations which govern agency records keeping practices, including the systematic identification and disposal of obsolete records; transfer of historically valuable records to the Washington State Archives system; removal of non-current records from active office storage; protection and security backup of records essential to agency authority and operation; disaster preparedness; insurance of records systems integrity and accessibility; and effective compliance with public disclosure.

202.2 POLICY
The Vancouver Police Department will work with the agency Records Officer to ensure that:
- Records essential to agency authority and operations are adequately protected from damage or loss.
- Historically valuable records are preserved and transferred to the Washington State Archives.
- Records are purged at the end of the retention period specified by the applicable retention schedule.
- Records are accessible for public inspection and their security is maintained according to the provisions of the Public Disclosure Act (RCW 42.17).

202.3 DEPARTMENT RESPONSIBILITIES
The Department's primary responsibility is to implement a Records Management Program to ensure:
- Compliance with the Records Management Program policy, procedures and practices.
- Compliance with all applicable Washington State Archives Records Retention Schedules.

202.4 RECORDS OFFICER RESPONSIBILITIES
The Records Officer or designee coordinates the agency-wide records management program. The Professional Standards Unit Lieutenant will be the Department's designated Records Officer, and shall:
- Protect public records integrity and access during information systems planning and design.
- Dispose of records that have reached the end of the approval retention period.
- Dispose of records that have reached the end of their retention period.
- Transfer historically valuable records to the Washington State Archives.
Records Management Program

- Represent the interests of the Department in its dealings with the Washington State Archives.
- Educate and advise the Department on records management procedures and practices.
- Implement public disclosure procedures and practices.

202.5 DISPOSITION OF RECORDS
Once a record meets the purging requirements, it is first to be reviewed by the Vancouver City Attorney to determine if the record must be retained for any pending or anticipated litigation. After the record has been reviewed and a determination made on its relevance, final disposition of purging or achieving the record must follow the processing procedures outlined in the applicable retention schedule.
Emergency Management Plan

206.1 PURPOSE AND SCOPE
The City of Vancouver has prepared an Emergency Management Plan for use by all employees in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

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

206.1.1 CITY OF VANCOUVER CODES
An emergency management organization has been established by the City of Vancouver. This ordinance has been approved by the Vancouver City Council (WAC 118-30-050).

The City of Vancouver Emergency Management Plan has been adopted under Vancouver Municipal Code VMC 2.12.

See attachment: 206 VMC 2.12 - Emergency Management.pdf

206.2 ACTIVATING THE EMERGENCY PLAN
The City Manager or designee has the authority, under Vancouver Municipal Code 2.12, to declare an emergency or disaster and activate the Emergency Management Plan.

Upon activation of the plan, the City Manager or the authorized designee should, if the need is anticipated, contact the State Emergency Operations Center to assist with a mutual aid response in which local, state, and federal law enforcement agencies provide resources to this Department.

206.2.1 RECALL OF PERSONNEL
In the event that the Emergency Management Plan is activated, all employees of the Vancouver Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

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

206.2.2 ADDRESS AND TELEPHONE NUMBERS
The Vancouver Police Department requires that all employees provide the Chief's office with their full name, their current residential street address, their phone number where they can receive calls and/or record incoming messages at all times, and the name of a person to be notified in case of emergency. Any changes to this information must be reported, in writing, to the Chief's office within 24-hours of the change, whether the employee is working or on leave. An employee on leave may provide the notice via telephone and provide written notice upon their return to work.
Emergency Management Plan

206.2.3 REPORTING FOR DUTY
Unless otherwise directed, employees will report for duty at the time and place specified by the appropriate Command Officer, properly uniformed, and equipped. They will give careful attention to orders and instructions.

206.2.4 RELIEF FROM DUTY
When an employee is assigned to an area or duty, it will be that employee's responsibility to remain in that area or on that duty until properly relieved.

206.3 LOCATION OF EMERGENCY MANAGEMENT PLAN
The Continuity Of Operations Plan (COOP), which serves as the Emergency Management Plan Manual for the employees of the City of Vancouver is attached to this policy. All supervisors should familiarize themselves with the Continuity Of Operations Plan and what roles police personnel will play when the plan is implemented.


206.3.1 POLICE EMERGENCY OPERATIONS PLAN
These Unusual Occurrence and Special Operation procedures serve as the primary All Hazard Plan for the Vancouver Police Department. This operations plan, in addition to the City of Vancouver's Continuity Of Operations Plan, is available in this policy.

The Special Operations Lieutenant is responsible for reviewing and updating this operations plan annually.

See attachment: 206 Vancouver Police Special Occurence Manual.pdf

206.4 BUILDING EVACUATION PLAN
In the event of a disaster or emergency which requires evacuation of the public safety services building, all employees shall follow implemented evacuation plans and posted exit strategies.

206.5 UPDATING OF MANUALS
The City Manager or designee shall review the Emergency Management Plan at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) (WAC 118-30-060(7)).

206.6 TRAINING
The Department should provide training in the Emergency Management Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Continuity Of Operations Plan and the roles police personnel will play when the plan is implemented.
Training Policy

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

208.2 PHILOSOPHY
The Department seeks to provide ongoing relevant, current and progressive training and encourages all personnel to participate in training and formal education on a continual basis. Training is provided to meet the requirements of a given assignment and legal mandates. VPD recognizes that quality training enhances the safety of the officer and the community.

208.3 OBJECTIVES
The objectives of Department Trainings are to:

(a) Enhance the level of law enforcement service to the public.
(b) Increase the technical expertise and overall effectiveness of our personnel.
(c) Provide for continued professional development of Department personnel.
(d) Improve safety for our Officers during the course of their duties
(e) Reduce exposure to liability to Officers and the Department

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

(a) All sworn members will successfully complete an annual in-service training program that includes the following required Criminal Justice Training Center (CJTC) Training (WAC 139-05-300).
(b) Training may also include federal and Washington court cases and other legal updates.
(c) All Department employees will successfully complete annual in-service training programs as outlined in the Mandatory Training Matrix.
   1. If an officer cannot demonstrate proficiency in the required area they will receive remedial training. If after remedial training the officer does not demonstrate proficiency they may be subject to an evaluation for Fitness of Duty
(d) Full-time supervisors or managers will receive appropriate training and certification required by CJTC.

The Mandatory Training Matrix is listed on SharePoint: cvsharepoint/departments/PoliceDept/VPDNet/Training/Pages/default.aspx
208.5 TRAINING NEEDS ASSESSMENT
The Training Unit will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by Command Staff. Upon approval by Command Staff, the needs assessment will form the basis for the training plan for the year.

208.6 TRAINING DOCUMENTATION
Detailed records shall be kept of all in-service training sponsored by or presented on behalf of the Vancouver Police Department. Records should minimally include the following:

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

208.7 TRAINING PROCEDURES
All employees assigned to attend training shall do so unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to:

(a) Court appearances
(b) Approved Leave
(c) Sick leave
(d) Injury
(e) Emergency situations
(f) Staffing

When an employee is unable to attend mandatory training, that employee shall:

(a) Notify his/her supervisor as soon as possible and the officer will make arrangements to attend an alternate date.

   (a) If the employee fails to notify their supervisor they will be required to document the reason for missing the training in a department memo.

   (b) Any employee who fails to attend any of the initially scheduled mandatory training without prior authorization may be subject to department discipline.

   (a) The training day will be a ten and half hour workday.

   (b) Employees may have altered work hours in order to accommodate the training.
Electronic Mail

212.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper use and application of the Department electronic e-mail system by employees of this Department. E-mail is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Public Records Act). Messages transmitted over the e-mail system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

All electronic communications shall also be in compliance with the City of Vancouver (COV) Policy 605 – Use of Computers, E-mails, Internet and Other Technological Resources.

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

The e-mail system is not a confidential system and therefore is not appropriate for confidential communications nor should it include Criminal Justice Information. If a communication must be confidential, an alternative method to communicate the message should be used (e.g., ShareFile). Employees using the Department e-mail system shall have no expectation of privacy concerning communications transmitted over the system.

E-mail messages between an attorney and client where advice is either received or given falls under the Attorney/Client Privileged Communications and is guarded as a confidential communication. In the event this email is subject to a public disclosure request, the privileged communication will be redacted. To clarify that the e-mail may have confidential information, the subject line of the e-mail should indicate words to the effect this email contains Attorney/Client Privileged Communication.

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

212.3 PROHIBITED USE OF E-MAIL
Most other approved Department-wide communications would fall under Policy 214 Administrative Communications, which addresses Personnel Orders, General Orders, Department Memorandums, Training Bulletins, and Informational Bulletins.

Communications which represent personal advertisements, opinions etc. that have not been cleared through the chain of command should not be sent through the VPD-group email system.

Sending any derogatory, patently false, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages through the email system is a violation of this policy.

Email messages addressed to the entire Department, i.e., VPD-All, are only to be used for official business related communications that are law enforcement related and of general applicability to all users such as C-briefs, overtime postings, “Can You ID Me”, etc.
Electronic Mail

212.4 MANAGEMENT OF E-MAIL

Because the e-mail system is not designed for long term retention of messages, e-mail that the employee desires to save or that becomes part of an official records should be printed and/or stored in another database. Users of e-mail are solely responsible for the management of their mailboxes. Messages will be archived after 14 or 31 days depending on the mailbox set up. The default retention for all archived e-mail is 7 years. If you deleted an e-mail before it is archived, it is not retained. E-mail in the "deleted" folder will not be archived.

E-mail messages are public records when they are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions, or transactions. The Local Government Common Records Retention (CORE) Schedule and the Law Enforcement Records Retention Schedule are the controlling schedules for records retention and management (RCW Chapter 40.14) for the Vancouver Police Department.
Administrative Communications

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

214.2 PERSONNEL ORDER
Personnel Order may be issued periodically by the Chief of Police, Assistant Chief of Police, or Commander, or at their direction, to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

214.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor. Recognizing Department letterhead is used in the course of official duties, to include the service of court orders, search warrants or subpoenas, only need approval by the unit supervisor, and does not need to be vetted by the Office of the Chief as referenced above.

214.4 GENERAL ORDERS
General Orders establish an interdepartmental communication that may be used by the Chief of Police to make immediate and/or temporary changes or additions to policy and procedure.

General Orders will modify or supersede sections of the manual to which they pertain or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

214.5 DEPARTMENT MEMORANDUM
A Department Memorandum is a written communication issued by the Chief of Police, Assistant Chief of Police, or Commander, or at their direction, advising announcements, suggestions or Department, Bureau, Division, Precinct, or Facility information on various topics or issues, and can be directed outside the Department.

214.6 TRAINING BULLETIN
Training Bulletins are used to disseminate information on new or revised procedures that will assist employees in properly carrying out their duties. They may refer to certain policies and further clarify certain duties, expectations, or improve employee safety. Training Bulletins may not always be applicable to all employees.

214.7 INFORMATION BULLETIN
Information Bulletins are used to disseminate and request information that will assist employees in properly and effectively carrying out their duties. They may refer to, but not be limited to, wanted
subjects, certain duties, or improve employee safety. Information Bulletins may not always be applicable to all employees.

214.8 EMPLOYEE RESPONSIBILITIES
With the necessity to respond to administrative and external communications in a timely manner, all VPD employees shall:

1. Log into their VPD e-mail account on a daily basis during their assigned work schedule to review and acknowledge any e-mails requiring their attention.

2. Upon issuance of a Departmental cell phone, set up and activate the voice mail.
   a. On a daily basis during their assigned work schedule, review and respond to any text or voice messages left for their attention.

3. Upon issuance of an office phone, set up and activate the voice mail.
   a. On a daily basis during their assigned work schedule, review and respond to any messages left for their attention.

4. If assigned a Departmental inbox, check it on a daily basis during their assigned work schedule and address any items needing their attention.

214.9 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police, Assistant Chief of Police, or Commander.
Concealed Pistol License

217.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory responsibility to issue, monitor, and revoke a license to carry a concealed pistol to residents within the community (RCW 9.41.070). This policy will provide a written process for the application, issuance, and revocation of such licenses.

217.2 QUALIFIED APPLICANTS
All applicants for a concealed pistol license shall qualify to receive such a license unless the applicant is ineligible for a license or to possess a pistol under any of the following conditions (RCW 9.41.070):

(a) The applicant is ineligible or is prohibited to possess a firearm under the provisions of RCW 9.41.040, RCW 9.41.045 or federal law.
(b) The applicant’s concealed pistol license is in a revoked status.
(c) The applicant is under twenty-one years of age.
(d) The applicant is subject to a court order or injunction regarding firearms.
(e) The applicant is free on bond or personal recognizance pending trial, appeal, or sentencing for a felony offense.
(f) The applicant has an outstanding warrant for his/her arrest from any court of competent jurisdiction for a felony or misdemeanor.
(g) The applicant has been ordered to forfeit a firearm under RCW 9.41.098(1)(e) within one year before filing an application to carry a pistol concealed on his/her person.
(h) The applicant has been convicted of a felony or is otherwise restricted from possessing a firearm unless the person has been granted relief from disabilities by the United States Attorney General under 18 USC § 925(c), or RCW 9.41.040(3) or (4) applies.

Non-immigrant aliens are not eligible for concealed pistol licenses. However, they may be eligible for an alien firearm license for the purposes of hunting and sport shooting, subject to certain eligibility requirements. Any non-immigrant alien who wishes to obtain an alien firearm license should be directed to apply to the sheriff in the county in which he/she resides (RCW 9.41.173).

217.3 APPLICATION PROCESS AND RENEWAL
The Chief of Police has thirty days after the filing of an application of any person to issue a license to carry a concealed pistol. If the applicant does not have a valid permanent Washington driver license or identification card or has not been a resident of the state for the previous consecutive 90 days, the Chief of Police has 60 days to issue a license. The Chief of Police must accept completed applications for concealed pistol licenses during regular business hours (RCW 9.41.070).
Concealed Pistol License

The Chief of Police is required to check with the National Instant Criminal Background Check System (NICS), the Washington State Patrol electronic data base, the Department of Social and Health Services electronic data base, and with other agencies or resources as appropriate, to determine whether the applicant is ineligible under RCW 9.41.040 or RCW 9.41.045, or is prohibited under federal law to possess a firearm and therefore ineligible for a concealed pistol license. This subsection applies for a new concealed pistol license or to renew a concealed pistol license.

The license application shall bear the full name, residential address, telephone number at the option of the applicant, date and place of birth, race, gender, physical description, not more than two complete sets of fingerprints, and signature of the licensee, and the licensee’s driver’s license number or state identification card number if used for identification in applying for the license. A signed application for a concealed pistol license shall constitute a waiver of confidentiality and written request that the Department of Social and Health Services, mental health institutions, and other health care facilities release information relevant to the applicant’s eligibility for a concealed pistol license to an inquiring court or law enforcement agency.

If the applicant is not a United States citizen, the applicant must provide his/her country of citizenship, United States issued alien number or admission number, and the basis for any exemptions from federal prohibitions on firearm possession by aliens. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. A person who is not a citizen of the United States shall meet the additional requirements of RCW 9.41.173 and provide proof of compliance (RCW 9.41.070).

The application for an original license shall include the submission of fingerprints which will be forwarded to the Washington State Patrol (RCW 9.41.070 (4)).

217.3.1 REQUIRED WARNINGS
The license and application shall contain a warning substantially as follows:

“CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.”

The license shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law (RCW 9.41.070). The application shall contain questions about the applicant’s eligibility under RCW 9.41.040 to possess a pistol, the applicant’s place of birth, and whether the applicant is a United States citizen.

217.3.2 DOCUMENTATION AND FEES
The Chief of Police shall deliver the original license to the licensee and a copy be retained by the Department per established records retention schedule (RCW 9.41.070(4)).

The nonrefundable fee for the original five-year license must be paid upon application. Additional charges imposed by the Federal Bureau of Investigation are payable by the applicant. No other
Concealed Pistol License

state or local branch or unit of government may impose any additional charges on the applicant for the issuance of the license.

A nonrefundable fee for the renewal of such license, or the replacement of lost or damaged licenses is required of the licensee. No other branch or unit of government may impose any additional charges on the licensee for the renewal of the license.

Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the Chief of Police.

217.4 LICENSE RENEWAL
A licensee may renew a license if the licensee applies for renewal within 90 days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty in addition to the renewal fee (RCW 9.41.070(9)).

An active duty member of the armed forces who is unable to renew his/her license within the prescribed time period because of assignment, reassignment or deployment for out-of-state military service may renew his/her license within 90 days after returning to Washington State. Verification for this CPL renewal exception is subject to the requirements of RCW 9.41.070(14).

217.5 TEMPORARY EMERGENCY LICENSE
The Chief of Police may issue a temporary emergency license for good cause to an applicant who resides within his/her jurisdiction pending review. However, a temporary emergency license issued under this subsection shall not exempt the holder of the license from any records check requirement. The Chief of Police shall assure temporary emergency licenses are easily distinguishable from regular licenses (RCW 9.41.070).

217.6 REVOCATION OF LICENSES
The Chief of Police shall revoke any license issued pursuant to this policy immediately upon (RCW 9.41.075(1)):

(a) Discovery that the person was ineligible under RCW 9.41.070 for a concealed pistol license when applying for the license or license renewal.

(b) Conviction of the licensee of an offense, or commitment of the licensee for mental health treatment, that makes a person ineligible under RCW 9.41.040 to possess a firearm.

(c) Conviction of the licensee for a third violation of RCW Chapter 9.41 within five calendar years.

(d) An order that the licensee forfeit a firearm under RCW 9.41.098(1)(d).

(e) Upon notification from the Department of Licensing that the licensee has lost his/her right to possess a firearm as identified in RCW 9.41.047.
Concealed Pistol License

217.6.1 INELIGIBILITY
Upon discovering a person issued a concealed pistol license was ineligible for the license, the Chief of Police shall contact the Department of Licensing to determine whether the person purchased a pistol while in possession of the license. If the person did purchase a pistol while in possession of the concealed pistol license, and if the person may not lawfully possess a pistol without a concealed pistol license, the Chief of Police shall require the person to present satisfactory evidence of having lawfully transferred ownership of the pistol. The Chief of Police shall require the person to produce the evidence within fifteen days of the revocation of the license (RCW 9.41.075(2)).

217.6.2 FIREARM FORFEITURE
When a licensee is ordered to forfeit a firearm under RCW 9.41.098(1)(d), the Chief of Police shall (RCW 9.41.075(3)):

(a) On the first forfeiture, revoke the license for one year.
(b) On the second forfeiture, revoke the license for two years.
(c) On the third or subsequent forfeiture, revoke the license for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1)(d) may not reapply for a new license until the end of the revocation period.

The Chief of Police shall notify the Department of Licensing in writing of the revocation of a license.

217.7 RECIPROCITY
The Chief of Police will recognize the validity of a concealed pistol license issued from another state if the laws of that state recognize and give effect to a concealed pistol license issued under the laws of the State of Washington (RCW 9.41.073). A nonresident so licensed is authorized to carry a concealed pistol in this state if:

(a) The licensing state does not issue concealed pistol licenses to persons under twenty-one years of age, and
(b) The licensing state requires mandatory fingerprint-based background checks of criminal and mental health history for all persons who apply for a concealed pistol license, and
(c) The Chief of Police will honor such a license only while the license holder is not a resident of this state. A license holder from another state must carry the handgun in compliance with the laws of this state.

217.8 RESIDENCY
The Chief of Police may issue a license to an applicant if the applicant resides within this city. The Chief of Police may issue a license to nonresident of the state in accordance with these procedures and state law.
217.9 CONFIDENTIAL RECORDS
Mental health information received by the Chief of Police pursuant to RCW 9.41.047, RCW 9.41.070, RCW 9.41.090 or RCW 9.41.173 is exempt from disclosure except as provided in RCW 42.56.240 (RCW 9.41.097). Disclosure of information otherwise obtained in the licensing process shall be limited as defined by RCW 42.56.240.
Appeal Process for Firearms Transfer

218.1 PURPOSE AND SCOPE
In accordance with state and federal regulations, law enforcement agencies shall develop a procedure whereby denied persons may request the reason for the denial from the agency that conducted the National Instant Criminal Background Check (NICS). Persons denied a firearm transfer or a Concealed Pistol License (CPL) must be made aware of the denying agency’s appeal process.

218.2 DENIAL FACTORS
If a person is denied the purchase or transfer of a firearm or denied the issuance or renewal of a CPL, he/she can appeal the denial through the denying agency and request the reason for the denial.

The following are the 18 U.S. Code § 922 federal prohibitors for which an agency can deny an individual a transfer of a firearm or CPL:

a. Section 922(g)(1) Felony Conviction
b. Section 922(g)(2) Active Criminal Warrant
c. Section 922(g)(3) Use of Controlled Substance
d. Section 922(g)(4) Mental Health
e. Section 922(g)(5) Illegal/Unlawful Alien
f. Section 922(g)(6) Dishonorable Discharge
g. Section 922(g)(7) Renounced Citizenship
h. Section 922(g)(8) Protection Order
i. Section 922(g)(9) Misdemeanor Crime of Domestic Violence
j. Section 922(g)(n) Indictment/Information

The denied individual may also appeal through the NICS Section. If the denied individual chooses to appeal through the NICS Section, the denying agency may refer the denied individual to www.fbi.gov/nics-appeals.

218.3 DEPARTMENTAL APPEAL PROCEDURE
The following steps must be followed by the Department in order to resolve the denial of the purchase/transfer of a firearm or issuance/renewal of a CPL.

218.3.1 INFORM DENIED PERSON
Inform the denied individual of the existence of a state or federal prohibitor. No further information can be provided until identity is verified.
218.3.2 VERIFY IDENTITY OF INDIVIDUAL

1. If the individual is denied based on a federal or state prohibitor, verify identity by reviewing a valid government issued photo identification such as a driver’s license or passport.

Or

2. For prohibitors that are fingerprint based (example, felony conviction), it is strongly recommended that identity be verified by submitting fingerprints.

   a. If the fingerprint based prohibitor is within Washington State, fingerprint cards may be submitted to the Washington State Patrol via mail to:

      Background Check Unit

      Washington State Patrol

      PO Box 42633

      Olympia, WA 98504

   b. The reason fingerprinted must state “RECORD REVIEW NICS APPEAL” and there is a fee associated with this request. Electronic fingerprinting is not available for these requests.

   c. There is no process for submitting fingerprints for out-of-state fingerprint based prohibitors. In these cases, appellants should be referred to the out-of-state law enforcement agency holding the denying record to address out-of-state prohibitors.

218.3.3 RELEASING DENIAL INFORMATION

1. After identity is verified, provide the reason for the denial to the appellant indicating the federal or state statue the individual was denied under. The denying agency must respond to the appeal request within 5 business days and/or advise of a reasonable timeline of when a determination will be prepared.

2. The denying agency can share the following information after identity is verified:

   a. FBI/SID number

   b. Reason for denial

   c. Date of arrest

   d. Offense

   e. Arresting agency and contact information

Attached to the appendix are the template denial letters provided by the FBI. The NICS Appeal Letter templates can be modified to reflect our Department’s response.
Appeal Process for Firearms Transfer

218.4 UNRESOLVED DENIAL
If the denying agency is unable to resolve the appeal, the denying agency will notify the appellant and provide the name and address of the agency that originated the document containing the information upon which the denial was based.

If the denying agency determines the appellant is not the subject of record via fingerprint comparison, the appellant may be directed to www.fbi.gov/nics-appeals to pursue the Voluntary Appeal File (VAF) options.
Retiree/Separated Officer Concealed Firearms

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

219.2 POLICY
The Vancouver Police Department may provide identification cards to qualified separated or retired officers as provided in this policy

219.3 LEOSA
The Chief of Police may issue an identification card for LEOSA purposes to any qualified separated officer of this Department who:

(a) Separated from service in good standing from this Department while certified by the State of Washington as a peace officer (RCW 10.93.020)

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

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

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

219.3.1 LEOSA IDENTIFICATION CARD FORMAT
The LEOSA identification card shall contain a photograph of the former officer and identify him/her as having been employed as a law enforcement officer, the date of qualification and the make, model and caliber of the firearm used during the qualification. The LEOSA card must be renewed every year.

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

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and left in good standing.

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

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

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

219.4 WASHINGTON IDENTIFICATION CARD
The Chief of Police may issue an identification card to a retired/separated officer of this Department for the purposes of carrying a concealed weapon within the State of Washington under RCW9.41.060 who:
Retiree/Separated Officer Concealed Firearms

(a) Has retired or separated in good standing from this Department.
(b) Did not retire because of a mental or stress-related disability.
(c) Has not been convicted or found guilty by reason of insanity of a crime making him/her ineligible for a concealed pistol license.

219.4.1 ISSUANCE OF WASHINGTON IDENTIFICATION CARD
The Office of the Chief will be responsible for the issuance of the identification card and the retention of the associated records.

219.5 FORMER OFFICER RESPONSIBILITIES
A former officer with a card issued under this policy shall immediately notify the Office of the Chief of his/her arrest, or conviction in any jurisdiction or that he/she is the subject of a court order, in accordance with this policy manual.

219.5.1 RESPONSIBILITIES UNDER LEOSA
In order to obtain or retain a LEOSA identification card, the former officer shall:

(a) Fill out the LEOSA application completely to include, signing a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA, and also that these acts were not taken as an employee or former employee of the Department.

(b) Remain subject to all applicable federal, state and local laws.

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

219.6 <STRONG>PROCESS</STRONG>

1. The retired/separated officer will fill out the LEOSA application completely and return it to the Department.

2. The retired officer shall be required to qualify with their pistol every year.

3. The Office of the Chief will maintain all completed applications and issued ID cards.

4. After the qualification attempt the application along with the completed firearms qualification section will be sent to the Audit Sergeant for review

(a) If the retired/separated officer passed the qualification he/she will be notified by the Office of the Chief when to pick up the LEOSA ID card.

5. The Training Unit will arrange a date and time for the applicant to qualify with their firearm.

(a) Retired/separated offices will be responsible for providing their own ammunition.

6. If the retired/separated officer meets the above standards the application will be forwarded to the Training Unit.

7. The application will be forwarded and reviewed by the audit sergeant.

See attachment: LEOSA Revised Application for Certification Final.pdf
219.7 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this Department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications, as well as the Make, Model and Caliber of the firearms weapons used in the qualification.

See attachment: leosa_qualifications final.pdf
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this Department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS
Deadly force – Intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury.

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

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. On a daily basis, officers are involved in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of their law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Sworn officers with the authority to use reasonable force and to protect the public welfare require monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that clearly exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE
Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

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

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

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

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

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

(k) Potential for injury to officers, suspects and others
(l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer.
(m) The risk and reasonably foreseeable consequences of escape.
(n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
(p) Prior contacts with the subject or awareness of any propensity for violence.
(q) Any other exigent circumstances.

300.3.3 VASCULAR NECK RESTRAINT
The proper application of the Vascular Neck Restraint may be effective in restraining a violent or combative individual. The use of the Vascular Neck Restraint is subject to the following:

(a) The officer shall have successfully completed initial and annual department-approved training in the use and application of the Vascular Neck Restraint.
(b) The Vascular Neck Restraint may only be used when circumstances perceived by the officer at the time, indicate that such application reasonably appears necessary to control a person.
   1. The suspect is violent or actively resisting arrest.
   2. The subject, by words or actions, has demonstrated an intention to be violent or reasonably appears to have the potential to harm officers, themselves or others.
(c) The application of a Vascular Neck Restraint on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a Vascular Neck Restraint:
   1. Females who are known to be pregnant
   2. Elderly individuals
   3. Obvious juveniles
   4. Known individual with down syndrome
(d) Any individual who has had the Vascular Neck Restraint applied and is not rendered unconscious will be examined by paramedics or other qualified medical personnel at the scene as soon as practical.
   1. If an individual is believed to have been rendered unconscious by a Vascular Neck Restraint, the officer shall arrange for the individual to be transported to a hospital for evaluation.
Use of Force

(e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the Vascular Neck Restraint and whether the subject lost consciousness as a result.

(f) Any officer attempting or applying the Vascular Neck Restraint shall promptly notify a supervisor of the use or attempted use of such hold.

(g) The use or attempted use of the Vascular Neck Restraint shall be thoroughly documented by the officer in any related reports.

300.3.4 DE-ESCALATION
Officers shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever reasonably possible and appropriate before resorting to force.

An Officer shall allow an individual time and opportunity to submit to verbal commands before force is used, whenever reasonably possible or feasible, providing that such delay will not compromise the safety of the officer or another and will not result in destruction of evidence, escape, or commission of a crime.

300.4 DEADLY FORCE APPLICATIONS
Use of deadly force is justified in the following circumstances:

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

(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious physical injury or death, and the officer reasonably believes that there is an imminent risk of serious physical injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

(a) The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.

(b) The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES
An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle.
Use of Force

A firearm may also be used to prevent the suspect from escaping when the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others should they escape.

Officers should take into consideration potential dangers to the public if they decide to fire on the occupants of a moving vehicle.

300.5 REPORTING THE USE OF FORCE

Other than an incident in which an officer's interview shall be used as a substitute, any use of force by a member of this Department shall be documented in the related police reports, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable and necessary under the circumstances. If a potential policy violation is identified during the use of force review, the incident will be assigned for investigation.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.
(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of the Taser or control device.
(f) Any application of leg restraints.
(g) The individual subjected to the force was rendered unconscious.
(h) An individual was struck or kicked.
(i) An individual alleges any of the above has occurred.
(j) Any on duty discharge of a firearm outside of training.

300.6 MEDICAL CONSIDERATION

The Department will provide or facilitate first aid such that it is rendered at the earliest safe opportunity to injured persons at a scene controlled by law enforcement.

Prior to booking or release, medical assistance shall be obtained for any person who exhibits obvious signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting obvious signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.
Use of Force

Based upon the officer's initial observation of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor, or if not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes are pertinent to the safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate before contact is made.

300.7 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.

(d) Identify any witnesses not already included in related reports.

(e) Review and approve all related reports.

(f) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

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

300.7.1 SHIFT SERGEANT RESPONSIBILITY
The Shift Sergeant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues. When it is determined by the Sergeant or the Training Unit that an employee could benefit from additional training related to a use of force incident, a non-disciplinary referral will be made through a Department memo. This additional training will be organized between the employee’s Sergeant and the Training Unit and should be completed in a timely manner.

300.8 TRAINING
Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.
Handcuffing and Restraints

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

305.2 POLICY
The Vancouver Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and Department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

305.3 USE OF RESTRAINTS
Only members who have successfully completed the Vancouver Police Department approved training, or equivalent, on the use of restraint devices described in this policy are authorized to use these devices.

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

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

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

305.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety.

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape or injury (RCW 70.48.500).
305.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is under arrest or when
the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/
herself, injure the officer or damage property.

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

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

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

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

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

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

305.5 APPLICATION OF SPIT HOODS/MASKS/ SOCKS
Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from
biting and/or transferring or transmitting fluids (saliva and mucous) to others.

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for
adequate ventilation and that the restrained person can breathe normally. Officers should provide
assistance during the movement of restrained individuals due to the potential for impaired or
distorted vision on the part of the individual. Officers should avoid comingling individuals wearing
spit hoods with other detainees.
Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood. Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

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

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

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

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

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

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

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

305.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying leg restraints the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

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

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

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

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

(f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

305.8 REQUIRED DOCUMENTATION
If an individual is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The officer should include, as appropriate:

(a) The amount of time the suspect was restrained.
(b) How the suspect was transported and the position of the suspect.
(c) Observations of the suspect's behavior and any signs of physiological problems.
(d) Any known or suspected drug use or other medical problems.

305.8.1 SCHOOL RESOURCE OFFICERS
Members working as school resource officers shall prepare a report pursuant to RCW 28A.600.485 and provide a copy to the school administrator whenever a student is restrained in a room or other enclosure or restrained by handcuffs or other restraint devices during school-sponsored instructions or activities.
Less Lethal Projectile

306.1 PURPOSE
The Department is committed to reducing the potential for violent confrontations. Less Lethal Kinetic Energy Projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

306.2 POLICY
The Department recognizes that combative, non-compliant, armed and/or violent subjects can cause handling and control problems that require special training and equipment. Thus, the Department has adopted the less-lethal philosophy to assist with the de-escalation of these potentially violent confrontations.

   (a). Philosophy: Defined as a concept of planning and force application, which meets an operational objective, with less potential for causing death or serious physical injury than conventional police tactics.

306.3 DEFINITIONS
Necessary Force - No reasonably effective alternative to the use of force appeared to exist and that the amount of force used was reasonable to effect the lawful purpose intended. (RCW 9A.16.010(1))

Objectively Reasonable - The force used by the officer is evaluated in light of the totality of the facts and circumstances known to the officer at the time the force is used. (Graham v. Connor [(1989) 490 U.S. 386, 109S Ct. 1865])

306.4 DEPLOYMENT AND USE
It is the policy of this Department that less-lethal projectiles will not be deployed at any person except to gain the voluntary compliance of combative, non-compliant, armed, or violent subjects who are causing handling and control problems. The purpose of deploying less-lethal projectiles is to reduce those subjects' ability to continue their unlawful or non-compliant behavior.

Only Department approved kinetic energy munitions shall be carried and deployed.

The decision to use force rests with each officer. While there is no way to specify the exact durations or type of reasonable and necessary force to be applied in any situation, each officer is expected to use these guidelines to make use of force decisions in a professional, impartial and safe manner.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

   (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present potential to harm officers, him/herself or others.

(c) The suspect is engaged in riotous behavior.

(d) The subject is actively resisting and poses an immediate threat of danger.

306.5 DEPLOYMENT CONSIDERATIONS

As noted, any application of force by a member of this Department must be judged by a standard of "objective reasonableness." When determining whether or not to apply any level of force and evaluating whether an officer has used objectively reasonable force, a number of factors should be taken into consideration. Those factors, in no particular order, should include but are not limited to:

(a) The conduct of the individual being confronted (as reasonably perceived by the officer at the time of the incident);

(b) Officer/subject factors (e.g., age, size, relative strength, skill level, injury/exhaustion, number of officers vs. subjects, etc.);

(c) Whether or not the subject is under the influence of drugs/alcohol (mental capacity and physical capabilities);

(d) Proximity of weapons to the subject;

(e) Availability of other options (what resources are reasonably available to the officer under the circumstances presented);

(f) Seriousness of the suspected offense(s) leading the officer to use force;

(g) Training and experience level of the officer;

(h) Potential for injury to citizens, officers and the suspect(s);

(i) Risk of escape;

(j) Other exigent circumstances.

306.5.1 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of less lethal impact projectiles on certain individuals should generally be avoided unless the totality of the circumstances indicates other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are known to be pregnant.

(b) Elderly/Frail individuals or obvious juveniles.

(c) Individuals who are handcuffed or otherwise restrained.

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

A verbal command coupled with a verbal warning of the intended use of the device should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable
Less Lethal Projectile

due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to the manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

306.5.2 DEPLOYMENT OF CHEMICAL MUNITIONS
Except in extreme circumstances where protection of life is immediate, only personnel who have successfully completed a departmentally approved training course in deployment of chemical agent munitions will be authorized to deploy them during actual operations. In order to remain authorized to deploy chemical agent munitions, personnel will successfully complete a training course on an annual basis.

Except during exigent circumstances, chemical agent munitions should not be deployed without prior authorization of the Incident Commander

Considerations in the Deployment of Chemical Agents:

Planning and contingencies:
1. Select appropriate munition and dissemination method for mission.
2. Consider weather conditions, such as wind.
3. Notification and preparation of all officers on scene.

Decontamination and Notification of use:

Officers deploying chemical agents must be prepared to advise and/or initiate decontamination to affected persons. The most appropriate method is to move the affected person into fresh air. Officers should also be aware of methods used to decontaminate clothing, equipment or other areas that may be affected.

If chemical agents have been deployed in a building or vehicle, the premise or vehicle will be posted with the authorized notice of chemical contamination. The posting will include the type(s) of chemical agent used, potential hazards, and several companies capable of decontaminating the location.

See attachment: Chemical Warning (3).pdf

306.6 ACTIONS FOLLOWING DEPLOYMENT
Any time a less-lethal round is fired in the line of duty, the on-duty supervisor must be notified. A review will be conducted into any situation involving the firing of a less-lethal round at a suspect.
Less Lethal Projectile

Medical attention by qualified medical personnel shall be sought and administered any time a person is struck by a less-lethal round. The individual shall be transported to a medical facility for examination and medically evaluated prior to booking.

Once at the hospital, if any individual refuses medical attention, such a refusal should be witnessed by medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact, or an interview with the individual, any refusal should be included if possible.

If the discharge resulted in an injury or death to another person, additional statements and reports shall be made in accordance with Policy 309 - Officer Involved Shootings.

306.6.1 UNINTENTIONAL DISCHARGE
In the event of an unintentional discharge, the officer shall make a verbal report to his/her supervisor as soon as circumstances permit. The supervisor will then ensure appropriate documentation and command notifications are completed.

If the discharge resulted in an injury or death to another person, additional statements and reports shall be made in accordance with Policy 309 - Officer Involved Shootings.

306.7 TRAINING OF CONTROL DEVICES
The Training Unit shall ensure all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device, and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, less lethal instructor.
(b) All training and proficiency for control devices will be documented in the officer’s training file.
(c) Less lethal projectiles will be deployed only by trained officers who have passed semi-annual training.

306.8 REPORTING USE OF FORCE
Any application of a control device or technique listed in this policy shall be documented in a police report pursuant to Policy 300 - Use of Force. The fired baton will be placed in the evidence system as part of the incident report if possible. Photographs will be taken of the contact/injury either at the scene or the hospital. These photographs will either be uploaded, or in the event they are of a sensitive nature, burned to a disc and entered into the evidence system.
Impact Weapons / Oleoresin Capsicum (OC)

307.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of non-projectile impact weapons and oleoresin capsicum (OC).

307.2 POLICY
In order to assist in controlling subjects who are violent or who demonstrate the intent to be violent, the Vancouver Police Department authorizes officers to use impact weapons or OC spray in accordance with the guidelines in this policy and the Use of Force Policy.

307.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Impact weapons and OC spray described in this policy may be carried and used by members of this department only if they have been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training, in the use of impact weapons or OC spray are authorized to carry and use them when it appears reasonable to do so based on the circumstances.

Impact weapons or OC spray may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent and the use of the impact weapon or OC spray appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using impact weapons or OC spray, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

307.3.1 USER RESPONSIBILITIES
Any damaged, inoperative, or expended impact weapons or OC spray, along with documentation explaining the cause of the damage, shall be returned to the Training Unit for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

307.4 IMPACT WEAPON GUIDELINES
The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted with significant force except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

There is a decrease in obvious risk of serious injury even in the tertiary areas when struck lightly or with minimal force.

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

**307.5 OLEORESIN CAPSICUM (OC) GUIDELINES**

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

**307.5.1 OC SPRAY**

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt or exterior vest carrier. Plainclothes and non-field personnel may carry OC spray, as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

**307.5.2 TREATMENT FOR OC SPRAY EXPOSURE**

Persons who have been sprayed with or otherwise affected by the use of OC will be seen by medical personnel at the scene and provided with clean water to cleanse the affected areas when safe to do so. If needed the affected subjects may be transported to the hospital for evaluation.

**307.5.3 POST APPLICATION NOTICE**

Whenever OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

See attachment: Chemical Warning (3).pdf

**307.6 TRAINING FOR IMPACT WEAPONS AND OC SPRAY**

The Training Sergeant shall ensure all personnel who are authorized to carry impact weapons or OC spray have been properly trained and certified to carry them, and are retrained or re-certified as necessary.

(a) Proficiency training shall be monitored and documented by a certified defensive tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer’s training file.

(c) Officers who fail to demonstrate proficiency or knowledge of the agency’s Use of Force Policy, will be provided remedial training. If an officer cannot demonstrate proficiency with impact weapons or OC spray or knowledge of this agency’s Use of Force Policy after remedial training, the officer will be restricted from carrying them and may be subject to an evaluation for Fitness for Duty.

**307.7 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES**

Any application of an impact weapon or OC spray shall be documented in an appropriate police report and use of force report.
Conducted Energy Device

308.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of Conducted Energy Devices (CEDs).

308.2 POLICY
CEDs are intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device is intended to result in fewer serious injuries to officers and suspects.

308.3 REQUIRED
Qualified officers in Patrol, NRT, SRO, Traffic, Canine and SWAT will be issued and must carry a CED while on duty except under the following circumstances:

(a) Officers may not be required to carry a CED while working in an undercover capacity.
(b) The Chief of Police or designee may exempt officers from carrying the CED or require that officers in other assignments carry a CED while on duty.

If an officer’s CED is not available for use, the officer is not excused from duty. A replacement CED will be made available whenever possible. In the event that a replacement is not available, the officer must remain on duty for the shift.

Officers in other assignments will have access to and may choose to carry a CED while on duty. Personnel leaving a particular assignment may be expected to return their issued device to the Department’s inventory.

308.4 ISSUANCE AND CARRYING CEDS
Officers shall only use the CED and cartridges that have been issued by the Department. Uniformed officers who have been issued the CED shall wear the device in an approved holster on their person (non-dominant hand draw holster). Non-uniformed officers may secure the CED in the driver’s compartment of their vehicle.

(a) All CEDs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
(b) Officers shall be responsible for ensuring their issued CED is properly maintained and in good working order.
(c) Officers should not hold both a firearm and the CED at the same time.

All members carrying a CED should perform a function check on the unit prior to every shift.
Conducted Energy Device

308.5 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the CED should precede its application unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.
(b) Provide other officers and individuals with a verbal command, coupled with a warning, that the CED may be deployed.

Officers should attempt to avoid pointing the aiming laser into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal command or verbal warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

308.6 USE OF THE CED
The CED has limitations and restrictions requiring consideration before its use. The CED should only be used when its operator can safely approach the subject within the operational range of the device. Officers should be aware the device may not achieve the intended results and be prepared with other options.

308.6.1 APPLICATION OF THE CED
The CED may be used in any of the following circumstances when the circumstances perceived by the officer at the time indicate such application is reasonably necessary to control a person:

(a) The subject is violent; or
(b) The subject is actively resisting and poses an immediate threat of danger; or
(c) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

308.6.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are known to be pregnant.
(b) Elderly individuals or obvious juveniles.
(c) Individuals with obviously low body mass.
(d) Individuals who are handcuffed or otherwise restrained.
Conducted Energy Device

(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

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

The CED shall not be used to psychologically torment, elicit statements or to punish any individual.

308.6.3 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the CED probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

308.6.4 MULTIPLE APPLICATIONS OF THE CED
Officers should typically apply the CED for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CED against a single individual are generally not recommended and should be avoided unless the officer reasonably believes the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the CED appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications, including:

(a) Whether the probes are making proper contact.

(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.

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

Officers should generally not intentionally apply more than one CED at a time against a single subject.

308.6.5 ACTIONS FOLLOWING DEPLOYMENTS
Officers shall notify a supervisor of all CED discharges. The expended cartridge should be submitted into evidence. Both probes and wire should be disposed in a sharps container. The cartridge serial number should be noted and documented on the evidence paperwork. In cases involving serious physical injury or death, the probes, wires and cartridges will all be saved as evidence.

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

308.6.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department CED while off-duty.

Officers shall ensure CEDs are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

308.7 DOCUMENTATION
Officers shall document all intentional CED discharges or the direct pointing of the CED in the related police reports. Notification shall also be made to a supervisor in compliance with Policy 300 - Use of Force.

Unintentional discharges will be documented in the appropriate IA database.

308.7.1 REPORTS
The officer should include the following in the arrest/police report:

(a) Identification of all personnel firing a CED.
(b) Identification of all witnesses.
(c) Medical care provided to the subject.
(d) Observations of the subject’s physical and physiological actions.
(e) Any known or suspected drug use, intoxication or other medical problems.

308.8 MEDICAL TREATMENT
All persons who have been struck by CED probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Only qualified medical personnel may remove a CED probe that has penetrated a person’s skin. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.
(b) The person may be pregnant.
(c) The person reasonably appears to be in need of medical attention.
(d) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED.
Conducted Energy Device

308.9 SUPERVISOR RESPONSIBILITIES
When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

A supervisor should review each incident where a person has been exposed to an activation of the CED. The device should be downloaded through the data port by a supervisor or DTMI and saved with the related police report. Photographs of probe sites should be taken and witnesses interviewed.

308.10 TRAINING
Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignment for a period of one year or more shall be recertified by a Department approved instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer’s knowledge and/or practical skill may be required at any time if deemed appropriate by the DTMI. All training and proficiency for CEDs will be documented in the officer’s training file.

The DTMI is responsible for ensuring all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of a CED during training could result in injury to personnel and is not mandatory for certification.

The DTMI should ensure all training includes:

(a) A review of this policy.
(b) A review of the Use of Force Policy.
(c) Performing non-dominant hand draws to reduce the possibility of unintentionally drawing and firing a firearm.
(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
(e) Handcuffing a subject during the application of the CED and transitioning to other force options.
(f) De-escalation techniques.
(g) Restraint techniques that do not impair respiration following the application of the CED.

The DTMI should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The DTMI should also conduct audits of data downloads and reconcile CED report forms with recorded activations.
Officer Involved Shootings

309.1 PURPOSE AND SCOPE
The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is shot at, injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide the investigation will follow the process provided in this policy.

This policy shall be consistent with the requirements set forth in the current collective bargaining agreement with the Vancouver Police Officers’ Guild. In the event of any inconsistency between this policy and the collective bargaining agreement with the Guild, the agreement shall control.

309.2 POLICY
The policy of the Vancouver Police Department is to ensure officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner and one which ensures public trust in the Department.

309.3 DEFINITIONS
Involved Officer - An officer of this Department who fired the shots or whose action caused the death of another.

309.4 TYPES OF INVESTIGATIONS
Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

• A criminal investigation of the incident.
• An administrative investigation as to policy compliance by involved officers.
• A civil investigation to determine potential liability.

309.5 CONTROL OF INVESTIGATIONS
Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death, and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.
309.5.1 CRIMINAL INVESTIGATION OF INCIDENT
The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect’s crime occurred. For example, the Vancouver Police Department would control the investigation if the suspect’s crime occurred in the city of Vancouver.

If a crime or multiple related crimes have been committed in multiple jurisdictions, the control of the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police, and with concurrence from the other agency.

309.5.2 INVESTIGATION OF OFFICER ACTIONS
The control of the investigation into the officer-involved incident will be determined by the employing agency’s protocol. When an officer from this Department is involved, the criminal investigation will be handled with assistance from the Regional Major Crimes Team.

Requests made of this Department to investigate a shooting or death involving an outside agency’s officer shall be referred to the Chief of Police or the authorized designee for approval.

See attachment: 309 Officer-Involved Shooting and Deaths Procedure Manual.pdf

309.5.3 ADMINISTRATIVE AND CIVIL INVESTIGATION
Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

309.6 NOTIFICATIONS
The following persons shall be notified as soon as practicable. Refer to procedures manual for specific notification responsibilities:

- Clark Regional Emergency Services Agency (CRESA)
- Chief of Police
- Investigation Division Commander
- Regional Major Crimes Team
- Outside Agency Investigators (if appropriate)
- Professional Standards Unit Supervisor
- Civil Liability Response Team
- Peer Support Team
- Involved Officer’s Union Representative
- Public Information Coordinator

309.6.1 RESPONSIBILITIES OF INVOLVED OFFICERS
a) Public Safety Statement
Officer Involved Shootings

1. Following the discharge of a firearm in the line of duty, involved officers are required to provide a public safety statement as outlined in the procedure manual for officer-involved shootings and deaths.

b) Criminal Interview/Written Report

1. Following an officer-involved shooting, and after being given the opportunity to consult with legal counsel, an involved officer has the option to participate in a criminal interview in lieu of writing a police report. Any recording of the criminal interview, or any subsequent interview (e.g., administrative interview) will be at the consent of the involved officer.

2. In the event that suspects remain outstanding or subject to prosecution for related offenses, this Department shall retain the authority to require involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

3. While the involved officer may write a police report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

4. Nothing in this section shall be construed to deprive an involved officer of the right to consult with legal counsel prior to completing any such criminal report or criminal interview.

5. Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting or death.

c) Administrative Interviews

1. Following an officer-involved shooting, and given adequate immunity, an involved officer shall answer questions specifically, directly and narrowly relating to the performance of his or her official duties.

309.6.2 ACCOMODATIONS FOR INVOLVED OFFICERS

The following shall be considered for the involved officer:

a) Any request for legal or union representation will be accommodated.

1. Involved officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.

2. Requests from involved outside agency officers should be referred to their employing agency.

b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
Officer Involved Shootings

c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of union information.

d) A licensed psychologist shall be provided by the Department to each involved Department officer. A licensed psychologist may also be provided to any other affected Department members upon request.

1. Interviews with a licensed psychologist will be privileged.

2. An interview or session with a licensed psychologist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet or in a group with a licensed psychologist prior to providing a formal interview or report.

3. A separate fitness-for-duty exam may also be required (refer to Policy 1030 - Fitness for Duty Policy).

e) The Department will consider communications between qualified peer counselors and involved officers to be privileged (RCW 5.60.060). However, peer counselors should not be discussing the particular facts of the incident with the involved officer.

309.6.3 CRITICAL INCIDENT LEAVE
Each involved Department officer shall be given reasonable paid critical incident leave following an officer-involved shooting or death. This leave should include all premium pays and shift differential received prior to the incident. Such leave shall be at the direction of the Office of the Chief. It shall be the responsibility of the Shift Sergeant to make schedule adjustments to accommodate such leave.

309.7 CRIMINAL INVESTIGATION
The County Prosecuting Attorney’s Office, or their designee, is responsible for the review and final determination of the criminal investigation into the circumstances of any officer-involved shooting or death.

Investigative personnel from this Department may be assigned to partner with investigators from outside agencies.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer’s equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a statement from involved officers and to complete their interviews. If interviews are recorded by the investigator, the officer may also record the interview. The following shall be considered for the involved officer:

a) Department supervisors and Professional Standards Unit personnel should not participate directly in any interview of Department officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to being interviewed by criminal investigators. However, in order to maintain the integrity of each involved officer’s statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

c) If any involved officer is physically, emotionally or otherwise not in a position to provide a statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

d) Any statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively compelled statement will be provided to any criminal investigators unless the officer consents in writing.

e) Generally, the criminal interview would occur 48-72 hours after the incident.

309.7.1 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an officer-involved shooting or death may become unavailable, or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

a) Identification of all persons present at the scene and in the immediate area.

   1. When feasible, a recorded statement should be obtained from eye witnesses as well as those persons who claim not to have witnessed the incident but who were present at the time it occurred.

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

b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department. Consent should be obtained prior to transporting a witness.

c) Prompt contact with the suspect’s known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident will normally be done by detectives, or at the direction of the Investigations Unit supervisor, unless exigent circumstances exist.

309.7.2 INVESTIGATIVE PERSONNEL
Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Investigations supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with
investigators from the Regional Major Crimes Team, and may be assigned to separately handle the investigation of any related crimes.

All related reports, except administrative reports, will be forwarded to the designated Investigations supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Division Commander. The Investigations Unit supervisor will have access to all criminal reports related to the investigation.

309.8 ADMINISTRATIVE INVESTIGATION
In addition to all other investigations associated with an officer-involved shooting or death, this Department will conduct an internal administrative investigation of involved Department officers to determine conformance with Department policy. This investigation will be conducted under the supervision of the Professional Standards Unit.

Interviews of members shall be subject to Department policies and applicable laws.

(a) If any officer has elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interviews.

(b) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer’s physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer’s statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. If administrative interviews are recorded by the investigator, the officer may also record the interview.

4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall
be informed that the interview will be for administrative purposes only and that
the statement cannot be used criminally.

5. The Professional Standards Unit shall complete all relevant information and
reports necessary for the Department to determine compliance with applicable
policies.

6. Any other indications of potential policy violations shall be determined in
accordance with standard disciplinary procedures.

309.9 CIVIL LIABILITY RESPONSE
Members of this Department may be assigned to work exclusively under the direction of the
legal counsel for the Department to assist in the preparation of materials deemed necessary in
anticipation of potential civil litigation.

All materials generated in this capacity shall be considered attorney work product and may not be
used for any other purpose. The civil liability response is not intended to interfere with any other
investigation but shall be given reasonable access to all other investigations.

309.10 AUDIO AND VIDEO RECORDINGS
Any officer involved in a shooting or death may be permitted to review available video or audio
recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their
ability to contemporaneously perceive events at the scene of an incident may also be permitted
to review available video or audio recordings with the approval of assigned investigators or a
supervisor.

Any video or audio recordings of an incident should not be publicly released during an ongoing
investigation without consulting the Prosecuting Attorney, City Attorney's Office and the Office of
the Chief as appropriate.

309.11 DEBRIEFING
Following an officer-involved shooting or death, the Vancouver Police Department should conduct
a critical incident stress debriefing.

309.11.1 CRITICAL INCIDENT STRESS DEBRIEFING
The Critical Incident Stress Debriefing is a structured group discussion designed to mitigate
or resolve the psychological distress associated with a critical incident. The process provides
information on potential stress symptoms and coping techniques and helps personnel work
through their own thoughts, reactions and symptoms. The Critical Incident Stress Debriefing is
facilitated by a specially trained team that includes mental health professionals and peer support
personnel. The Critical Stress Debriefing is a voluntary process and will not occur until after the
criminal investigation interviews of the involved members have been completed.
Officer Involved Shootings

A critical incident stress debriefing should occur as soon as practicable. The Administration Division Commander is responsible for organizing the debriefing. Notes and recorded statements will not be taken because the sole purpose of the debriefing is to help mitigate the stress related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers or other first responders). The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards Unit personnel.

309.12 MEDIA RELATIONS
Any media release shall be prepared with input and concurrence from the Investigations Unit supervisor and Department representative responsible for each phase of the investigation. Final drafts should be reviewed and approved by the Investigations Unit Commander and the Office of the Chief.

No involved officer shall make any comment to the media concerning the incident while the criminal investigation is pending unless he/she is authorized by the Investigations Unit Commander or Office of the Chief.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.
Firearms

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

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

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

311.1.1 DEFINITIONS

**Authorized Firearm** - Any make, model, or caliber of firearm that meets Department designated requirements and specification, and has been formally approved by the Chief of Police or his/her designee. This includes primary service handguns, alternate duty handguns, back-up handguns, shotguns and rifles used for law enforcement purposes.

**Back-up Handgun** – Any handgun, other than the primary service or alternate duty handgun, that has been authorized by the Department to be carried concealed on duty.

**Department Armorer** – Sworn personnel, appointed by the Chief of Police or his/her designee, whose primary responsibility is to maintain and repair Department owned firearms.

**Department Issued Firearm** – Any firearm purchased by the Department and provided to an officer for use in official law enforcement duties.

**Firearms Instructor** – Sworn personnel appointed by the Chief of Police or his/her designee to conduct firearms training and range operations.

**Firearms Qualification** – Periodic testing required of officers to determine their competency to carry authorized firearms.

**Off-Duty Firearm** – Any make, model or caliber of firearm that sworn personnel carry during off-duty (non-working) hours.

**Primary Service Handgun** – The firearm issued and/or authorized by the Department to be carried as part of the service uniform for uniformed personnel or the firearm issued and/or authorized to be carried by plain clothes officers. This includes personally owned and authorized firearms used as a primary service weapon that were previously defined as an alternate duty weapon.

**Rangemaster** – Sworn personnel, appointed by the Chief of Police or his/her designee, to lead the firearms instruction and be responsible for the facilitation of the firearms program.

311.2 POLICY
The Vancouver Police Department will provide sworn personnel a firearm or allow them to carry an authorized, personally owned, firearm on-duty in the performance of their duties. The Department
Firearms

will ensure that members meet the training requirements for each type of firearm carried, the firearm is properly maintained, and the officer’s adherence to this policy.

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

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

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

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

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

Any employee who is present during firearms or range operations is considered a Safety Officer and is authorized to assist with the enforcement of safety rules and practices. A Safety Officer may request the cessation of any activity he/she deems to be unsafe. The Firearms Instructor will make the determination as to whether the activity may continue.

311.3.1 ARMORER DUTIES
The Department Armorer, or designee, is the only police personnel authorized to make alterations, repairs, adjustments or modifications to Department issued and/or authorized firearms. The armorer’s responsibilities include:

a. Conduct inspection of Department issued and/or authorized firearms on an annual basis or otherwise required by the manufacturer.

b. Inspect all weapons if used in an officer involved shooting or accidental discharge.
c. Modifications include adjustments to the grips, springs, trigger, sights, finishes and any other aspect of the firearm.

311.4 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS
Members shall only use firearms that are issued or approved by the Department and have been inspected by the Rangemaster or Department Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm (e.g., post Officer Involved Shooting).

311.4.1 HANDGUNS
The Chief of Police will authorize firearms that officers are permitted to carry as their primary service weapon.

To receive authorization to carry the primary service handgun, officers must:

1. Successfully pass firearms qualification,
2. Attend Use of Force training, and
3. Attend training regarding the use of firearms.

After receiving authorization, officers will carry their Department issued or authorized handgun while on duty at all times and/or when operating a Department vehicle whether on or off duty.

Officers shall utilize their primary service weapon as the first response weapon except in unusual or extenuating circumstances, consistent with training.

The authorized Department issued handgun model(s) are listed on SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Training to obtain a list of approved handguns.

311.4.2 SHOTGUNS
While on duty, shotguns shall be carried in a secure shotgun rack in the patrol vehicle or in the trunk of the patrol vehicle in a soft case with the magazine tube loaded, the chamber empty and the safety in the “on” position.

While off duty the shotgun must be:

1. Stored in the officer’s duty locker at a Vancouver Police facility.
2. Safely secured within the officer’s home.
3. Locked in an approved shotgun rack or locking trunk safe of an assigned Vancouver Police take-home vehicle. Under no circumstance can the shotgun be stored in a police vehicle in any other mode while off duty.
Firearms

When a Department vehicle is removed from service for maintenance, the shotgun will be removed from the vehicle, completely unloaded and secured by the assigned officer.

The authorized Department issued shotgun model(s) are listed on SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Training to obtain a list of approved shotguns.

311.4.3 PATROL RIFLES
While on duty, patrol rifles shall be carried in a secure patrol rifle rack in the patrol vehicle or in the trunk of the patrol vehicle in a soft case with a loaded magazine inserted into the magazine well, the chamber empty, bolt forward with the dust cover closed, and the safety in the “on” position.

While off duty the patrol rifle must be:
1. Stored in the officer’s duty locker at a Vancouver Police facility.
2. Safely secured within the officer’s home.
3. Locked in an approved patrol rifle rack or locking trunk safe of an assigned Vancouver Police take-home vehicle. Under no circumstance can the rifle be stored in a police vehicle in any other mode while off duty.

When a Department vehicle is removed from service for maintenance, the rifle will be removed from the vehicle, completely unloaded and secured by the assigned officer.

The authorized Department issued patrol rifle model(s) are listed on SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Training to obtain a list of approved patrol rifles.

311.4.4 PERSONALLY OWNED DUTY FIREARMS
Members desiring to carry an authorized but personally owned duty firearm must receive written and signed approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following guidelines:

a. The firearm shall be in good working order.

b. The firearm shall be inspected by the Rangemaster or designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

c. Prior to carrying the firearm, officers shall qualify in accordance with the Department qualification schedule.

d. Officers are personally responsible for all costs associated with the purchase and maintenance of their personally owned duty firearm.

e. If the firearm does not fit a Department issued holster and magazine pouch, the officer is responsible for the purchase for these items. These items must then be approved for carry by the Rangemaster or designee.
f. Since the calibers of the personally owned duty firearm must either be .9mm, .40 or .45 caliber, the Department will supply practice and duty ammunition.

All personally owned duty firearms shall be carried in accordance with uniform and related Department policies.

311.4.5 AUTHORIZED BACKUP HANDGUN
Members desiring to carry a personally owned backup handgun are subject to the following guidelines:

a. The handgun shall be in good working order and on the Department list of approved firearms.

b. The purchase of the handgun and ammunition shall be the responsibility of the officer. If the handgun’s caliber is .9mm, .40 or .45 caliber, the Department may supply the ammunition if available.

c. The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

d. The handgun shall be inspected by the Rangemaster or designee prior to being carried, and thereafter shall be subject to inspection whenever deemed necessary.

e. Prior to carrying the handgun, members shall qualify in accordance with the Department’s qualification schedule. Officers must demonstrate proficiency and safe handing and that the handgun functions properly.

f. Only one backup handgun may be carried at a time.

g. The authorized Department issued backup handgun model(s) are listed on SharePoint. Follow this file directory: SharePoint~Departments~VPDNET~Training to obtain a list of approved backup handguns.

311.4.6 AUTHORIZED OFF-DUTY FIREARMS
The carrying of firearms by an officer off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

a. The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

b. Prior to carrying any off-duty firearm, the officer shall demonstrate to the Rangemaster or designee that he/she is proficient in handling and qualifying with the firearm and that it will be carried in a safe manner.

c. If an officer desires to use more than one firearm while off-duty, he/she may do so as long as all requirements set forth in this policy for each firearm are met.
d. When armed off-duty, officers shall carry a police badge and Vancouver Police Department identification card.

311.4.7 DUTY AMMUNITION
The Department shall provide duty ammunition for all primary duty handguns, patrol rifles, and shotguns.

Practice handgun, patrol rifle, and shotgun ammunition will be allotted to officers by the Department on a scheduled basis for individual practice as long as the Department has ample supply to do so. The Department will replace duty ammunition yearly at qualifications.

Officers carrying authorized personally owned duty handguns will be allotted the same ammunition allowance and replacement schedule as listed above.

Officers carrying a personally owned back-gun of a caliber other than 9mm, .40 or .45 calibers are responsible for the cost and replacement of their own ammunition, which must be approved by the Rangemaster.

The Department is responsible to replace unserviceable or depleted Department issued ammunition through the Rangemaster or designee.

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

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

Officers shall report and immediately remove from service any defective, unsafe, malfunctioning or damaged Department issued or authorized firearm. This firearm shall be submitted to the Rangemaster/armorer for evaluation within one day of discovery.

Maintenance and repair of Department issued firearms is the responsibility of the Department.

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

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or Rangemaster/armorer.

311.5.2 HOLSTERS
Only Department issued or Department approved holsters shall be worn by members. Those members wanting to use their personally owned holsters must first have them inspected and approved for use by the Rangemaster, or designee. Members shall periodically inspect their
Firearms

holsters to make sure they are serviceable and provide proper security and retention of the handgun.

The authorized Department issued holster model(s) are listed on SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Training to obtain a list of approved holsters.

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

311.6 SAFE HANDLING, INSPECTION AND STORAGE
Members shall maintain the highest level of safety when handling firearms and shall consider the following:

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

b. Officers shall maintain Department issued and authorized firearms in a clean and safe manner.

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

d. All Department issued and authorized firearms shall be carried and handled in a safe and secure manner as authorized by this Department and taught by the Firearms Training Staff.

e. Any employee who is present during firearms or range operations is considered a Safety Officer and is authorized to assist with the enforcement of safety rules and practices. A Safety Officer may request the cessation of any activity he/she deems to be unsafe. The Firearms Instructor will make the determination as to whether the activity may continue.

311.6.1 INSPECTION AND STORAGE
At the start of each shift, officers shall inspect their firearms to assure they are loaded properly and are clean and in working order. The officer shall ensure the firearm is carried in the proper condition and loaded with approved ammunition. When inspecting all firearms, they shall be pointed in a safe direction or into a clearing barrel.

All Department authorized firearms may be safely stored in the officer’s duty locker at the end of the shift.
311.6.2 STORAGE AT HOME
Members shall ensure that all Department issued firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit Department issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and/or criminal liability.

The Vancouver Police Department will issue Department owned gun safety locks or locking storage containers for the primary service handgun at the time the firearm is first issued or authorized or upon request.

Officers shall notify a supervisor immediately following the discovery of a lost or stolen VPD owned and issued firearm. The supervisor will assure appropriate written reports are completed and command notified.

311.6.3 ALCOHOL AND DRUGS
Officers shall report to their immediate supervisor any use of prescription drugs or other medication that may impair their ability or judgement to use a firearm. Officers shall not carry a Department issued or authorized firearm on/off-duty when impaired by alcohol, prescription or non-prescription drugs. Officers will not take any off-duty action, even if authorized by the policy, when impaired.

311.7 FIREARMS TRAINING AND QUALIFICATIONS
All officers authorized to carry firearms shall be required to qualify with each Department issued and/or authorized firearm at the time of employment and acquisition of a weapon, at the change of any weapon used on duty, and as follows:

a. Annually for primary service handguns, rifles, and/or shotguns.

b. Annually for back up handguns.

c. Annually for off-duty firearms carried under the authority of the Chief of Police.

d. As otherwise required by this policy or a supervisor.

During a qualification, officers shall be allowed no more than three attempts to qualify with each weapon.

Officers assigned to a special tactics unit, such as SWAT, DTF, or NRT, may be required to qualify using additional proficiency standards established by the Department.

The Chief of Police (not a designee) may modify these qualification requirements for officer(s) based on job performance and/or responsibilities.

311.7.1 NON-QUALIFICATION OF PRIMARY SERVICE HANDGUN
If any officer fails to meet minimum standards for primary handgun training and qualifications for any reason, including injury, illness, duty status or scheduling conflict, shall submit a memorandum to their immediate supervisor prior to the end of the required training or qualification period.
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Those officers who fail to meet minimum standards or qualifying on their first shooting attempt shall be provided the following:

a. On-site remedial training

b. Two additional attempts to qualify

If the officer fails to qualify during this range session, the officer’s immediate supervisor shall be notified and shall promptly arrange, through the Training Unit, for a period of formal remedial training not to exceed 40 hours in duration. Such training does not preclude an officer from engaging in any additional informal practice or training session that the officer may deem necessary.

Following the formal training session, the officer shall be given an opportunity to re-qualify. If again after three attempts the officer fails to qualify, the Rangemaster will forward a report to the Chief of Police documenting the attempts to train the officer and their failure to qualify.

An officer who fails to qualify following the formal remedial training will be relieved of field assignment, surrender their handgun, and be administratively reassigned pending the Chief of Police (not a designee) determination of the appropriate course of action.

311.7.2 NON-QUALIFICATION OF NON-PRIMARY SERVICE HANDGUN

The Department will take specific actions for any officer who fails to qualify with a firearm other than their primary service handgun.

a. The officer shall be given opportunities with a reasonable period of time to re-qualify with the weapon.

b. If the officer fails to qualify, they cannot carry the firearm in question until such time as the officer re-qualifies.

c. The officer may remain on regular duty assignment if qualified to carry their primary service handgun.

311.8 FIREARM DISCHARGE

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

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

(a) If on-duty at the time of the incident, the member shall file a written memorandum with his/her immediate supervisor prior to the end of shift, unless otherwise directed.
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(b) If off-duty at the time of the incident, a written memorandum shall be submitted no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

(c) The supervisor will ensure appropriate documentation and command notifications are completed.

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

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

If practicable, the officer should notify an on-duty supervisor prior to dispatching the animal.

311.8.2 EUTHANIZING INJURED ANIMALS
An officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

If practicable, the officer should notify an on-duty supervisor prior to euthanizing the animal.

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

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

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

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

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

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the Department-appointed instructor.

(f) It is the officer’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

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

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

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

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

311.9.1 OPERATIONAL NEED
This is a mandatory field that ensures the operational need for armed travel has been met under title 49 CFR 1544.219 - Carriage of Accessible Weapons, consistent with one of the following:

- The officer must be assigned to a protective duty or on travel required to be prepared to engage in a protective function. (Protective Detail)

- Hazardous surveillance activity, from the time the officer would otherwise check their weapon until the time the weapon would be claimed after deplaning. (Surveillance)

- Official police activity that requires the officer to be “armed and prepared for duty”. The armed LEO must have an operational need to have the weapon accessible on the aircraft. (Enforcement or Investigation)

- The primary purpose of travel for the officer must be escorting or picking up a prisoner. (Extradition)

Any event or purpose not listed above shall not meet the need to fly armed.

311.9.2 CEREMONIAL EVENTS
Officers attending a law enforcement ceremonial function or funeral may transport unloaded firearms and ammunition in a locked hard-sided container as checked baggage only. Officers must follow the storage and transportation requirements outlined by the TSA (https://www.tsa.gov/ travel/transporting-firearms-and-ammunition).
311.10 CARRYING FIREARMS OUT OF STATE
Qualified, active, full-time officers of this Department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Vancouver Police Department issued badge and identification card whenever carrying such firearm.

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

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

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

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

Active permits from other states are subject to all requirements set forth in 18 USC § 926B.
Service of Orders to Surrender Weapons

312.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the serving of orders to surrender weapons consistent with RCW 9.41.800

312.2 DEFINITIONS
SURRENDERED FIREARMS - Firearms surrendered voluntarily or by court order.

312.3 SERVICE PROCEDURE
Protection Orders that include will occasionally be sent by District Court to VPD Records to be entered into NCIC. They may also be brought to the police department by the petitioner. Once received, the orders will be sent to VPD Police Service Technicians (PST) who will enter them into SharePoint for tracking and then assignment to patrol.

(a) The assigned patrol supervisor will review the petition and make a determination on how best to serve the order.
(b) Any additional known associated risks will be reviewed and considered.
(c) A criminal history, local police reports check and premise check of the respondent and/or location will be conducted prior to service.
(d) A minimum of two officers should be present during the service of such orders.

The officers who are assigned to serve the order will do the following:

1. Request from the respondent that any firearms and any concealed pistol license be immediately surrendered,
2. If the respondent voluntarily surrenders the firearms, officers will have the respondent read and sign a voluntary consent to search form before conducting a search,
3. If the firearms are in plain view they will be seized,
4. If firearms are surrendered or seized at the time of service, officers will fill out:
   (a) The included form. (This receipt will be included in the return of service.)
   (b) A VPD property receipt,
5. If the respondent indicates that they do not possess any firearms or dangerous weapons, ask them to fill out the.
   (a) If the respondent refuses to sign the or refuses to surrender any firearms, the serving officer will indicate the refusal on the form.
   (b) If the respondent is uncooperative and they refuse to surrender the firearms, the officer will make a notation on the to the effect of “respondent was uncooperative and no weapons were seized”,

6. Once the order has been served, the and any other applicable forms will be delivered to District Court within 24 hours and a copy uploaded to SharePoint by a PST.
Service of Orders to Surrender Weapons

All firearms collected shall be handled and booked in accordance with Policy 804 – Property and Evidence Procedures.

312.3.1 FIREARM SURRENDER AT POLICE FACILITIES
In cases in which the respondent is ordered to surrender their firearms to a police facility by a judge or they indicate they will surrender their weapons after the service of the order, they should be provided with the following instructions to ensure the surrender of firearms is done as safely as possible.

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Vehicle Pursuits

313.1 PURPOSE AND SCOPE
This policy provides law enforcement officers of the Vancouver Police Department with guidelines for initiating, participating in and terminating vehicular pursuits. (RCW 43.101.226)

313.2 DEFINITIONS

**Attempt to Elude:** Any driver of a motor vehicle who willfully fails or refuses to immediately bring his vehicle to a stop and who drives his vehicle in a manner indicating a wanton or willful disregard for the lives or property of others while fleeing a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop. (RCW 46.61.024)

**Emergency Vehicle:** A vehicle of this Department equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal. (RCW 46.37.190(1))

**Intentional Intervention (Ramming):** The deliberate act of hitting another vehicle with a patrol vehicle(s) for the purpose of functionally damaging, disabling, or forcing the vehicle off the roadway. Intentional intervention (ramming) is considered the use of deadly force.

**Outrageous:** Excessive speed or erratic vehicular movement. Some examples include:
- Actual collision, or imminent collision, with other vehicles.
- Driving at night without lights at speeds that do not adequately warn others of the vehicle’s presence.
- Driving at high speeds on flat tires or metal rims.
- The presence of large number of pedestrians or others in the immediate path or vicinity of the vehicle.
- Extreme disregard for traffic control devices, directly imperiling cross traffic.
- Off road actions such as cutting through parking lots at high speed, where pedestrians or others are likely to be present, including driving up on sidewalks.

**Pursuit Immobilization Technique (PIT):** The intentional and forced rotational contact of a suspect vehicle by a pursuing police vehicle in an effort to stop the suspect’s flight.

**Primary Pursuit Unit:** The police unit which initiates a pursuit, or any unit which assumes control of the pursuit, and has the responsibility of attempting to stop a fleeing vehicle.

**Reasonable Suspicion:** Knowledge of specific and articulable facts.

**Support Pursuit Unit(s):** Any police vehicle which becomes involved as a backup to the primary pursuit unit.
Vehicle Pursuits

Tactical Vehicle Intervention (TVI): The range of techniques intended to intervene in a suspect’s attempt to flee or avoid apprehension while operating a motor vehicle. TVI techniques are intended to be dynamic in nature and situationally dependent.

Vehicular Pursuit: An active attempt by an officer in an emergency vehicle to apprehend a fleeing suspect in a motor vehicle who is actively attempting to elude the police. The officer must have a reasonable suspicion that the subject is aware of the officer’s attempt to stop the vehicle.

313.3 PRIMARY PURSUIT CONSIDERATIONS
The primary consideration when determining whether to initiate, continue or terminate a vehicular pursuit is public safety and the safety of officers. All personnel shall balance the risk to the public created by allowing the suspect to escape against the danger to life and property inherent in pursuit situations. Officers engaged in a vehicular pursuit must drive with due regard for the safety of themselves and all persons within the pursuit area.

1. Officers initiating a pursuit must be able to articulate specific facts that the necessity to immediately apprehend the fleeing suspects(s) outweighs the risk to life and property inherent in pursuit situations.

2. When deciding whether to initiate, continue or terminate a pursuit, officers consider a number of factors including, among others the safety of the public in the area and the safety of the pursuing officers as well as the location and conditions of the pursuit.

3. Officers do not engage in pursuits with a passenger in their vehicle unless the passenger is a fully commissioned law enforcement officer with jurisdiction in Vancouver who is working in an official capacity.

4. Officers do not engage in pursuit techniques which require the officers to drive in the opposing or wrong direction of a freeway or divided highway.

5. Officers do not attempt to pull alongside a fleeing vehicle and intentionally attempt to force it into any obstacles or off the road.

Officers do not direct the spotlight at the windshield or vision of the suspect in an attempt to blind or halt a pursuit. This requirement does not limit the use of a spotlight to increase officer safety after a vehicle has come to a stop.

313.4 AUTHORIZED PURSUIT CRITERIA
The Vancouver Police Department authorizes vehicular pursuits in the following circumstances when the officer has a reasonable belief that risk to the public created by pursuing the suspect is less than the risk created by allowing the suspect to escape:
1. Where a violent felony has been committed, or the officer has a reasonable suspicion that a violent felony will be committed if the subject is allowed to escape, even if the subject is known and could be apprehended by a warrant at a later date.

2. When the officer has a reasonable suspicion that the driving conduct is so outrageous that failure to apprehend the driver will endanger the driver of the suspect vehicle, the officer or members of the public, including occupants of the suspect vehicle. The officer must have this suspicion prior to the initiation of the stop.

3. When the officer has a reasonable suspicion that the offense of driving while intoxicated is being committed and where the driving of the subject prior to the attempted stop already presents an intolerable risk of injury or death to person(s) other than the subject.

4. When the officer has a reasonable suspicion that a domestic violence assault is occurring.

5. The suspect poses an immediate or future threat of death or serious bodily injury to officers or to the public.

**Pursuits other than those authorized by this policy are specifically prohibited.**

### 313.5 PRIMARY PURSUIT UNIT

The primary pursuit unit initiates a pursuit and has responsibility of attempting to stop the fleeing vehicle and/or to terminate the pursuit within the guidelines outlined in this policy. The primary pursuit officer has the following responsibilities:

1. When initiating, conducting and deciding whether to terminate the pursuit, make public safety and the safety of officers the primary consideration.

2. Initiate the pursuit based on the policy guidelines and the following factors, among others:
   - Safety of the public in the area of the pursuit,
   - Safety of the pursuing officer(s) in the area of the pursuit,
   - Safety of passengers in the suspect’s vehicle,
   - Visibility and visual obstructions,
   - Volume of vehicular and pedestrian traffic,
   - Location of pursuit such as school zones, residential, or commercial areas,
   - Familiarity of the officer(s) or supervisor(s) with the area of the pursuit,
   - Proximity of the pursuit to the Department’s jurisdictional boundary,
   - Speeds involved and posted speeds in the pursuit area,
   - Quality of radio communications among pursuing unit(s), dispatch and the field supervisor,
   - The capabilities of both the involved police vehicles and the vehicle being pursued,
   - The level of experience and training of the involved officer(s),
Vehicle Pursuits

- Whether the suspect can be apprehended at a later time,
- Likelihood of a successful apprehension,
- The suspect’s threat to the life of others,
- Weather conditions including rain, fog, wind, snow, ice and blinding sunlight,
- Road conditions including conditions that may diminish traction,
- The fact the chances of a collision or injury occurring during a pursuit increases as the speed of the vehicles increase, and
- The nature of the crime committed by the fleeing suspect.

3. Activate emergency lights and siren and keep them activated continuously throughout the duration of the pursuit.

4. If a pursuit is initiated and the suspect fails to yield, notify dispatch a pursuit is underway and ask that a supervisor be notified.

5. Obtain authorization from a supervisor for use of tactical vehicle intervention techniques as required by policy.

6. Keep supervisors and dispatch informed of the following information:
   - Unit identification,
   - Location, speed and direction of travel of the fleeing vehicle,
   - Description and license plate number, if known, of the fleeing vehicle,
   - Any other information pertinent to continuing the pursuit, and
   - Any other information that may be helpful in terminating the pursuit or resolving the incident.

7. Direct tactical response of additional law enforcement vehicles as appropriate.

8. If the fleeing vehicle is lost, provide all available information to dispatch that would assist in locating the suspect vehicle.

9. Drive with due regard for the safety of themselves and all other persons within the pursuit area.

10. Suspend conformance with normal traffic regulations during the pursuit as necessary only as follows:
   - Proceed past a red or stop signal or sign, but only after slowing down as may be necessary for safe operation,
   - Exceed the maximum speed limits so long as the officer does not endanger life or property,
   - Disregard regulation governing direction of movement or turning in specific directions. However, officers do not engage in pursuit techniques which require the officer to drive in the opposing or wrong direction on a freeway or divided highway.
11. If appropriate training has been completed, utilize tactical vehicle intervention techniques as outline in this policy.

12. Continuously evaluate and assess the need for continuation of the pursuit and weigh compliance with Department guidelines and the risk involved.

13. When practical, wait for sufficient back up prior to attempting to stop the vehicle.

14. Once the suspect vehicle is stopped, utilize appropriate officer safety tactics and be aware of the necessity to utilize reasonable and necessary force to take the suspect(s) into custody.

15. Terminate the pursuit if necessary under the policy guidelines as follows:
   - Pull to the side of the roadway,
   - Turn off emergency lights and siren,
   - Notify dispatch of the termination of the pursuit, your location at the time the pursuit terminated, and the reasons supporting the decision to terminate the pursuit,
   - Maintain responsibility for the control and direction of activities at the conclusion of the pursuit, unless relieved by a supervisor.

16. Following the pursuit, arrange to have a safety check performed on your vehicle before it is returned to the general fleet.

313.6 SECONDARY PURSUIT UNIT

The support pursuit unit(s) provide backup to the primary pursuit unit. No more than two support units, not including a supervisor, engage in the pursuit and operate within the guidelines outlined in this policy. The support pursuit officer(s) have the following responsibilities:

1. Provide back up to the primary pursuit unit.

2. Activate emergency lights and siren and keeps them activated continuously throughout the duration of the pursuit,

3. Notify dispatch to advise of their involvement in the pursuit.

4. If taking a position as the second unit in the pursuit, assume communication responsibilities to keep dispatch informed of any changes in the location, speed and direction of travel during the pursuit. It may be necessary to silence your emergency siren to facilitate clear radio traffic. If this is the case, you must leave your emergency lights activated. If you are a support unit not in the secondary position, you must leave your emergency light and siren activated.

5. Take over the pursuit if the primary pursuit unit becomes unable to continue the pursuit.

6. Drive with due regard for the safety of themselves and all other persons within the pursuit area.
313.7 ASSISTING AREA UNITS
Officers who are on duty and in the area of the pursuit may monitor the progress of the pursuit but should not engage in the pursuit unless requested to do so by the primary unit, support unit or supervisor.

Officers who are on duty, but are not involved in the pursuit, should be available in case they are needed to help provide resources to increase the safety of vehicular and pedestrian traffic, such as stopping cross traffic ahead of the pursuit path or terminating the pursuit.

313.8 SUPERVISORY RESPONSIBILITIES
On duty sergeants and corporals have primary responsibility to be aware of pursuits and to assume command responsibility for the monitoring and control of the pursuit as it progresses. They must take the following actions during a vehicular pursuit in Vancouver city limits:

1. Be aware of pursuits and assume command responsibility for the monitoring and control of the pursuit as it progresses.
2. Acknowledge via radio that they are aware of the pursuit.
3. Obtain sufficient information about the pursuit as necessary to perform responsibilities.
4. Make a decision whether to authorize the pursuit as required by policy.
5. Continuously evaluate and assess the need for continuation of the pursuit and weigh compliance with Department guidelines and the risks involved.
6. Control the pursuit incident by directing pursuit vehicles, re-designating primary and support responsibilities, approving or disapproving pursuit tactics, approving or disapproving leaving the jurisdiction to continue the pursuit, and/or terminating the pursuit.
7. Assign additional backup vehicles or air support to the pursuit based on:
   - The nature of the offense for which the pursuit was initiated.
   - The number of suspects and any known propensity for violence.
   - The number of officers in the pursuit vehicles.
   - The number of officers necessary to make an arrest at the conclusion of the pursuit.
   - Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.
8. Direct all pursuit units to terminate the pursuit as outlined by policy.
9. Respond to the scene of the termination of the pursuit.

313.9 ALTERNATIVE PURSUIT VEHICLES
In recognizing the most common police pursuit vehicle will be a marked patrol car, consideration has been taken in the event a non-patrol vehicle initiates a police pursuit.
Vehicle Pursuits

1. The department authorizes personnel operating unmarked or special purpose vehicles to engage in a vehicular pursuit when:
   - The vehicle is equipped with at least one lamp capable of displaying a red light visible at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.
   - The vehicle pursued is being operated by a fleeing suspect who represents an immediate and articulable threat to life.
   - All other requirements of this policy can be met.
   - When a marked vehicle becomes available to take over the pursuit, the unmarked vehicle assumes the position of a support pursuit unit until a second marked unit arrives. At that time, the unmarked vehicle may assume the position of the third support pursuit unit for purposes of a tactical vehicle intervention or for officer safety should the pursuit be terminated and the suspect vehicle stopped.

2. The department authorizes personnel operating a police motorcycle to engage in pursuits when:
   - The motorcycle is equipped with at least one lamp capable of displaying a red light visible at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.
   - The vehicle pursued is being operated by a fleeing suspect who represents an immediate and articulable threat to life.
   - Weather, road and related conditions allow.
   - All other requirements of this policy can be met.
   - The motorcycle terminates involvement in the pursuit when at least two four-wheeled vehicles become primary and support units in the pursuit.

313.10 PURSUIT INTERVENTION TECHNIQUES
The Department authorizes officers to use tactical intervention techniques to control a pursuit, to reduce risks of the pursuit and/or to bring a pursuit to a conclusion.

1. Tactical intervention techniques are considered a use of force and shall be used in accordance with the Department’s Use of Force policy.

2. Officers use tactical intervention techniques only after receiving training in the specific technique used.

3. Officers may use one or more techniques depending on the situation and the totality of the circumstances.

313.10.1 PURSUE IMMOBILIZATION TECHNIQUE (PIT)
The Pursuit Immobilization Technique (PIT) can be utilized to stop and apprehend a fleeing suspect whose actions indicate a disregard for the safety of the public and police officers. Officers who use the Pursuit Immobilization Technique must take the following actions:
Vehicle Pursuits

1. Determine if use of the Pursuit Immobilization Technique is appropriate based on the following factors:
   - Reckless actions of the fleeing driver as the pursuit continues.
   - Speed of the fleeing vehicle.
   - Direction of the pursuit toward areas of high population density, traffic congestions or school zones.
   - Whether the suspect is armed.
   - The availability of cover units.
   - The likelihood of serious injury or death to others should the suspect escape apprehension.
   - Level of training of the drivers of the police vehicle.
   - The presence of other stationary objects that could be struck by the police and/or suspect vehicle.
   - Whether there are other occupants in the fleeing vehicle such as an unrestrained juvenile.
   - The time and day or night.
   - Supervisory instructions.
   - Any other pertinent factors.

2. Use PIT at speeds above 40 MPH only if deadly force is authorized under the Department’s Use of Force policy.

3. Obtain supervisor approval if at all practical.

4. Anticipate and utilize the best possible site for the PIT including, but not limited to, roadside obstructions, the exit path and oncoming traffic.

5. For vehicles with the high possibility of rollover, use the PIT only after other methods of pursuit control have been considered.

313.10.2 TIRE DEFLATION DEVICES (SPIKE STRIPS)
Tire Deflation Devices (Spike Strips) can be utilized alone or in conjunction with other tactical vehicle intervention techniques only after the supervisor in command of the pursuit is notified of the intended use of the spike strips and authorizes such use. Officers who use the Tire Deflation Device must take the following actions:

1. Determine if use of the spike strips is appropriate based on the following factors:
   - Safety of the public, officers and the fleeing suspect(s).
   - Ability to limit or stop all oncoming and cross traffic to the exit path of a vehicle striking the deflation devices.
   - Direction of the pursuit toward areas of heavy traffic.
**Vehicle Pursuits**

- Speed of the fleeing vehicle.

2. Notify a supervisor and obtain authorization prior to utilizing the deflation devices.

3. Assure all involved officers are operating on the same radio frequency.

4. Deploy the deflation device from a position of relative safety such as a roadway structure, guardrail or shrubbery that can conceal the officer’s position.

5. Place the deflation devices in a position roughly 90 degrees to the expected path of the fleeing vehicle or perpendicular to the path and pulled in front of the fleeing vehicle.

6. Request backup for incident control as necessary.

313.10.3 INTENTIONAL INTERVENTION (RAMMING)

If the use of force is constitutionally reasonable, Intentional Intervention (Ramming) is authorized when there is a reasonable suspicion the fleeing suspect is wanted for a felony (other than eluding), he/she constitutes an immediate and ongoing threat to others, and there is a necessity to stop the suspect by using deadly force. Officers who intentionally ram the fleeing suspect vehicle must take the following actions:

1. Determine if the use of an intentional intervention is appropriate based on the following factors:
   - The use of deadly force is justified.
   - There is reasonable suspicion the fleeing suspect is wanted for a felony.
   - There are articulable facts to support the conclusion the fleeing suspect constitutes an immediate and ongoing threat to others.
   - Other efforts to apprehend the fleeing suspect have been unsuccessful.
   - Safety of the public, officers and the fleeing suspect(s).
   - Ability to identify a location that minimizes danger to the public, officers and the fleeing suspect(s).
   - A supervisor authorizes the action.

2. Identify a location that minimizes danger by evaluating the following factors:
   - Traffic volume,
   - Time of day,
   - Pedestrian exposure,
   - Weather and road conditions,
   - Proximity of sufficient police personnel and resources, and
   - Expectation the location will be the route of travel of the suspect vehicle.

3. Notify a supervisor and obtain authorization prior to using intentional intervention.
Vehicle Pursuits

313.11 PURSUIT TERMINATION
Officers and/or supervisors shall terminate a pursuit under any of the following circumstances:

1. The officer or supervisor reasonably believes the risks associated with continuing the pursuit are greater than the risks to the public associated with the suspect remaining at large.

2. The suspect’s identity has been established and immediate apprehension is not necessary to protect the public or officers.

3. The pursuit vehicle’s location is no longer known.

4. Weather or traffic conditions substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.

5. The distance between the pursuit and fleeing vehicle is so great that further pursuit is futile.

6. In a pursuit outside the city of Vancouver, another agency accepts responsibility for the pursuit or communicates refusal to accept responsibility.

7. An accident occurs in the pursuit with an uninvolved citizen and there are no other police or medical personnel readily available to assist the citizen.

313.12 JURISDICTIONAL PURSUIT GUIDELINES
Vehicular pursuits may at times leave the city of Vancouver and enter into other Washington jurisdictions, State of Oregon, or come from other jurisdictions into the city of Vancouver. In these circumstances, there are protocols to follow in requesting assistance or assisting outside agencies.

313.12.1 ENTERING OTHER WASHINGTON JURISDICTIONS
The Department authorizes vehicular pursuits into other Washington jurisdictions. Officers leaving the city of Vancouver in a pursuit must follow the listed guidelines:

1. Officers involved in a pursuit traveling outside the Vancouver city limits must contact dispatch to request assistance from the appropriate jurisdiction.

2. The primary and two additional units support units continue in direct pursuit until the agency of jurisdiction is capable of accepting the pursuit responsibility.

3. Once the agency having jurisdiction assumes the primary and support units, all involved VPD units terminate the pursuit. The primary VPD unit and a supervisor will continue to monitor the pursuit on their vehicle radio and respond, at the posted speed limit, to the termination point of the pursuit.

4. If the agency having jurisdiction does not have a support unit, the VPD primary unit remains in the pursuit as the support unit.

5. Involved VPD units should monitor the pursuit on their vehicle radio until their part in the pursuit is terminated.
Vehicle Pursuits

6. If the agency having jurisdiction refuses to accept responsibility for the pursuit, then the primary and secondary unit will continue the pursuit until a VPD supervisor or pursuing unit terminates the pursuit.

7. If the agency having jurisdiction assumes responsibility of the pursuit and/or then terminates the pursuit, all involved VPD units must terminate the pursuit.

8. Following conclusion of the pursuit, a supervisor communicates with the agency having jurisdiction.

313.12.2 ENTERING INTO OREGON STATE
The Department authorizes vehicular pursuits into the State of Oregon only if the subject being pursued has committed a felony or is reasonably suspected of having committed a felony or a violation of another state law relating to driving under the influence of drugs or alcohol. Officers entering into Oregon must follow the listed guidelines:

1. The primary or support unit, whichever unit is communicating with dispatch, must notify dispatch when the pursuit appears to be going into Oregon.

2. Dispatch notifies the appropriate Oregon agency of the pursuit and talk group being used.

3. Once the Oregon agency assumes primary and support pursuit units, all involved VPD units terminate the pursuit. The primary VPD unit and a supervisor will continue to monitor the pursuit on their vehicle radio and respond, at the posted speed limit, to the termination point of the pursuit.

4. If the agency having jurisdiction does not have a support unit, the VPD primary unit remains in the pursuit as the support unit.

5. If the Oregon agency refuses to accept responsibility for the pursuit or terminates the pursuit, all involved VPD units terminate the pursuit.

6. Following the conclusion of the pursuit, a supervisor communicates with the agency having jurisdiction.

313.12.3 PURSUIT ENTERING CITY OF VANCOUVER
The Department may exercise authority over vehicular pursuits that are initiated in another jurisdiction and enter the Vancouver city limits under the following criteria:

1. The shift supervisor ascertains the basis for the pursuit.

- If the basis of the pursuit does not meet the Departmental guidelines for a pursuit, the supervisor advises units to not become involved in the pursuit.

2. If a pursuit is authorized, all Department guidelines of pursuits are followed.

313.13 REPORTING RESPONSIBILITIES
The Vancouver Police Department documents and reviews details of all vehicular pursuits from all officers involved in the pursuit.
Vehicle Pursuits

313.13.1 PRIMARY PURSUIT UNIT
The primary pursuit unit must complete written reports detailing the pursuit. The primary pursuit officer has the following responsibilities:

1. Complete a report detailing the pursuit, including:
   - The initial reason for the pursuit,
   - The route of the pursuit,
   - Other police units/agencies involved including officer’s names if known,
   - Weather and traffic conditions on the route of the pursuit,
   - How and why the pursuit was terminated,
   - Any special circumstances that arose during the pursuit including a detailed description of any tactical vehicle intervention techniques that were used,
   - Any injuries or damage to vehicles or property, and
   - Any other information pertinent to the incident.

2. Attach photographs of the involved vehicles, any property damage and the site where any tactical vehicle intervention techniques were used.

3. Submit the report to the supervisor in command of the pursuit.

313.13.2 SUPPORT PURSUIT UNIT(S)
The support pursuit unit must complete written reports detailing the pursuit. The support pursuit officer(s) has the following responsibilities:

1. Complete a report detailing the pursuit and their involvement.

2. Submit the report to the supervisor in command of the pursuit.

313.13.3 PURSUIT SUPERVISOR
The supervisor in command of the pursuit must review all the pursuit reports. The supervisor has the following responsibilities:

1. Review the reports submitted by the primary pursuit and supports units.

2. Prepare a memorandum detailing all relevant circumstances regarding the pursuit for Command Review, including:
   - The reason for the pursuit,
   - The number of VPD units involved,
   - Name and number of assisting agencies,
   - Suspect(s) arrested and charges listed,
   - Considerations for continuing and/or terminating the pursuit,
Vehicle Pursuits

- Evaluation of tactical resources employed, and
- Determination if pursuit was within Department policy.

3. Complete the “Pursuit Driving Report Checklist”portion in Blue Team.
4. Obtain reports from any other involved law enforcement agencies.
5. Enter all related documents into Blue Team for Command Review.

313.13.4 COMMAND REVIEW
The lieutenant or commander overseeing the primary pursuit officer’s assignment is responsible to review the pursuit details and incident, even if the supervisor in command of the pursuit is not in their direct chain of command. The assigned lieutenant or commander has the following responsibilities:

1. Review all pursuit reports, memorandums, checklists, and Blue Team entries.
2. Order a recording of the pursuit incident.
3. If there is a reasonable belief a policy violation occurred during the pursuit, prepares an additional written factual summary.
4. Forward all reports to the Professional Standards Unit.

313.13.5 PROFESSIONAL STANDARDS UNIT
Review all pursuit reports and take action as required by the Internal Affairs Policy.

313.14 TRAINING RESPONSIBILITIES
The Training Unit provides specialized training on Department policy, tactical vehicle intervention techniques and emergency vehicle operation.
Officer Response to Calls

315.1 PURPOSE AND SCOPE
This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

315.2 POLICY
Officers shall operate their assigned vehicles with due regard for life and property and in accordance with the laws of the State of Washington and Departmental policy.

315.3 RESPONSE TO CALLS
Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

315.3.1 EMERGENCY CALLS
Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (RCW 46.61.035).

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

315.4 REQUESTING EMERGENCY ASSISTANCE
When an officer requests emergency assistance, the involved Department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation
- Suspect information, including weapons
- Reason for the request and type of emergency
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and the emergency response is no longer required, the requesting member shall immediately notify dispatch and responding officers.
315.5 SAFETY CONSIDERATIONS
Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (RCW 46.61.035):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing parking, direction of movement or turning in specified directions.

315.5.1 NUMBER OF OFFICERS ASSIGNED
The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

The Shift Sergeant or field supervisor monitoring the call shall make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

315.5.2 MOTORCYCLES
An officer operating a police motorcycle should not be assigned to an emergency response. However, if an officer is operating a police motorcycle in an emergency response, they should be replaced by an authorized emergency vehicle equipped with emergency lights and siren as soon as practicable.

315.6 EMERGENCY EQUIPMENT
Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws.

315.6.1 FAILURE OF EMERGENCY EQUIPMENT
If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and respond accordingly. In all cases, the officer shall notify the monitoring supervisor or dispatch of the equipment failure so another unit may be assigned to the emergency response.

315.7 OFFICER RESPONSIBILITIES
The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.
Officer Response to Calls

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify dispatch of his/her determination. Any subsequent change in the appropriate response level should be communicated to dispatch by the officer in charge of the scene unless a supervisor assumes this responsibility.

315.8 SUPERVISOR RESPONSIBILITIES

Upon being notified that an emergency response has been initiated or requested, the Shift Sergeant or the field supervisor shall verify that:

(a) The proper response has been initiated.
(b) No more than those officers reasonably necessary under the circumstances are involved in the response.
(c) Affected outside jurisdictions are being notified as practicable.

The Shift Sergeant or field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor’s judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor’s responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Shift Sergeant or the field supervisor should consider:

• The type of call or crime involved.
• The type and circumstances of the request.
• The necessity of a timely response.
• Weather, traffic and road conditions.
• The location of the responding officers and the location of the incident.
Police Service Technicians

316.1 PURPOSE AND SCOPE
This policy provides Police Service Technician with guidelines for their response to non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

316.2 POLICY
The Police Service Technician (PST) is intended to provide support to sworn officers and staff in both office and field settings, allowing for more efficient and effective use of departmental resources.

316.3 ROUTINE DUTIES
1. PSTs are expected to perform a variety of duties such as providing information and assistance regarding various criminal or civil processes; interviewing crime victims and producing crime reports; and, providing crime prevention information.

2. PSTs may handle a variety of non-emergency calls for service. The non-emergency calls may include Priority 3, 4, 5 and 9 calls that meet the following criteria:
   a. The incident is "Cold". Field PSTs will not respond to calls where the suspect is on-scene, or where the suspect might return to the scene, unless directed to respond WITH a Police Officer.
   b. There is not an immediate need to attempt to locate or contact a suspect.

3. Expectations for Field PSTs will be the same as the Office PSTs, but they will respond to the scene in order to take a report. Examples of this in addition to that which outlined above are:
   a. Supplemental information on existing reports.
   b. Nuisance complaints
   c. Found property
   d. Assist in processing of crime scenes
   e. Recover and log evidence
   h. Other duties assigned by a Sergeant

4. Field PSTs responding to non-emergency calls shall proceed accordingly and shall obey all traffic laws.

316.3.1 FIELD POLICE SERVICE TECHNICIAN
Expectations for Field PSTs will be the same as Office PSTs, but they will respond to the scene in order to take a report. PSTs responding to non-emergency calls shall proceed accordingly and shall obey all traffic laws.

Note: Field PSTs will not respond to calls where the suspect is on-scene or when they might return to the scene, unless directed to respond with an officer.
Police Service Technicians

316.4 SUPERVISION
The Precinct Administrative Sergeant is responsible for the oversight of the Office PST Program and the PSTs assigned to it.

The on-duty field sergeant is responsible for the supervision of the daily functions and supervision of the PST assigned to patrol.
Canines

317.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of canines to augment law enforcement services to the community including, but not limited to, locating individuals and contraband and apprehending criminal offenders.

317.2 POLICY
It is the policy of the Vancouver Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

317.3 REQUESTS FOR CANINE TEAMS
Operations Division members are encouraged to request the use of a canine. Requests for a canine team from Department units outside of the Operations Division shall be reviewed by the Shift Sergeant.

317.4 PREPARATION FOR DEPLOYMENT
Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:

(a) The nature and seriousness of the suspected offense.
(b) Whether violence or weapons were used or are anticipated.
(c) The degree of resistance or threatened resistance, if any, the suspect has shown.
(d) The suspect's known or perceived age.
(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
(f) Any potential danger to the public and/or other officers at the scene if the canine is released.
(g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. Both the on-duty supervisor and canine handler have the authority to order that the canine team disengage. It is not necessary that the supervisor and canine handler agree. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
Canines

317.4.1 WARNINGS AND ANNOUNCEMENTS
Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

317.5 CANINE IN PUBLIC AREAS
The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the dog. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

317.6 HANDLER COMPENSATION
The canine handler shall be available for call-out under conditions specified in the Canine Manual.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement/memorandum of understanding (29 USC § 207).

317.7 TRAINING
Before assignment in the field, each canine team shall be trained and certified to meet current Criminal Justice Training Commission (CJTC) standards, Washington State Police Canine Association (WSPCA) standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills (WAC 139-05-915).

The canine coordinator shall be responsible for scheduling periodic training for all Department members in order to familiarize them with how to conduct themselves in the presence of Department canines. The Special Operations Sergeant, or designee, will be assigned as the canine coordinator.

All canine training should be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Sergeant.
317.7.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to current CJTC, WSPCA or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Vancouver Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.

(c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

317.7.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING
Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

317.7.3 TRAINING RECORDS
All canine training records shall be maintained in the canine handler’s and the canine’s training file.

317.7.4 TRAINING AIDS
Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Vancouver Police Department may work with outside trainers with the applicable licenses or permits.

317.8 CANINE OPERATIONAL MANUAL
As a supplemental document to this policy, the Canine Operational Manual has been developed to provide further assistance in the management and operations of the Canine Unit.

Domestic Violence

319.1 PURPOSE AND SCOPE
The Vancouver Police Department recognizes domestic violence as a serious crime against society, stresses enforcement of criminal laws related to domestic violence, places a priority on protection of domestic violence victims and provides victims with information on the availability of civil remedies and community resources.

319.1.1 DEFINITIONS

Definitions related to this policy include:

**Bodily Injury** (RCW 10.31.100): Physical pain, illness or an impairment of physical condition.

**Dating Relationship** (RCW 26.50.010): A social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) The nature of the relationship; and (c) The frequency of interaction between the parties.

**Domestic Violence** (RCW 26.50.010): (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) Sexual assault of one family member or household member by another; or (c) Stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

**Domestic violence** includes, but is not limited to, the following crimes when committed by one family or household member against another, RCW 10.99.020:
1. Assault in the first, second, third and fourth degree (RCW 9A.36.11 to 36.41).
2. Drive-by shooting (RCW 9A.36.045).
5. Burglary in the first and second degree (RCW 9A.52.020 and.030).
6. Criminal trespass in the first and second degree (RCW 9A.52.070 and 080).
7. Malicious mischief in the first, second and third degree (RCW 9A.48.070 to.090).
11. Rape in the first and second degree (RCW 9A.44.040 and.050).
12. Residential burglary (RCW 9A.52.025).
Domestic Violence


**Essential Personal Effects** (RCW 26.50.010): Items necessary for a person’s immediate health, welfare, and livelihood. Essential personal effects include but are not limited to: clothing for approximately 72 hours, cribs, bedding, documents, medications, and personal hygiene items.

**Family or Household Members** (RCW 26.50.010): Spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

**Self-Defense** (RCW 9A.16.020): Force used by a party about to be injured, or by another lawfully aiding him or her, in preventing or attempting to prevent an offense against his or her person, or a malicious trespass, or other malicious interference with real or personal property lawfully in his or her possession, in case the force is not more than is necessary.

319.2 POLICY

The Vancouver Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. This policy provides law enforcement officers with guidelines for enforcement of criminal laws related to domestic violence.

Vancouver Police Officers are expected to do the following:

1. Promote the safety of law enforcement personnel responding to incidents of domestic violence.
2. Establish arrest and prosecution as a preferred means of police response to domestic violence.
3. Respond to a report of domestic violence even if the call is canceled.
4. When probable cause exists, effect an arrest of the primary physical aggressor as required by law and this policy.
5. Enforce mandatory arrest laws for any violation of permanent, temporary, or emergency orders of protection (RCW 10.31.100 and 10.99.055).
6. Afford protection and support to adult and child victims of domestic violence.
7. Provide victims or witnesses of domestic violence with support and assistance through cooperative efforts with community stakeholders in order to prevent further incidents.
319.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

319.4 ENFORCEMENT OF DOMESTIC VIOLENCE LAWS
The primary duty of police officers when responding to a domestic violence situation is to enforce the laws allegedly violated and to protect any potential victim. When responding to a domestic violence call, officers shall:

1. Take reasonable measures to assure there are two officers at the scene and will not disregard or cancel the call for an assist officer.

2. Conduct an assessment for any possible injuries sustained during any type of altercation or assault. Ensure appropriate medical attention is provided if the officer believes it is necessary or the complainant claims injury or requests medical attention, whether an injury is visible or not.

3. Ensure the crime scene is safe/secure and all evidence is collected.

4. Ensure a thorough investigation is conducted, including the use of all required forms in the Domestic Violence (DV) Packet; DV Report, DV Victim Notification Form, Medical Release Form, DV Victim Statement (Smith Affidavit)

   (a) If necessary, due to a language barrier, provide an interpreter or form in the victim’s own language.
   (b) If the victim is unable to complete the Smith Affidavit, provide assistance.
   (c) Review the Smith Affidavit to ensure it is complete and legible, and they are aware of all the information the victim includes in the form. If possible, the officer shall review the Smith Affidavit at the scene.

5. Seek out information on existing restraining and/or protective orders.

6. If probable cause exists that a violation of a valid protection order has occurred, make a physical arrest. Officers will not ask the victim if he/she wants the offender to be arrested.
7. If probable cause exists, enforce mandatory arrest laws consistent with (RCW 10.31.100) and (RCW 26.50.010) and the officer believes that:

(a) A felonious assault has occurred;
(b) An assault has occurred which resulted in bodily injury to the victim, whether the injury is observable by the officer or not;
(c) Any physical action has occurred which was intended to cause another person to reasonably fear imminent serious bodily injury or death (RCW 10.31.100(2)c).

Officers are strongly encouraged to effect an arrest when probable cause exists in these circumstances even if it is outside of the four hour mandatory arrest period.

1. If probable cause exists and the alleged offender has left the scene, search the area and attempt obtain information as to the location of the suspect. Make every reasonable attempt to locate and arrest the suspect.

2. If the suspect is not located, issue a crime broadcast via MDC and complete a BOLO to other law enforcement that may later contact the suspect that there is probable cause to arrest.

(a) Shift Supervisor will take the completed BOLO and e-mail it to dispatch and confirm it was received.
(b) The investigating officer must submit the Probable Cause Statement and Booking Form to records.

319.5 SAFETY OF THE VICTIM

Officers shall ensure that procedures are followed relating to victim safety and protection in accordance with RCW 10.99.030. Officers will ensure that the victim receives a DV Victim Notification Form containing the language specified in RCW 10.99.030(7) and providing information regarding the following:

1. All reasonable means to prevent further abuse.
2. The availability of contacting the 24 hour DV hotline advocate.
3. The availability of confidential transportation to a safe house, shelter or any other location that may provide greater victim safety and confidential victim advocacy.
4. Procedures for obtaining restraining and/or protection orders and victim’s rights.
5. Judicial process and victims’ rights following arrest.
6. Community resources and local domestic violence victim advocacy organizations.
319.6 DISPATCH RESPONSIBILITIES
CRESA policy provides that Dispatchers shall handle domestic violence calls as they would any other crime. However, the relationship between the victim and the accused creates additional responsibilities.

1. Dispatchers shall not cancel a law enforcement response at the request of the victim, as reporting is mandatory, regardless of the victim's changing feelings.

2. When speaking to the victim of domestic violence, no dispatcher will discuss the victim's desire to “press charges/drop charges” or “prosecute.” Any comment or statement which seeks to place the responsibility for enforcement actions with the victim is inappropriate.

319.7 FOREIGN COURT ORDERS
Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18USC § 2265). An otherwise valid out-of-state court order shall be enforced regardless of whether the order has been properly registered with this state.

319.8 ENFORCEMENT OF RESTRAINING ORDERS
Officers shall enforce an order issued by any court restricting a defendant's ability to have contact with a victim by arresting and taking the defendant into custody when the officer has probable cause to believe the defendant has violated the terms of that order (RCW 10.99.055). Officers must verify the existence of a protection or restraining order and its service prior to arrest. A detention may occur based on reasonable suspicion.

Orders can be verified by:

1. A proof of service attached to the victim’s copy of the order showing service on the defendant.
2. Washington Crime Information Center (WACIC) check.
3. Contacting the law enforcement agency in the jurisdiction where the order was issued.
4. Contacting the Court Clerk’s office.
5. Determining the defendant has knowledge of the order (RCW 10.31.100(2)(a)):

   (a) No proof of service is required for No Contact Orders as the defendant's presence is required at the time of issue.
   (b) If the order has been served, but neither the victim nor the defendant has a copy reflecting the terms of the order, request that dispatch check the terms.
If the order is not verifiable:

1. The order shall not be enforced and the victim should be advised to contact the court that issued the order, or the attorney who drafted the order.
2. Arrest the suspect if probable cause exists that a separate crime has been committed.
3. A report should be made including the disposition.

Officers should contact a supervisor for clarification when needed.

319.9 STANDARDS FOR ARRESTS
Officers investigating a domestic violence report should consider the following:

(a) The primary duty of officers when responding to a domestic violence situation is to enforce the laws allegedly violated and to protect the complaining party (RCW 10.99.030(5)).

(b) When an officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, he/she shall make an arrest pursuant to the criteria in RCW 10.31.100 and RCW 10.99.030(6)(a).

(c) When an officer has confirmed a valid court order exists and has probable cause to believe the defendant has violated that order, the officer shall make a physical arrest (RCW 10.99.055; RCW 10.31.100(a)(b)). Whenever a member of this department serves or assists in serving a court order and that service is completed, a return of service form shall be completed and submitted to the Washington Crime Information Center (WACIC).

319.9.1 MANDATORY ARRESTS
Once a suspect has been arrested, he/she shall be taken to jail. If the suspect cannot be taken to jail due to a medical condition, the officer shall take the suspect to the hospital and request notification of the suspect’s discharge from the hospital.

When an arrest cannot be made due to lack of probable cause that a crime has been committed, the officer shall do the following (RCW 10.99.030):
1. Provide a Vancouver Police Department DV Victim Notification Form.
2. Explain to the complainant why an arrest is not being made.
3. Advise the complainant of his/her rights and explain the procedures for filing a criminal complaint and advise the complaining party of the importance of preserving evidence.
4. Encourage the complainant to contact the local domestic violence service provider for information regarding counseling and other services.
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5. Stand-by, upon request, while the complainant gathers their essential personal effects for a short term absence from the home.

6. Offer, facilitate, or arrange transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.

To ensure the proper charge is being filed on a No-Contact Order violation, officers will be required to conduct a criminal history of the arrestee. A review of the arrestee’s criminal history is necessary to determine whether a felony referral is appropriate.

1. The arresting officer will contact the Records Division and request a criminal history of the arrestee as part of their criminal investigation.

2. The officer will be advised if the arrestee has two or more Domestic Violence court order convictions and will book for the appropriate charge.


319.9.2 DUAL ARRESTS
Dual arrests in domestic violence cases should only be made in cases where there is probable cause to arrest both parties, the investigation reveals both parties used violence, neither party was found to be acting in self-defense, and neither party was found to be the primary physical aggressor.

When determining who the primary aggressor is, officers should take the following into consideration:

The primary aggressor is the person who poses the most serious ongoing threat considering:

1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The comparative extent of injuries inflicted or serious threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.

Dual arrests in domestic violence cases are strongly discouraged unless absolutely necessary.

319.9.3 REMOVAL OF A SUSPECT
If there is no court order in effect, and an arrest is not made, officers may request a person who is not in lawful possession of the premises to leave when:

1. The complainant is in lawful possession of the premise (as exhibited by rent receipts, lease, deed, verification by apartment manager, etc.); and
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2. The complainant has requested the person leave the premises and the person has not established residency.

If one party leaves, the officer should stand by until the involved party removes essential personal effects. Officers will not assist or participate in the division of property. Such civil standbys should be limited to a reasonable amount of time.

If a suspect who has not established residency does not leave upon request, an arrest may be made for criminal trespass.

If the complainant requesting removal of the suspect cannot show proof of lawful possession, the officer should refer the complainant for a Protection Order or other appropriate civil remedy.

319.10 REPORTS AND RECORDS
Officers responding to a domestic violence call shall take a complete offense report, including the disposition of the case (RCW 10.99.030(b)).

(a) All such reports should be documented under the appropriate crime classification and should use the distinction “Domestic Violence” in the Type of Crime box of the crime report form (RCW 10.99.030(11)).

(b) Whenever there is probable cause to believe a crime has been committed and unless the case is under active investigation, the Domestic Violence Prosecution Center Supervisor shall ensure all domestic violence crime reports are forwarded to the Clark County Prosecutor’s Office within 10 days of the date the incident was reported (RCW 10.99.030(9)).

(c) The Vancouver Police Department shall ensure accurate records of domestic violence incidents are maintained and submitted to the Washington Association of Sheriffs and Police Chiefs (WASPC) in accordance with state law (RCW 10.99.030(12)).

319.10.1 REPORTING OF DOMESTIC VIOLENCE
A thorough report must be completed for all calls involving domestic violence. The report and (DV Packet when appropriate) shall include as much of the following information as possible:

1. A description of how the incident was reported or came to the attention of law enforcement, including the name of the individual who reported the incident, if applicable, and how they were involved.
2. Identify witnesses and document statements.
3. Identification of the relationship between the domestic violence suspect and victim.
4. A description of the nature of the argument and the emotional states of both the victim and the suspect.
5. Whether alcohol or drugs appear to have been involved.
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6. Documentation of any domestic violence history reported by the parties, including the severity and frequency.
7. A description of the officer’s observation of injuries on both the victim and the suspect as well as the location of those injuries and documentation of whether medical treatment was offered and/or received. If medical treatment was received, a description of the type of treatment.
8. A description of the action taken by the officer, including law enforcement action taken and victim assistance provided.
9. Documentation of any evidence that would tend to establish a crime has been committed, including a description of any weapons.
10. Whether either party acted in self-defense.
11. Whether there was an existing protection or restraining order.
12. An explanation as to why an arrest was not made if applicable.
13. The name of a contact person to locate the victim.
15. All such reports shall be documented under the appropriate crime classification and, in the Type of Crime box of the crime report form, the distinction "Domestic Violence" shall be made and Domestic Disturbance Reports should be sent to the DVPC.

Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence pamphlet provided to the victim.

319.10.2 REPORTING OF DOMESTIC DISTRUBANCES (VERBAL INCIDENTS)
Verbal domestic disturbances will be documented in the appropriate police report. In cases in which there is an allegation of a crime by either party or the investigating officer determines that a crime has occurred, a GO must be completed. The report shall include as much of the following information as possible:

a. Establish if a DV relationship exists and if so, what is the relationship.
b. Confirm that no crime(s) have been reported and no orders are in place.
c. Identify any witnesses and document their statements.
d. Describe the nature of the argument, the emotional state of both parties and whether any party is in fear.
e. State whether alcohol or drugs appear to have been involved.
f. Provide a description of the action taken by the officer and victim assistance provided.
g. Document that a DV pamphlet was given, or at least offered and refused.
h. Include other factors that appear important and would be good to know later: belligerent towards police, weapons in house, etc.
i. Document history of verbal DV, if a history exists.

319.11 EVIDENCE
The following guidelines should be considered by officers investigating domestic violence cases:
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1. All visible injuries should be photographed regardless of severity, and all victims shall receive proper medical care if needed or desired. Victims whose injuries are not visible at the time of the incident shall be advised to contact a Domestic Violence Prosecution Center (DVPC) investigator or an on duty officer in the event they become visible. An investigator may be assigned to ensure the injuries are photographed during the course of preparing the case for court.

2. All injuries, whether observable or not, should be documented in the incident report. The emotional demeanor of the victim and suspect shall also be included.

3. Officers should ensure the crime scene is photographed.

4. Officers shall collect and submit all physical evidence that substantiates the victim’s injuries and/or the crime charged (e.g., weapons, torn clothing, broken items). If officers are unable to collect the evidence, they shall take photographs.
Search and Seizure

321.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Vancouver Police Department personnel to consider when dealing with search and seizure issues.

321.2 POLICY
It is the policy of the Vancouver Police Department to respect the fundamental privacy rights of individuals. Members of this Department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this Department will comply with relevant federal and state law governing the seizure of persons and property.

In accordance with the Training Policy, the Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

321.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Terry stops
- Legitimate community caretaking interests
- Exigent circumstances
- Plain view

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this Department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.
Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

321.3.1 RESTRICTIONS ON CELL SITE SIMULATOR USE
A member may only install or use a pen register, trap and trace device or cell site simulator device with a supporting court order or when there is both coordination with a prosecuting attorney and joint determination of probable cause to believe an emergency situation exists that involves immediate danger of death or serious bodily injury to a person. A court order must be obtained within 48 hours after installation of the pen register, trap and trace device or cell site stimulator device when an emergency situation exists (RCW 9.73.260).

321.4 SEARCH PROTOCOL
Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this Department will strive to conduct searches with dignity and courtesy.
(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage.
(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
(e) When the person to be searched is of the opposite sex as the searching officer, if necessary and practical, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
   1. Another officer or a supervisor should witness the search.
   2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon or contraband.

321.5 DOCUMENTATION
Officers are responsible to document any search when property is seized and/or an arrest is made, and to ensure any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search.
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).
Search and Seizure

- What, if any, injuries or damage occurred.
- All steps taken to secure property.
- The results of the search, including a description of any property or contraband seized.

Supervisors shall review reports to ensure the reports are accurate, actions are properly documented, and current legal requirements and Department policy have been met.
Temporary Custody of Juveniles

323.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Vancouver Police Department (42 USC § 5633).

323.1.1 DEFINITIONS
Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or a juvenile who has violated RCW 9.41.040(2)(a)(iv) by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer at all times and is not placed in a locked room or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

(a) A juvenile left alone in a locked room.

(b) A juvenile handcuffed to a rail or stationary object, whether in a locked or unlocked room.

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include underage possession of tobacco and/or alcohol. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

323.2 POLICY
The Vancouver Police Department is committed to protecting the rights of juveniles and releasing them from temporary custody as soon as reasonably practicable and keeping juveniles
Temporary Custody of Juveniles

safe while they are in the custody of the Vancouver Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

323.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Vancouver Police Department:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

In the event a juvenile is injured or in need of medical attention while in the care of the Vancouver Police Department, treatment will take precedence over any investigation.

323.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Vancouver Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Vancouver Police Department without authorization of the arresting officer’s supervisor or the Shift Sergeant.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Vancouver Police Department (42 USC § 5633; RCW 13.04.116(b)).

323.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Vancouver Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).
Temporary Custody of Juveniles

323.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (42 USC § 5633).

323.4.3 CUSTODY OF JUVENILE OFFENDERS
Juvenile offenders should be held in non-secure custody while at the Vancouver Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, juvenile offenders may be taken into custody under the following circumstances (RCW 13.40.040(1)):

(a) Pursuant to a court order.
(b) Without a court order, by an officer if grounds exist for the arrest of an adult in identical circumstances.
(c) When his/her parole/probation has been suspended.

323.5 ADVISEMENTS
When a juvenile offender is taken into custody, the officer should, as soon as practicable, notify the juvenile’s parent, guardian or a responsible relative that the juvenile is in custody.

This advisement can also be satisfied at the time of booking into the Juvenile Detention Hall by detention staff.

323.6 NO-CONTACT REQUIREMENTS
Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (42 USC § 5633). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Vancouver Police Department shall maintain a constant, immediate presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

323.7 TEMPORARY CUSTODY REQUIREMENTS
Officers assigned to monitor any juvenile at the Vancouver Police Department shall ensure the following:
Temporary Custody of Juveniles

(a) The Shift Sergeant should be notified if it is anticipated that a juvenile may need to remain at a Vancouver Police facility more than four hours. This will enable the Shift Sergeant to ensure no juvenile is held for more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities, such as changing clothes or using the restroom, without direct observation to allow for privacy.

(c) Juveniles shall have reasonable access to a restroom.

(d) Juveniles shall have reasonable access to a drinking fountain or water.

(e) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special dietary restrictions.

(f) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(g) Any significant incident/activities shall be documented and a supervisor notified.

323.7.1 NON-SECURE JUVENILE DETENTION LOG
When any juvenile is held in a non-secure detention status at any Vancouver Police facility, a Non-Secure Juvenile Detention Log shall be completed by the officer responsible for detaining the juvenile.

This log will be maintained in the report writing room of each precinct. The detaining/primary officer must fully complete the log and obtain a supervisor’s signature by the completion of his/her shift. Forward the completed and signed log to the Professional Standards Unit’s Audit Sergeant for records documentation.

If a juvenile is detained in the field and is released to a parent or taken to a secure facility, no detention log is required. This log is only required if the juvenile is brought inside and detained within a Vancouver Police facility.

See attachment: 323 Non Secure Detention of Juveniles Log.xlsx

323.8 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Vancouver Police Department when the juvenile presents a heightened risk or under arrest. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

323.9 PERSONAL PROPERTY
The officer taking custody of a juvenile non-offender or status offender at the Vancouver Police Department shall ensure a thorough search of the juvenile’s property is made. For community caretaking purposes, all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.
Temporary Custody of Juveniles

323.10 SECURE CUSTODY
Secure custody should only be used for juvenile offenders who are under arrest or when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others. If a juvenile must be placed in secure custody, the officer must transport them directly to the Juvenile Detention Hall. No juveniles are to be placed into secure custody while in any Vancouver Police facility.

323.11 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
Interviews and interrogations should not last any longer than is necessary to gain information on the matter being investigated and to identify the juvenile. The officer shall assess the situation with the following factors considered before continuing a lengthy interview:

1. Age of the juvenile,
2. Maturity of the juvenile,
3. Location of the interview, and
4. Gravity of the offense.

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent.

323.11.1 MIRANDA AND JUVENILE WARNINGS
If an officer takes a juvenile into custody, they shall be accorded the same privilege against self-incrimination as an adult (RCW 13.40.140(8)).

The officer will advise the juvenile of their constitutional rights, as required by the Miranda decision, prior to conducting any interview or interrogation.

In advising the juvenile suspect(s) of their Miranda rights, officers must include the additional warning to juveniles as printed on the Department issued Miranda Warning card.

Based on the age of the juvenile, they may or may not be able to give waiver.

1. The juvenile parent, guardian, or custodian shall give any waiver or offer any objection for juveniles under twelve (12) years of age (RCW 13.40.140(10)).
2. Juveniles at least twelve (12) years of age may give waiver or offer objection themselves (RCW 13.40.140(10)).

323.12 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING
A juvenile offender may be photographed and fingerprinted as provided by RCW 43.43.735.

323.13 RELEASE OF INFORMATION CONCERNING JUVENILES
Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Officers of this Department shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.
Temporary Custody of Juveniles

323.13.1 RELEASE OF INFORMATION PURSUANT TO WASHINGTON LAW
Juvenile records are confidential and may be released only as provided in RCW 13.50.010 and RCW 13.50.050:

(a) Information may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile is being pursued by the other participant, or when that other participant is assigned the responsibility for supervising the juvenile.

(b) Information not in the juvenile court file that could not reasonably be expected to identify the juvenile or the juvenile's family may be released.

(c) Following the decision to arrest, information about an investigation, diversion or prosecution of a juvenile, including an incident report, may be released to the school in which the juvenile is enrolled to assist in protecting other students, staff and school property.

(d) Information about a juvenile offender, the offender’s parent or guardian and the circumstances of the crime may be released to the victim or the victim’s immediate family.

(e) Information identifying child victims of sexual assault committed by juvenile offenders may be released only with the permission of the child victim or legal guardian.

(f) A court may permit certain juvenile records to be released by rule or order.
Vulnerable Adult Abuse

325.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of vulnerable adults. This policy also addresses mandatory notification for Vancouver Police Department members as required by law.

325.1.1 DEFINITIONS
Definitions related to this policy include (RCW 74.34.020):

**Abandonment** - Action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the person without the means or ability to obtain necessary food, clothing, shelter or health care.

**Abuse** - Willful action or inaction that inflicts injury, unreasonable confinement or restraint, sexual abuse, physical abuse, financial exploitation, mental abuse, intimidation or punishment as provided.

**Vulnerable Adult** - Person who:

a. Is 60 years or older and has the functional, mental or physical inability to care for himself/herself.

b. Has been found by the Superior Court to be incapacitated under RCW 11.88.005 et seq.

c. Suffers from a developmental disability as defined under RCW 71A.10.020.

d. Has been admitted to any facility as defined in RCW 74.34.020 (assisted living facility, nursing home, adult family home or other facility licensed by DSHS).

e. Is receiving services from an individual provider or licensed home health, hospice or home care agency.

f. Self-directs his/her own care and receives services from a person aide under RCW 74.39.001 et seq.

325.2 POLICY
The Vancouver Police Department will investigate all reported incidents related to vulnerable adults and ensure proper reporting and notification as required by law.

325.3 MANDATORY NOTIFICATION
Members of the Vancouver Police Department shall notify the Washington State Department of Social and Health Services (DSHS) when there is reasonable cause to believe that abandonment, abuse, financial exploitation or neglect of a vulnerable adult has occurred. Members shall also notify DSHS when there is reason to suspect sexual assault or physical assault or reasonable cause to believe that an act has caused fear of imminent harm. The medical examiner or coroner
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shall also be notified when there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect or abandonment by another person (RCW 74.34.035).

325.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 74.34.035):

(a) All notification to DSHS shall be made immediately by report and/or telephone.

(b) Information provided shall include, if known:
   1. The name and address of the person making the report.
   2. The name and address of the vulnerable adult.
   3. The name and address of the facility or agency providing care for the vulnerable adult.
   4. The name and address of the legal guardian or alternate decision maker.
   5. The nature and extent of the abandonment, abuse, financial exploitation, neglect or self-neglect.
   6. Any history of previous abandonment, abuse, financial exploitation, neglect or self-neglect.
   7. The identity of the alleged perpetrator, if known.
   8. Any other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect or the cause of death of the deceased vulnerable adult.

325.4 INVESTIGATIONS AND REPORTING
All reported or suspected cases of abuse against a vulnerable adult require investigation and a report, even if the allegations appear unfounded or unsubstantiated. If the investigation reveals that a crime may have been committed, the City or County prosecutor's office shall be provided a written report of the incident (RCW 74.34.063(3)).

Investigations and reports related to suspected cases of vulnerable adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(d) Whether the victim was transported for medical treatment or a medical examination.

(e) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
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(f) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(g) Previous addresses for the victim and suspect.

(h) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

Any unexplained death of a vulnerable adult who was in the care of a guardian or caretaker should be considered as potential abuse and investigated similarly.

325.5 INTERVIEWS
Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected vulnerable adult victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

325.6 MEDICAL EXAMINATIONS
When a vulnerable adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the vulnerable adult. The officer should also arrange for the adult’s transportation to the appropriate medical facility.

325.7 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:

325.7.1 ARREST WITHOUT WARRANT
When an officer has confirmed that a valid court order for protection, including a temporary order, exists and has probable cause to believe that a person has violated that order, he/she shall arrest the person without a warrant (RCW 10.31.100; RCW 26.50.110).

325.7.2 RELEASE OF REPORTS
Information related to incidents of vulnerable adult abuse or suspected vulnerable adult abuse shall be confidential and may only be disclosed pursuant to state law (RCW 74.34.035(9); RCW 74.34.095).

325.8 TRAINING
The Department should provide training on best practices in vulnerable adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting interviews.

(c) Availability of therapy services for adults and families.

(d) Availability of specialized forensic medical exams.
Vulnerable Adult Abuse

(e) Cultural competence (including interpretive services) related to vulnerable adult abuse investigations.

(f) Availability of victim advocates or other support.
Discriminatory Harassment

327.1 PURPOSE AND SCOPE
The guidelines outlined in this policy are intended to prevent Department members from being subjected to discrimination or harassing behavior and to ensure full equal employment opportunity, in conformance with Title VII of the Civil rights Act of 1964 and other applicable laws and regulations.

327.2 POLICY
The Vancouver Police Department is committed to providing a work environment free from harassment by any individual. Employees have a responsibility to assist in this commitment by treating every person with respect and by reporting incidents of harassing behavior.

Discriminatory and harassing conduct directed at an individual because of his or her race, religion, color, national origin or ancestry, pregnancy, military status, age, gender, sexual orientation, marital status, genetic information, and/or the presence of any physical or mental disability and/or any other status protected by law is strictly prohibited. Any conduct which may be construed as retaliation against an individual because he/she made a complaint of harassment is also strictly prohibited.

327.3 INAPPROPRIATE CONDUCT
Conduct that may constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off-color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or Department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to Department policy and to the Department's commitment to a discrimination free work environment.

327.3.1 HARASSMENT
As a general rule, harassing conduct includes behavior that is demeaning, insulting, offensive or intimidating. It can include verbal conduct such as unwanted sexual or racist comments; non-verbal behavior; and physical behavior such as pats, squeezes or brushing against someone's body. The conduct will be harassing and a violation of this policy if it is offensive or unwelcome, even if the conduct was not intended to be harassing.

There is an endless list of behaviors that may be unwelcome, demeaning, insulting, or offensive and lead to a complaint or harassment. Some examples are:

1. Demeaning, insult, intimidating, or sexually suggestive written, recorded or electronically transmitted messages;
2. Using demeaning or inappropriate names or labels that other find offensive;
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3. Making vulgar comments, using profane language, using indecent gestures or discussing sexual activities;
4. Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions;
5. Verbal abuse of any kind;
6. The display of demeaning, insulting or sexually suggestive objects or pictures, including nude photographs;
7. Sabotaging work, assigning only demeaning work or refusing to provide critical job related information;
8. Laughing at, ignoring, or not taking seriously an employee who experiences or complains of harassment;
9. Blaming victims of harassment for causing the problem; or
10. Continuing offensive behaviors after an employee has objected to that behavior.

The following behaviors are not considered harassing: Bona fide requests or demands by a supervisor that the employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with City or Department rules or regulations, or any other appropriate work related communication between supervisor and employee.

327.3.2 SEXUAL HARASSMENT

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, abusive, or offensive work environment.

327.3.3 RETALIATION

Any action taken to punish an individual for making a complaint of harassment or to obtain revenge for making the complaint is retaliation, even if the complaint is unfounded. As with harassing conduct, there are many behaviors which may be considered retaliation if taken for the wrong reason. Examples of retaliatory conduct include:

1. Harassing, insulting or intimidating an employee in any way;
2. Take unjustified disciplinary action;
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3. Directly or indirectly encouraging others to retaliate against an individual who has made a complaint of harassment; or

4. Taking any action which is detrimental to the employee’s job such as a demotion, a poor performance evaluation, a decrease in pay, sabotaging work, assigning demeaning work, or making it difficult for the employee to perform job duties.

327.3.4 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Washington State Human Rights Commission.

(b) Bona fide requests or demands by a supervisor that an employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with City or Department rules or regulations, or any other appropriate work-related communication between supervisor and employee.

327.4 EMPLOYEE RESPONSIBILITIES
All employees are required to comply with the following expectations:

1. Employees are expected to treat every individual with respect and to refrain from any harassing or retaliatory behavior.

2. All employees are encouraged to report any observed or known violations of this policy to a supervisor. Employee(s) not comfortable with reporting violations of this policy to their immediate supervisor may bypass the chain of command and report it to a higher ranking officer. Complaints may also be filed with the Human Resources or the Professional Standards Unit.

327.5 SUPERVISOR RESPONSIBILITIES
Supervisors and managers will be proactive in identifying behavior that may constitute harassment or retaliation, will take any complaint or harassment seriously, and will take prompt and effective action to assure that any harassing, offensive or retaliatory conduct stops and does not recur. All complaints or discrimination or harassment shall be fully documented, and promptly and thoroughly investigated.

Individual employees may be held personally liable for engaging in harassing behavior or failing to take action to stop harassing behavior.

327.6 RESOLUTION OF HARASSMENT ISSUES AND COMPLAINTS
Various methods of resolution exists to stop harassing behavior.
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327.6.1 EMPLOYEE RESOLUTION
Whenever possible, employees who believe they are experiencing discrimination and/or harassment are encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or highly inappropriate.

327.6.2 SUPERVISORY RESOLUTION
If an employee is unable to resolve the concern or if an employee feels uncomfortable, threatened, or has difficulty expressing his/her concern, assistance or counseling should be sought from a supervisor or manager.

327.6.3 FORMAL INVESTIGATION
At any time, an employee may initiate a formal complaint of harassment by contacting a supervisor, manager, Human Resources or PSU. All potential policy violations are reviewed and/or investigated in accordance with the policy and procedures relating to Internal Affairs investigations.

During the pendency of any such investigation, the Department will take reasonable steps to mitigate or eliminate any continuing hostile work environment.

327.7 DOCUMENTATION OF COMPLAINTS
All complaints or allegations shall be documented as required by the Department’s Internal Affairs Policy.

327.8 EQUAL OPPORTUNITY EMPLOYMENT COMPLAINTS
No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the Department. Employees who believe they have been harassed or discriminated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

327.9 TRAINING
The Department provides on-going training on the definition of harassment, appropriate workplace behavior, policies on the prevention of harassment, procedures for complaining about and resolving harassment problems that arise and employee responsibilities for preventing harassment in the workplace. In addition, supervisors and managers are required to attend periodic training on identifying, preventing and responding to complaints of harassment and retaliation.

327.10 QUESTIONS REGARDING DISCRIMINATION OR SEXUAL HARASSMENT
Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, manager, the Chief of Police, Human Resources, the City Manager, or they may contact the Washington State Human Rights Commission at 800-233-3247.
Child Abuse

329.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Vancouver Police Department members are required to notify the Department of Social and Health Services, Child Protective Services (CPS) of suspected child abuse.

329.1.1 DEFINITIONS
Definitions related to this policy include:

Child – Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Abuse / Neglect - sexual abuse, sexual exploitation, or injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety, excluding conduct permitted under RCW 9A.16.100; or the negligent treatment or maltreatment of a child by a person responsible for or providing care to the child. An abused child is a child who has been subjected to child abuse or neglect as defined in this section. (RCW 26.44.020(1))

CJC – Children’s Justice Center

329.2 POLICY
The Vancouver Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

329.3 MANDATORY NOTIFICATION
Members of the Vancouver Police Department shall notify CPS or cause CPS to be notified when a report of abuse or neglect of a child is received or when there is reasonable cause to believe that a child has suffered abuse or neglect (RCW 26.44.030).

Officers shall promptly notify CPS whenever a child under 16 years of age is in a vehicle being driven by the child's parent, guardian, legal custodian, sibling or half sibling and that person is being arrested for a drug or alcohol-related driving offense (RCW 46.61.507).

If, during an investigation of drug manufacturing, an officer discovers that a child is present at the investigation site, the officer shall notify CPS immediately (RCW 26.44.200).

329.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (RCW 26.44.030(5)):

(a) In emergency cases, notification to CPS should be made immediately when the child's welfare is endangered but in all such cases within 24 hours.

(b) In non-emergency cases, notification to CPS shall be made within 72 hours after a report is received.
Child Abuse

(c) Notification, must contain the following information, if known (RCW 26.44.040):

1. The name, address and age of the child.
2. The name and address of the child's parents, stepparents, guardians or other persons having custody of the child.
3. The nature and extent of the alleged injury or injuries.
4. The nature and extent of the alleged neglect.
5. The nature and extent of the alleged sexual abuse.
6. Any evidence of previous injuries, including the nature and extent of the injury.
7. Any other information that may be helpful in establishing the cause of the child's death, injury or injuries, and the identity of the alleged perpetrator or perpetrators.

329.4 QUALIFIED INVESTIGATORS
Qualified investigators from CJC should be available for child abuse investigations. These investigators should:

(a) Conduct the forensic interviews in child appropriate interview facilities.
(b) Be familiar with forensic interview techniques specific to child abuse investigations.
(c) Present all cases of alleged child abuse to the prosecutor for review.
(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (RCW 26.44.180 et seq.)

329.5 PATROL INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Patrol officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

a. The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.

b. Any relevant statements the child may have made and to whom he/she made the statements.

C. If a child was taken into protective custody, the reasons, the name and title of the person making the decision.
d. Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable. Under no circumstances should photographs be taken, by law enforcement, of the child’s genital area. Those photographs must be taken by the health care provider.

e. Whether the child victim was transported for medical treatment or a medical examination.

f. Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

g. Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

h. Each officer’s role in handling cases and how he/she has coordinated with other local agencies or systems. (RCW 26.44.180 et seq.).

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

329.6 PROTECTIVE CUSTODY
If it is determined a child needs to be taken into protective custody, a supervisor shall be notified and the CPS hotline must be called for a social worker to respond. Law enforcement does not have the authority to transfer custody of a child. A report will be completed and forwarded to CPS. Children may only be removed from a parent or guardian in the following situations (RCW 26.44.050):

(a) A court order has been issued authorizing the removal of the child.

(b) There is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order (e.g., the child could be taken and concealed).

329.6.1 SAFE HAVEN LAW
A parent is not guilty of abandonment when leaving a newborn 72 hours old or younger with a qualified person at the emergency department of a licensed hospital or a fire station while personnel are present (RCW 13.34.360). The qualified person shall notify CPS. CPS shall assume custody of the newborn.

329.7 INTERVIEWS
329.7.1 PRELIMINARY INTERVIEWS
The investigating patrol officer should attempt to gather, if possible from the victim, only the information necessary to begin an investigation. The patrol officer shall defer any in-depth or forensic interview with the victim to a specialty trained investigator from the CJC. While on scene a more detailed interview may be conducted with witnesses, medical staff, parents, or guardians.
329.7.2 FORENSIC INTERVIEWS
A forensic interview is a structured conversation with a child intended to elicit detailed information about a possible event(s) the child may have experienced or witnessed. These interviews are to only be conducted by trained CJC investigators. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

329.7.3 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
4. CPS hotline must be called and a social worker respond.

(b) A court order or warrant has been issued.

329.7.4 TRAINING REQUIREMENT
Only those members who have successfully completed Washington State Criminal Justice Training Commission (WSCJTC) sponsored training on interviewing child victims of sexual abuse shall participate in or conduct such interviews. Interviews of children who are suspected victims of sexual abuse will be conducted in compliance with the training standards set forth in RCW 43.101.224.

329.8 MEDICAL EXAMINATIONS
If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify CPS and a social worker will respond.

329.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

The investigating patrol officer should:
Child Abuse

a. Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

b. Notify a supervisor to determine the need to activate any available interagency response when a child is present or there is evidence that a child lives at a drug lab or other narcotics crime scene.

c. Document the environmental, medical, social and other conditions of the child using photography and completing a thorough report.

329.10 STATE MANDATES AND OTHER RELEVANT LAWS
Washington requires or permits the following:

329.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Release and Security Policy (RCW 42.56.240).

329.10.2 ARREST WITHOUT WARRANT
When an officer responds to a call alleging that a child has been subjected to sexual or physical abuse or criminal mistreatment and has probable cause that a crime has been committed, or the officer responds to a call alleging that a temporary restraining order or preliminary injunction has been violated, he/she has the authority to arrest the person without a warrant (RCW 10.31.100; RCW 26.44.130).

329.10.3 CASE SUBMISSION TO PROSECUTOR
The Vancouver Police Department shall forward all cases of child abuse to the appropriate prosecutor when a crime may have been committed and (RCW 26.44.030):

   (a) A child has died or has had a physical injury.
   (b) Injuries were inflicted upon a child other than by accidental means.
   (c) A child has been subjected to alleged sexual abuse.

329.10.4 AGENCY COORDINATION
If this Department responds to a complaint of alleged child abuse and discovers that another agency has also responded to the complaint, this Department shall notify the other agency of its presence. The agencies shall coordinate the investigation and keep each other apprised of progress (RCW 26.44.035).

329.10.5 LOCAL CHILD ABUSE PROTOCOLS
The CJC Supervisor should ensure that local child abuse protocols for the investigation of child abuse are available to those same members who have a role in child abuse investigations (RCW 26.44.180 et seq.).
329.10.6 CONFLICT OF INTEREST IN INVESTIGATIONS
An officer shall not participate as an investigator in a child abuse case concerning a child for whom he/she is, or has been, a parent, guardian or foster parent (RCW 26.44.190).

329.11 TRAINING
The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases.
Child Abductions

330.1 PURPOSE AND SCOPE
The Vancouver Police Department investigates reports of child abductions in this jurisdiction. The Vancouver Police Department will assist other agencies with child abduction cases if requested.

This policy is a guide to the recovery of abducted children and is subject to change as investigative techniques and case law changes. Not all investigation strategies listed in this policy are mandatory. These investigation techniques should be considered and tailored towards what is necessary in the recovery of the abducted child.

This policy establishes guidelines and responsibilities regarding the response to child abductions.

330.2 INITIAL PATROL REASONSE

330.2.1 PATROL OFFICER INITIAL RESPONSE
The responding officer should attempt to obtain permission to search the residence of reporting party and/or residence the child was last seen to verify the child is in fact missing and not hiding.

If it is determined that the disappearance is an abduction, the responding officer should determine the circumstances of the abduction. Information such as suspect description, victim description, suspect vehicle description, parental custody status, and the location the victim was last seen should be obtained.

For an AMBER Alert to be issued, the following information should be obtained:

a. Where the abduction took place.

b. Specific physical description of the child.
   · Clothing worn when last seen
   · Height
   · Weight
   · Age
   · Hair length/color
   · Skin/Eye color
   · Additional distinguishing physical characteristics

c. A physical description of the abductor.
   · Suspect clothing
   · Height
   · Weight
Child Abductions

- Age
- Hair length/color
- Skin/Eye color
- Additional distinguishing physical characteristics

d. Location last seen.
e. Suspect vehicle description.
   - Make
   - Model
   - Year (approx. older or newer)
   - Color
   - License plate state/number
   - Additional distinguishing physical characteristics

The responding officer shall contact an on-duty supervisor and have them respond to the scene.

The responding officer shall contact dispatch (CRESA) to broadcast information about the abduction to other patrol units and surrounding law enforcement agencies. This should include suspect/victim description, suspect vehicle description and any other information that may be pertinent. If enough information is available, the responding officer should issue a BOLO.

The responding officer should attempt to obtain a recent photograph of the abducted child for media release. Digital photographs are preferred if available.

330.2.2 PATROL SUPERVISOR INITIAL RESPONSE
The on-duty supervisor shall respond and ensure resources are deployed as appropriate.

If the criteria is met for an AMBER Alert, the on-duty supervisor shall contact CRESA and have them issue an AMBER Alert per the instructions in the Public Alerts Policy.

Notify the District Lieutenant or Precinct Commander and contact the Digital Evidence Cybercrime Unit (DECU) supervisor for assistance.

The on-duty supervisor should contact the Public Information Coordinator (PIC) to address incoming media questions and release of information to the public as needed.

The on-duty supervisor should, if needed, contact Trauma Intervention Program (TIP) volunteers and have them respond to the scene.

330.3 INVESTIGATIONS RESPONSE
The primary DECU investigator will assign an Incoming Leads Team Leader, a MACE Missing/Abducted Child Excel (MACE) Team Leader, and a Neighborhood Canvass Team Leader.
Child Abductions

After AMBER alerts are issued and information is released to the media, a high volume of phone calls with potential leads are expected. In order to manage the incoming telephone leads, CRESA will provide phone lines to be utilized by VPD personnel. The Incoming Leads Team Leader will assign personnel to address incoming leads.

A command post should be established away from the area the abduction occurred and the missing child’s residence.

A flyer with the abducted child’s photograph should be generated for use during the neighborhood canvass.

Detectives/officers will be assigned to interview pertinent witnesses (e.g., family members, close associates, suspects). If interviews involve children witnesses, consider utilizing Child Justice Center (CJC) detectives.

A neighborhood canvass/search shall be performed. The Neighborhood Canvass Team Leader will supervise and address any questions concerning the search. Officers should document the address, who was contacted, and who else lives at each location.

An officer should be assigned as a family liaison to answer questions or concerns the family might have.

An officer should be assigned to video record the neighborhood the child is missing from. Focus should be made on vehicles in the neighborhood to include license plate numbers.

An officer should be assigned to locate nearby video surveillance (banks, ATMs, convenience stores, etc.) for possible leads. Seize video within 24 hours to prevent recording over.

In the case of suspected child abductions or mysterious disappearances of children, the federal kidnapping statute, 18 USC 1201, can be invoked and the FBI is authorized to immediately enter the investigation. The FBI National Center for the Analysis of Violent Crime (NCAVC) can provide assistance and resources if needed. Contact the local FBI office for these resources.

Consider the installation of recorders on all telephone lines coming into the missing child’s residence as well as the ability to trap and trace incoming telephone calls. This could be important in the case of a ransom situation. The FBI can assist with this function.

Develop a detailed timeline of the missing child’s known activities up to the time they were reported missing. Continue with timeline establishing when certain events are performed during the investigations. This timeline can be managed utilizing the MACE Application. VPD crime analysts also have the ability to provide this function.

If possible, seize and obtain consent to search for computers in the abducted child’s residence for forensics.

Consider commercial garbage companies to coordinate trash dump of dumpsters.
330.3.1 INCOMING LEADS TEAM LEADER
The Incoming Leads Team Leader will manage all incoming leads coming in through CRESA. The Incoming Leads Team Leader will assign available Police Service Technicians (PST) to answer incoming telephone calls. If a PST is not available, officers can be utilized for this function.

Missing/Abducted Child Excel (MACE) Lead forms will be provided to call takers to document all incoming telephone leads. MACE Lead forms and instructions are attached to the appendix. After a telephone lead has been obtained, the Incoming Leads Team Leader will send the MACE Lead form to the MACE Team Leader at the command post.

330.3.2 MACE (MISSING/ABDUCTED CHILD EXCEL) TEAM LEADER
MACE is a spreadsheet application that will run on Microsoft EXCEL (which is the standard spreadsheet application on most computers with the Microsoft Office Suite). It is designed as a simple system for tracking leads and other investigative steps in a missing or abducted child case.

The MACE Application is the leads management system utilized by the FBI. Instructions on how to use MACE and the MACE Application spreadsheet are attached to the appendix.

The MACE Team Leader will assign a PST or an officer to manage the MACE Application. All leads shall be reviewed by the MACE Team Leader and entered into the MACE Application prior to being assigned as follow-up.

Once a lead is entered into the MACE Application, the MACE Team Leader will assign the lead to officers for investigation. After the lead has been investigated, the MACE Lead form will be provided back to the MACE Team Leader for closure or reassignment.

The MACE Team Leader will provide all MACE Lead forms to the case officer for review.

330.3.3 NEIGHBORHOOD CANVASS/SEARCH TEAM LEADER
The Neighborhood Canvass/Search Team Leader will manage a physical search effort for the missing child. Prior to conducting a neighborhood canvass, consideration should be given in utilizing a search dog. Pacific Crest Search Dogs can be utilized for this purpose. Contact information for Pacific Crest Search Dogs is listed under resources in this policy.

Responsibilities of the Neighborhood Canvass/Search Team Leader include:

a. Maintaining the Searcher Log which documents persons assigned to the search team.

b. Assigning areas to be searched by team members and documenting the areas searched and persons contacted on the Neighborhood Canvass Log.

c. Providing searchers with Neighborhood Canvass Forms.

d. Providing the MACE Team Leader with results of search for input into the MACE Application for proper documentation.

Search teams will consist of two officers on each team. These teams will be assigned to contact all residences in the neighborhood the child resides and was last seen. When contacting home owners, attempt should be made to obtain permission to search their residence. A Ferrier Warning
**Child Abductions**

should be provided when obtaining permission. In addition to searching the living areas of the residence, attic and crawl spaces should be searched. If permission is denied document the residence and who contact was made with if possible. If anything suspicious or unusual is observed at the residence, contact a DECU detective immediately.

If a search is needed for wooded areas or bodies of water, contact the Clark County Sheriff’s Office (CCSO) Search and Rescue for assistance via CRESA. CCSO will direct this search.

Neighbors on Watch (NOW) volunteers can be utilized to search wooded areas and with canvassing neighborhoods. NOW volunteers are not to be utilized in contacting home owners.

DECU Sex Offender Monitoring detective can provide sex offenders registered address for contact and search of residence.

Road blocks are not permitted in the state of Washington.

VPD Crime Analysts can generate neighborhood maps.

### 330.4 RESOURCES AND FORMS

**Pacific Crest Search Dogs:**

Sharon Ward (503) 704-2366 / pager (360) 690-0443

Kent Stuart (360) 567-8066 / pager (360) 690-6460

**FBI-Vancouver:** (360) 695-5661 during normal work hours.

**FBI-Seattle:** (206) 622-0460 after hours and weekends. They will contact Vancouver Special Agents.

**National Center for Missing and Exploited Children (NCMEC):** 1-800-THE-LOST / (1-800-843-5678)

See attachment: 330 MACE Instructions.pdf

See attachment: 330 MACE Lead Sheet.pdf

See attachment: 330 MACE Leads EXCEL Spreadsheet.xlsx
Missing Persons

331.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

331.1.1 DEFINITIONS
Definitions related to this policy include:

**High risk** - This includes persons who:

(a) Are 12 years of age or younger.

(b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:

1. Missing under unexplained, involuntary or suspicious circumstances and is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or it is believed that the person is unable to return to safety without assistance.

2. Out of the zone of safety for his/her chronological age and developmental stage.

3. Mentally or behaviorally disabled.

4. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.

5. Absent from home for more than 24 hours before being reported to law enforcement as missing.

6. In a life-threatening situation.

7. In the company of others who could endanger his/her welfare.

8. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.

9. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown.

(a) Missing adult – A person 18 years of age or older, and whose absence is contrary to their normal pattern of behavior.

(b) Missing child – A person 17 years of age or younger and whose whereabouts are unknown to such individual's legal custodian.
Missing Persons

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC) and the Washington Crime Information Center (WACIC).

**331.2 POLICY**
The Vancouver Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Vancouver Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

**331.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS**
The Digital Evidence Cybercrime Unit (DECU) supervisor shall ensure the following forms and kits are developed and available:

- Electronic police report
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical records release form
- Biological sample collection kits

**331.4 ACCEPTANCE OF REPORTS**
Any officer encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This is accomplished by accepting the report in-person and initiating the investigation. Those officers who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert an officer who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

**331.5 INITIAL INVESTIGATION**
Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting person and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
Missing Persons

(d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at risk.

(e) Ensure that entries are made into WACIC/NCIC and over the Mobile Data Computer (MDC), as follows:
   1. Immediately, when the missing person is at risk or is 21 years of age and under.
   2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) At minimum, the following information shall be entered into WACIC/NCIC and MDC for a missing child:
   1. Name, date of birth, sex, race, height, weight, eye color, and hair color.
   2. The date and location of the last known contact with the child.
   3. The circumstances under which the child is reported missing.

(g) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(h) Collect and/or review:
   1. A photograph and fingerprint card of the missing person, if available.
   2. Any documents that may assist in the investigation, such as court orders regarding custody.
   3. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to a high-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

(j) Contact the DECU supervisor for additional resources or response.

(k) Consider contacting the Washington State Patrol's (WSP) Missing and Exploited Children's Task Force (MECTF) if additional resources are needed (RCW 13.60.110).

331.6 REPORT PROCEDURES AND ROUTING
The responding officer should complete all missing person electronic reports, tabs and forms promptly and advise the appropriate on-duty supervisor as soon as a missing person report is ready for review.
Missing Persons

If there is an exigency to accomplish a missing person report and the officer does not have access to the electronic report writing system on scene, then the Vancouver Police Department Missing Person Form should be completed and used to make the proper notifications.

In every case of a missing person, the Vancouver Police Department Dental Information Form must be completed and signed by the reporting party or guardian of the missing person.


331.6.1 SUPERVISOR RESPONSIBILITIES
If the missing person is high risk, the on-duty supervisor shall respond and ensure resources are deployed as appropriate. If necessary, notify the DECU supervisor for assistance and ensure applicable notification and public alerts are made.

The supervisor shall review and approve missing person reports upon receipt. The reports should be promptly sent to the Records Division and entered into the appropriate missing person networks.

The supervisor should also take reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

331.6.2 RECORDS DIVISION RESPONSIBILITIES
The receiving records member shall:

(a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.

(b) Notify and forward a copy of the report to the agency of jurisdiction where the missing person was last seen.

(c) Notify and forward a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.

(d) Forward a copy of the report to the DECU supervisor.

331.7 INVESTIGATIONS FOLLOW-UP
The detective assigned to a missing person investigation:

(a) Should ensure the missing person’s school has been contacted to verify that the student’s transcripts had not been transferred.

(b) Should re-contact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
Missing Persons

(d) Shall verify and update WACIC, NCIC and any other applicable missing person networks within 60 days of the original entry into the networks and every 45 days thereafter until the missing person is located (42 USC § 5780).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 45 days.

(f) Shall maintain a close liaison with the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age of 21 (42 USC § 5780).

(g) Should obtain and forward medical records and X-rays, photos, dental X-rays and biological samples, as applicable to the Washington State Patrol (WSP) Missing and Unidentified Persons Unit (MUPU).

(h) Should attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the WSP Missing and Unidentified Persons Unit (MUPU).

(i) Should make appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

331.7.1 MISSING OVER 30 DAYS OR WHEN CRIMINAL ACTIVITY SUSPECTED

When a person reported missing has not been found within 30 days of the report or at any time when criminal activity is suspected, the handling detective shall contact the county coroner or medical examiner to determine if that office has any information concerning the missing person. If, after conferring with the coroner or medical examiner, the person is still determined to be missing, the handling officers shall complete the following:

(a) File a missing person's report with MUPU.

(b) Initiate the collection of biological samples from the known missing person and his/her family members for nuclear and mitochondrial DNA testing along with the necessary consent forms, if not previously obtained during the investigation.

(c) Ask the missing person's family or next of kin to give written consent to request the person's dental records.

   1. Whenever possible, obtain diagnostic quality copies or original records of the missing person's dental records. As soon as possible, biological samples shall be submitted to the appropriate lab; dental records shall be submitted to MUPU (RCW 43.43.751; RCW 68.50.320).

In all missing person cases, the assigned detective should attempt contact with the reporting party no less than every three months in order to verify the status of the reported missing person. After 12 months, contact with the reporting party should be attempted yearly. All verifications should be reported to WSP via A Central Computerized Enforcement Service System (ACCESS).
331.8 WHEN A MISSING PERSON IS FOUND
When any person reported missing is found, the assigned detective shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Records Division should ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) Notification is made to MUPU.
(b) Entries are made in the applicable missing person networks.
(c) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

If a missing person is an adult and does not want the reporting party to know their location, the officer will not disclose their location.

331.8.1 UNIDENTIFIED PERSONS
Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.
(b) Enter the unidentified person's description into the NCIC Unidentified Person File.
(c) Use available resources, such as those related to missing persons, to identify the person through NamUs.

331.9 CASE CLOSURE
The Investigations Lieutenant may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
(b) If the missing person is a resident of Vancouver or this Department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
(c) If this Department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.
(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.
331.10 TRAINING
Subject to available resources, the Training Sergeant should ensure that members of this Department whose duties include missing person investigations and reports receive training that includes:

(a) The initial investigation:
   1. Assessments and interviews.
   2. Confirming missing status and custody status of minors.
   3. Evaluating the need for a heightened response.
   4. Identifying the zone of safety based on chronological age and developmental stage.

(b) Briefing of Department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.

(l) Preserving scenes.

(m) Internet and technology issues (e.g., Internet use, cell phone use).

(n) Media relations.
Public Alerts

333.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

333.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

333.3 RESPONSIBILITIES

333.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Vancouver Police Department should immediately notify their supervisor or Shift Sergeant upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

333.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the appropriate Precinct or Division Commander and the Public Information Coordinator (PIC) when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the appropriate unit Commander.

333.3.3 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES
The Chief of Police should designate a Public Alert Reporting Officer, who is responsible for:

(a) Remaining familiar with the protocols for activating, maintaining and cancelling all applicable public alerts.
(b) Being the point of contact with the Washington AMBER Alert Advisory Committee.
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(c) Staying current with any changes to the alert entry process through the committee and via www.wsp.gov.wa/crime/mpu.htm.

(d) Ensuring all Department members are made aware of any changes in the public alert system.

333.4 WASHINGTON STATEWIDE AMBER ALERT™ PLAN

The AMBER Alert™ Plan is a voluntary partnership between law enforcement, state government agencies, broadcasters and other participants to rapidly disseminate information to enhance the public’s ability to assist in recovering abducted children (RCW 13.60.010).

The Vancouver Police Department participates in this partnership and may initiate an AMBER Alert to disseminate information to the public when the criteria for an AMBER Alert are met.

333.4.1 ALERT CRITERIA

The following criteria must exist prior to requesting an AMBER Alert:

(a) The child is under 18 years of age and is known to have been abducted. The child is not a runaway or an abandoned child.

(b) The abducted child is believed to be in danger of death or serious bodily injury.

(c) The AMBER Alert activation should occur within four hours of the qualifying event unless circumstances or the timeliness of the information warrant otherwise.

(d) There must be enough descriptive information to believe that an AMBER Alert activation will assist in the recovery of the child, including:

1. Where the abduction took place.

2. A physical description of the child: height, weight, age, hair color and length, eye color, clothing worn when the child was last seen, and any distinguishing physical characteristics.

3. A physical description of the abductor: height, weight, age, hair color and length, eye color, clothing worn when the suspect last seen, and any distinguishing physical characteristics.

4. Place last seen.

5. Description of the vehicle: color, make, model, license number, approximate year.

(e) The incident must be reported to and investigated by a law enforcement agency.

333.4.2 PROCEDURE

Should the Shift Sergeant or supervisor determine that the incident meets the criteria of the Washington Statewide AMBER Alert Plan, the Shift Sergeant or supervisor should:

(a) Ensure that Department protocol is followed regarding approval of the alert.
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(b) Ensure all appropriate documentation is completed.
(c) Contact the Clark Regional Emergency Service Agency (CRESA) advising of the need to activate an AMBER Alert.
(d) CRESA will relay the information on to the Washington State Patrol (WSP) Communication Center for entry into the Law Enforcement Alerting Portal (LEAP).

333.4.3 INITIAL NOTIFICATIONS
Upon initiation of an AMBER Alert, the Shift Sergeant or supervisor shall:

(a) Ensure the Records Division promptly enters the information into the Washington Crime Information Center (WACIC) and National Crime Information Center (NCIC) databases.
(b) Promptly notify the appropriate Precinct or Division Commander of any AMBER Alert activation.
(c) Ensure the preparation of an initial press release that includes all the information required by the Washington Statewide AMBER Alert Plan, and any other available information that might aid in locating the child, such as:
   1. A photograph.
   2. Detail regarding location of incident, direction of travel, potential destinations, etc., if known.
   3. Name and telephone number of the PIC or other authorized point of contact to handle media and law enforcement liaison.
   4. A telephone number and point of contact for the public to call with leads or information.

333.4.4 POST-INCIDENT REPORTING
The Chief of Police or authorized designee shall be responsible for submitting the AMBER Alert Report to the Washington State Police Chiefs (WASPC) in a timely fashion. The Chief of Police or the authorized designee shall be responsible for representing the Department during the AMBER Alert Review Committee’s after-action review of the alert.

333.5 ENDANGERED MISSING PERSON ADVISORY
The Endangered Missing Person Advisory is a voluntary partnership between law enforcement, other government agencies and local broadcasters to rapidly disseminate information to law enforcement agencies, the media and the public about a missing and endangered person in circumstances that do not qualify for an AMBER Alert (RCW 13.60.050).

The Vancouver Police Department participates in this partnership and may initiate the required notifications whenever a person is reported missing from this jurisdiction and meets the criteria of
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an Endangered Missing Person. An endangered missing person advisory may be termed a "silver alert" when initiated to assist in the recovery of a missing endangered person age 60 or older.

333.5.1 ADVISORY CRITERIA

All of the following criteria must exist prior to initiating an Endangered Missing Person Advisory:

(a) The person is missing under unexplained, involuntary or suspicious circumstances.

(b) The person has a developmental disability, is a vulnerable adult or is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance (RCW 13.60.010).

(c) There is enough information that could assist the public in the safe recovery of the missing person (e.g., photo or description, clothing worn when last seen, vehicle, location last seen).

(d) The incident has been reported to and investigated by a law enforcement agency.

333.5.2 PROCEDURE

Should the Shift Sergeant or supervisor determine that the incident meets the criteria of an Endangered Missing Person Advisory, the Shift Sergeant or supervisor should:

(a) Ensure that Department protocol is followed regarding approval of the alert.

(b) Ensure all appropriate documentation is completed.

(c) Ensure CRESA contacts the WSP Communication Center for entry into LEAP.

(d) Ensure Records Division personnel enter the information into the WACIC and NCIC databases using the proper message key: Missing (MNP), Endangered (EME), or Involuntary (EMI).

(e) Notify Dispatch of the advisory and ensure that it is prepared to handle a high volume of telephone calls.

(f) Ensure that the handling officer attempts to obtain a photograph of the missing person and/or suspect as soon as possible.

(g) Ensure the Records Division enters the photograph into WACIC and NCIC, then send an email to the WSP Missing Persons Unit (MPU).

(h) Appoint the PIC to handle the media.

1. The PIC should notify the media through appropriate channels regarding the Endangered Person Advisory. Upon request, the WSP MPU can provide electronic posters with details of the missing person.

2. If the Endangered Missing Person is 21 years of age or younger, the National Center for Missing and Exploited Center (NCMEC) should be notified as soon as practicable.
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(i) The Records Division personnel should promptly cancel the advisory after an Endangered Missing Person is located by sending an administrative message through a Central Computerized Enforcement Service System (ACCESS), noting that the person has been found.

333.6 BLUE ALERTS
The Blue Alert system is a voluntary cooperation between law enforcement, state government agencies and local broadcasters to enhance the public’s ability to assist in locating and apprehending persons suspected of killing or seriously injuring a law enforcement officer (RCW 10.108.030).

The Vancouver Police Department participates in this partnership and may initiate a Blue Alert to disseminate information to the public when the criteria for a Blue Alert are met.

333.6.1 CRITERIA
All of the following criteria are required to exist prior to initiating a Blue Alert (RCW 10.108.030):

(a) The suspect has not been apprehended.
(b) The suspect poses a serious threat to the public.
(c) Sufficient information is available to disseminate to the public to assist in locating and apprehending the suspect.
(d) The release of the information will not compromise the investigation.
(e) The release of the information will not improperly notify an officer’s next of kin.

333.6.2 PROCEDURE
Should the Shift Sergeant or supervisor determine that the incident meets the criteria of a Blue Alert, the Shift Sergeant or supervisor should:

(a) Direct Records Division personnel to prepare a Blue Alert administrative message through ACCESS. The words “Blue Alert Advisory” should be included in the title of the message.

(b) Have CRESA contact WSP Communications to verify that the advisory was received and, if available, provide the suspect’s vehicle information and request the Washington Department of Transportation (WSDOT) to activate variable message signs.

(c) Ensure that descriptive information about the suspect, the suspect’s whereabouts and the suspect’s method of escape is disseminated.

(d) Appoint the PIC to issue press releases and handle media inquiries.
   1. The PIC should be updated continually and be in constant contact with all media outlets to obtain maximum media exposure, provide updates and cancel the Blue Alert when appropriate.
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(e) Confirm that Dispatch is aware of the Blue Alert and ensure that it is prepared to handle a high volume of telephone calls.

(f) Ensure that a press release is issued cancelling the Blue Alert.

333.7 OTHER RESOURCE CONSIDERATIONS
The Shift Sergeant or supervisor should consider the following resources, as appropriate:

(a) Local allied law enforcement agency resources

(b) FBI local office

(c) The National Center for Missing and Exploited Children (NCMEC)
   1. Monitor the Cyber Tipline® link and post missing children alerts

(d) The National Oceanic Atmospheric Administration (NOAA)
   1. Will relay AMBER Alerts over Weather Radio
Hate Crimes

337.1 PURPOSE AND SCOPE
This Department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this Department will utilize all available resources to see that justice is served under the law. This policy has been developed to provide members of this Department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

337.2 DEFINITIONS
Except where otherwise noted, the following definitions are provided per RCW 9A.04.110:

Bodily Injury, Physical Injury, or Bodily Harm - Physical pain or injury, illness, or an impairment of physical condition.

Malice and Maliciously - To import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty.

Reasonable Person - A member of the victim's race, color, religion, ancestry, national origin, gender, or sexual orientation, or who has the same mental, physical, or sensory handicap as the victim (RCW 9A.36.080(1)(a)).

Sexual Orientation - Heterosexuality, homosexuality, bisexuality and gender expression or identity. As used in this definition, "gender expression or identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth (RCW 49.60.040(26)).

Threat - To communicate, directly or indirectly, the intent to cause bodily injury immediately or in the future to any other person or to cause physical damage immediately or in the future to the property of another person.

337.3 CRIMINAL STATUTES

337.3.1 MALICIOUS HARASSMENT
A person is guilty of malicious harassment if he/she maliciously and intentionally commits one of the following acts because of his/her perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical, or sensory handicap (RCW 9A.36.080(1)):

(a) Causes physical injury to the victim or another person;
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(b) Causes physical damage to or destruction of the property of the victim or another person; or

(c) Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property. The fear must be a fear that a reasonable person would have under the circumstances.

337.3.2 PRIMA FACIE ACTS OF HATE
Prima facie acts of hate are (RCW 9A.36.080(2)):

(a) Burning a cross on property of a victim who is or whom the actor perceives to be of African American heritage; or

(b) Defaces property of a victim who is or whom the actor perceives to be of Jewish heritage by defacing the property with a swastika.

337.3.3 THREATS TO BOMB OR INJURE PROPERTY
It is unlawful for any person to threaten to bomb or otherwise injure any public or private school building, any place of worship or public assembly, any governmental property, or any other building, common carrier, or structure, or any place used for human occupancy; or to communicate or repeat any information concerning such a threatened bombing or injury, knowing such information to be false and with intent to alarm the person or persons to whom the information is communicated or repeated (RCW 9.61.160(1)).

337.3.4 FEDERAL JURISDICTION
The federal government has the power to investigate and prosecute bias-motivated violence by giving the U.S. Department of Justice jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

337.4 CIVIL STATUTES
In addition to the criminal penalty provided in RCW 9A.36.080 for committing a crime of malicious harassment, the victim may bring a civil cause of action for malicious harassment against the harasser. A person may be liable to the victim of malicious harassment for actual damages, punitive damages of up to ten thousand dollars, and reasonable attorneys’ fees and costs incurred in bringing the action (RCW 9A.36.083).

337.5 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES
While it is recognized that not all crime can be prevented, this Department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

(a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
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(b) Providing victim assistance and follow-up as outlined below, including community follow-up.

(c) Educating community and civic groups about hate crime laws.

337.6 INITIAL RESPONSE FOR INVESTIGATING HATE CRIMES
Whenever any member of this Department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

(d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

(e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in an appropriate report. All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.

(g) The "on scene" supervisor shall notify the Chief of Police through the chain of command.

337.6.1 INVESTIGATIONS RESPONSIBILITIES FOR HATE CRIMES
If a case is assigned to the Investigations Division, the Investigations Commander will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the Clark County Prosecutor and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

(c) Coordinate with the Public Information Coordinator regarding any information that should be reported to the media.

(d) Maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the Washington Association of Sheriff's and Police Chiefs (WASPC) (RCW 36.28A.030).
337.7 TRAINING
All members of this Department will receive Criminal Justice Training Commission (CJTC) approved training on hate crime recognition and investigation (RCW 43.101.290).
Information Technology Use

341.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of Department information technology resources, including computers, electronic devices, hardware, software and systems.

341.1.1 DEFINITIONS
Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Vancouver Police Department or City of Vancouver that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

341.2 POLICY
It is the policy of the Vancouver Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

341.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any Department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the Department email system, computer network and/or any information placed into storage on any Department system or device. This includes records of all keystrokes or Web-browsing history made at any Department computer or over any Department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through Department computers, electronic devices or networks.
Employees may not be asked or required to disclose login information for their personal social networking accounts or to provide access to their personal social networking accounts unless otherwise allowed under RCW 49.44.200.

341.4 RESTRICTED USE
Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training.

341.4.1 SOFTWARE
Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any Department computer. Members shall not install personal copies of any software onto any Department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the Information Technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on Department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

341.4.2 HARDWARE
Access to technology resources provided by or through the Department shall be strictly limited to Department-related activities. Data stored on or available through Department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation or who otherwise have a legitimate law enforcement or Department-related purpose to access such data. Any exceptions to this policy must be approved by the Chief of Police or the authorized designee.

341.4.3 INTERNET USE
Internet usage is permissable under the guidelines outlined under the City of Vancouver Policy 605.6 - Use of Computers, Emails, Internet and Technological Resources.

See attachment: 341 COV Policy 605 - Use of Computers_Email_Internet_and Other Electronic Resources.pdf

Internet sites containing information that is not appropriate or applicable to Department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted.
with the express approval of the Chief of Police, or the authorized designee as a function of a member’s assignment.

341.5 PROTECTION OF AGENCY SYSTEMS AND FILES
All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure Department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, login information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system and shall be changed at intervals as directed by IT staff.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

341.6 INSPECTION OR REVIEW
Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member’s duties, an alleged or suspected violation of any Department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the Department computer system when requested by a supervisor or during the course of regular duties that require such information.
Report Preparation

343.1 PURPOSE AND SCOPE
The Vancouver Police Department is committed to documenting crimes and other police-related events that occur in its jurisdiction. The Vancouver Police Department will also assist other agencies by documenting crimes that have occurred in their jurisdiction if requested.

Writing police reports is a critical component of the responsibilities of employees who are tasked with documenting crime and other police-related events. Police reports provide a thorough, accurate, and timely written account of an employee’s observations and actions throughout the course of his or her work. In turn, police reports serve as the foundation for ongoing investigations and prosecutions, help to refresh an officer's memory for court, guide strategic planning and tactical deployment of increasingly scarce resources, are a valuable officer safety tool, facilitate information sharing with others possessing the right and need to know the information documented, and provide victims with written documentation as evidence of their reported crime.

343.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor.

Handwritten reports or forms must be prepared legibly. If the report is not legible, the submitting employee may be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. The reporting employee’s opinions shall not be included in reports.

343.1.2 DEFINITIONS
Bias Incident - Offensive derogatory comments directed at a person's sexual orientation, race, or other protected status which causes fear and/or concern in the targeted community during a non-criminal incident.

Police Report - Documentation of a crime or incident made in the Department's Records Management System (RMS)
343.2 REQUIRED REPORTING
Written RMS police reports are required in all of the following situations unless otherwise approved by a supervisor.

343.2.1 CRIMINAL ACTIVITY REPORTING
When an employee responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the employee is required to document the activity in a police report. The fact that a victim is not desirous of prosecution is not an exception to completing a report. The following are examples of required police report documentation regardless of whether complete information pertaining to each element of the crime is available. If additional information is received at a later time, a supplemental report will be written:

(a) In every instance where one or more of the following crimes has been reported:
   i. a felony;
      ii. a Part I crime (i.e., criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft (to include misdemeanor theft, motor vehicle theft and arson);
      iii. an assault, to include assault by mutual combat.
(b) In every instance where a Malicious Harassment or a Crime with Bias Elements is reported.
(c) In every case where any force is used against any person by police personnel.
(d) All incidents involving domestic violence.
(e) All arrests.

343.2.2 NON-CRIMINAL ACTIVITY
Incidents that require documentation on the appropriate approved report include:

(a) Any time an officer points a firearm at any person.
(b) Any use of force against any person by a member of this Department.
(c) Any firearm discharge.
(d) Any time a person is reported missing, regardless of jurisdiction.
(e) Any found property or evidence.
(f) Any dispatched traffic collisions meeting the minimum reporting monetary level.
(g) Any drug or alcohol related accident or arrest.
(h) Suspicious incidents that may indicate a potential for crimes against children or that a child’s safety is in jeopardy.
(i) All protective custody or emergent detentions.
(j) Suspicious incidents that may place the public or others at risk.
Report Preparation

(k) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.
(l) Verbal domestic disturbances.
(m) Every instance where a Bias Incident is reported.
(n) Any time an Officer points an taser at another person, outside of a training environment

In cases where a criminal offense did not occur, but a police report is completed to document the incident, employees should classify the report consistent with the initial allegation or call for service. Then a clearance code of “unfounded” or other appropriate title should be used. The offense classification of Information, or INFO.RPT, should be used sparingly, and typically reserved for incidents where no crime was ever alleged to have occurred.

343.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed.

343.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
A police report shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, a police report shall be taken when any damage to City property or City equipment is a result of an act of a City employee.

343.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this Department shall require a police report when a supervisor deems it necessary and directs an employee to document the incident.

343.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to a special need under exceptional circumstances.

343.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return the report to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed by the end of their next scheduled work shift for approval by a supervisor.
343.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Records Division for filing and distribution shall not have its core narrative or an individual's information modified or altered except by way of a supplemental report.

Report coding information may be amended by Records Division staff or the Case Management Sergeant to reflect state and national data filing requirements.

Reviewed reports that have not yet been approved by a supervisor may be corrected or modified.

343.6 PRIVATIZING SENSITIVE AND CONFIDENTIAL CASES
Upon approval from a supervisor, police reports can be made private, and not accessible by users of the VPD Records Management System (RMS). Employees should only privatize cases where the release of critical or sensitive information could jeopardize the investigation of the safety of an individual.

Supervisors must balance the decision to privatize cases and critical information against maintaining transparency within the department RMS.

In utilizing the privatization features, it is imperative to include the appropriate Supervisors/Commanding Officers, Records Division Staff, and members of the Prosecutor's Officer as part of the group who can view the case. Each approving supervisor is responsible to work with the Case Management Sergeant or Records Manager to set up the appropriate routing and notifications to ensure cases are not rendered inaccessible by those who need to view them as part of their duties.

343.6.1 PROCEDURE
A. Definitions
1. Private - Cases that will only display a case number and a contact person to request information about the case.
2. Private Invisible - Cases that do not appear at all when searched. The Vancouver Police Department will not be utilizing this level of privatization due to public records liability.

B. It is the responsibility of supervisors to monitor and approve their unit's privatization usages.

C. The following are a list of cases that are acceptable to privatize:
1. Sex Assault
2. Child Abuse
3. Gang Cases
4. Incidents involving Police Employees
5. Drug Trafficking Organization Cases
6. Homicide Investigations
7. Officer Involved Shootings involving the Vancouver Police Department

D. Just because a case may be privatized does not automatically mean that it should be privatized. Supervisors should strive to privatize only cases containing information that is critical or sensitive in nature, and when the release of that information could jeopardize the investigation or the safety of an individual. If cases have minimal confidential or sensitive information, the officer should consider privatizing only the critical information. Privatizing the entire case may not be necessary.

E. The privatization status of a case does not release the Vancouver Police Department from its due diligence to comply with the Public Records Act.

F. At the first opportunity to un-privatize a case (i.e., adjudication of a case, referral of a case for prosecution, or the statute of limitation is up), the investigating officer or supervisor shall notify the Case Management supervisor or Records Division manager to un-privatize the case.

G. Copies of privatized reports shall be released only for law enforcement purposes upon authorization of the investigator assigned to the case or of a supervisory sergeant in the investigative unit concerned.

H. Cases which are privatized will be reviewed at least yearly by the Case Management Sergeant to determine if there is a persistent need for the privatized portion of the case to remain private. Such reviews should be documented as part of the case.
Media Relations

345.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

345.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Office of the Chief; however, in situations not warranting immediate notice to the Chief of Police and in situations where the Office of the Chief has given prior approval, the Public Information Coordinator (PIC), designated Public Information Officer/s (PIO) or on-duty Shift Sergeant may prepare and release information to the media in accordance with this policy and the applicable law.

345.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the PIC, or if unavailable, to the first available Shift Sergeant or on-duty PIO. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this Department make any comment or release any official information to the media without prior approval from a supervisor or the designated Department media representative.

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this Department.

(c) Under no circumstance should any member of this Department make any comment(s) to the media regarding any law enforcement incident not involving this Department without prior approval of the Office of the Chief.

345.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or
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criminal investigation operations. All information released to the media should be coordinated through the Department PIC or other designated spokesperson.

2 Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this Department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Office of the Chief and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the PIC.

345.3.1 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Office of the Chief.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Office of the Chief will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

345.4 SCOPE OF INFORMATION SUBJECT TO RELEASE
The Department will provide a daily update of significant law enforcement activities upon request, to media representatives through the Public Information Coordinator. When requested, additional information may be made available (RCW 42.56.070(1)). This update will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
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(b) The date, time, location, case number, name, birth date and charges for each person arrested by this Department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Clark County Medical Examiner's Office.

Any requests for copies of related reports or additional information shall be referred to the Public Information Coordinator or the Public Records Officer. Such requests will generally be processed in accordance with the provisions of the Public Records Act (RCW Chapter 42.56.001 et seq.).

345.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this Department.

The Department will not release the following information in connection with an ongoing investigation of an event or crime:

a. The identity of a suspect prior to arrest unless such information would aid in apprehending the suspect or serve to warn the public of potential danger;

b. The identity of any victim of a sex crime or any related information which, if divulged, could lead to the victim’s identity;

c. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger;

d. The name of any juvenile who is a suspect in an investigation. The exception to this would be to assist investigators in apprehension of a suspect who is wanted in connections with a serious felony crime.

e. The identity of any critically injured or deceased person prior to confirmed notification of the next of kin;

f. The results of any investigation procedure such as lineups, polygraph tests, fingerprint comparison, ballistics test or other procedures (the fact that these tests have been performed may be revealed without further comment);

g. 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;

h. Information that may be of evidentiary value in criminal proceedings;
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i. Specific cause of death unless officially determined by the medical examiner;

j. The home address of telephone number of any member of the Department; and

k. Any matter of Departmental policy or rules and regulations unless directed to do so by the Chief of Police.

Following arrest and formal charging of a suspect, but prior to adjudication, the following information will not be released:

a. Prior criminal conviction record, character or reputation of a defendant;

b. Existence or contents of any confession, admission or statement of a defendant, or failure or unwillingness to make a statement;

c. Performance or results of any tests, or a defendant’s refusal or failure to submit to tests such as a polygraph;

d. Identity, statement or expected testimony of any witness or victim;

e. Statements about credibility or the anticipated testimony of witnesses;

f. Any opinion about the guilt or innocence of a defendant, or the merits of the case (including evidence or arguments of the case);

g. The content of a statement or alibi attributable to the defendant; and

h. Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

When in doubt, authorized and available legal counsel should be obtained.
Subpoenas and Court Appearances

347.1 PURPOSE AND SCOPE
This policy establishes the guidelines for Department members who must appear in court. It will allow the Vancouver Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

347.2 POLICY
Vancouver Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

347.3 SUBPOENAS
Only the Records Division is authorized to receive a subpoena on behalf of this Department or any of its members.

Civil subpoenas may be served upon a member by personal service (Civil Rules, CR 45; Civil Rules, CRLJ 45; Criminal Rules, CrRLJ 4.8; Criminal Rules, CrR 4.8).

Criminal subpoenas may also be served upon a member by first-class mail, fax or email (Criminal Rules, CrRLJ 4.8; Criminal Rules, CrR 4.8).

When a member receives a subpoena, other than through the Records Division, the member must forward the subpoena to the Records Division for their court appearance to be entered in the court coordinating scheduler.

When the Records Division receives a subpoena they will send an electronic copy to Department member with a request of Read Receipt. The following message will pop up and Department member will be required to select Yes.

To eliminate this step in the future Department members can check mark the box for “Don’t ask me about sending receipts again” and select Yes. Read Receipt will be generated regardless if an email is opened on desktop computers or cellular phones.

347.3.1 SPECIAL NOTIFICATION REQUIREMENTS
Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party, other than the City Attorney or Prosecuting Attorney, shall notify his/her immediate supervisor without delay regarding:
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(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Vancouver Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Vancouver Police Department.

The supervisor will then notify the Office of the Chief and the appropriate prosecuting attorney as may be indicated by the case. The Office of the Chief should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

347.3.2 CIVIL SUBPOENA
The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current collective bargaining agreement.

347.3.3 OFF-DUTY RELATED SUBPOENAS
Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

347.4 FAILURE TO APPEAR
Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance, related to their official duties, may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

If a member is unable to respond to a subpoena refer to Policy 1036.3.1 - Unavailable Status for direction.

In the event the Department becomes aware of a member’s failure to appear, they shall notify the member’s immediate supervisor to address the absence.

347.5 COURTROOM PROTOCOL
When appearing in court, members shall:

(a) Be punctual when appearing in court and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the Department uniform or business attire.
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(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

347.5.1 TESTIMONY
Before the date of testifying, the subpoenaed member should obtain a copy of relevant reports and become familiar with the content in order to be prepared for court.

347.6 OVERTIME APPEARANCES
When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current collective bargaining agreement.
Outside Agency Assistance

350.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

350.2 POLICY
It is the policy of the Vancouver Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this Department.

350.3 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Shift Sergeant’s office for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this Department, the Shift Sergeant may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this Department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this Department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this Department will not ordinarily be booked at this Department. Only in exceptional circumstances, and subject to supervisor approval, will this Department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report may be prepared and submitted by the handling member as directed by a supervisor.

350.3.1 INITIATED ACTIVITY
Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Vancouver Police Department shall notify his/her supervisor or Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

350.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.
Outside Agency Assistance

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

350.5 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a police report may be documented in the dispatch call notes or as otherwise directed by the Shift Sergeant.

350.6 MANDATORY SHARING
Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Division Commander or the authorized designee.

The documentation should include:

(a) The conditions relative to sharing.
(b) The training requirements for:
   1. The use of the supplies and equipment.
   2. The members trained in the use of the supplies and equipment.
(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Dispatch and the Shift Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Sergeant should maintain documentation that the appropriate members have received the required training.
Registered Offender Information

354.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Vancouver Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

354.2 POLICY
It is the policy of the Vancouver Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

354.3 REGISTRATION
In the State of Washington the respective county Sheriff is the agency responsible for sex offender and kidnap offender registration. All offenders residing in Clark County, regardless of the geographic subdivision in which they reside must report to the Sheriff for registration. The designated authority is the Clark County Sheriff's Office Sex Offender Monitoring Unit.

Upon conclusion of the registration process, the Clark County Sheriff's Office shall ensure that the registration information is provided to the Washington State Patrol (WSP) within five working days in accordance with RCW 43.43.540. The Washington Association of Sheriffs and Police Chiefs (WASPC) shall be provided any requested information for the administration of the Sex Offender Information website (RCW 4.24.550).

A criminal investigation for failure to register will be initiated if a registrant refuses to provide any of the required information or complete the process. The agency of jurisdiction will conduct the investigation.

354.3.1 CONTENTS OF REGISTRATION FOR SEX OR KIDNAPPING OFFENDERS
Sex or kidnapping offenders who are required to register must appear in person and provide the following (RCW 9A.44.130):

- Name
- Complete residential address or where he/she plans to stay
- Date and place of birth
- Place of employment
- Crime for which the person has been convicted
- Date and place of conviction
- Aliases
- Social Security number
Registered Offender Information

- Biological sample if one has not already been submitted to the WSP (RCW 43.43.754).

Offenders lacking a fixed residence must keep an accurate accounting of where he/she stays during the week and provide it to the county sheriff upon request.

The registering member shall take photographs and fingerprints of all sex/kidnapping offenders.

354.4 MONITORING OF REGISTERED OFFENDERS
The Clark County Sheriff's Office has established a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include, as applicable:

(a) Efforts to confirm residence using an unobtrusive method, such as an Internet search, drive-by of the declared residence or address verification under RCW 9A.44.135.

(a) When notice is received that a sex offender is moving outside the jurisdiction of the Vancouver Police Department, the Digital Evidence Cybercrime Unit (DECU) supervisor is responsible for address verification until the registrant completes registration with a new residential address (RCW 9A.44.130(5)).

(b) Review of information on the WASPC Sex Offender Information website.

(c) Contact with a registrant’s community correction officer.

Any discrepancies with sex/kidnapping offenders should be reported to ACCESS (A Central Computerized Enforcement Service System), which is administered by WSP, and, in the case of sex offenders only, to WASPC.

The Clark County Sheriff's Office has established a procedure to routinely disseminate information regarding registered offenders to Vancouver Police Department personnel, including timely updates regarding new or relocated registrants.

The Vancouver Police Department shall be responsible for verifying the registration of sex/kidnapping offenders within their jurisdiction.

354.4.1 OFFENDERS TRAVELING OUT OF THE COUNTRY
When written notice is received from a registrant who intends to travel outside of the United States, the Clark County Sheriff's Office shall notify the United States Marshals Service as soon as practicable after receipt of notification and also of any further notice of changes or cancellation of travel plans (RCW 9A.44.130(3)).

354.5 DISSEMINATION OF PUBLIC INFORMATION
Vancouver Police members will not unilaterally make a public notification advising the community of a particular sex/kidnapping registrant's presence in the community. Police employees who identify a significant risk or other public safety issue associated with a sex/kidnapping registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.
Registered Offender Information

Members of the public requesting information on sex/kidnapping registrants should be provided the WASPC Sex Offender Information website or the Vancouver Police Department’s website.

The Records Supervisor shall release local sex/kidnapping registered offender information to residents in accordance with RCW 4.24.550 and in compliance with a request under the Public Records Act (RCW 42.56.001 et seq.).

354.5.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS
The Clark County Sheriff's Office is responsible for making release notifications and may ask for Departmental input (e.g., recommendations regarding the radius of notifications from the offender's address). Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

(f) The Vancouver Police Department has no authority to direct where an offender may live.

354.5.2 MANDATORY NOTIFICATION
The Clark County Sheriff's Office shall ensure that:

(a) A public notification is made for sex offenders who are classified as Risk Level III and who register in the County. The notice shall conform to the guidelines established in RCW 4.24.5501.

(b) All information on sex/kidnapping offenders registered in the County is regularly updated and posted on the WASPC Sex Offender Information website (RCW 4.24.550(5)).

(c) The Vancouver Police Department is not responsible for public notifications under this subsection.

354.5.3 DISCRETIONARY DISSEMINATION FOR SEX OFFENDERS
Dissemination should be predicated upon the levels detailed below (RCW 4.24.550(3)):

(a) Offenders classified as Risk Level I: The Clark County Sheriff's Office may disclose, upon request, relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the sex offender resides, expects to reside or is regularly found, and to any individual who requests information regarding a specific offender.

(b) Offenders classified as Risk Level II: In addition to the dissemination for Level I, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate
Registered Offender Information

information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the sex offender resides, expects to reside or is regularly found.

(c) Offenders classified as Risk Level III: In addition to the dissemination of Level I and Level II, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large.

(d) Homeless and transient sex offenders may present unique risks to the community due to the impracticality of localized notification. The Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

The Vancouver Police Department may, at its discretion, inform members of the community of the status of a registered offender when it is necessary to verify the reported address of an offender or in the course of an investigation for failure to register as a sex/kidnapping offender. Such notifications may be made with consideration of the above detailed risk levels.

354.5.4 SCHOOL NOTIFICATIONS
The Clark County Sheriff's Office has the responsibility of notifying the applicable school's principal or public safety department of any sex/kidnapping offender who attends or is employed at the school and for providing the following information about the offender (RCW 9A.44.138):

• Name
• Complete residential address
• Date and place of birth
• Place of employment
• Crime for which the person have been convicted
• Date and place of conviction
• Aliases
• Social Security number
• Photograph
• Risk level classification

The Vancouver Police Department shall notify the Clark County Sheriff's Office when it obtains information that a registered sex/kidnapping offender has begun employment with a school.

354.6 SEX OFFENDER RISK ASSESSMENT
The Clark County Sheriff's Office shall establish a procedure to review and assign an initial risk level classification of sex/kidnapping offenders who have moved or are released into this jurisdiction and the risk assessment level has not already been assigned by the Washington Department of Corrections. The Vancouver Police Department shall participate in the Clark County
Sheriff's Office sex/kidnapping offender risk assessment committee. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Clark County Sheriff's Office is authorized to assign its own risk level.
- Risk level classification criteria.
- What risk assessment tools may be used and how such tools are scored.
- Assessment of known aggravating or mitigating factors related to the risk posed by the offender to the community.
- Notification process following a change in the risk level classification.
- The process for an offender to petition for review of the risk level classification.
Major Incident Notification

356.1 PURPOSE AND SCOPE
The policy provides guidelines for officers and supervisors regarding notifying command personnel and the Office of the Chief of critical incidents.

356.2 POLICY
Incidents that are of a significant nature require notification to VPD supervisors and command personnel. Notification is critical to advise superiors, deploy needed resources, respond to questions from the community, and to properly address inquiries from members of the press. Most situations where the media show a strong interest are of interest to the Chief of Police and the affected Division Commander.

356.3 MINIMUM CRITERIA FOR NOTIFICATION
Sergeants must provide verbal notification to a District Lieutenant or Precinct Commander as soon as practical for the following incidents:

1. Whenever a specialty unit is activated.
2. When officers are involved in the following incident.
   a. Officer involved shooting (OIS) on or off-duty.
   b. Officer injury involving hospitalization and/or medical evaluation while on-duty.
   c. Officer involved vehicle accident that results in serious injury or fatality or significant damage to police or citizen’s vehicle or property.
   d. Police discharge of a weapon other than an OIS (e.g., Dog Shooting or Negligent Discharge).
   e. Major uses of force by an officer, and the officer and/or suspect sustain significant injuries.
   f. Arrest, detention, and or booking of our employees.
3. Shots fired at a person or residence.
4. Aircraft crash.
5. Explosions (bombs) and credible bomb threats.
6. Missing children or suspicious runaways that meet the appropriate risk level.
8. Arrests and/or criminal investigations involving a VPD employee, VPD volunteer, City personnel, or other law enforcement personnel.
9. High risk or SWAT operations conducted in our City by other agencies.
10. Significant non-work related illness or death of a VPD employee or immediate family member.
Major Incident Notification

11. Any major incident that necessitates calling of law enforcement agencies for assistance (Major Incident Mutual Aid request).

Sergeants must include the following incidents in a C-Brief and use the discretion to determine whether verbal notification is necessary:

1. Major assaults (I or II).
2. Elder abuse major investigations.
3. Robberies.
4. Serious injury collision.
5. Other significant or media worthy events.
6. Damage to City property.

356.4 VERBAL NOTIFICATION
The on-duty supervisor is responsible for making appropriate notification to their District Lieutenant or Precinct Commander as soon as practical. The on-duty supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. Initial notification must be verbal.

356.5 NOTIFICATION OF A SPECIALTY UNIT
In determining whether to contact a specialty unit, the patrol sergeant will consider:

1. Potential danger to the public.
2. Available resources.
3. Complexity of the case.
4. Whether the incident is part of a series of crimes.
5. The particular vulnerability of the victim.
6. The severity of injuries.

356.5.1 MAJOR CRIMES NOTIFICATION
Sergeants should use the following list as a guide when determining whether to notify the Major Crimes Team:

1. There are multiple victim and/or witness interviews and the lack of resources and/or complexity limits the patrol officer’s ability to do timely and thorough interviews.
2. Sexual assaults that have occurred within the past 24 hours, victim submits to a SART exam, suspect has been identified and their location is known, when the complexity and/or age of the victim warrants expertise of a detective.
Major Incident Notification

3. Serious crimes that fit the pattern of crimes being handled by the Investigations.
4. Processing of the crime scene for evidence such as photographs, fingerprints and/or DNA.
5. Death investigations when there are suspicious circumstances.
6. Suicides
7. Felony assaults against officers of a complex nature (e.g., multiple victim officers, vehicle used as a weapon, large or multiple scenes) or where serious injuries are sustained by the officer or suspect.

356.5.2 DOMESTIC VIOLENCE UNIT NOTIFICATION
Sergeants should notify the Domestic Violence Unit of felony domestic violence calls when the outstanding suspect represents a threat of danger to the victim or serious physical injury is sustained by the victim.

356.5.3 SAFE STREETS TASK FORCE NOTIFICATION
Sergeants should notify the Safe Streets Task Force on gang related crimes including serious injury assaults, home invasion robberies, multiple victim and/or witness interviews and firearms related crimes.

356.6 PSU NOTIFICATION
The District Lieutenant or Precinct Commander will notify the Professional Standards Unit (PSU) of all serious officer involved collisions, officer involved shootings (OIS) and all incidents in which an officer uses force that could result and/or does result in serious physical injury or death. A representative of the PSU will respond to the scene.

356.7 PUBLIC INFORMATION COORDINATOR (PIC)
The District Lieutenant or Precinct Commander will ensure notification to the Public Information Coordinator after members of staff have been notified and it appears the media may have a significant interest in the incident.
Death Investigation

358.1 PURPOSE AND SCOPE
This policy provides guidelines for law enforcement response to calls involving the death of a person.

358.2 POLICY
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations is critical.

358.3 MEDICAL RESPONSE
Medical personnel will respond to most calls involving death. In the event of a crime scene, medical response will stage until authorized to proceed by law enforcement personnel on-scene.

358.4 LAW ENFORCEMENT RESPONSE
Officers will respond to calls involving death as follows:

1. Suspicious or unexpected death
2. Deaths where Fire or Medical personnel or the Medical Examiner's Office determine a law enforcement response is necessary.
3. Homicide or Accidental Death
4. Suicide Death
5. Unless unusual or exceptional circumstances exist, officers will not respond to calls involving:
   (a) Death at a Hospice facility.
   (b) Death when a Physician Ordered Life Sustaining Treatment (POLST) or Do Not Resuscitate (DNR) exists.
   (c) Death at a nursing home.
   (d) Death at an independent care or home care facility involving five (5) patients or less.
   (e) An expected death at home where the deceased was under hospice care.

358.4.1 PROCEDURES FOR LAW ENFORCEMENT RESPONSE
Medical response shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.).

Officers are not authorized to pronounce death. The medical examiner determines the manner and cause of death. A supervisor shall be notified in all death investigations.

When responding to a suspected death call, officers shall:
Death Investigation

1. Check Life Signs: The first responsibility of the responding officer is to check for life signs; if the officer’s opinion is that the victim is deceased, the officer shall protect the scene and gather preliminary information.

2. Suspicious Death: In the case of any death which involves a homicide or other suspicious circumstances, a supervisor shall notify the VPD Major Crimes Unit.

3. Homicides, Suicides or Accidental Deaths: In cases involving homicide, suicide or accidental death, the following procedure will apply:
   (a) The responding officer shall protect the scene.
   (b) The responding officer shall notify the immediate supervisor.
   (c) The supervisor will respond to the scene.
   (d) The supervisor will notify the VPD Major Crimes Unit.
   (e) All available information relating to the incident will be collected.
   (f) Witnesses will be identified, separated, and detained. If it is not possible to detain a witness, an officer shall determine where, when and how they can be reached by follow-up personnel.

4. Natural Death: In apparent natural death cases, the responding officer is responsible for the following:
   (a) Notifying a supervisor.
   (b) Notifying the medical examiner.
   (c) Attempting to determine the physical condition of the deceased prior to death and if the deceased was under the care of a doctor.
   (d) Completing an incident report.
   (e) Photographing the scene.

The body or human remains shall not be disturbed or moved from the position or place of death without permission of the coroner, medical examiner or their deputies (RCW 68.50.050).

358.5 DEATH NOTIFICATION
The Clark County Medical Examiner's office will generally be responsible for notifying next of kin of deceased persons. At the request of the medical examiner's office, during exigent circumstances, or in the furtherance of an investigation VPD personnel may notify next of kin of a person's death. When VPD is responsible, notification should be made in person to the next of kin. If the next of kin lives in another jurisdiction, a law enforcement official from that jurisdiction may be requested to make the personal notification.

358.6 DEATH INVESTIGATION REPORTING
All incidents involving a death where VPD responds to the scene shall be documented in a police report and on the Death Investigation Report Form. All photographs shall be entered into the
**Death Investigation**

evidence system. Access to viewing photos shall be restricted to those personnel having an investigatory need.

*See attachment: 358 Death Investigation Report.pdf*
Identity Theft

360.1 PURPOSE AND SCOPE
This policy is intended to provide guidelines for the reporting and investigating identity theft crimes.

360.2 POLICY
This Department will initiate a police report whenever a person reasonably suspects that his/her financial information or means of identification has been unlawfully obtained, used, or transferred to another person or entity in all cases where the victim resides or works within this jurisdiction, or where any part of the crime occurred within this jurisdiction.

360.3 REPORTING
An employee receiving the report will ensure that a report is completed and provide the victim with a case number. If the victim requests a copy of the report, they can obtain a copy by contacting the Vancouver Police Records Division and obtain one without charge (RCW 9.35.050).

In cases where the reporting party does not reside or work within this jurisdiction and there is no known or suspected criminal activity occurring within this jurisdiction, the reporting party may be referred to the appropriate law enforcement agency having jurisdiction. If it is not reasonably practical for the reporting party to file a timely report with his/her home jurisdiction, the receiving employee should take a courtesy incident report to be forwarded to the agency having jurisdiction.

Reports should include all known incidents of fraudulent activity (e.g., credit card number applied for in the victim's name when the victim has never made such an application).

The employee preparing the report should, if possible, cross-reference all other known reports made by the victim (e.g., US Secret Service, credit reporting bureaus, US Postal Service and Department of Licensing) with all known report numbers.
Communications with Persons with Disabilities

368.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

368.1.1 DEFINITIONS
Definitions related to this policy include:

**Auxiliary aids** - These are used to communicate with people who are deaf, hard of hearing or have impaired speech. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; use of a notepad and pen or pencil to exchange written notes; use of a computer or typewriter; use of an assistive listening system or device to amplify sound; use of a teletypewriter (TTY), videophones (video relay service or VRS); or use of a qualified interpreter.

**Deaf or hard of hearing** - An individual who has or is regarded as having substantially limited hearing with or without assistance.

**Qualified interpreter** - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified interpreters should be certified pursuant to RCW 2.42.110.

368.2 POLICY
It is the policy of the Vancouver Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

368.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR
The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Operations Bureau Assistant Chief or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the City ADA coordinator regarding the Vancouver Police Department's efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to Department services, programs and activities.
Communications with Persons with Disabilities

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Shift Supervisor and CRESA. The list should include information regarding the following:
   1. Contact information
   2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to Department services, programs and activities.

368.4 FACTORS TO CONSIDER
Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this Department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not assume that effective communication is being achieved. The fact an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual, if time allows, to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

368.5 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.
Communications with Persons with Disabilities

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.
(b) The nature, length and complexity of the communication involved.
(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Vancouver Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

368.6 TYPES OF ASSISTANCE AVAILABLE

Vancouver Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance because of an actual or perceived disability. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept Department provided auxiliary aids or services, or they may choose to provide their own.

Department provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.
Communications with Persons with Disabilities

368.7 AUDIO RECORDINGS AND ENLARGED PRINT
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or if available provide forms with enlarged print.

368.8 QUALIFIED INTERPRETERS
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee) if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.
(b) Experienced in providing interpretation services related to law enforcement matters.
(c) Familiar with the use of VRS and/or video remote interpreting services.
(d) Certified in either American Sign Language (ASL) or Signed English (SE).
(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use Department approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

368.9 TTY AND RELAY SERVICES
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.
Communications with Persons with Disabilities

368.10 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, Department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

368.11 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

368.12 REPORTING
Whenever any member of this Department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

368.13 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.
Communications with Persons with Disabilities

The Department recognizes it would be virtually impossible to provide immediate access to complete communication services to every member of this Department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

368.13.1 FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
(b) Exchange of written notes or communications.
(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

368.14 CUSTODIAL INTERROGATIONS
In an effort to ensure the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this Department will provide interpreter services before beginning an interrogation unless exigent circumstances exist. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter.

In order to ensure communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible.
Communications with Persons with Disabilities

368.15 ARRESTS AND BOOKINGS
If an individual with speech or hearing disabilities is arrested, the arresting officer shall use Department approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody of an officer.

368.16 COMPLAINTS
The Department shall ensure individuals with disabilities who wish to file a complaint regarding members of this Department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print as appropriate. Complaints will be referred to the Department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Internal Affairs Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

368.17 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this Department are important to the ultimate success of more traditional law enforcement duties. This Department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

368.18 TRAINING
To ensure all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.
(b) Procedures for accessing qualified interpreters and other available resources.
Communications with Persons with Disabilities

(c) Working with in-person and telephone interpreters and related equipment.

The Training Sergeant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.
Solicitor License

369.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory responsibility to ensure a criminal history investigation is conducted when an application for Solicitor License is received by the City of Vancouver.

If after the criminal history investigation is conducted and the applicant has prior convictions for specific criminal violations, the Chief of Police shall deny the Solicitor License Application.

See attachment: 369 VMC 05.050.050 - Investigation for Issuance.pdf

369.2 INVESTIGATION PROCESS
Upon receipt of an application for Solicitor’s License, a request shall be made to the Washington State Patrol for the criminal history of each individual who will be acting as a “Canvasser” or “Solicitor” as defined within VMC 5.50.020. The Chief of Police or designee shall then review the criminal history of each proposed Canvasser or Solicitor.

369.2.1 MANDATORY DENIAL
The Chief of Police or designee shall mandatorily deny the application if, in rendering a fitness determination, it is determined that the applicant has any of the following enumerated disqualifiers which are found by the Chief of Police to bear directly upon the ability or fitness to serve in the capacity of Canvasser or Solicitor:

1. Within three (3) years of the date of application, the applicant had a bail forfeiture, conviction or other final adverse finding for one or more of the following:
   a. **Assault**: to include any crime codified within RCW 9A.36;
   b. **Non-felony Theft**: to include any misdemeanor or gross misdemeanor codified within RCW 9A.56;

2. Within ten (10) years of the date of application, the applicant had a bail forfeiture, conviction or other final adverse finding for one or more of the following:
   a. **Identity Crimes**: to include any crime codified within RCW 9A.36;
   b. **Promoting Pornography**: to include any crime codified within RCW 9.68;
   c. **Sexual Exploitation of Children**: to include any crime codified within RCW 9.68A;
   d. **Homicide**: to include any crime codified within RCW 9A.32;
   e. **Kidnapping**: to include any crime codified within RCW 9A.40;
   f. **Sex Offenses**: to include any crime codified within RCW 9A.44;
   g. **Harassment**: to include any crime codified within RCW 9A.46;
Solicitor License

h. **Burglary**: to include any felony codified within RCW 9A.52;
i. **Theft and Robbery**: to include any felony codified within RCW 9A.56;
j. **Identification Documents**: to include any crime codified within RCW 9A.58;
k. **Fraud**: to include any crime codified within RCW 9A.60;
l. **Indecent Exposure**: to include any crime codified within RCW 9A.88.

3. The applicant is currently under the duty to register as a Sex Offender.

369.2.2 DISCRETIONARY DENIAL
The Chief of Police or designee may deny the application if, in rendering a fitness determination, it is determined that the applicant has any of the following enumerated disqualifiers which may, depending on the circumstances, bear upon the ability or fitness to serve in the capacity of Canvasser or Solicitor:

1. The applicant has been convicted of any felony within ten (10) years prior to the date of the Solicitor License application;

2. The applicant has been convicted of any misdemeanor involving violence and/or property damage within ten (10) years prior to the Solicitor License application;

3. The applicant makes a misrepresentation of, or fails to disclose, a material fact to the City of Vancouver in relation to licensing qualifications.
Off-Duty Law Enforcement Actions

384.1 PURPOSE AND SCOPE
This policy is intended to provide guidelines for officers of the Vancouver Police Department with respect to taking law enforcement action while off-duty.

384.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this Department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

384.3 FIREARMS
When carrying firearms while off-duty officers shall also carry their Vancouver Police Department issued badge and identification card.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

384.4 DECISION TO INTERVENE
There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
(b) The inability to communicate with responding units.
(c) The lack of equipment, such as handcuffs, OC or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

384.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as a Vancouver Police Department officer until acknowledged. Official identification should also be displayed.

384.4.2 INCIDENTS OF PERSONAL INTEREST
Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances, officers should call the responsible agency to handle the matter.

384.4.3 CIVILIAN/NON SWORN RESPONSIBILITIES
Civilian/non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

384.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

384.5 REPORTING
Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify an on-duty Vancouver Police supervisor as soon as practicable. The officer taking such action shall accomplish an appropriate department report or memorandum documenting their actions. This report must be submitted to the officer's immediate supervisor for review.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested.
Extreme Risk Protection Orders

386.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving Extreme Risk Protection Orders and accounting for the firearms obtained pursuant to those orders (RCW 7.94.010 et seq.).

386.1.1 DEFINITIONS
Definitions related to this policy include:

Extreme Risk Protection Order (ERPO) – An order prohibiting a named person from controlling, owning, purchasing, possessing, receiving or otherwise having custody of any firearms.

Ex Parte Extreme Risk Protection Order – An Extreme Risk Protection Order that has been issued in the absence of or without notification to the named person.

386.2 POLICY
It is the policy of the Vancouver Police Department to petition for and serve Extreme Risk Protection Orders in compliance with state law and to properly account for firearms obtained by the Department pursuant to such orders.

386.3 EXTREME RISK PROTECTION ORDERS
An officer, family or household member who reasonably believes a person is a present danger to themselves or another person by controlling, owning, purchasing, possessing, receiving or otherwise having custody of a firearm may petition the court for an extreme risk protection order (RCW 7.94.030).

Officers petitioning the court shall use any standard petition and order forms created by the administrative office of the court (RCW 7.94.030; RCW 7.94.150.

These can be located on SharePoint:
http://cvsharepoint/departments/PoliceDept/VPDNet/Pages/default.aspx

Patrol and Investigations Resources button

The petition shall (RCW 7.94.030):

(a) Allege that the person poses a significant danger of causing personal injury to him/herself or others by controlling, owning, purchasing, possessing, receiving or otherwise having custody of a firearm and be accompanied by an affidavit, made under oath, that provides the specific statements, actions or facts that give rise to a reasonable fear of future dangerous acts by the person.

(b) Identify the number, types and locations of any firearms that the officer believes to be owned, possessed, and controlled or in the custody of the person.

(c) Identify any other known existing protection orders governing the person.

(d) Identify whether there is a pending lawsuit, complaint, petition, or other action between the parties to the petition under the laws of Washington:
   - If the serving officer is personally involved in any legal action against the Respondent, a supervisor and the City Law department should be notified and, in general, the ERPO should be assigned to another officer.
Extreme Risk Protection Orders

If the serving officer becomes aware that there is a pending lawsuit, complaint or other civil action involving the petitioner and the respondent, they will advise the City Law Department.

An officer may also seek an ex parte extreme risk protection order, without notice to the person, by including in the petition detailed allegations based on personal knowledge that the person poses a significant danger of causing personal injury to him/herself or others in the near future by having in his/her custody or control, purchasing, possessing or receiving a firearm (RCW 7.94.050).

386.3.1 NOTICE OF PETITION

When a member of the Vancouver Police Department petitions for an extreme risk protection order, they shall make a good faith effort to provide notice to a family or household member of the person and to any third party who the member reasonably believes may be at risk of violence.

The notice shall state the intention to seek an extreme risk protection order or that the order has already been sought and includes referrals to appropriate resources, including behavioral health, domestic violence and counseling (RCW 7.94.030).

386.4 SERVICE OF PROTECTION ORDERS

Service of notice of hearing and petitions, ex parte extreme risk protection orders or extreme risk protection orders should take precedence over the service of other documents, unless the other documents are of a similar emergency nature (RCW 7.94.040; RCW 7.94.060).

Officers serving a notice of hearing and petition for an extreme risk protection order should make every effort to personally serve the person no less than five court days prior to the hearing. If an ex parte extreme risk protection order was issued, then the order, notice of hearing and the petition are served together (RCW 7.94.040; RCW 7.94.050).

If weapons are taken as safe keeping during a behavioral health hold, either voluntary or involuntary, officers can consider filling an ERPO afterwards if deemed warranted.

Service:

ERPOs that are petitioned by a family member and accepted by a superior court judge, are to be sent to PSTs by VPD Records who will enter them in SharePoint for tracking of service.

A patrol supervisor will review the petition and make a determination on how best to serve the order.

(a) A minimum of two officers should be present during the service of such orders.
(b) Any additional known associated risks will be reviewed and considered.
(c) A criminal history, local police reports check and premise check of the respondent will be conducted prior to service.
(d) The officers who are assigned to serve the order will do the following:
(e) Request that any firearms and any concealed pistol license be immediately surrendered and issue a receipt for the surrendered items.
(f) Notify any family or household members of potential risks if applicable.
(g) Give a copy of the Clark County Public Health Community Resource sheet located in SharePoint in the Patrol and Investigative section:

http://cvsharepoint/departments/PoliceDept/VPDNet/Pages/default.aspx

(a) Fill out a return of service and deliver to court.
Extreme Risk Protection Orders

(b) Scan and send a copy of the served order to City Law so they can monitor any renewals and issues from the court.

(c) Complete a RMS police report with all relevant information

ERPO’s that are initiated by an officer:
   a. The patrol supervisor will review the order and determine if family or household members are at risk and make notifications.
   b. Once served, complete an RMS police report and submit return of service to the court.

The original receipt of surrendered firearms is filed with the court within 72 hours of service of an extreme risk protection order. A copy of the receipt shall also be properly maintained by the Department (RCW 7.94.090).

Any proofs of service for notices or orders are filed with the court.

If firearms are taken for safe keeping, and it is determined that an ERPO is appropriate, officers will follow the above steps.

All firearms collected shall be handled and booked in accordance with Policy 804 – Property and Evidence Procedures.

Officers assigned to serve an extreme risk protection order should make reasonable efforts to personally serve the order no more than 10 days after the Vancouver Police Department received the order (RCW 7.94.060).

When timely personal service is not completed, the officer should notify the court and take reasonable steps to notify the petitioner (RCW 7.94.040; RCW 7.94.060).

(a) Expired or terminated orders entered into computer-based systems by the Department will be removed per (RCW 7.94.110).

386.5 SEARCH WARRANTS

If a person who has been served with an extreme risk protection order refuses to surrender any firearm, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with Policy 615 - Search Warrant.

386.6 RECORDS RESPONSIBILITIES

The Records Division is responsible for ensuring that:

(a) Orders received by the court are entered into the national instant criminal background check system, any other federal or state computer-based systems used by the Department that identifies prohibited purchasers of firearms, and into any other computer-based criminal intelligence information systems used by the Department that lists outstanding warrants (RCW 7.94.110).

(b) Expired or terminated orders entered into computer-based systems by the Department are removed (RCW 7.94.110).

386.7 FIREARM RETURNS

Firearms that were taken into custody or surrendered pursuant to an extreme risk protection order shall be returned when requested by the respondent only after confirming that the protection order has been terminated or has expired without renewal and that the respondent is currently eligible to own or possess firearms under federal and state law. (RCW7.94.100)

Family or household members shall be notified before the firearms are returned per RCW 9.41.345

386.8 RENEWAL OF EXTREME RISK PROTECTION ORDER

The City Law Department and/or Superior court will provide notice to the Department when ERPOs are nearing expiration.

The assigned officer will investigate to determine if there has been ongoing police or behavioral health calls regarding the subject.

If the officer determines that the order should be renewed, a motion to renew the order will be filled out and given to the City Law Department who will present it to the court.
Assigned officers should use at a minimum; premise history and police reports to determine the need for re-issuance. If needed, assigned officers could interview the subject or family.
Chapter 4 - Patrol Operations
Patrol Function

400.1 POLICY
Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Vancouver, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

400.2 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the Patrol Division of the Department to ensure intra-Department cooperation and information sharing.

400.2.1 GENERAL PATROL FUNCTION
Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of the city of Vancouver, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
(b) Crime prevention activities such as residential patrols, business patrols, etc.
(c) Calls for service, both routine and emergency in nature.
(d) Investigation of both criminal and non-criminal acts.
(e) The apprehension of criminal offenders.
(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
(g) The sharing of information between the Patrol and other divisions within the Department, as well as other outside governmental agencies.
(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and Problem Solving strategies.
(i) Traffic direction and control.
(j) Prepare crime and information reports.

400.2.2 PATROL BRIEFINGS
Patrol briefings are generally conducted at the beginning of the officer’s assigned shift to provide an opportunity for important exchange between employees and supervisors.

Patrol briefings should accomplish the following:
Patrol Function

a. Provide officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.

b. Notify officers of changes in schedules and assignments.

c. Review recent incidents for training purposes.

d. Provide training on a variety of subjects.

e. Discuss new policy and/or general order.

f. Discuss other job related topics.

A supervisor generally will conduct patrol briefings; however, officers may conduct the briefing for training purposes with supervisor approval.

400.3 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-Department cooperation and information flow between the various divisions of the Vancouver Police Department.

400.3.1 CRIME ANALYST

Crime analysts exchange criminal information and intelligence reports to all police personnel through emails and special bulletins.

400.3.2 CRIME REPORTS

A crime report may be completed by any patrol officer or Police Service Technician who receives criminal information. The report will be processed and forwarded to the appropriate division/investigative unit for follow-up investigation.

400.3.3 PATROL SHIFT BRIEFING

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily shift briefings as time permits.

400.3.4 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the Department.

400.4 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety
Patrol Function

concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

If enforcement activity is required refer to Policy 206.3.1 - Police Emergency Operations Plan and review the Vancouver Police Special Occurrence Manual for Field Force Mobilization.
Racial- or Bias-Based Profiling

402.1 PURPOSE AND SCOPE
This policy provides guidance to Department members and establishes appropriate controls to ensure that employees of the Vancouver Police Department do not engage in racial- or bias-based profiling or violate any related laws while serving the community.

402.1.1 DEFINITION
Definitions related to this policy include:

Racial- or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

402.2 POLICY
The Vancouver Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this Department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

402.3 RACIAL- OR BIAS-BASED PROFILING PROHIBITED
Racial- or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

402.3.1 OTHER PROFILING PROHIBITED
The Vancouver Police Department also condemns the illegal use of an individual or group's attire, appearance or mode of transportation, including the fact that an individual rides a motorcycle or wears motorcycle-related paraphernalia, as a factor in deciding to stop and question, take enforcement action, arrest or search a person or vehicle with or without a legal basis under the United States Constitution or Washington State Constitution (RCW 43.101.410).

402.4 MEMBER RESPONSIBILITY
Every member of this Department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based profiling to a supervisor.
Racial- or Bias-Based Profiling

402.4.1 REASON FOR DETENTION
Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify the detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

402.5 SUPERVISOR RESPONSIBILITY
Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Internal Affairs Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

(b) Supervisors should periodically review any available video or audio recordings, MDC data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
   1. Supervisors should document these periodic reviews.
   2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should ensure that no retaliatory action is taken against any member of this Department who discloses information concerning racial- or bias-based profiling.

402.6 ADMINISTRATION
Each year, the Operations Bureau Assistant Chief shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints, to the Chief of Police. This report should not contain any identifying information regarding any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

402.7 TRAINING
Each member of this Department will be required to complete an approved refresher training course every five years, or sooner if deemed necessary, in order to keep current with changing community trends (RCW 43.101.410(c)).
Ride-Along Policy

410.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the administration of the ride-along program. The Vancouver Police Department recognizes the need and benefit for the Department and citizens to observe police operations on a firsthand basis.

410.1.1 ELIGIBILITY
Certain guidelines and procedures are established for the protection of the rider, the police officer, and the City of Vancouver.

1. Riders will be at least 18 years old or have a guardian's permission if they are a juvenile no younger than 16 years old.
2. Riders will have no felony convictions.
3. Riders will not be the suspect in criminal investigations.
4. Riders who appear to have recently consumed alcoholic beverages or intoxicating drugs are prohibited from riding with a police officer.

The precinct lieutenant has the discretion to allow or not allow participation on a case by case basis. The entire Ride-Along packet must be completed and signed by the applicant prior to the ride-along to include the Emergency Contact, Ride-Along Request, Liability Release, and Participant Rules for the Ride-Along.

Citizens are allowed to participate in the ride along program once every six (6) months. This can be amended by the precinct lieutenant.

See attachment: MINOR - Ride Along Packet.pdf
See attachment: ADULT - Ride Along Packet.pdf

410.2 PROCEDURE TO REQUEST A RIDE-ALONG
A. Ride-along packets can be obtained at a precinct.
   (a) The citizen will fill out the form completely to include a copy of their ID and it will be received by a police service technician (PST).
       (a) The PST will check the ride-along system to verify the last time the citizen participated in a ride-along.
   (b) The Records Division will check RMS to see if the citizen is a suspect in any crimes/investigations, an NCIC III check, local criminal history check and a wants and warrants check will be completed as well.
The packet will then be forwarded to the precinct lieutenant who will review and assign it to a patrol sergeant for issuance to an officer.

(a) If a request is made by a member of the Department the ride-along packet will still be filled out, and a records check will still be completed.

(b) Family members and friends of officers requesting to go on a ride-along are subject to the same procedures.

(c) Once reviewed the NCIC III check will be disposed of.

(d) Once the ride-along is completed, the patrol sergeant will give the completed form to a PST who will scan and attach the packet into the ride along database.

(a) If needed the officer should include any information that would preclude the rider from any future participation in the program.

410.2.1 ASSIGNED OFFICER'S RESPONSIBILITIES

The assigned officer will schedule the rider to arrive early enough to view the informational video prior to riding. After which both the rider and the officer will sign the liability waiver. The officer will ensure that the sergeant has been given the paperwork.

(a) Officers will advise dispatch that they have a ride-along and when it is ended.

The assigned officer must weigh situations for potential hazards when responding to calls. Riders are not to be exposed to situations known to involve extraordinary danger or extreme hazards (e.g., person with a gun). In such extra-hazardous situations, a rider should be let out of the vehicle a safe distance away from the scene or the rider should be told to remain in the patrol vehicle once at the scene. If the rider is let out, the officer must notify the shift supervisor where the rider was let out. The shift supervisor is then responsible for coordinating alternative transportation for the rider.

410.2.2 RIDER RESPONSIBILITY

The rider must be dressed in an appropriate manner. The rider shall wear pants, shirt and flat heeled shoes. The shift supervisor will have the final determination if the clothing of the rider is appropriate.

Unless the rider is a sworn member of this Department or another law enforcement agency, he/ she is prohibited from carrying weapons of any kind while participating in the ride-along program.

A rider is an observer who is to avoid participating or becoming involved in police work unless otherwise directed. The ride-along will follow the officer’s direction. Failure to do so will immediately terminate the ride-along, and may prohibit future participation in the program. Unless otherwise directed, the rider is prohibited from:

(a) Operating a patrol vehicle or any other departmental equipment.

(b) Acting as an agent for the Department or otherwise performing any police-related duty.

(c) Approaching any vehicle on a traffic stop or approaching any residence, building, or other situation where the potential for violence exists or a crime is in progress.

(d) Entering any crime scene of a serious nature (such as a homicide) and/or touching, possessing, tampering with, or otherwise having contact with any evidence.

(e) Riders will be issued identification that identifies them as a participant in the ride along program. This identification will be worn in a visible manner the entire duration of the ride-along.

○ The identification for ride-along will be assessable at each precinct.
410.3 AUDIT
Records will be purged after three years
Response to Bomb Calls

416.1 PURPOSE AND SCOPE
This policy provides guidelines to assist officers in their initial response to incidents involving suspicious packages and explosives.

416.2 POLICY
Officers shall follow these guidelines in their initial response to incidents involving suspicious packages, suspicious items, explosives, explosive devices, or explosion/bombing incidents.

Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

416.3 FOUND SUSPICIOUS ITEMS OR PACKAGES
When an officer responds to a call of a suspicious item or package, efforts should be taken to determine whether or not it is dangerous or may contain an explosive device. Some factors to consider when assessing the item or package include:

1. Is the item in close proximity to a high-value target (i.e., government building, area where large numbers of people gather, school)?
2. Has a threat been received in association with the discovery of the item?
3. Have there been recent related events involving the same type of suspicious item?
4. Does the reporting party believe that the item may be dangerous or an explosive device?
5. Are there odd odors or sounds coming from the item?
6. Is the exterior of the item discolored or have oily stains?
7. Are there wires, batteries, or other electronics components visible in the item or package?

Safety shall always be the primary consideration when assessing suspicious items or packages. If an officer believes that an item may be dangerous or contain an explosive device, it should be treated as a suspect device.

416.4 FOUND EXPLOSIVES/SUSPECT DEVICES
When an officer responds to a call of a suspected explosive device, the following guidelines shall be followed:

1. Do not touch or move any known or suspected explosive item.
2. No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
3. If a known or suspected explosive item is found, notify the Portland Police Metro Explosive Disposal Unit (EDU) as soon as possible.

4. Secure the perimeter around the suspected device for a minimum of three hundred feet allowing for an entrance for support personnel.

5. Relay as much initial information as possible to the Shift Sergeant without touching the device, including:
   (a) Any stated threats.
   (b) How the bomb was made.
   (c) The exact location of the item, including the specific address and/or building location or name, floor, room number and location in the room where the device has been placed.
   (d) The type of bomb, its physical description (e.g., size, shape, markings) and/or container.
   (e) The time the device will detonate.
   (f) The reason the device was placed (motivation).
   (g) The individual or group claiming responsibility.

6. Do not transmit on any equipment that produces radio frequency energy within 100 feet (e.g., hand held radio, car radio, cell phone, etc). Hand held radios generate less radio energy, and should be used for all on-scene communications outside of the 100 foot radius.

7. Consideration should be given to the possibility for evacuation if a device is located within a building or close to an area where civilians are present.

8. Once an area is clear of civilians, officers should retreat to an area of substantial cover.

9. Consider the need for support personnel such as paramedics and Fire Department personnel.

10. Explosive Disposal Unit (EDU) personnel will assume command of the scene upon their arrival and until the area is declared safe to enter.

416.5 EXPLOSION/BOMBING INCIDENTS
When an explosion has occurred, there are multitudes of considerations which may confront the patrol officer. As in other catastrophic incidents, a rapid response will help to minimize such things as further injury to victims, contamination of the scene by gathering crowds, further damage by resulting fires or unstable structures.

Whether the explosion was the result of an accident or a criminal act, the following concerns will need to be addressed:

1. Injury to victims.
2. First aid (primarily Fire Department responsibility).
Response to Bomb Calls

3. Evacuation of victims (primarily Fire Department responsibility).

416.5.1 NOTIFICATIONS
When an explosion has occurred, the following people shall be notified as soon as practical if their assistance is needed:

1. Vancouver Fire Department
2. Portland Police Metro Explosive Disposal Unit (EDU)
3. Additional field officers
4. Chain of Command
5. Arson Investigations Unit
6. Detectives

416.5.2 CROWD CONTROL
No one should be allowed free access to the scene unless they have a legitimate and authorized reason for being there.

416.5.3 SCENE OF INCIDENT
As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could be extended for several hundred feet, at least one and one-half times the distance of the farthest piece of evidence from the area of the explosion. Evidence may be imbedded in nearby structures or hanging in trees and bushes, etc.

A search of the area should be conducted for other objects foreign to the area such as a secondary device. If an item is found, it should not be touched. The item should be secured and personnel should wait for the arrival of the Explosive Disposal Unit.

416.6 BOMB THREATS
When an officer responds to a call involving a bomb threat, the following procedures apply.

416.6.1 ASK QUESTIONS
The officer should ask specific questions regarding the bomb threat:

1. The following questions should be asked in the event of a bomb threat:
   (a) The exact location of the item, including the specific address and/or building location or name, floor, room number and location in the room where the device has been placed.
   (b) Any stated threats.
   (c) How the bomb was made.
   (d) The time the device will detonate.
   (e) The type of bomb, its physical description and/or container.
   (f) The reason the device was placed (motivation).
Response to Bomb Calls

(g) The individual or group claiming responsibility.

2. If the bomb threat is taken by phone, attempt to keep the caller on the line as long as possible and document the answers to these five basic questions.
   (a) Time of the call.
   (b) Exact words of the person as accurately as possible.
   (c) Age and sex of the caller.
   (d) Speech patterns and/or accents.
   (e) Background noises.

If the incoming call is received on a recorded line, steps shall be taken to ensure that the recording is retrieved as evidence.

416.6.2 PROCEDURES
The officer should follow specific procedures regarding the bomb threat:

1. As soon as a bomb threat has been received, the Shift Sergeant will be advised and fully informed of the details.

2. Police officers must not participate in the search of buildings without the expressed approval of the field supervisor. In the case of an approval for participation in a search, it is the duty of the Officer on the scene to advise the owner, manager, or responsible person that if Police have not found a bomb, or suspicious device, there is no guarantee that none exists.

3. In the event that search is conducted and a suspect device is found, the ranking officer on scene will secure the area and start an evacuation of the immediate and adjacent area.

4. When a threat is received by any facility, building, and/or premise, public or private, the decision to evacuate is the responsibility of the person in charge of the facility, building or premises. A police officer will not make the decision to evacuate an occupied building unless a suspicious object is found or factual information is received that a bomb has been placed in the building.

416.7 ACTIVATION OF THE EXPLOSIVE DISPOSAL UNIT (EDU)
EDU can be activated by a request through dispatch. Officers should be prepared to give dispatch a brief description of the suspected device, a location of a safe staging area for EDU, and if feasible, a callback phone number for EDU. EDU will be activated in the following circumstances:

1. When a suspicious object is discovered and the officer believes that there is a possibility that it is an explosive or incendiary device.

2. When any explosive, explosive chemical, or ordnance is discovered abandoned, illegally possessed, or voluntarily surrendered (including ammunition .50 caliber or larger).

3. When large quantities of illegal fireworks are discovered or seized.
Response to Bomb Calls

4. When an explosive or incendiary device has detonated.

5. If an officer intends to charge or arrest an individual with possession or manufacture of an explosive device under RCW 70.74.
Response to Suicidal Subject Calls

417.1 PURPOSE AND SCOPE
These guidelines have been prepared to assist personnel in their initial response to suicidal subject calls. When dealing with the suicidal call, the concept of “Priority of Life Model” is helpful to guide patrol officers and sergeants to their response. The protection of life is placed in a hierarchy that puts the suicidal person secondary to victims and innocents.

417.2 DEFINITIONS
Engage/Engagement – To make communications contact with the suicidal subject.

Disengage/Disengagement – To terminate communications and reposition to a reasonably safe location while remaining aware of the developing situation.

Suicidal subject – A person who is threatening by words or actions to terminate his/her own life as reported to law enforcement or observed by a law enforcement officer. In this policy, the term subject is intended to mean the suicidal person.

417.3 PRIORITY OF LIFE MODEL
The Priority of Life Model places a hierarchy on the following people, putting victims and innocents first:
1. Hostages/Victims
2. Innocents/By-Standers
3. Police/First Responders
4. Suicidal Subject

417.4 SITUATIONAL GUIDELINES
It is not possible to write guidance for every variation of a suicidal call. Each call is different and all facts available to officers and sergeants should be taken into account when addressing the situation. The totality of the circumstances should be considered, and decisions based upon what is known. The following factors should be considered:
1. Has a crime been committed? What is the crime?
2. Is the subject home alone or are others in the house?
3. Is the subject at home or another location? What is the subject’s relationship to that other location? (Any outdoor or other public location where a gun is involved should be a setting where the police don’t allow the subject to leave).
4. Have suicidal threats been made? Have threats to harm others been made? To whom? Does the subject have the means to carry out the threats?
5. Has a phrase similar to, “if the police come out here, I will kill them and myself” been made?
Response to Suicidal Subject Calls

6. Are weapons involved? What type(s) of weapons?

7. Residence history?

8. Subject history – any previous suicidal threat calls, history of violence, military / law enforcement training?

9. Are there other extenuating/aggravating circumstances (e.g., was the subject recently fired from a job, did they recently have a relationship end, etc.).

10. Is the subject intoxicated?

A decision to engage, limit the response, or disengage should be based on whether a known danger exists to others if the suicidal person is allowed to remain at large. Officers should also consider whether or not the subject is attempting to force a confrontation with police. Decisions about actions to take should be made with the Priority of Life Model stated above in mind. The following are actions that may be considered:

- If there is anyone with the subject who may be or become a hostage or victim, law enforcement should attempt to separate the innocents from the subject. If they are unwilling to separate, or the subject is alone, consider disengagement.

- Attempt to determine if the subject is armed in a public place and a risk to innocent by-standers. If the subject is in a public place and is a risk to others, attempt to limit the subject’s movements and consider use of a less-than-lethal option. If the subject does not appear to be a risk to others, attempt to contain the subject and negotiate to try to learn his/her willingness to receive help. If the subject is unwilling to receive help, consider disengagement.

- Attempt to determine if the suicidal person is a threat to officers or first responders. Be aware of “suicide by cop.” Many times, the mere presence of law enforcement escalates the situation to a use of force scenario. Avoid approaching the suicidal person unnecessarily.

- If the subject is alone and does not appear to be a threat to others, disengagement may be considered as an option. Attempts may be made by a Critical Incident Trained (CIT) officer or crisis worker to contact the subject by phone to offer them services. If the subject does not answer, expresses no interest, or clearly tells you, by word or action not to bother him/her, do not force a confrontation.

417.4.1 RESPONSE OPTIONS
Based on the factors and guidelines above, continue to evaluate the need for engagement or disengagement at all option levels:

Option 1: Engage verbally. If possible, safely make contact by phone or other means and talk with the subject, offering crisis resources to assist him/her.

Option 2: Provide surveillance and loose containment of the area to keep innocents safe.

Option 3: Contain the area and consult SWAT and/or HNT. Consider evacuation of others near the scene.
Response to Suicidal Subject Calls

This is not an exhaustive list of possible response options. All decisions should be made with the Priority of Life Model stated above in mind.

Remember, with the suicidal call, time can be on your side. Avoid rushing things unless there are exigent circumstances. Communicate to supervisors what is occurring, attempt to contain the situation, and use available cover / concealment and tools appropriately.

Do not tell the suicidal person or family members that certain actions will be taken or outcomes obtained. In particular, do not say that other persons will do particular things when you do not control those other persons.

417.5 REGIONAL GUIDELINES FOR SUICIDE CALL RESPONSE

417.5.1 NOTIFICATION
Notification of suicidal person and/or threats may occur in several different ways. The suicidal subject could call in themselves, a third party (family/friend/citizen) could call in, or Law Enforcement / Emergency Medical Staff (EMS) could discover the suicidal threat while making contact with the person for other reasons.

417.5.2 THREAT ASSESSMENT
Whether the call comes in to dispatch (CRESA) or the Crisis Line, an assessment is made to determine routing of the call. If it is a suicide in progress or a suicide just occurred, the call is routed to law enforcement through 911. If the call is a suicidal threats or suicidal referral, the call is routed to or stays with the Crisis Line. For the latter, Crisis Line staff members are trained and have the resources to evaluate the subject over the phone and can either resolve the crisis or let law enforcement know if the threat is imminent.

For example:

1. A call comes in to dispatch from the subject, family member, friend or concerned citizen. The call involves suicidal threats where no criminal activity has occurred, the scene is stable, and the subject does not have a gun or weapon in hand that would cause immediate death or serious injury. The call is transferred to the Crisis Line. The Crisis Line staff will evaluate for an imminent threat or work to resolve the crisis.

2. A suicidal call comes in to the Crisis Line from the subject, family member, friend or concerned citizen. Crisis Line staff will evaluate to determine if the threat is imminent. If the threat is imminent, Crisis Line staff will facilitate contact with dispatch.

3. Law enforcement contacts a suicidal subject in the field while on other business. The officer will attempt to facilitate contact with the Crisis Line for evaluation. The Crisis Line staff can resolve most situations without the need for a transport.
417.5.3 CRISIS RESOLVED
For the 911 call referred to the Crisis Line or for the call coming directly into the Crisis Line, many times Crisis Line staff will be able to resolve the situation over the phone. They will talk the person through the crisis and schedule follow-up care with the subject, putting a plan in place.

417.5.4 CRISIS NOT RESOLVED
For the imminent threat coming in to 911, law enforcement will be dispatched or if the call transferred to Crisis is not resolved and threat is imminent, Crisis Line staff will contact CRESA for a law enforcement response.

1. The dispatched law enforcement officer, will establish contact with the Crisis Line worker to get information on the subject in crisis while en route. Current laws allow the giving of patient information to law enforcement in crisis situations.

2. EMS should not be dispatched at this point until requested by law enforcement. If for some reason they are, they should be directed to a staging area until requested by law enforcement to come in to the scene. (This is done so that if law enforcement makes a decision to disengage, Fire/EMS personnel will not be faced with the decision to abandon their patient at the direction of law enforcement.)

3. Law enforcement will use the Regional Guidelines approved by the Law Enforcement Council (LEC) for determining whether to engage or not.


417.5.5 ENGAGE/ENAGEMENT
Using the guidelines approved by the LEC, the law enforcement officer may determine to engage. Such determination may be because there are hostages or innocents in the house or area who need to be protected. It may be because contact with the suicidal subject was established and they want help getting through the crisis. It may be because the suicidal subject is unconscious.

The decision to engage may be transitioned to disengagement if needed. For example, if at first there are innocents in the house and they are removed, and the subject is uncooperative, law enforcement may decide to disengage.

When appropriate, the suicidal subject will be taken into custody and transported to the hospital for continued mental evaluation and treatment by medical and mental health personnel.

417.5.6 DISENGAGE/DISENGAGEMENT
Using the guidelines approved by the LEC, law enforcement may determine to disengage. Such disengagement could include removing all units from the scene.

Each call is different, and all facts available to officers and sergeants should be taken into account when addressing the situation. The totality of the circumstances should be considered and decisions based upon what is known. Clear and articulable reasons should be present, acted on and documented in a police report.
Response to Suicidal Subject Calls

In all cases of disengagement, law enforcement should attempt to provide the suicidal subject with resources they can call for help (Crisis Line).

417.6 EMERGENT DETENTIONS
In all circumstances where a person is taken into custody or involuntary detention or hold, the officer shall complete a police report. (Refer to Policy 418 – Emergent Detentions)
Emergent Detentions

418.1 PURPOSE AND SCOPE
This policy provides guidelines for when officers may place an individual under an emergent (mental health) detention (RCW 71.05.153).

418.2 POLICY
It is the policy of the Vancouver Police Department to protect the public and individuals through legal and appropriate use of the emergent detention process.

418.3 DEFINITIONS
Danger to Others - Behavior which has caused harm or places others in a reasonable fear of sustaining harm. The behavior can either be written, verbal, or actual assaultive acts.

Danger to Property - Behavior which has caused substantial loss or damage to property of others.

Danger to Self - A substantial risk of serious harm indicated by threats (written or verbal) or attempts to commit suicide or inflict physical harm to self.

Gravely Disabled – Condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his/her essential human needs of health and safety; or (b) manifests severe deterioration in routine functions evidenced by repeated and escalating loss of cognitive or volitional control over his/her actions and is not receiving such care as is essential for his/her health and safety. (RCW 71.05.020(17))

418.4 AUTHORITY
An officer who has reasonable cause to believe that a person is suffering from a mental disorder and presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled, may take the person into emergent detention and immediately transport the person to a triage facility, crisis stabilization unit, evaluation and treatment facility, or the emergency department of a local hospital (RCW 71.05.153).

An officer may also take a person into emergent detention and deliver the person to an evaluation and treatment facility upon the written request of a mental health professional designated by the county or other authority who has determined that the person, as the result of a mental disorder, presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled (RCW 71.05.153).

418.4.1 VOLUNTARY EVALUATION
If an officer encounters an individual who may qualify for an emergent detention, the officer may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officer should:
Emergent Detentions

(a) Transport the individual, or have the individual transported via an ambulance, to an appropriate facility that is able to conduct the evaluation, and admit the person pursuant to emergent detention.

(b) If at any point the individual changes his/her mind regarding voluntary evaluation, the officer should proceed with the emergent detention if appropriate.

418.4.2 INVOLUNTARY EVALUATION
If an officer encounters an individual who may qualify for emergent detention and refuses to a voluntary evaluation, at least one of the following articulable grounds are necessary for an officer to take a person into custody for an involuntary evaluation and request a 72-hour hold:

a. Danger to others,

b. Danger to self,

c. Danger to property; or

d. Grave disability.

Officers will complete a case report documenting the incident and the reasonable belief the person met the criteria for emergent commitment.

418.5 CONSIDERATIONS AND RESPONSIBILITIES
Any officer handling a call involving an individual who may qualify for an emergent detention should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the individual’s action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Emergent detentions should be preferred over arrest for individuals with mental disorders, who are suspected of committing minor crimes or creating other non-criminal public safety issues.

418.6 TRANSPORTATION
When transporting any individual for an emergent detention, the transporting officer should have Dispatch notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol vehicle and shall secure them in accordance with Policy 305 - Handcuffing and Restraints.
Emergent Detentions

Violent individuals, or those that are medically unstable, may be restrained and transported by ambulance and ambulance personnel.

418.7 TRANSFER TO APPROPRIATE FACILITY
Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking voluntary treatment, the officer should provide the staff member with the completed 72 Hour Involuntary Mental Evaluation Hold Form for an emergent detention and remain present to provide clarification of the grounds for detention upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, the officer will not apply facility-ordered restraints.

418.8 DOCUMENTATION
Law enforcement agencies must have a system in place for officers to document, as part of an incident report, the need for a mental health evaluation of a person who meets the criteria for an emergent detention (RCW 71.05.120).

418.8.1 INVOLUNTARY EVALUATIONS
The officer should complete an application for emergency admission (72 Hour Involuntary Mental Evaluation Hold Form), provide it to the facility staff member assigned to the individual, and, if necessary, retain a copy of the emergency application for inclusion in the police report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary emergent detention, upon request.

In all circumstances where a person is taken into custody on an emergent detention, the officer shall complete a police report.

418.8.2 VOLUNTARY EVALUATIONS
Should an individual, who meets the criteria for an emergent detention, decide to voluntarily submit to a mental health evaluation and is transported to a facility, the reporting officer shall complete a police report.

The report shall clearly outline the circumstances causing the officer to believe the individual met the criteria for an emergent detention, but the individual clearly submitted to a voluntary mental health evaluation. The location of the mental health facility and mode of transportation shall also be documented in the police report.
Emergent Detentions

418.9 CRIMINAL OFFENSES
Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on an emergent detention should resolve the criminal matter by issuing a warning or a citation as appropriate.

When an individual who may qualify for an emergent detention, has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.
(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the emergent detention.
(c) Facilitate the individual’s transfer to the jail facility.
(d) Advise jail staff of the circumstances that indicate the individual may qualify for an emergent detention.

In the supervisor’s judgment, the individual may be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this Department to regain custody of the individual, Department resources (e.g., posting a guard) and other relevant factors in making this decision.

418.10 FIREARMS AND OTHER WEAPONS
Whenever an individual is taken into custody for an emergent detention, the handling officer should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., community caretaking, safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

418.11 TRAINING
This Department will endeavor to provide department-approved training on interaction with mentally disabled persons, emergent detentions and crisis intervention. (Refer to Policy 463 - Crisis Intervention Incidents)
Citation Releases

420.1 PURPOSE AND SCOPE
This policy provides procedures for citation and release in lieu of arrest.

420.2 POLICY
The Vancouver Police Department authorizes officers to use citation and notice to appear release procedures in lieu of arrest for misdemeanor and gross misdemeanor offenses with applicable law.

420.2.1 DISCRETION TO ARREST
Whenever a person is arrested or could have been arrested for a violation of law which is punishable as a misdemeanor or gross misdemeanor, the arresting officer may release the person in the field and serve upon the person a citation and a Notice to Appear in court. The officer shall call attention to the time and place for appearance and take any other steps deemed necessary to ensure that the defendant understands his/her promise to appear.

420.3 RELEASE
A suspected offender may be released on issuance of a citation and notice to appear in court by an officer whenever a person is arrested or could have been arrested pursuant to statute for a violation of law which is punishable as a misdemeanor or gross misdemeanor (Criminal Rules, CrRLJ 2.1(b)(1)).

420.4 PROHIBITIONS
The release of a suspected offender on a citation and notice to appear is not permitted when:

(a) A person has been arrested pursuant to RCW 10.31.100(2) (restraining orders).

(b) An officer has probable cause to believe that the person arrested has violated RCW 46.61.502 (DUI) or RCW 46.61.504 (physical control of a vehicle while DUI) or equivalent local ordinance and the officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 (alcohol and drug violators) within the last 10 years (RCW 10.31.100; Criminal Rules, CrRLJ 3.2(o)(3)).

For release restrictions related to domestic violence investigations, refer to Policy 319 - Domestic Violence.

420.5 CONSIDERATIONS
In determining whether to cite and release a person, officers shall consider whether (Criminal Rules, CrRLJ 2.1(b)(2)):

(a) The suspected offender has identified him/herself satisfactorily.

(b) Detention appears reasonably necessary to prevent imminent bodily harm to the suspected offender or another, property damage or breach of the peace.
Citation Releases

(c) The suspected offender has ties to the community reasonably sufficient to assure his/her appearance or whether there is substantial likelihood that he/she will refuse to respond to the citation and notice.

(d) The suspected offender previously has failed to appear in response to a citation and notice issued pursuant to the court rule or to other lawful process.

420.6 JUVENILE ACTIONS
Completion of criminal citations for juveniles is generally not appropriate except for traffic violations.

Misdemeanor violations for juveniles shall be documented with a police report and referred to juvenile court.
Immigration Violations

428.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Vancouver Police Department for investigating and enforcing immigration laws.

428.2 POLICY
It is the policy of the Vancouver Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this Department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

428.3 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, color or national origin in any way that would violate the United States or Washington Constitutions.

428.4 ENFORCEMENT
The Immigration and Nationality Act provides that the enforcement of the nation’s immigration laws is the primary responsibility of the U.S. Bureau of Immigrations and Customs Enforcement (ICE). State and local law enforcement agencies do not have the authority to enforce civil immigration violations. Therefore, VPD shall not undertake immigration-related investigations and shall not routinely inquire into the immigration status of persons encountered during police operations.

A. Officers are committed to providing service and enforcing laws in a fair and equitable manner. Officers do not use race, ethnicity, national origin or immigration status as the sole basis for probable cause or reasonable suspicion or as a motivating factor in making law enforcement decisions.

B. Officers shall not contact, detain or arrest an individual solely because he/she is suspected of violating immigration laws.

C. Requesting adequate identification as part of a criminal investigation is necessary and appropriate. However, officers shall not:

1. Request specific documents relating to someone’s civil immigration status such as a passport, alien registration card or “green card”, unless the officers are conducting a criminal investigation where the civil immigration status is relevant to the crime under investigation. Officers may also
use immigration documents if the documents are offered by the person upon a general non-specific request such as, “May I see some identification?”

2. Initiate any inquiry or enforcement action based solely on a person’s:
   • Civil immigration status, or
   • Race, or
   • Inability to speak English, or
   • Inability to understand the officer.

3. Use stops for minor offenses or requests for voluntary information as an excuse for discovering a person’s immigration status.

D. Officers who come into contact with a person who is suspected of being in this country unlawfully as the result of a criminal investigation shall follow the same procedures and afford the person the same rights and privileges as any other criminal suspect.

E. Officers will cooperate with federal immigration officials when requested.

428.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT
Generally, an officer will not need to notify immigration officials when booking arrestees at the county jail. Immigration officials routinely interview suspected undocumented aliens who are booked into the county jail on criminal charges. Notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

428.6 ICE REQUEST FOR ASSISTANCE
Requests by ICE, or any other federal agency, for assistance from this Department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts, to ICE or other federal agencies.

428.7 INFORMATION SHARING
No member of this Department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

   (a) Sending information to, or requesting or receiving such information from ICE.
   (b) Maintaining such information in Department records.
   (c) Exchanging such information with any other federal, state or local government entity.

428.7.1 IMMIGRATION HOLDS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a
judicial warrant. Notification to the federal authority issuing the detainer should be made prior to the release.

428.8 U VISA AND T VISA NON-IMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U Visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)). A law enforcement certification for a U Visa may be completed by an officer in order for a U Visa to be issued.

Similar immigration protection, known as a T Visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)). A law enforcement declaration for a T Visa may be completed by an officer in order for a T Visa to be issued.

Any request for assistance in applying for U Visa or T Visa status should be forwarded in a timely manner to the Audit Sergeant assigned to oversee the handling of any related case. The Audit Sergeant should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

428.8.1 ADDITIONAL PROCESSING OF U VISA AND T VISA APPLICATIONS
In the event a U Visa or T Visa request is forwarded directly to the Chief of Police, the application is to be assigned to the Professional Standards Unit for processing. Once an application status has been determined, the Chief of Police will respond accordingly to the applicant or their representative.

428.9 TRAINING
The Audit Sergeant shall ensure all appropriate Department members have received and read this policy.
Detentions And Photographing Detainees

438.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available to them at the time of the detention.

438.2 DEFINITIONS
Detention - Occurs when an officer intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person's freedom of movement.

Consensual Encounter - Occurs when an officer contacts an individual, but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field Interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

Field Photographs - Field photographs are defined as posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

Frisk or Pat-Down Search - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable Suspicion - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

438.3 FIELD INTERVIEWS
The police activity of inquiring into a person's identity and the reason for his/her presence at an unusual time, and/or place, or under circumstances plays an important role in the prevention of crime and the apprehension of criminals.

The quality and the frequency with which they are conducted will contribute materially to the success of the Department in repressing and preventing crime. It is the policy of the Vancouver Police Department to encourage its members to actively engage in this process.
Detentions And Photographing Detainees

Officers conducting field interviews must understand the legal basis and authority for these actions. Such documented interviews can contribute greatly to crime analysis and investigations if the information obtained is properly recorded, collected and analyzed. In addition, the field interview program may deprive actual and potential offenders of some of their initiative in selecting the time, place, and circumstances for the commission of crimes.

Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

(a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.
(b) The actions of the suspect suggest that he/she is engaged in a criminal activity.
(c) The hour of day or night is inappropriate for the suspect's presence in the area.
(d) The suspect's presence in the particular area is suspicious.
(e) The suspect is carrying a suspicious object.
(f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.
(g) The suspect is located in proximate time and place to an alleged crime.
(h) The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

438.3.1 INITIATING A FIELD INTERVIEW
An officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person, however, should not be detained longer than is reasonably necessary to resolve the officer’s suspicions.

Initiation of the field interview shall be based on the experience and initiative of the individual officer making the observation. Caution shall be exercised by initiating officers regarding the Constitutional rights of the individuals being stopped / interviewed. Justification must be established as to why the particular individual is being stopped / interviewed. Officers shall explain to the subject the reason for the stop and why the field interview is being conducted. All information fields in the Street Check Report shall be completed to the best of the officer’s ability for each individual(s) contacted during the field interview. The delay of the individual(s) or vehicle(s) must be kept to a minimum unless probable cause exists to affect an arrest.

If a weapon or any other item is located in the possession of the individual(s) during the stop / interview which may constitute a crime, the officer may take and keep it until the completion of the questioning, at which time they shall return it, if lawfully possessed, or the officer shall arrest or take the appropriate action needed.
There is a fine line drawn between a field interview and a lawful detainment. Reasonable suspicion is the key element on which the officer should base his/her action. Terry v. Ohio, 392 U.S. 1 (1968) gives police officers the authority to stop, and question, a person whom they have reason to suspect has committed, is committing or is about to commit a crime. If an officer stops a person for questioning pursuant to Terry v. Ohio, 392 U.S. 1 (1968), and reasonably suspects that he/she is in danger of life or limb, he may conduct a "pat down search" of such person for a dangerous weapon.

As many field interviews result in an arrest, the field contact location must be selected with care. Officers should give consideration to possible escape routes, lighting conditions, and to the safety of bystanders and themselves. Furthermore, the approach must afford the greatest element of surprise. On foot or in a vehicle, the approach is usually made from the rear. This technique provides a tactical advantage. At night, the headlights of the police vehicle can be used to provide added illumination. It is imperative to have decided upon a plan of action before attempting to stop a suspect. Vigilance must be maintained to guard against any violent or evasive action.

The purpose of the field interview will determine the method of contacting the subject. It may vary from an authoritative command of "Stop, Police!" to a diplomatic request of "Good evening, may I speak to you for a moment?" Officers working in civilian dress have the added responsibility of identifying themselves as police officers before stopping a person for questioning.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Vancouver Police Department to strengthen our community involvement, community awareness and problem identification.

438.3.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may be lost or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigators to utilize available personnel for the following:

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

1. When feasible, a statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

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

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a statement. Such witnesses, if willing, may be transported by Department personnel.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a Department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

438.4 PAT-DOWN SEARCHES
A pat-down search of a detained subject may be conducted whenever an officer reasonably believes that the person may possess an object that can be utilized as an offensive weapon or whenever the officer has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to the following:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
(b) Where more than one suspect must be handled by a single officer.
(c) The hour of the day and the location or neighborhood where the stop takes place.
(d) Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
(e) The appearance and demeanor of the suspect.
(f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.
(g) The age and gender of the suspect.

Whenever possible, pat-down searches should be performed by officers of the same gender.

438.5 FIELD PHOTOGRAPHS
Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

438.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT
Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent.

438.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based on reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.
Detentions And Photographing Detainees

438.6 SUPERVISOR RESPONSIBILITY
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph. Access to field photographs shall be strictly limited to law enforcement purposes.

438.7 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted with either an associated FI entry or police report explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

When a photograph is taken in association with a particular case, the officer may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file and submitted as evidence.

If a photograph is not associated with an investigation where a case number has been issued, the officer should forward the photograph and FI entry to the supervisor of the Special Investigations Unit for determination of proper handling.

438.7.1 PURGING THE FIELD PHOTO
The Special Investigations Unit supervisor and Records Division will be responsible for periodically purging and destroying all photographs and FI entries maintained by their unit in compliance with the current Records Management Guidelines and General Records Retention Schedules. The Local Government General Records Retention Schedule (LGGRRS) is the controlling schedule for records retention and management (Records Management Guidelines and General Records Retention Schedules) (RCW Chapter 40.14). Access to the FI photo file shall be strictly limited to law enforcement purposes.

438.8 PHOTO REVIEW
Any person who has been the subject of a field photograph or an FI by this agency during any contact may file a public disclosure request for a review of the status of the photograph/FI.
Honor Guard

439.1 PURPOSE AND SCOPE
The Vancouver Police Department Honor Guard Unit shall consist of selected and/or volunteer officers. The Honor Guard will plan, coordinate, and participate in memorial affairs to honor fallen comrades as well as a variety of ceremonies and special events to represent the Police Department. It shall be the responsibility of the Honor Guard to represent professionalism, integrity, and honor through its image and conduct at all times.

439.2 COMMAND AND STRUCTURE
Honor Guard Administrator
The Honor Guard Administrator shall oversee unit operations (scheduling/training/equipment/budgeting/etc.) and act as a liaison to the Office of the Chief. The Honor Guard Administrator shall be approved by the Office of the Chief and be a volunteer/selected position at the rank of Lieutenant or Commander.

Honor Guard Supervisor
An Honor Guard Supervisor (Corporal or Sergeant if available) shall be selected by the Honor Guard Administrator. The Honor Guard Supervisor will assign, organize, and prepare unit members for assigned events. The Honor Guard Supervisor may assign specific duties to members as required.

Honor Guard Team
The Honor Guard Unit shall consist of a minimum of 8 members at the rank of Sergeant or below. Members may be from any Division in the Department. This assignment is a collateral duty with no scheduled rotation.

439.3 SELECTION PROCESS
The selection process for Honor Guard members shall be consistent with the selection process guidelines outlined in the Specialty and Detective Assignment Selection Policy.

439.4 MEMBER RESPONSIBILITIES
A. It is the responsibility of each member to maintain a properly fitted, clean, and serviceable Honor Guard uniform. The member shall also ensure the proper care and security of any and all additional issued accessories and equipment.

B. Attend all scheduled Honor Guard training as directed. Absences must be authorized by the Honor guard Administrator.

C. Attend or acknowledge availability for at least 75% of honor guard details. Some details may also require attendance of additional practice sessions prior to the event.
**Honor Guard**

D. Demonstrate and maintain proficiency in military style Drill and Ceremony movements.

E. Be willing to fulfill a minimum 5-year commitment in the Honor Guard. Unforeseen needs of the Department, Unit, or officer may dictate otherwise.

F. Failure of a member to fulfill the required responsibilities, or in any way bring dishonor to the Department or the Unit, may result in the dismissal from the Honor Guard Team.

**439.5 OPERATIONAL FUNCTIONS**

The Honor Guard shall be available to provide official Departmental representative and service at the following Vancouver Police Department related events:

1. **VPD memorial /Funeral Services (as directed below)**

   **A. VPD Retiree Funeral Service**

   1-2 honor Guard members will perform casket watch.

   A pre-folded flag will be presented to the next of kin or designee.

   **Qualifiers:**

   - Sworn VPD Police Officer retired under honorable conditions with a minimum 10 years of service.
   
   - Funeral Service is held in Clark County.
   
   - Continued to live in accordance with the values of the Vancouver Police Department in retirement.

   **B. VPD Off-duty Death Memorial/Funeral Service**

   All available Honor Guard members will attend.

   Casket watch will be staffed by 2 members at all times.

   Flag folding team will be present.

   Taps will be played.

   **Qualifiers:**

   - Active Sworn VPD Policer Officer in off-duty status at time of death.
   
   - Circumstances of the death would discredit the Vancouver Police Department.

   **C. VPD Line of Duty Death Memorial/Funeral Service**

   Full Police honors will be provided.

   Washington State Memorial Team will be present.

   **Qualifiers:**

   - Active Sworn VPD Police Officer on-duty at the time of death/cause of death.
Honor Guard

- Death is directly related to an on-duty event.
2. VPD Ceremonies involving Presentation/Posting of the Colors.
3. As requested/directed by the Office of the Chief.

The Honor Guard shall be available to provide official Departmental representation and assistance at the following local and regional events.

2. National/State/Local Memorial Ceremonies/Parades/Community Events.
3. As requested/directed by the Office of the Chief.

Deployment of the Honor Guard shall always be at the discretion of the Office of the Chief.

439.6 TRAINING REQUIREMENTS

The Honor Guard performs details and movements that require adherence to specific protocol and tradition. In order to represent the Department in the most professional manner, periodic training is required.

A. Honor Guard Unit shall be authorized a minimum of three mandatory 8-hour training sessions annually.

B. Additional mandatory training/practice session may be authorized and directed by the Honor Guard Administrator as needed.

C. All training will be conducted in accordance with established protocols and traditions. U.S. Army FM 22-5, Marine Corps Manual P5060.20, and Air Force Manual 36-2203 are the primary references publications.
Mobile Data Computer Use

446.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between Department members and Dispatch.

446.2 POLICY
Vancouver Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

446.3 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any Department technology system.

446.4 AUTHORIZATION FOR USE OF AN MDC
VPD employees are authorized to use the MDC for official police communications only. When using the MDC:

1. Radio communications will be conducted in a clear, business-like manner using prescribed procedures.
2. Transmissions will be kept to a minimum.
3. Lengthy conversations are to be made by telephone, or on a secondary frequency.
4. Unnecessary radio use will be avoided so that frequencies are available for official and emergency business.

Messages may be reviewed by supervisors at anytime without prior notification.

446.5 RESTRICTED ACCESS AND USE
Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Shift Sergeants.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.
Mobile Data Computer Use

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member’s name or to use the password of another member to log in to the MDC system. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

446.5.1 USE WHILE DRIVING
The use of the MDC while the vehicle is being operated creates a potential risk to the officer because of the change of focus from driving to operating the MDC. Generally, use of the MDC by the operator should be limited to times when the vehicle is stopped. However:

1. Short transmissions, such as entry of a license number for a stolen or registration check are permitted if they can be done safely.

2. Reading messages while in motion by the operator should only be attempted when the message requires the operator’s immediate attention.

3. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

446.6 DOCUMENTATION OF ACTIVITY
MDCs and voice transmissions are used to record the officer’s daily activity. To ensure the most accurate recording of these activities, the following are required:

1. When communicating with dispatch, officers will first give their complete call number.

2. Officers shall promptly answer all calls from dispatchers.

3. Officers shall not argue with a dispatcher. An officer with cause for complaint shall notify their supervisor.

446.6.1 STATUS CHANGES
All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC when the vehicle is not in motion.

446.6.2 EMERGENCY SITUATION
If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member.
Mobile Data Computer Use

All units should limit radio traffic during vehicle pursuits and other emergency situations so that the units in pursuit, or in an emergency situation, can maintain continuous communications with dispatch.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

446.7 MALFUNCTIONING MDC
Whenever possible, officers will not use a vehicle with a malfunctioning MDC. Whenever officers must drive a unit in which the MDC is not working, they shall notify Dispatch via police radio or phone. It shall be the responsibility of Dispatch to record all information that will then be transmitted verbally over the police radio.

446.8 REQUEST FOR DISPATCH RECORDS
Officers must obtain approval from a supervisor prior to making a request for a recording of dispatch transmissions.
Bicycle Patrol Unit

451.1 PURPOSE AND SCOPE
The Vancouver Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. Bike officers are responsible for patrol issues, problem solving, protecting life and property through the enforcement of laws and ordinances, responding to patrol calls for service, preventing, detecting and investigating crimes, issuing civil infractions and decreasing crime and increasing livability. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

The Bike Unit will be expected to make an impact on crime and livability related issues and crimes. The Bike Unit will perform expected patrol duties (i.e. basic patrol, respond to 911 calls for service, make field contacts, take enforcement action, and make arrests). Because patrolling by bicycle has proven to be an effective way of increasing officer visibility in congested areas such as public parks, waterfront neighborhoods and business districts, the Bike Unit will be expected to patrol in these areas and will comply with RCW 46.61.035(4).

451.2 POLICY
Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control, or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community. Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Patrol Division.

451.3 TRAINING
Participants in the program must complete an initial Department approved bicycle-training course before or after acceptance into the program. Bicycle patrol officers will receive ongoing training throughout the year to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

(a) Bicycle patrol strategies.
(b) Bicycle safety and accident prevention.
(c) Bicycle handling
(d) Bicycle maintenance
Bicycle Patrol Unit

451.4 UNIFORMS AND EQUIPMENT
Officers shall wear the Department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes Department-approved helmet, riding gloves, protective eyewear and approved footwear.

451.5 CARE AND USE OF PATROL BICYCLES
Officers will be assigned a specially marked and equipped patrol bicycle. Bicycles are considered vehicles and therefore are subject to all laws, regulations, and privileges applicable to other vehicles operated upon the highway (RCW 46.04.670).

Every bicycle shall be equipped with front lights and rear reflectors or lights, and brakes satisfying the requirements of RCW 46.61.780. Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bags sufficient to carry all necessary equipment to handle routine patrol calls. Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, and security lock. These items are to remain with/on the bicycle at all times.

RCW 46.37.190(3) Vehicles operated by public agencies whose law enforcement duties include the authority to stop and detain motor vehicles on the public highways of the state may be equipped with a siren and lights of a color and type designated by the state patrol for that purpose.

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning). If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the District 1 Lieutenant for review and approval. Repairs shall be conducted by an approved technician. If necessary, the bike will be tagged for repair and removed from service until needed repairs are completed.

Each bicycle will have scheduled maintenance twice yearly; to be performed by a Department certified/approved bike mechanic. Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed prior approval of the District 1 Lieutenant, or in the event of an emergency. At the end of bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty. Bicycles will not be taken home without the prior approval of the District 1 Lieutenant.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged. Bicycles shall be properly secured when not in the officer's immediate presence.

451.6 OFFICER RESPONSIBILITY
Officers must operate the bicycle in compliance with applicable codes under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and/or tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.
Foot Pursuits

453.1 PURPOSE AND SCOPE
Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the suspect or the public.

453.1.1 POLICY
It is the policy of this Department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to Department personnel, the suspect or the public.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and Department personnel.

453.2 DECISION TO PURSUE
Officers may be justified in initiating a foot pursuit of any individual who the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in an extended foot pursuit without the development of reasonable suspicion of the individual's involvement in criminal activity.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

- Containment of the area.
- Canine search.
- Saturation of the area with patrol personnel.
- Aerial support.
- Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the pursuit.
Foot Pursuits

453.3 GUIDELINES FOR FOOT PURSUIT

Unless the officer reasonably believes that exigent circumstances exist (e.g., a serious threat to the safety of personnel or members of the public), officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

(a) When directed by a supervisor to terminate the foot pursuit. Such an order shall be considered mandatory.

(b) When the officer is acting alone.

(c) When two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his or her location and direction of travel.

(e) When pursuing multiple suspects and the pursuing officers do not reasonably believe they would be able to control the suspect should a confrontation occur.

(f) When the physical condition of the officer renders them incapable of controlling the suspect if apprehended.

(g) When the officer loses radio contact with Dispatch or with backup officers.

(h) The suspect enters a building, structure, confined space or a wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinating containment pending the arrival of sufficient officers.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect's location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears there is no immediate threat to Department personnel or the public if the suspect is not immediately apprehended.

(o) The officer’s ability to safely continue the pursuit is impaired by inclement weather, darkness or other conditions.
453.4 RESPONSIBILITIES IN FOOT PURSUITS

453.4.1 INITIATING OFFICER RESPONSIBILITIES
Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should broadcast the following information as soon as it becomes practicable and available:

(a) Unit identifier.
(b) Location and direction of travel.
(c) Reason for the foot pursuit.
(d) Description of the suspect.
(e) Whether the suspect is known or believed to be armed.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify Dispatch of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary.

453.4.2 ASSISTING OFFICER RESPONSIBILITIES
Whenever any officer announces he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

Any officers who is in a position to intercept a fleeing suspect, or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with Department policy, based upon available information and his/her own observations.

453.4.3 SUPERVISOR RESPONSIBILITY
Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information necessary to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever
Foot Pursuits

possible; the supervisor does not, however, need not be physically present to exercise control over the pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established Department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public unreasonably appears to outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-pursuit activity.

453.4.4 DISPATCH RESPONSIBILITIES

Upon being notified or becoming aware a foot pursuit is in progress, communication personnel shall, as soon as practical, notify the field supervisor and provide available information.

Communication personnel are also responsible for the following:

(a) Clear the radio channel of non-emergency traffic.
(b) Repeat the transmissions of the pursuing officer as needed.
(c) Ensure that a field supervisor is notified of the pursuit.
(d) Relay all pertinent information to responding personnel.
(e) Contact additional resources as directed by a supervisor.
(f) Coordinate response of additional resources to assist with the foot pursuit.

453.5 REPORTING

The initiating officer shall complete the appropriate crime/arrest reports documenting, at minimum, the following:

(a) The reason for initiating the foot pursuit.
(b) The identity of involved personnel.
(c) The course and approximate distance of the pursuit.
(d) Whether a suspect was apprehended, as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Department Use of Force Policy.
(e) Any injuries or property damage.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to warrant further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.
Homeless Persons

461.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Vancouver Police Department recognizes that members of the homeless community are often in need of special protection and services. The Vancouver Police Department will address these needs in balance with the overall missions of this Department.

461.1.1 POLICY
It is the policy of the Vancouver Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this Department will not use homelessness solely as a basis for detention or law enforcement action.

461.2 HOMELESS COMMUNITY LIAISON
The Chief of Police will designate each district Neighborhood Police Officer (NPO) to act as the Homeless Liaison Officer for that district. The responsibilities of the Homeless Liaison Officer include the following:

(a) Maintain and make available to all Department employees a list of assistance programs and other resources that are available to the homeless.

(b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.

(c) Maintain a list of those areas within their district that are used as frequent homeless encampments.

(d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless.

(e) Be present during any clean-up operation conducted by this Department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.

461.3 FIELD CONTACTS
Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.
Homeless Persons

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

Local homeless community resources are listed on SharePoint. Follow this file directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service:Trespass/Unlawful Camping~Resources

461.3.1 INVESTIGATIVE CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.
(b) Document places the homeless person may frequent.
(c) Provide homeless victims with victim/witness resources when appropriate.
(d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
(e) Consider whether the person may be a vulnerable adult.
(f) Arrange for transportation for investigation-related matters.
(g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.
(h) Document any facts indicating that the offense was intentionally committed because the victim was homeless or perceived to be homeless.

461.3.2 UNLAWFUL CAMPING / TRESPASSING

With limited social resources for the homeless community to secure housing, camping in public and on private property is becoming more common. In order to respect the rights of homeless individuals, the public at large and private property owners, officers must exercise sound judgement and compassion when addressing unlawful camping and trespassing complaints.

The General Orders and Vancouver Municipal Codes outlining the procedures for enforcing both the unlawful camping and trespassing on public and private property are listed on SharePoint. Follow the directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service:Trespass/Unlawful Camping~GO15-007
Homeless Persons

461.4 PERSONAL PROPERTY
The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person. (RCW 63.32.010)

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. If practicable, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted to determine the proper course of action.

If the property posses an environmental hazard, the property should be photographed before being disposed. Photographs and method of disposal shall be documented in a police report.

461.4.1 UNLAWFUL STORAGE OF PERSONAL PROPERTY
Officers who encounter person/s storing personal property, including camp facilities (other than vehicles) and camp paraphernalia in a public place without an authorized permit should following the enforcement guidelines outlined in Departmental general orders.

Officers who locate these same items stored on private property should identify and contact the property owner to determine if these camping materials are authorized. Working in conjunction with the district NPO and Code Enforcement, the officer should again follow the enforcement guidelines outlined in Departmental general orders and city ordinances.

The General Orders and Vancouver Municipal Codes outlining the procedures for enforcing the unlawful storage of personal property, both on public and private property, are listed on SharePoint. Follow the directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service:Trespass/Unlawful Camping~GO16-001

461.5 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS
Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness detention is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide or arrange transportation to a mental health specialist if requested by the person.

461.6 ECOLOGICAL ISSUES
Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment
Homeless Persons

has or is likely to occur. Significant impacts to the environment may warrant a police report, investigation, supporting photographs and supervisor notification.
Crisis Intervention Incidents

463.1 PURPOSE AND SCOPE
This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person’s mental state and intent in order to effectively and legally interact with the individual.

463.1.1 DEFINITIONS
Crisis – A personal experience of intensified psychological, emotional, and/or mental disease that can be precipitated by situational stress, trauma, non-compliance with treatment, failure to appropriately take prescribed medications, loss and/or acute episode of a pre-existing mental illness.

Crisis Intervention Training (CIT) – A training program established to enhance the skills of Department members responding to incidents involving persons in crisis.

CIT Program Coordinator – A Vancouver Police Command Staff member designated by the Chief of Police to supervise the general oversight of the Crisis Intervention Training (CIT) Program.

463.2 POLICY
The Vancouver Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members’ interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

463.3 RECOGNIZING A PERSON IN CRISIS
Dealing with people who are known or suspected to have a mental health issue or be in crisis carries the potential for violence. Officers should exercise special skills and abilities to effectively deal with the person. Officers are not expected to make a judgment of the mental or emotional disturbance but rather recognize behavior that is potentially destructive and/or dangerous to self or others.

There are many behaviors associated with people suffering from mental illness. In RCW 71.05.020, a mental disorder is described as: “Any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions.”

Behavior of a mentally ill person may include one or more of the following:

- A known history of mental health issues
- Threats of or attempted suicide
- Depression, pronounced feelings of hopelessness, extreme sadness or guilt
- Social withdrawal
Crisis Intervention Incidents

- Manic or impulsive behavior, extreme agitation, lack of control
- Rapid mood swings
- Lack of fear
- Unreasonable fears

- Anxiety, aggression, rigidity, paranoia
- Incoherent or disorganized speech
- Delusional
- Talking or laughing to one’s self
- Hearing commands from the television or radio
- Rapid speech
- Staring blankly or not moving for long periods of time
- Loss of memory or confusion
- Hearing, smelling or seeing things that are not there

Not all mentally ill persons are dangerous while some may represent danger only under certain circumstances or conditions. Officers may use several indicators to determine whether an apparently mentally ill person represents an immediate or potential danger to himself or others. These include the following:

- Availability of weapons
- Threatening statements by the person
- Past history of violence
- The amount of control the person exhibits over their emotions

Members should be aware that this list is not exhaustive. These behaviors may be changed or intensified by the use of alcohol, illicit drugs, foreign / mind altering substances or the failure to take prescribed medications.

463.4 RECOGNIZING EXCITED DELIRIUM
While the subject’s behavior may be of law enforcement concern and the person must be controlled for the safety of themselves and those around them (a primary law enforcement duty), he/she must also be evaluated by medical professionals sooner rather than later. Generally, this requires recognizing Excited Delirium. This is much different than the often slowed, dulled, and inappropriate behavior of simple alcohol intoxication.

Subjects can demonstrate some or all of the indicators below in law enforcement settings:
Crisis Intervention Incidents

- Extremely aggressive or violent behavior
- Constant or near constant physical activity
- Does not respond to police presence
- Attracted to glass and reflection
- Attracted to bright lights and loud sounds
- Naked or inadequately clothed
- Attempted “self-cooling” or hot to the touch
- Rapid breathing
- Profuse sweating
- Making unintelligible animal-like noises
- Impervious to pain
- Excessive strength
- Does not tire despite heavy exertion

When you recognize a subject is suffering from Excited Delirium, call for backup. These subjects are difficult to control and can demonstrate paranoia, violence, and feats of great strength.

Excited Delirium subjects are at a high risk for sudden death, so emergency medical staff should also be dispatched, as soon as practicable, staged in the area and ready to respond once the subject is under police control.

If an officer or emergency medical staff believes the subject is suffering from Excited Delirium, the subject should, when practical, be transported by ambulance to a hospital for treatment. If a subject is not transported to a hospital, the officer or supervisor making that decision must articulate the reason why.

463.5 COORDINATION WITH MENTAL HEALTH PROFESSIONALS
The Chief of Police should designate a CIT Program Coordinator to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide Department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

463.6 FIRST RESPONDER SAFETY MEASURES
Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer’s authority to use reasonable force when interacting with a person in crisis.
Crisis Intervention Incidents

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation along with the reported information and determine whether a mental health crisis may be a factor.
(b) Request available backup officers, and if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
(d) Attempt to determine if weapons are present or available.
(e) Consider any past history of violence and threatening statements made by the subject.
(f) Take into account the person’s mental and emotional state, and potential inability to understand commands or to appreciate the consequences of his/her action or inaction as perceived by the officer.
(g) Secure the scene and clear the immediate area as necessary.
(h) Move slowly and provide reassurance that you are there to help and provide care.
(i) Allow them to vent their frustrations safely.
(j) Do not threaten the person with arrest.
(k) Avoid topics that may agitate the person, and guide the conversation toward the subject that help bring them back to calm.
(l) Always attempt to be truthful.
(m) Employ tactics to preserve the safety of all participants by removing any dangerous weapons or items from the immediate area.
(n) Determine the nature of any crime.
(o) Request a supervisor as warranted.
(p) Evaluate any available information that might assist in determining cause or motivation for the person’s actions or stated intentions.
(q) If circumstances reasonably permit, consider and employ alternatives to force.

463.7 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

• Evaluate safety conditions.
Crisis Intervention Incidents

- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of withdrawal or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

463.8 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that dispatch provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

463.9 SUPERVISOR RESPONSIBILITIES

When a supervisor responds to the scene of any interaction with a person in crisis, the responding supervisor should:

(a) Attempt to secure appropriate and sufficient resources.
(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care.
(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, may include removing or reducing law enforcement resources or engaging in passive monitoring.
(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
(e) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

463.10 INCIDENT REPORTING
Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to Department reporting procedures or other official mental health or medical proceedings. (Refer to Policy 418 - Emergent Detentions)

463.10.1 DETENTIONS
Individuals who are detained for a mental health evaluation and not being arrested should be processed in accordance with Policy 418 - Emergent Detentions.

463.11 MEDICAL RESPONSE FOR ARRESTEE
During booking, each prisoner will be observed closely for apparent medical problems or injuries, and questioned concerning current illness, injury, medication and treatment. The prisoner's responses, or lack thereof, and the booking officer's observations will be recorded in the arrest report.

During booking, each prisoner will be observed and any visible body deformities, trauma markings, bruises, lesions, jaundice, or obvious physical limitations will be documented in the case report.

If a prisoner appears mentally ill and either incapacitated or a danger to self or others, a Mental Health Professional will be consulted to determine if the prisoner should be transferred to an approved hospital or if s/he can be detained in the Clark County Jail. Any prisoner appearing to be under the influence of drugs shall be questioned as to what type of drug they have ingested and their condition shall be monitored closely. If necessary, the prisoner shall be transported to an approved hospital or Medical Center for examination by a qualified medical professional prior to being booked and placed in detention.

If the suspect is refused by Clark County Jail due to their mental illness related behavior, the suspect should be taken to an approved hospital.

If a prisoner is taken to a hospital for any reason, the officer should fill out a pre-book and notify the next shift supervisor of the suspect's location and need of transport to jail when released. Officers should indicate that charges will be pressed when stabilized and who to call for transport to jail for booking.

463.12 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS
Civilian members may be required to interact with persons in crisis in an administrative capacity, such as a front counter contact or records request.
Crisis Intervention Incidents

(a) Members should treat all individuals equally and with dignity and respect.
(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person’s behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

463.13 CRISIS INTERVENTION TEAM PROGRAM COORDINATOR
The Vancouver Police Department will maintain a CIT Program Coordinator. The coordinator acts as a liaison to mental health professionals and the community organizations that provide services for people with mental illness or developmental disabilities. The coordinator will also provide oversight to the CIT program.

463.14 TRAINING
As required by Washington law and certified by the Criminal Justice Training Commission, the Vancouver Police Department will follow the Crisis Intervention Team Model established by Memphis Police Department. To become certified, an officer must complete a 40-hour training course. Ongoing training of two hours per year is required to maintain certification. Areas that may be covered in training are causes of mental health crisis, symptoms and treatments for persons in a mental health crisis; communication and de-escalation techniques for dealing with these situations, and the available resources and civil processes for persons with mental illness.
First Amendment Assemblies

464.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

464.2 POLICY
The Vancouver Police Department respects the rights of people to peaceably assemble. It is the policy of this Department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

464.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe Department members under their commands to ensure that members’ interaction with participants and their response to crowd dynamics is appropriate.
First Amendment Assemblies

464.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating Department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

464.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location.
- Number of participants.
- Apparent purpose of the event.
- Leadership (whether it is apparent and/or whether it is effective).
- Any initial indicators of unlawful or disruptive activity.
- Indicators that lawful use of public facilities, streets or walkways will be impacted.
- Ability and/or need to continue monitoring the incident.

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

464.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

464.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
First Amendment Assemblies

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

464.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for the following:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations.
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with City government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
First Amendment Assemblies

464.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (refer to Policy 350 - Outside Agency Assistance).

464.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

464.7 USE OF FORCE
Use of force is governed by current Department policy and applicable law (refer to Policies 300 - Use of Force, 305 - Handcuffing and Restraints, 307 - Control Devices and Techniques, and 308 - Conducted Energy Device).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER™s should be considered only when the participants’ conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage.

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.
First Amendment Assemblies

Any use of force by a member of this Department shall be documented promptly, completely and accurately in an appropriate police report.

464.8 ARRESTS
The Vancouver Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (refer to Policy 420 - Citation Releases).

464.9 MEDIA RELATIONS
The Public Information Coordinator should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (refer to Policy 345 - Media Relations Policy).

464.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

464.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan.
First Amendment Assemblies

(b) Any incident logs.
(c) Any assignment logs.
(d) Vehicle, fuel, equipment and supply records.
(e) Incident, arrest, use of force, injury and property damage reports.
(f) Photographs, audio/video recordings, Dispatch records/tapes.
(g) Media accounts (print and broadcast media).

464.11.1 AFTER-ACTION REPORTING
The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event.
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests).
(c) Problems identified.
(d) Significant events.
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

464.12 TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.
Medical Aid and Response

465.1 PURPOSE AND SCOPE
This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

465.2 POLICY
It is the policy of the Vancouver Police Department that all officers and other designated members receive instruction in cardiopulmonary resuscitation (CPR), first aid, and automated external defibrillator (AED) usage by a course approved by the Washington State Department of Health and to facilitate an emergency medical response. (RCW 70.54.310, 51.36.030)

465.3 FIRST RESPONDING MEMBER RESPONSIBILITIES
Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, and use of an AED in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Dispatch and request response by emergency medical services (EMS) as the member deems appropriate. When requesting EMS, the member should provide dispatch with patient information (sex, age, # of patients), nature of illness, response code, and safety concerns.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should follow universal precautions when providing medical aid, such as wearing gloves, avoiding contact with bodily fluids, and using a barrier when performing rescue breathing.

465.3.1 INJURY DOCUMENTATION
When officers are in a situation requiring police documentation and they contact a visibly injured subject, the officer should determine the cause of the injury, ask if the subject requires medical aid, and document all visible injuries. If the subject is uncooperative, refuses aide or refuses to answer questions, the officer should document what they observed and the subject’s response.

465.4 TRANSPORTING ILL AND INJURED PERSONS
Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.
Members should not provide emergency escort for medical transport or civilian vehicles.

465.5 PERSONS REFUSING EMS CARE
If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with an emergent detention in accordance with Policy 418 - Emergent Detentions.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

465.5.1 SICK OR INJURED ARRESTEE
Police officers are responsible for the well-being and protection of persons in their custody, and must ensure that a person in custody receives appropriate medical assistance. This can be accomplished by administering first aid and/or by obtaining medical care.

Whenever an officer observes a medical emergency experienced by a person in custody or other injury (i.e., the subject is obviously injured or exhibits signs of physical distress such as a broken bone, bleeding, difficulty breathing, head injury, mental incapacity, excited delirium, severe intoxication, or other visible injury), the officer shall:

  (a) Provide first aid to the extent they are trained and certified to do so and can do so safely, OR depending on the severity of the injury
  (b) Obtain medical assistance as soon as practical

Additionally, officers should obtain medical assistance* in the following instances:

  (a) When a subject asks for medical care
  (b) When a subject expresses a complaint of injury or continuing pain
  (c) When a subject is unconscious

Where there is any doubt about the need for medical attention for a person in custody, members should resolve this doubt in favor of obtaining medical attention.

Any individual exhibiting the above signs should be continuously monitored until he/she can be medically assessed.

*Medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail or custody facility.

If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel.
Medical Aid and Response

Officers shall notify a supervisor of any instance of medical care being performed on a person in custody and shall notify any person taking custody of the arrestee that such medical care was performed.

All injuries and medical care on a subject in custody shall be properly documented on booking sheets and necessary police reports.

465.5.2 NAŁOXONE (NARCAN) ADMINISTRATION
In cases involving medical emergencies as a result of a suspected opioid overdose, members who have been properly trained in accordance with RCW 69.41.095 - may prescribe, dispense, deliver and obtain an opioid medication directly to a person at risk of experiencing a suspected opioid-related overdose.

465.6 MEDICAL ATTENTION RELATED TO USE OF FORCE
Specific guidelines for medical attention for injuries sustained from a use of force may be found in Policy 300 - Use of Force, Policy 305 - Handcuffing and Restraints, Policy 307 - Impact Weapons/Oleoresin Capsicum and Policy 308 - Conducted Energy Device.

465.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE
A semi-automatic external defibrillator or AED should only be used by members who have completed a course approved by the Washington State Department of Health that includes instruction in CPR and the use of an AED (RCW 70.54.310).

465.7.1 AED USER RESPONSIBILITY
Members who are issued AEDs for use in Department vehicles should check the AED at the beginning of the shift to ensure it is equipped with defibrillator pads/electrodes and that it is functioning properly. Any AED that is not functioning properly will be taken out of service and given to the Training Sergeant or designee who is responsible for ensuring appropriate maintenance.

465.7.2 AED REPORTING
Any member using an AED will complete a CPR/AED Use Report and attach a copy of the CAD call to both be forwarded to the Training Sergeant or designee for review.


Note: Use of an AED means that shock was advised and delivered.

Any data from usage shall be made available, upon request, to EMS or other health care providers (RCW 70.54.310).

465.7.3 AED TRAINING AND MAINTENANCE
The Training Sergeant or designee should ensure appropriate training is provided to members authorized to use an AED.

The Training Sergeant or designee is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer’s operational guidelines, and will retain
Medical Aid and Response

records of all maintenance in accordance with the established records retention schedule (RCW 70.54.310).

AEDs that require “periodic” checks, as they self-test every day, shall be inspected at least annually.

An inventory of all AEDs shall occur annually.

Following the use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

465.8 POLICE MEDICS
Certified Police EMT/Paramedics will follow Clark County Public Health medical protocols to their level of certification.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through, education programs, coordinating with traffic engineers, and the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume and traffic conditions. This Department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
Several factors are considered in the development of deployment schedules for officers of the Vancouver Police Department. Information provided by the Electronic Traffic Information Processing (eTRIP and SECTOR) data retrieval system is a valuable resource for traffic collision occurrences and officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of collision causing violations during high collision hours and at locations of occurrence. All officers will take directed enforcement action on request of a supervisor, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high collision locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This Department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions.
Traffic Function and Responsibility

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

   a. Explanation of the violation or charge.
   b. Read directly from the citation the three options on how to address a notice of infraction and the 15 days to respond to the citation.
   c. Provide a court date and time for the offender to appear on criminal traffic citations.

500.3.3 ARRESTS FOR TRAFFIC OFFENSES
Officers may issue a traffic citation for any criminal traffic offense or infraction when such violations are committed in an officer's presence or as allowed pursuant to RCW 10.31.100. With limited exceptions, the detention in such cases may not be for a period of time longer than is reasonably necessary to issue and serve a citation for the violator.

A traffic-related detention may expand to a physical arrest under the following circumstances:

   (a) When the officer has probable cause to believe that a felony has been committed, whether or not it was in the officer's presence.
   (b) When the offense is one or more criminal traffic violations listed in RCW 10.31.100
   (c) When a driver has been detained for a traffic offense listed in RCW 46.63.020 and fails to provide adequate identification or when the officer has reasonable grounds to believe that the person to be cited will not respond to a written citation. It will be the officer's discretion to make a custodial arrest.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

500.4.1 SUSPENDED, REVOKED OR CANCELED LICENSE PLATES
If an officer contacts a traffic violator who is operating any vehicle that a computer check confirms to be revoked, suspended or canceled, the officer shall confiscate the license plates. The Department may either recycle or destroy the plates (RCW 46.32.100).

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of Department members who may be exposed to hazards
presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at all times when increased visibility would improve the safety or efficiency of the member and when at a collision scene or directing traffic.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be issued to every Department member and kept with them in their vehicle while on-duty. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in Logistics for replacement or issuance.

500.6 HAZARDOUS ROAD CONDITIONS
The Vancouver Police Department will make all reasonable efforts to address all reported hazardous road conditions in a timely manner to dispatch or City Operations as circumstances and resources permit.

500.7 SCHOOL BUS SAFETY CAMERAS
Any school district with buses properly equipped with cameras that capture stop-arm violations may report such violations to the Vancouver Police Department whenever they occur within the Department’s jurisdiction.

The Traffic Sergeant should establish a report form and procedure for school districts to report school bus stop-arm violations (RCW 46.63.180).

500.7.1 NOTIFICATION OF INFRACTION
The Traffic Sergeant or the authorized designee should initiate an investigation of the reported violation after receiving a stop-arm violation report from a school district.
Traffic Function and Responsibility

Issuance of a citation shall conform to state requirements (RCW 46.63.180). The notice of infraction or warning letter shall be mailed to the registered owner or renter, if applicable, of the vehicle within 14 days of the violation.
Traffic Collision Reporting

502.1 PURPOSE AND SCOPE
The Vancouver Police Department prepares traffic collision reports and as a public service makes traffic collision reports available to the community with some exceptions.

502.2 TRAFFIC COLLISION REPORTS
All traffic collision reports taken by members of this Department shall be forwarded through the Washington State SECTOR Collision Reporting System for approval and data entry into the Records Management System. The Traffic Sergeant will be responsible for reports on traffic collision statistics to be forwarded to the Special Operations Lieutenant, or other personnel as required.

502.2.1 STATEWIDE ELECTRONIC COLLISION AND TICKET ONLINE RECORDS (SECTOR)
This Department utilizes SECTOR software to complete traffic citations and traffic collision reports. SECTOR shall only be used by those authorized employees who have completed department-approved training in the use of SECTOR software. All traffic collision reports completed with SECTOR software shall comply with established report approval requirements.

All reports completed using SECTOR software should be downloaded to the designated server by the end of the employee’s shift unless approved by a supervisor.

502.3 REPORTING SITUATIONS

502.3.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES
Traffic collision reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway within the City of Vancouver wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle.

Photographs of the collision scene and vehicle damage shall be taken by the investigator or supervisor.

If a traffic collision occurs with a police employee driving a police vehicle, whether on or off-duty outside the jurisdiction of the City of Vancouver, it shall be the responsibility of the agency of jurisdiction to investigate and report the collision according to their policies and state law. If the responding agency does not complete a collision report, and it is unreasonable for a VPD supervisor to respond and investigate, the employee shall obtain the necessary information from the scene to complete and submit a Washington State Motor Vehicle Collision Report and a Vancouver Police Property Damage Loss and Vehicle Incident Damage Report to their immediate supervisor upon their return to work.

Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Forms~Service Area:Risk Mgmt. Vehicles~Property Damage Loss and Vehicle Incident Damage Report to obtain a Vancouver Police Property Damage Loss and Vehicle Incident Damage Report.

502.3.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
When an employee of this Department, either on or off-duty and driving a City owned vehicle, is involved in a traffic collision within the jurisdiction of the Vancouver Police Department resulting in a serious injury or fatality, the Traffic Sergeant or designee shall be notified and a determination be made as to which investigative unit is to respond.

502.3.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Traffic Sergeant or designee should also be notified and a determination be made as to which investigative unit is to respond for any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

502.3.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
Traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit-and-run violation, or any criminal RCW violation. A police report may be taken at the discretion of any supervisor.

502.3.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this Department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.
(b) When there is an identifiable criminal violation of the Revised Code of Washington.
(c) Property damage exceeding the dollar amount currently established by WSP.
(d) When a report is requested by any involved driver, direct them to the WSP website to complete their own report or provide them with the self-reporting form for them to mail in.

In all cases where a traffic collision report is required by policy, the current state authorized form, currently in SECTOR, will be used to document the collision (RCW 46.52.070).

502.4 NOTIFICATION OF TRAFFIC UNIT SUPERVISION
In the event of a serious injury or death related traffic collision, the Shift Sergeant shall notify the Traffic Sergeant or designee to relate the circumstances of the traffic collision and seek assistance from the Traffic Unit. In the absence of a Traffic Sergeant, the Shift Sergeant or any supervisor may assign a Traffic Unit collision investigator to investigate the traffic collision.

502.4.1 MAJOR CRIME TEAM NOTIFICATION
Felony assaults against an officer of a complex nature (e.g., multiple victim officers, vehicle used as weapon, large or multiple scenes) or where serious injuries are sustained by the officer
Traffic Collision Reporting

or the suspect, the Major Crimes Sergeant must be notified. Refer to Policy 356.5.1 - Major Crimes Notification
Vehicle Towing

510.1 POLICY
The Vancouver Police Department authorizes officers to take custody of vehicles for evidence, forfeiture or impound and to conduct searches of the vehicles as allowed under applicable laws.

510.2 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Vancouver Police Department.

510.3 AUTHORIZATION TO TAKE CUSTODY OF A VEHICLE

EMPLOYEE RESPONSIBILITIES
A police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the following circumstances (RCW 46.55.113):

(a) Whenever a police officer finds a vehicle unlawfully stopped and/or standing on the roadway;
(b) Whenever an officer finds a vehicle unattended on a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;
(c) Whenever an officer finds an unattended vehicle at the scene of a collision or when the driver of a vehicle involved in a collision is physically or mentally incapable of deciding upon steps to be taken to protect his/her property;
(d) Whenever the driver of a vehicle is arrested and taken into custody;
(e) Whenever an officer discovers what he/she determines to be a stolen vehicle;
(f) Whenever a vehicle without a special license plate, placard or decal indicating the vehicle is being used to transport a person with disabilities is parked in a stall or space clearly and conspicuously marked as a space for a person with disabilities;
(g) When an officer determines that a person is operating a motor vehicle without a valid and, if required, a specially endorsed driver’s license or with a license that has been expired for ninety days or more;
(h) When a vehicle is interfering with the proper and intended use of a zone and signage gives notice to the public that a vehicle will be removed if illegally parked in the zone; or
(i) When a vehicle with an expired registration of more than forty-five days is parked on a public street.

510.4 EMPLOYEE RESPONSIBILITIES
The responsibilities of those Vancouver Police Department employees impounding, towing or moving a vehicle are as follows.
510.4.1 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the VPD rotational list of towing companies in Dispatch.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call a towing company from the VPD rotational towing list. The officer will then impound the vehicle using the Washington Uniform Inventory Impound form.

510.4.2 DRIVING A NON-CITY VEHICLE
Vehicles should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard or prevent the obstruction of a fire hydrant in the event of a fire emergency.

510.4.3 RECORDS NOTIFICATION
Whenever a vehicle is towed under the authority of an officer, he/she shall notify the VPD Records Division as soon as practicable before the end of their current work shift.

510.4.4 RECORDS RESPONSIBILITIES
Whenever a recovered stolen vehicle is impounded by the Vancouver Police Department, VPD Records Division personnel will promptly attempt to notify the legal owner of the recovery (RCW 7.69.030(7)). All notification attempts will be documented.

510.5 TOWING SERVICES FOR FORFEITURE AND EVIDENCE IMPOUND
The City of Vancouver periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When a vehicle is seized for forfeiture.

(b) When a vehicle is being held as evidence in connection with an investigation and service of a search warrant.

510.5.1 ASSET FORFEITURE IMPOUND
If the case officer has reason to seize the vehicle per RCW for an asset/civil forfeiture, the officer will serve a notice to the owner of the property or any person having a known right or interest therein, including any community property interest. The notice will be served within 15 days of the seizure and follow the process outlined in Policy 606 - Asset Forfeiture.

The vehicle shall be taken to the VPD Evidence Facility and placed in the secured parking lot. All documents will be forwarded to the Logistics Unit Supervisor.

Every contact, attempted contact and event regarding this process will be documented in a police report. It is vital to include all dates, times, and names for documentation purposes.
510.5.2 EVIDENCE / SEARCH WARRANT IMPOUND
Vehicles having vital evidence inside shall be placed in a secured area (such as a sally port) while applying for a search warrant. The seized vehicle will be marked by the orange markers in evidence, unless marking the vehicle will interfere with the investigation or may destroy or damage evidence. The vehicle will be marked after the warrant has been served if there is no further risk of destruction of evidence or additional need to maintain the vehicle in the same condition it was in when it was seized. The vehicles will have the date and case number placed on the windshield. The vehicle will be processed as soon as possible. If the vehicle cannot be processed in 24 hours, the case officer will notify their supervisor and advise of the reasons for the delay.

Once the vehicle is processed, the case officer will notify the owner and/or responsible party to have the vehicle released back to them. The case officer will exhaust all possibilities to contact the owner or responsible party to release the vehicle. If they cannot contact anyone, the vehicle will be towed using the next available tow from the tow company rotational list. All interest by VPD will be released.

Every contact, attempted contact and event regarding this process will be documented in a police report. It is vital to include all dates, times, and names for documentation purposes.

The vehicle will be listed on the Temporary Evidence board, listing the case number, date and officer.

510.6 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this Department to provide reasonable safekeeping for the arrestee's vehicle.

No impound should occur if other alternatives are available that would ensure the vehicle's protection. Factors that should be considered by officers in determining whether to impound a vehicle pursuant to this policy include:

(a) Whether the offense for which the subject was arrested mandates vehicle impound (i.e. DUI, commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor (RCW 9A.88.140(2); RCW 46.55.360).

(b) Whether someone is available at the scene of the arrest to whom the vehicle could be released.

(c) Whether the vehicle can be secured.

(d) Whether the detention of the arrestee will likely be of such duration as to require protection of the vehicle.

(e) Whether there is some reasonable connection between the crime/arrest and the vehicle, or the vehicle is related to the commission of another crime (i.e., the vehicle itself has evidentiary value).

(f) Whether the owner/operator requests that the vehicle be stored.
(g) Whether the vehicle would be in jeopardy of theft or damage if left at the scene in a high-crime area.

In cases where a vehicle is not stored, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages to the vehicle.

510.7 VEHICLE SEARCHES
Vehicles may be searched when one or more of the following conditions are met:

(a) a. With the written or verbal consent of the operator when the operator is present for the search and has received the necessary warnings.
(b) b. When necessary to examine the vehicle identification number or to determine the ownership of the vehicle.
(c) c. Under emergency circumstances not otherwise enumerated above.
(d) d. Pursuant to a valid search warrant.

510.8 VEHICLE INVENTORY SEARCH
Any property of value should be removed from a vehicle and left with the owner, if possible. If the property cannot be left with the owner, it shall be submitted into the evidence system for safekeeping.

The scope of the inventory search should be limited to plain view and open/unlocked areas within the interior of the vehicle. Locked or closed containers located within the passenger compartment should be submitted into the evidence system as a sealed unit, absent exigent circumstances. A locked vehicle trunk shall not be opened, even if it may be opened without a key from an accessible area of the passenger compartment.

Property within the vehicle that has no evidentiary or minimal monetary value may be left in the vehicle and listed on the vehicle impound form.

510.9 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.
Impaired Driving

514.1 PURPOSE AND SCOPE
This policy provides guidance to those Department members who play a role in the detection, investigation and arrest of persons driving under the influence (DUI) or in actual physical control of a motor vehicle pursuant to RCW 46.61.

514.2 POLICY
The Vancouver Police Department is committed to the safe use of roadways by all members of the public and will pursue fair but aggressive enforcement of Washington’s impaired driving laws.

514.3 INVESTIGATIONS
The Vancouver Police Department recognizes that driving under the influence is a significant crime and will make enforcement of DUI a priority.

All Vancouver Police officers are expected to enforce all DUI laws with due diligence.

All officers and corporals assigned to patrol and traffic enforcement must ensure their Blood Alcohol Content (BAC) breath test card and Standardized Field Sobriety Tests (SFST) training are current.

514.4 FIELD SOBRIETY TESTS
The Standardized Field Sobriety Tests (SFST) are approved by the National Highway Traffic Safety Administration (NHTSA). All officers are taught under the NHTSA curriculum and shall use the SFST. They may use all other reasonable and approved tools available to them while conducting DUI investigations.

The Training Unit, in coordination with subject matter experts, such as the Traffic Unit, may approve of other methods or tools used during the detection, investigation or arrest of an impaired operator.

514.5 IMPLIED CONSENT
Implied consent now only applies to breath tests. There is no implied consent for blood tests.

Procedures for alcohol related DUIs, BAC tests, and BAC refusal do not change.

If an individual expresses confusion regarding implied consent, re-read the warning to the individual. If the individual still expresses confusion, remind the individual of his or her option to contact an attorney regarding the warning. If the individual elects not to speak with an attorney, give him or her an opportunity to review the warning personally, and then ask the individual if he or she would like to provide a breath sample. If the individual elects not to provide a sample and/or continues to claim confusion, the officer should consider this a refusal for failure to cooperate with the process.
514.6 CHEMICAL TESTS
A person is deemed to have consented to a test of his or her breath under any of the following (RCW 46.20.308):

(a) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug.

(b) The arresting officer has reasonable grounds to believe a person under the age of 21 was driving, or in actual physical control of a motor vehicle, while having a blood alcohol concentration of at least 0.02 or a THC concentration above 0.00 (RCW 46.61.503).

(c) The officer has stopped a person operating a commercial motor vehicle license and has probable cause to believe that the person was driving while having alcohol in the person’s system or while under the influence of any drug (RCW 46.25.120).

514.6.1 BAC/PBT
The Washington State Patrol (WSP) should ensure that all devices used for the collection and analysis of breath samples, known as a BAC machine, are properly serviced and tested and that a record of such service and testing is properly maintained. This includes all BAC machines maintained at Vancouver Police Department facilities.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the WSP pursuant to BAC training.

All Vancouver Police Department devices known as a Portable Breath Test (PBT), or its related units, are to be serviced under the State Toxicology WAC guidelines, which is every six months.

All current Department authorized PBTs are to be serviced by assigned and certified Department members regardless of assignment. Generally, this will be conducted by the Traffic Unit members who are certified, but is the responsibility of the Logistics Unit in the absence of a designated supervisor.

An individual’s refusal to provide a breath sample does not prevent an officer from obtaining a blood sample pursuant to a warrant or any other approved method pursuant to this policy. In these cases, officers should still charge the individual with DUI – Refusal.

Generally, chemical tests to determine alcohol concentration shall be of the breath only (RCW 46.20.308) unless circumstances dictate a blood test in accordance with this policy.

514.7 BLOOD TESTS
A blood sample may be obtained from an individual when an officer has reasonable grounds to believe the individual is driving or in physical control of a vehicle under the influence (or in violation of RCW 46.61.500 – Minor DUI) under any of the following circumstances:

1) Pursuant to a valid warrant to draw an individual's blood and test it for alcohol/drugs
Impaired Driving

2) Pursuant to a valid waiver of the warrant requirement (such as informed consent)

3) Exigent circumstances (these must be articulated by the officer, and does not exist solely because of the time period associated with the natural dissipation of alcohol in the person’s bloodstream)

4) Any other authority of law

For further assistance with the most current procedures in obtaining a blood search warrant refer to http://www.wsp.wa.gov/breathtest/dredocs.php.

514.7.1 BLOOD SAMPLE

Only persons authorized by law to withdraw blood shall collect blood samples (RCW 46.61.506).

The withdrawal of the blood sample should be witnessed by the assigned officer. No officer, even if properly certified, should conduct the blood withdrawal.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be drawn for alternate testing at their expense. Two samples should be drawn and retained as evidence.

If an arrestee cannot submit to a blood test because he/she is a hemophiliac or is using an anticoagulant, he/she shall not be required to take a blood test. Such inability to take a blood test should not be treated as a refusal. However, the person may be required to complete another available and viable test.

514.7.2 FORCED BLOOD SAMPLE

If a person indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a blood draw.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.

(d) Ensure that the withdrawal is taken in a medically approved manner.

(e) Supervise any use of force and ensure the forced withdrawal is recorded on audio and/or video when practicable.

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
Impaired Driving

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.

(f) Monitor and ensure that the type and level of force applied is reasonable under the circumstances.

(g) Ensure the use of force and methods used to accomplish the blood sample draw are documented in the related electronic police and Blue Team reports.

514.8 ARREST AND INVESTIGATIONS
If an officer encounters a person operating a motor vehicle or in physical control of a motor vehicle and that person is under the influence of alcohol and/or drugs, and there is probable cause to arrest the person, the officer should arrest the impaired person. If the person operating the motor vehicle can be arrested for DUI then they should be arrested for DUI and not a lesser crime such as Minor in Possession (MIP), Reckless Driving, or Negligent Driving.

Officers are expected to conduct their own investigation and process their own reports. Only under special circumstances, and with the approval of a supervisor, are officers allowed to have any other VPD officer or outside agency process their DUI arrest and investigation.

Arranging for a ride home in lieu of a physical arrest for a DUI or physical control charges is prohibited. Officers will be expected to use discretion pertaining to booking versus citing and releasing those who have been arrested for a DUI charge.

514.8.1 WARRANTLESS ARREST
An officer having probable cause to believe that a person is DUI may make a warrantless arrest of the person whether or not the officer observed the violation first hand (RCW 10.31.100(3)(d)).

Arrests supported by probable cause for DUI are mandatory if the police officer has knowledge that the person has been convicted of a DUI or a “prior offense” (as defined by RCW 46.61.5055) in the past 10 years (RCW 10.31.100).

514.8.2 OFFICER’S RESPONSIBILITIES
If a person refuses to submit to a breath test, or the results from the test render a prohibited alcohol or THC concentration in the person’s breath or blood, the officer shall (RCW 46.20.308(6)):

(a) Serve the notice of intention to suspend, revoke, or deny the person’s license or permit to drive.

(b) Provide the person with a written notice of their right to a hearing before the Department of Licensing (DOL).

(c) Advise the person that his/her marked license or permit is a temporary license.

(d) Officers will submit the WSP DUI report to the Records Division who will then submit the report to the DOL within 72 hours. The report states:

1. The officer had reasonable grounds to believe the person was DUI.
2. After having received the required statutory warnings, the person either refused to submit to a test of his/her blood or breath or submitted to a test that rendered a prohibited alcohol or THC concentration of the person’s breath or blood.

514.8.3 STATUTORY WARNING
An officer requesting that a person submit to a breath test shall provide the person with the mandatory warnings pursuant to RCW 46.20.308(2).

514.8.4 ADDITIONAL TESTING
A person submitting to a breath test pursuant to this policy may have a qualified person of his/her own choosing administer one or more tests in addition to any administered at the direction of an officer (RCW 46.61.506).

514.9 RECORDS DIVISION RESPONSIBILITIES
The Vancouver Police Department Record's Division will ensure that all case related records are transmitted according to current records procedures and as required by the Clark County Prosecuting Attorney's Office and/or Vancouver City Attorney's Office.

514.10 ADMINISTRATIVE HEARINGS
Any officer who receives notice of required attendance to an administrative license suspension hearing should refer the requesting party to the Clark County Prosecuting and/or Vancouver City Attorney’s Office for subpoena service.

Specific details of the hearing generally should not be included in the original or supplemental report unless errors, additional evidence or witnesses are identified. The Records Division should forward any additional reports to the appropriate prosecuting office as the case file.

514.11 TRAINING
The Training Unit shall ensure that all sworn officers have available to them regular DUI training which may include at a minimum current laws on impaired driving, investigative techniques, rules of evidence, and BAC/SFST certification. The Training Unit should confer with the Clark County Prosecuting Attorney’s Office, Vancouver City Attorney's Office, and subject matter experts to update training topics as needed.
Chapter 6 - Investigation Operations
Criminal Street Gangs

601.1 PURPOSE AND SCOPE
This policy establishes a procedure for identifying criminal street gangs, participants of criminal street gangs, and patterns of criminal activity.

The Department recognizes that criminal gangs, by their very nature, pose a grave threat to the safety of police and citizens who encounter them. The Department may gather and organize information about participants in criminal gang activity in order to effectively address the law enforcement problem which criminal gangs present.

The Department also recognizes that it is not a crime to be associated with a gang. Therefore, the designation of a person as a criminal gang associate or member does not give any police officer the authority to take action against that individual which could not be lawfully taken against a person not designated as a gang associate or member.

601.2 DEFINITIONS
Criminal Street Gang: Shall mean any ongoing organization, association, or group of three or more persons, whether formal or informal, having a common name or common identifying sign or symbol, having as one of its primary activities the commission of criminal acts, and whose members or associates individually or collectively engage or have engaged in a pattern of criminal activity.

Criminal Street Gang Associate or Member: Shall mean any person who actively participates in any criminal street gang and who intentionally promotes, furthers, or assists in any criminal act by the criminal street gang.

Criminal Street Gang Affiliate: An individual who does not meet the criteria for a street gang member but is known to have a close connection with active gang members, and law enforcement personnel have established a reasonable suspicion that the individual is involved in criminal activity or enterprise, or promotes the criminal activity of a gang.

Gang Related Crime: Shall mean any crime, which is committed for the benefit of, at the direction of, or in association with, a criminal street gang with the intent to promote, further or assist any criminal street gang.

601.3 IDENTIFICATION OF CRIMINAL STREET GANGS/PARTICIPANTS
Vancouver Police personnel shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

a. A group of three or more individuals shall be designated a criminal street gang when:

1. Any formal or informal ongoing organization, association, or grouping exists.
2. They have a common name or common identifying sign or symbol.
3. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal acts.
4. One or more members individually or collectively have engaged in a pattern of criminal gang activity.

b. An individual can be designated as an associate or member of a criminal street gang and included in a gang file when there is sufficient evidence of gang affiliation. To establish sufficient evidence, one indicator from list “A” or two indicators from list “B” must be present:
List A:

1. The person admits or asserts membership in a criminal street gang to law enforcement.
2. The person participates in a criminal gang initiation ritual or ceremony.
3. The person conspires to commit, or commits a crime:
   (a) Which is part of a pattern of street crimes facilitated by the efforts of other gang members or associates which advance the interests of the person; OR
   (b) To attract the attention of the criminal gang or enhance the standing of the person with the criminal gang; OR
   (c) For the benefit of the gang; OR
   (d) To announce the existence of the gang, its membership or its territorial claims; OR
   (e) In response to the race, color religion, sexual preference, national origin, or gang association of the victim.

List B:

1. The person displays knowledge of the gang's history, leadership, activities or rituals in a context which clearly indicates affiliation with the gang.
2. The person announces to the police that the person is willing to commit assaults, other crimes, or make other sacrifices for the gang.
3. The person wears clothes or jewelry unique to a gang in a context which clearly indicates membership in the gang.
4. The person uses a hand sign or language which, due to content or context, clearly indicates affiliation with the gang.
5. The person's name appears on a criminal street gang document.
6. The person is in a photograph with other people who collectively display criminal gang signs or apparel to exhibit solidarity.
7. A Confidential Reliable Informant ("CRI") identifies the person as a member of a gang.
8. The person possesses a gang tattoo.

601.4 CRIMINAL STREET GANG DATABASE

VPD will use WSIN, or other state approved gang database, to maintain Department gang information. Members of the Department shall not use the current report writing program as a gang database and shall not use the information contained in the police writing program as such.

The Department will use the following guidelines for entering gang information into WSIN or another state approved gang database:

1. Suspicious incidents, information reports and criminal incidents that appear to be criminal street gang related will be documented in a police report.
   (a) The reporting officer shall describe why the incident may be criminal street gang related and document statements and information supporting the belief that involvement of a criminal street gang has occurred.
(b) The officer shall specifically indicate that a copy of the report be routed to the gang unit supervisor or other person designated by the Office of the Chief for review.

2. The gang unit supervisor or other person designated by the Office of the Chief, will review all submitted reports and determine whether the facts of the report meet the criteria set forth in this policy for designation as a street gang or street gang associate/member.

If the necessary criteria are met, the gang unit supervisor or other person designated by the Office, of the Chief should forward the information for entry into WSIN, or another state approved gang database, on a case by case basis.

The gang database may include:

(a) Names, aliases, monikers, addresses, and other relevant identifying information.
(b) Gang name.
(c) Justification used to identify an individual as a criminal street gang participant.
(d) Vehicle(s) known to be used.
(e) Cross references to other identified gangs, gang members, or gang associates.

601.5 FIELD CONTACTS
1. Field Interviews: Officers who contact individuals who are, or may be participants in criminal street gang activity should complete a police report and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant.

2. Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of Policy Manual § 440 (Photographing of Field Detainees).

601.6 DISSEMINATION OF GANG DATABASE INFORMATION
Information from WSIN, or another state approved gang database, may be furnished to Department personnel and other public law enforcement agencies on a need-to-know basis only and dependent on the individual databases rules of release.
Arson/Explosives Unit

604.1 PURPOSE AND SCOPE
This policy provides guidelines for arson/explosives investigations and utilizing the Arson/Explosives Unit.

604.2 POLICY
VPD authorizes an Arson/Explosives Unit to enhance law enforcement efforts and increase the rate of apprehension and prosecution in crimes of arson and explosives.

The Arson/Explosives Unit:

1. Works as a team with the Vancouver Fire Department, the Prosecutors Office and the Bureau of Alcohol Tobacco and Firearms to investigate and prosecute arsons and misuse of explosive devices in the city of Vancouver.

2. Works to deter arson and explosives related crimes by aggressively investigating and seeking prosecution for arson and crimes in which explosive devices have been used.

3. Attempts to increase the Department's rate of apprehensions and prosecution in crimes of arson and the use of, or manufacturing of explosives through the use of proper evidence collection and preservation, using established and recognized scientific methods of fire and law enforcement procedures in accordance with applicable local, state, and federal law.

4. Assists the VPD Major Crimes Unit in homicide and suspicious death investigations in which arson or incendiary devises play a part.

5. Attends additional training to adequately investigate arson and explosives in general.

6. Maintains and operates vehicles specifically containing arson and explosive personal protective equipment and evidence collecting material.

7. The Arson/Explosives Unit includes officer(s) collaterally assigned to conduct arson related crimes as well as the VPD officer(s) assigned to the Portland Metro Explosives Disposal Unit (MEDU). These officers attend additional training to adequately investigate arson and/or explosives in general.

604.3 ARSON UNIT DEPLOYMENT

A. Procedures for utilizing the Arson Investigator

1. The on-call Fire Marshall is responsible for the initial fire response. If the Fire Marshall determines that a VPD arson investigator is required to assist, they will contact CRESA in order to notify an Arson Investigator. An Arson Investigator who is on-duty will be contacted before contacting an investigator who is off-duty.

2. The Arson Investigator will assess the information provided by the Fire Marshall. If the investigator is currently on duty, they will immediately notify their on-duty patrol sergeant that they have been called to an arson or explosives incident.
Arson/Explosives Unit

3. The on-duty Patrol Supervisor should make every effort to allow the investigator to respond to the incident and assist the Fire Marshal. When applicable, the on-duty Patrol Supervisor will ensure that the Arson Supervisor is notified and make command notifications as well.

4. The investigator will respond to the scene and will work with the Fire Department or other investigative agency in determining the origin and cause of the fire, and the collection and preservation of evidence relating to the cause of the fire. Under most circumstances, the investigator will maintain control of all evidence for court purposes.

5. Evidence shall be processed in accordance with Vancouver Police Department guidelines.

B. Explosives Investigator

1. The Arson/Explosives Unit includes officers who are collaterally assigned to conduct arson related crimes as well as the VPD officer(s) assigned to the Portland Metro Explosives Disposal Unit (MEDU). MEDU officer(s) attend additional training to adequately investigate explosives.

2. The MEDU officer falls under the Property Crimes Unit chain of command only while serving as an investigator and conducting follow-up investigations on incidents involving explosive devices. During all other times, including during MEDU related emergency call-outs, the MEDU officer remains under the Special Operations Division chain of command.

C. On Duty Investigators

1. If an on-duty arson/explosives investigator is called to assist with an investigation, the on-duty patrol supervisor will attempt to determine the length of the investigation and ensure that the patrol staffing levels are maintained during the investigation.

2. If a staffing shortage is created on the investigator's original patrol shift(s), the supervisor should make arrangements to call in or hold over personnel for the remainder of the shift.

3. The on-duty patrol supervisor should make every effort to ensure that the investigator(s) are free to investigate the incident without having to perform patrol duties when possible. This in no way prohibits a supervisor from requesting that an investigator leave the scene of an investigation for emergency circumstances as they deem appropriate.

604.3.1 ARSON UNIT SUPERVISOR RESPONSIBILITIES

1. Overall coordination of the unit and for supervising the assigned investigators.

2. Case management of the unit and keeping statistical records detailing the unit activities.

3. The Arson Unit will be supervised by the property crimes sergeant.
604.4 ARSON INVESTIGATOR MINIMUM QUALIFICATIONS

1. Investigators must be able to wear all assigned duty gear and work in a hazardous environment for long periods of time.

2. Investigators who are assigned special law enforcement commissions in the State of Oregon must notify the unit supervisor before conducting any operations in that state.
Asset Forfeiture

606.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

606.1.1 DEFINITIONS
Definitions related to this policy include:

**Administrative Agent** - The person designated by the Chief of Police to be responsible for distributing any proceeds realized from any forfeiture proceedings. This includes anytime the Vancouver Police Department seizes property for forfeiture or when the Vancouver Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

**Administrative Manager** - The person designated by the Chief of Police responsible for administrative oversight and acting as a liaison between the Department and the assigned City Attorney.

**Forfeiture** - The process by which legal ownership of an asset is transferred to a government or other authority.

**Forfeiture Counsel** - The City of Vancouver Law Department.

**Hearing Examiner** - The Department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and conducting asset forfeiture hearings.

**Property subject to forfeiture** - Generally includes, but is not limited to:

(a) Firearms that were carried, possessed or sold illegally (RCW 9.41.098).

(b) Devices, profits, proceeds, associated equipment and conveyances related to illegal gambling (RCW 9.46.231).

(c) Interests, proceeds, etc. related to organized crime (RCW 9A.82.060), criminal profiteering (RCW 9A.82.080), human trafficking (RCW 9A.40.100), commercial sexual abuse of a minor (RCW 9.68A.100) or promoting prostitution (RCW 9A.88.070) (RCW 9A.82.100).

(d) Proceeds traceable to or derived from money laundering (RCW 9A.83.020; RCW 9A.83.030).

(e) Property acquired or maintained in relation to commercial sexual abuse of a minor (RCW 9.68A.100), promoting commercial sexual abuse of a minor (RCW 9.68A.101) or promoting prostitution in the first degree (RCW 9A.88.070), and conveyances used to facilitate these offenses (RCW 9A.88.150).

(f) Personal property, money, a vehicle, etc. that was used to commit a felony or was acquired through the commission of a felony not covered under another forfeiture statute (RCW 10.105.010).
Asset Forfeiture

(g) Personal property, money, a vehicle, etc. that was acquired through the commission of a crime involving theft, trafficking or unlawful possession of commercial metal property, or facilitating such crimes (RCW 19.290.230).

(h) Conveyances, including aircraft, vehicles or vessels, used for the violation of the Uniform Controlled Substances Act and proceeds from these violations (money, real property, etc.) (RCW 69.50.505).

(i) Boats, vehicles, gear, etc. used for poaching/wildlife crimes (RCW 77.15.070).

Seizure – The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities. Those items seized will be stored securely in an authorized evidence facility unless the size of the item dictates storage at another secure location.

606.2 POLICY
The Vancouver Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person’s due process rights.

It is the policy of the Vancouver Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

606.3 ASSET SEIZURE
Property may be seized for forfeiture as provided in policy and state law (RCW 10.105.010; 19.290.230; RCW 69.50.505).

606.3.1 PROPERTY SUBJECT TO SEIZURE
The following may be seized upon review and approval of a supervisor:

1. Real or personal property subject to forfeiture identified in a court order authorizing seizure.

2. Property subject to forfeiture without a court order when the property is lawfully seized incident to an arrest, the service of a search warrant or the service of an administrative inspection warrant.

3. Property subject to forfeiture can also be seized without a court order when:
   (a) There is probable cause to believe that the property was used or is intended to be used for illegal gambling (RCW 9.46.231).
   (b) There is probable cause to believe that the property was used or is intended to be used for the commercial sexual abuse of a minor (RCW 9.68A.100; RCW 9.68A.101) or promoting prostitution in the first degree (RCW 9A.88.070) (RCW 9A.88.150).
   (c) There is probable cause to believe that the property was used or is intended to be used in the commission of any felony (RCW 10.105.010).
separate statutes regarding seizures for felonies involving commercial metal, “bootlegging,” criminal profiteering or money laundering (RCW 19.290.00095; RCW 66.32.020; RCW 9A.82.100; RCW 9A.8030).

(d) There is probable cause to believe that the property was used or is intended to be used in violation of the Uniform Controlled Substances Act (RCW 69.50.505).

(e) There is probable cause to believe that the property was used or is intended to be used for poaching/wildlife crimes (RCW 77.1070).

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

606.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

1. Cash and property that does not meet the supervisors approval based on the circumstances.
2. Property from an “innocent owner,” or a person who had no knowledge of the offense or who did not consent to the property’s use.
3. No vehicle or other conveyance based on a misdemeanor involving marijuana (RCW 69.50.505).
4. Vehicles/conveyances that would be subject to forfeiture if more than 10 days have elapsed since the owner’s arrest and no court order has been issued (RCW 9.46.231; RCW 9A.88.150; RCW 69.50.505).
5. Any item intended to be used solely as evidence or taken so it could be returned to a victim.

606.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS
When property or cash subject to this policy is seized, the officer making the seizure shall ensure compliance with the following:

1. All property seized for forfeiture is checked to determine if the property has been stolen.
2. Complete applicable seizure forms and present the appropriate copy to the person from whom the property is seized or any person with a reasonable claim of ownership. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found if it is reasonable to do so.
3. In cases where the legal owner of the property is determined to be a business, Notice of Seizure shall also be served on the Registered Agent if one exists.
4. Complete and submit a report and original seizure forms within 24 hours of the seizure. If this cannot be accomplished, notification will be made to the supervisor.
5. Forward the original seizure forms and related reports to the administrative agent within two days of seizure.
Asset Forfeiture

The officer will book seized property into the evidence system using the appropriate property type code to designate the item as seized for forfeiture. Each distinct piece of property seized should be entered as a separate item.

Photographs should be taken of items seized, particularly cash, jewelry and other valuable items. Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

The Notice of Seizure and Intended Forfeiture Form, in triplicate, can be located in each precinct. A copy for review has been attached to this policy.

See attachment: Notice of seizure and intended forfeiture.pdf

606.4.1 EVIDENCE PROCEDURES FOR SEIZED PROPERTY
The Evidence Coordinator is responsible for ensuring compliance with the following:

1. All property received for forfeiture is secured and property stored to prevent waste and preserve its condition.

2. All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

3. Property received for forfeiture is not used unless the forfeiture action and a conversion authorization have been completed.

606.5 PROCESSING SEIZED VEHICLE FOR FORFEITURE PROCEEDINGS
When an officer develops probable cause to seize a vehicle for forfeiture, the officer will observe the following procedures to impound the vehicle:

1. Contents of the vehicle with any apparent value should be removed and left with the owner if possible.

2. All vehicles seized for forfeiture will be towed to the VPD Evidence lot unless covered storage is required.

3. An officer will accompany the tow truck with the impounded vehicle to the Evidence building. Upon arrival at the Evidence building, the officer will ensure the vehicle is parked in the fenced lot and submit documentation including the following:

4. Originally signed Notice of Seizure and Intended Forfeiture Form and a copy of the WACIC vehicle registration information are forwarded to the administrative agent.

5. Special instructions for the vehicle (ex. X-ray the vehicle, check with drug dog) will be included in the RMS police report. Evidence will not perform any special operations which require a search warrant or officer to perform.

6. Contents remaining with the vehicle that have no evidentiary or minimal monetary value may be left in the vehicle. All other property must be removed and submitted into evidence for safekeeping.
7. Lock the vehicle doors and roll up the windows or wrap in plastic to secure the vehicle if it cannot be secured otherwise.

8. Keys to the vehicle and a copy of the Notice of Seizure and Intended Forfeiture form will be placed in an envelope and submitted to evidence personnel for storage. These items are not to be booked into the evidence system.

9. Evidence personnel should be notified via e-mail that a vehicle has been submitted to the Evidence lot.

10. A RMS police report will be completed including vehicle information, condition (e.g., interior/exterior damage, unsecured doors, and broken windows), legal and registered owners, and reason for seizure. Photographs of all four sides and interior will be submitted with the RMS police report.

606.5.1 EVIDENCE PROCEDURES FOR SEIZED VEHICLES

When a vehicle has been seized for forfeiture, Evidence personnel will perform the following procedures:

1. Evidence will collect all keys and forms left by the seizing officer. Keys to seized vehicles will be securely maintained in the Evidence facility.

2. Prior to the forfeiture hearing, calls made to Evidence from owners requesting release of their vehicle will be referred to the Administrative Agent. Calls made to Evidence from owners requesting release of property from within the vehicle will be referred to the officer.

3. If the vehicle is forfeited to the Department, the Administrative Agent will notify the Material Control Administrator and Evidence personnel. The Material Control Administrator will coordinate with Evidence personnel to dispose of the vehicle.

4. If the vehicle is not forfeited, the vehicle will be released according to the instructions of the Hearing Examiner.

5. Evidence personnel will arrange for the release of non-forfeited vehicle and obtain a signed receipt at the time of release. A copy of this receipt will be forwarded to the Administrative Agent.

Unclaimed vehicles will be treated as unclaimed property and be disposed according to Department policy.

The Materials Control Administrator will ensure that forfeited vehicles are prepared for auction or Departmental use.

606.6 HEARINGS EXAMINER

The Chief of Police will appoint a forfeiture hearings examiner. Prior to assuming duties, or as soon as practicable thereafter, the Hearings Examiner should attend a course approved by the Department on asset forfeiture.

The responsibilities of the Hearings Examiner include, but may be delegated to another Department member or the Forfeiture Counsel, are:
(a) Remaining familiar with forfeiture laws, particularly those cited in this policy and the forfeiture policies of the Forfeiture Counsel.

(b) Serving as the liaison between the Department and the Forfeiture Counsel and ensuring prompt legal review of all seizures.

(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing and tracking forfeitures.

(d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The Hearings Examiner, or designee, should contact federal authorities when appropriate.

(e) Ensuring that responsibilities, including the designation of an Administrative Agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(f) Ensuring that seizure forms are available and appropriate for Department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:

1. Names and contact information for all relevant persons and law enforcement officers involved.

2. A space for the signature of the person from whom cash or property is being seized.

3. A copy should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure and a detailed description of the items seized.

(g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or General Orders. The training should cover this policy and address any relevant statutory changes and court decisions.

(h) Reviewing each asset forfeiture case to ensure that:

1. Written documentation of the seizure and the items seized is in the case file.

2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.

3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.

   (a) Generally, 15 days’ notice. (Gambling RCW 9.46.231; Money laundering RCW 9A.83.030; Child prostitution RCW 9A.88.150; Felonies RCW 10.105.010; Commercial metal RCW 19.290.230; Controlled substances RCW 69.50.505; Fish and wildlife enforcement RCW 77.15.070).
(b) Generally, 15 days’ notice for conveyances. (Gambling RCW 9.46.231; Child prostitution RCW 9A.88.150; Controlled substances RCW 69.50.505).

4. Property is promptly released to those entitled to its return.

5. Any cash received is deposited with the City of Vancouver.

6. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.

7. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(i) Ensuring that the process of selling or adding forfeited property to the Department’s regular inventory is in accordance with all applicable laws and consistent with the Department’s use and disposition of similar property.

(j) Upon completion of any forfeiture process, ensuring that no property is retained by the Vancouver Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.

(k) Addressing any landlord claims for reimbursement through forfeited assets or damage to property (RCW 9.46.231; RCW 69.50.505).

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

606.7 DISPOSITION OF PROPERTY

No member of this Department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No Department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.
Investigative Funds

607.1 PURPOSE AND SCOPE
This policy provides control and accounting procedures for investigative funds used by members of the Vancouver Police Department. This policy applies when investigative funds fall under the oversight of this Department. Vancouver Police personnel assigned to a task force which has its own investigative funds policy approved by its Executive Board shall follow the policy and procedures adopted for that task force when using investigative funds overseen by that entity.

607.2 POLICY
The Vancouver Police Department maintains stringent control over all investigative fund monies to ensure that the funds are used only for authorized purposes.

607.3 DEFINITIONS
Custodian (Primary) – A sworn VPD officer at the rank of Lieutenant who is authorized by VPD and the City through the procedures outlined in this policy as having the responsibility to maintain a petty cash fund by the Treasury, Department of Financial and Management Services for the City of Vancouver.

Custodian (Alternate) – A sworn VPD officer at the rank of Lieutenant who is authorized by VPD and the City through the procedures outlined in this policy to accept a temporary full transfer of an investigative fund from the primary custodian for purposes such as extended leave or vacation. Alternate custodians have the same responsibilities as the primary custodian during that person’s absence. Alternate Custodians shall be a full-time employee of the City of Vancouver.

Custodian (Subordinate) – A sworn VPD officer at the rank of Sergeant who is temporarily assigned an allotted disbursement of an investigative fund, from the primary custodian, for retention beyond a one-time incident or action. Subordinate Custodians shall be a full-time employee of the City of Vancouver and cannot be an employee of another entity or agency assigned to a unit managed by the Department.

Disbursement – The expenditure of funds for the law enforcement investigations or the temporary reassignment of the funds from the custodian to another Department employee as a subordinate custodian.

Investigative Funds – Cash funds established for the purpose of conducting criminal investigations wherein expenditures are used to support criminal charges such as the sale of controlled substances or stolen property, in investigations where the transfer of cash represents a significant step in the furtherance of the crime or where payment(s) cannot come from a publicly traceable source such as to a reliable informant. Investigative funds are not to be used for supplies and/or maintenance needs. Investigative funds shall be classified into two categories for accounting purpose identification.
Investigative Funds

**Drug Funds** – Residual net proceeds not required to be paid to the State Treasurer as ordered by the court pursuant to a civil hearing or a drug related prosecution; or from property forfeited or deemed to have been lawfully seized after a hearing conducted under RCW Title 34, as proceed of the manufacture, distribution or sales of controlled substances. Drug Fund expenditures are for the exclusive use of enforcing RCW Title 69.50, the Uniform Controlled Substances Act (UCSA) and may not be used to supplant preexisting funding sources.

**General Investigations Funds** – Cash funds maintained by an individual custodian for non-UCSA related expenditures.

**Reconciliation** – A process of comparing petty cash available at any given time, plus the total from disbursement receipts, to account for the full amount equal to the authorized petty cash assigned to the custodian and all subordinate custodians.

**Soft Reconciliation** – Submission of all receipts and a physical presentation of all residual funds for accounting purposes from the subordinate custodian to the primary custodian.

**Replenishment** – A process of submitting reconciliation documents to the City of Vancouver Treasury and obtaining replacement petty cash equal to the full authorized amount.

### 607.4 PROCEDURE FOR ESTABLISHING AN INVESTIGATIVE PETTY CASH FUND

To obtain authorization to be a primary custodian and to establish an investigative petty cash fund, a Commander shall submit a memorandum to their Bureau Assistant Chief requesting for authorization explaining the need and projected use of the funds. The Commander shall complete and submit a City of Vancouver Request to Establish Petty Cash Fund form with the memorandum. The memorandum and form shall be forwarded through the Chain of Command and to the City Finance Department for authorization.

See attachment: 607 COV Request To Establish Petty Cash Fund.pdf

If the custodian and petty cash fund are authorized, the VPD Finance and Logistics Supervisor will submit the necessary form to the Treasury, Department of Financial and Management Services, as mandated by the City of Vancouver Petty Cash Policies and Procedure Manual. The request form shall be forward through the chain of command, to the Commander authorizing the investigative cash fund, who will sign the form for departmental authorization.


### 607.5 OBTAINING FUNDS

If fully authorized under the City of Vancouver Petty Cash Policies and Procedures, the custodian of a petty cash fund will be issued a check from the Treasury. No funds other than those issued by the Treasury shall be used to establish an investigative fund.
Investigative Funds

607.6 SECURITY OF FUNDS
All investigative petty cash funds not disbursed for immediate use shall be kept in a secure locked container. Physical possession of the key(s) or combination to the container shall be maintained by individual custodians and not available to other individuals. Physical security of all funds is the responsibility of the custodian or any subordinate custodian.

607.7 USE OF INVESTIGATIVE PETTY CASH FUNDS
All use of investigative funds shall be for business related disbursement only. At no times shall investigative funds be borrowed, loaned or used by any employee for personal reasons.

Investigative funds in the possession of individual custodians shall not be used for supplies or maintenance needs.

607.8 REPLENISHMENT
A request for replenishment of funds must be completed at least once per month or at any time that the fund balance reaches 50% expenditure. General requests for fund replenishment shall be submitted with reconciliation documentation, unless otherwise necessary due to over 50% fund expenditure before reconciliation.

607.9 TRANSFER OF INVESTIGATIVE FUNDS
The permanent transfer of an investigative petty cash fund from one custodian to another must be authorized in writing by the Division Commander. If the transfer is between two individuals with the rank of Commander, it shall be authorized by the Bureau Assistant Chief. The VPD Finance and Logistics Supervisor shall notify the City of Vancouver Treasury of any permanent transfer.

At the time of transfer, a full reconciliation of all monies and receipts, including those temporarily reassigned to subordinate, shall occur. The new custodian must physically count all monies associated with the account in the presence of the outgoing custodian. Further transfer directives of the City of Vancouver Petty Cash Policies and Procedures shall be followed.

607.10 DISBURSEMENT
Primary Custodians shall disburse funds as follows:

1. The funds shall be identified by type and recorded on a VPD Custodial Level Funds Disbursement Record form. The forms shall be signed by the recipient and the custodian.

2. Funds issued for a single transaction, incident, or other use shall be identified by type; Drug Fund or General Investigations Fund.

3. Funds temporarily reassigned to a subordinate custodian for on-going operational needs, shall be identified as such.

4. VPD Custodial Level Funds Disbursement Record forms shall be maintained by the primary custodian until reconciliation.


Investigative Funds

5. The temporary reassignment of funds from the primary custodian to a subordinate custodian shall be made at the discretion of the custodian responsible for the investigative petty cash fund.

See attachment: 607 VPD Custodian Level Funds Disbursement Record.pdf

Subordinate custodians shall disburse funds as follows:

1. The use shall be documents on a Funds Use/Receipt form.

2. The individual who has obtained the investigative funds shall identify the use of type; Drug Fund or General Investigations Fund.

3. If a subordinate custodian is a supervisor who is going to disburse funds to another individual, the Funds Use/Receipt form shall be completed and signed by the recipient and subordinate custodian.

4. A copy of the form or other transaction should be kept, until the form is returned.

5. The employee using the funds shall fully complete the expenditure block of the form.

6. If payment is to be made to an informant, the disbursement shall be recorded on the form and witnessed and all procedures outlined in this policy and Policy 608 – Confidential Informant.

7. The informant shall sign the document with their true name.

8. Funds Use/Receipt forms shall be maintained by the employee accepting the investigative funds until the action is completed.

9. Use/Receipt forms shall be completed in full, contain all required signatures and distributed as noted on the form. Blocks not used shall be marked N/A.

10. Subordinate Custodians directly using funds, without subsequent disbursement, shall complete a Funds Use/Receipts form for all expenditures.

See attachment: 607 Funds Use Receipt Form.pdf

Investigative petty cash funds may be disbursed to members or other agencies attached to VPD managed units and teams on an individual action basis and related to incidents or individuals associated to VPD jurisdiction. No member of a unit or team, other than a fulltime employee of the City of Vancouver, shall be temporarily reassigned funds as a subordinate custodian. It shall be the responsibility of the custodian or subordinate custodian providing the funds for an individual action disbursement to ensure the use has been properly documented on a Funds Use/Receipts form, by the member of any agency.

607.11 RECONCILIATION

All members of the agency who control an investigative petty cash fund, or possess a temporary reassignment of money from an investigative fund shall be able to account for those funds at any point.
607.11.1  RECONCILIATION TIMELINES
Reconciliation shall occur as follows or as otherwise directed by the City of Vancouver Petty Cash Policies and Procedures.

1. Full City of Vancouver Treasury reconciliations shall occur monthly regardless of the fund total.

2. Investigative Funds over $600 shall be reconciled weekly. Weekly reconciliations will be retained by the custodian and are subject to audit. Weekly reconciliation does not necessitate the recall of disbursements to subordinate custodians. Amounts disburse on a VPD Custodial Level Funds Disbursement Record form should be added and included in a weekly reconciliation as receipt totals.

3. The primary shall be responsible for reconciliation of all funds assigned to them when required pursuant to City of Vancouver Petty Cash Policies and Procedures.

4. A subordinate custodian shall be responsible for a soft-reconciliation of temporarily reassigned cash monthly or when otherwise directed by the primary custodian.

The custodian shall keep a copy of all reconciliation sheet and related disbursement receipts.

607.11.2  CUSTODIAL DEPARTMENTAL TRANSACTION RECONCILIATION
The appropriate sections of the VPD Command Level Funds Disbursement Record form shall be completed by the custodian, to reconcile the expenditure(s) relating to every disbursement. Copies of all supporting receipts for expenditures shall be attached to the VPD Command Level Funds Disbursement Record form. The custodian will sign the reconciliation confirmation. In the event that funds or a residual amount of an initial disbursement are returned, that information shall be noted on the VPD Command Level Funds Disbursement Record form. For single transactions, incidents or uses, the expended funds total and any returned total shall equal the initial transfer amount.

For funds temporarily reassigned to a subordinate custodian, Funds Use/Receipts form shall be collected from that individual for all expenditures and noted in an on-going method on the form. Soft-reconciliation and monthly confirmation of funds shall be documented on the VPD Command Level Funds Disbursement Record form if the subordinate custodian retains unused funds.

607.11.3  CUSTODIAN CITY OF VANCOUVER TREASURY RECONCILIATION
A City of Vancouver Treasury approved Petty Cash Reconciliation Sheet will be used. Original documents for closed or completed VPD Command Level Funds Disbursement Records form with receipts shall be attached to the City of Vancouver Petty Cash Reconciliation Sheet. A copy of active VPD Custodian Level Funds Disbursement Records form for subordinate custodians retaining unused funds shall be attached.

See attachment: 607 COV Petty Cash Reconciliation Sheet.pdf

The City of Vancouver Petty Cash Reconciliation Sheet and related disbursement receipts shall be sent to the to the VPD Finance and Logistics Supervisor for oversight and specific account
type determination. Once processed, the VPD Finance and Logistics Supervisor or their designee shall forward the City of Vancouver Petty Cash Reconciliation Sheet and associated expenditure documentation, as necessary, to the Treasury.

607.11.4 AUDIT
All Investigative Funds shall be subject to a quarterly audit by the VPD Finance and Logistics Supervisor.

Investigative Funds are subject to audit by the City of Vancouver Internal Auditor, or the Washington State Auditor's Office independent from internal VPD audits, at any time. For an audit conducted by any person who is not an employee of this Department, identification shall be obtained prior to allowing access to records or funds.

607.12 INFORMANT PAYMENT PROCEDURES
Officers must follow the procedures outlined in this policy for cash disbursements policy to confidential informants.

607.12.1 DETERMINING THE AMOUNT OF PAYMENT
No informant will be told in advance or given an exact amount or percentage for services rendered or property seized. The amount of funds to be paid to any informant will be evaluated against the following criteria:

1. The nature and complexity of the investigation.
2. The impact of the investigation to the community.
3. The extent of the informant’s personal involvement in the case including the usefulness of the information provided by the informant and the informant’s willingness to testify in court.
4. Past reliability and work record of the informant.
5. The quality of the violator arrested.
6. The informant’s previous criminal activity.
7. The level of risk taken by the informant.

Officers must obtain approval from their supervisor prior to paying an informant. Payments in excess of $250, for a single incident, must be approved by a Commander prior to payment. The above factors will be discussed to arrive at an appropriate payment.

607.12.2 PROCEDURES FOR PAYMENT
The following procedures must be followed anytime a payment is made to an informant:

1. The controlling officer must obtain authorization from a supervisor and complete a Funds Use/Receipt form prior to making payment.
2. The controlling officer, a witness officer, and the informant will all sign the receipt. The informant will sign using their true name.
Investigative Funds

3. The controlling officer will note the payment in the working file on the Informant Activity Record (form VPD –Informant IAR).

See attachment: 607 Informant Activity Report.pdf

4. Upon completion, the receipt will be forwarded to the officer’s supervisor to review for policy compliance.

5. Following review, the original copy with the signature of the informant will be hand delivered to Investigations Commander or designee for inclusion in the Master Informant File. This shall occur as soon as practical but no later than fifteen (15) calendar days following completion of the receipt.

6. The remaining copies of the Funds Use/Receipt form will be distributed as noted on the form.

607.12.3 USE OF BUY MONEY INVOLVING COOPERATING INDIVIDUALS
The following procedures must be followed for money used in conjunction with the involvement of cooperating individuals:

1. Officers of the same gender as the informant thoroughly search an informant before and after the buy.

2. If the informant’s vehicle or residence is used in the investigation, officers search those areas to which the informant had access.

3. Officers provide the informant with Investigative Funds that have been recorded by serial number.

4. Because VPD prohibits informants from using personal funds to buy contraband, officers take all personal funds from the informant prior to contact with the suspect, document the amount and document when it is returned to the informant.

5. Officers maintain surveillance on the informant following the search and until he/she meets with the officers to be debriefed.

6. Following the buy, officers retrieve all evidence and Investigative Funds from the informant.

7. Officers debrief the informant, write a report when there has been a completed buy and process all evidence pursuant to Department policy.

607.13 MONEY USED IN CONJUNCTION WITH LAW ENFORCEMENT ONLY INVESTIGATIVE ACTIVITIES
The following procedures must be followed for money used by members of law enforcement when cooperating individuals are not present:

1. All funds shall be recorded by serial number if used for any investigative purpose, or to purchase any item that may or may not have evidentiary value, even if the member has no intent to pursue criminal charges.
Investigative Funds

2. During any law enforcement action where Investigative Funds are used, the member possessing those funds shall not carry any personal money, credit cards, debit cards, or similar items of financial value.

3. No member shall make any transaction involving Department funds alone. Whenever possible, a second law enforcement member shall be present as a witness. If this is not possible due to operational impact, surveillance of the active member shall be conducted by other officers.

4. Following the law enforcement action, any residual funds shall be counted, reconciled with the initial disbursement for that action and returned to the custodian.

5. Items obtained shall be placed into evidence and reports completed to detail the incident, actions of the officer and full evidentiary tracking of funds used.

607.14 MONEY USED OTHER THAN FOR AN ACTIVE INVESTIGATION
Investigative funds, with supervisory approval, may be used as a method of continuing cooperation with an individual, while not directly paying them for an active investigation. This shall only happen when the cooperating individual meets the definition of an “Active” informant, in the Confidential Informant Policy and the expenditure can be justified as a benefit to the Department. An example is purchasing a pre-paid cellular telephone or making a payment to a service provider, to be able to maintain communication with the person. In this incident, the expenditure shall be noted on a Funds Use/Receipt form with use documentation noted under “CI Expense” to include an explanation. Other authorized expenditures, not related to a cooperating individual shall be noted under the “Other” box, with an explanation.
Confidential Informants

608.1 POLICY
Confidential informants may be used subject to this policy to gather criminal intelligence and to further criminal investigations. Only members who have completed Department approved training may utilize confidential informants or maintain informant files. Other employees may refer persons interested in working as a confidential informant to appropriate specialized unit personnel.

608.2 PURPOSE
This policy addresses the selection, development, recruitment and utilization of confidential informants and will help protect the integrity of the Vancouver Police Department and its members as well as the safety of confidential informants, law enforcement members, criminal suspects and the public.

608.3 DEFINITIONS
Confidential Informant (CI) – A person who provides criminal intelligence or investigative information on more than one occasion, whether or not the person indicates a desire to have their identity kept confidential and is under agreement with law enforcement to cooperate in return for some type of compensation (e.g., the deferment of charges or payment of monies). The term informant shall be given the same meaning.

Controlling Officer - Officer controlling the confidential informant.

608.4 TRAINING
Officers must pass a Department approved course of instruction regarding informant utilization before working with informants as a Controlling Officer. Such training is mandatory for all sworn members.

608.5 USE OF INFORMANTS
Before using an individual as a confidential informant the following conditions must be adhered to:

a. Informants must be formally established and approved by the officer’s on-duty supervisor before their utilization. The informant packet will then be reviewed and approved by the respective lieutenant as soon as practical.

b. The re-establishment of an informant previously declared unreliable requires prior approval from the lieutenant.

c. Informants are assets of the Vancouver Police Department, not specific officers. At their discretion, a lieutenant may transfer an informant to the control of another officer or unit. The lieutenant transferring control shall document the transfer in a memorandum and place it into the master informant file.
Confidential Informants

d. Officers utilizing informants shall minimize their access to knowledge of police facilities.

e. Actionable information from informants shall be documented in reports, i.e. police reports, working informant files, contact logs or search warrant, unless an exception is granted specifically by an informed supervisor. An example of inconsequential information is the informant calling the handler to check in or pass along information that would not result in a warrant, controlled buy, etc.

f. No informant will be used until their true identity has been established. Identity can be verified by the following resources: criminal history, Department of Licensing, police reports, and AFIS.

g. No information shall be provided with a VPD member's personal home address or home or cell phone number. Informants should make contact through pager or business calls only, except as might occur in unscheduled field meeting.

h. Informants shall be advised at the outset that their confidentiality cannot be guaranteed but that is protected under RCW 5.60.060(5) and RCW 42.56.240.

i. The disclosure of an informant's identity shall be avoided whenever possible.

608.5.1 JUVENILE INFORMANTS
The Vancouver Police Department will not use persons under the age of 18 as an undercover or confidential informant for the purpose of collecting evidence of criminal activity. This does not restrict or prohibit personnel from accepting and utilizing intelligence type information voluntarily offered by juveniles or obtained from them during the course of an investigation. VPD personnel may actively solicit information and assistance from juveniles in the solving of a crime. Juveniles will not be placed in a situation that foreseeably jeopardize their physical safety or mental health. An exception to this subsection may be granted only by a Lieutenant.

608.5.2 DEACTIVATE INFORMANT
Informants shall be deactivated when they:

a. No longer have the potential to furnish information or services which could lead to a significant prosecution of criminal activity and will not be able to within a reasonable period of time.

b. Are no longer willing to cooperate with the Vancouver police Department and its members.

c. Have determined to be unsatisfactory or unreliable.

d. Act in any way that would be endanger life or impede or jeopardize an investigation.

e. Attempt to use the Department to further their own criminal objectives.

f. Documentation shall be included in the informant file indicating the reason(s) for deactivation. If it involves the informant being unreliable due to an officer safety issue or jeopardizing an investigation those matters shall be brought to a lieutenant. Department members shall use the Informant Closure Form for the deactivation of an informant.
g. If an informant deactivation was the results of their becoming unreliable, documentation shall be completed and submitted to Western States Information Network (WSIN) identifying the informant and the associated problem(s).

608.6 INFORMANT ESTABLISHMENT
1. All informants shall be advised of the content of, and required to sign, the following forms:
   a. Special Consent Form; and
   b. Personal History Report.
2. Additional relevant information in establishing their credibility as an informant shall include:
   a. Photograph
   b. Criminal History Check (NCIC-III)
   c. Local History Check
3. All Master Informant Files shall have the following documentation:
   a. Deconfliction Form
   b. Informant Background Report
   c. Informant Closure Form
   d. Informant Personal History Form
   e. Informant Special Consent Agreement Form
   f. Criminal History Check

Follow this file directory:
SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service Area: Confidential Informant to obtain these forms.

4. The controlling officer will run a WSIN database check on all informants prior to utilization.

5. Active informants need to have a criminal history ran every six months to verify they are meeting Department active informant status. The new criminal history will be sent to the Informant Files Custodian to be filed in the Master Informant File.

608.6.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS
No member of the Vancouver Police Department shall knowingly maintain a social relationship with a confidential informant while off duty, or otherwise become intimately involved with a confidential informant. Members of the Vancouver Police Department shall neither solicit nor accept gratuities nor engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following must be adhered to:
   (a) Officers shall not withhold the identity of an informant from their superiors.
   (b) Identities of informants shall otherwise be kept confidential.
Confidential Informants

(c) Criminal activity by informants shall not be condoned.

(d) Informants shall be told they are not acting as police officers, employees or agents of the Vancouver Police Department, and that they shall not represent themselves as such.

(e) The relationship between officers and informants shall always be ethical and professional.

(f) Social contact shall be avoided unless necessary to conduct an official investigation, and only with prior approval of their supervisor.

(g) Whenever practical two VPD officers or one VPD officer and an officer of another law enforcement agency should be present at all informant contacts. Officers shall not meet with informants of the opposite sex in a private place unless accompanied by at least one additional officer or with prior approval of their supervisor. When contacting informants of either sex for the purpose of making payments officers shall arrange for the presence of another officer, whenever possible.

(h) Personal social contact with an informant is prohibited. Personal social contact with a known felon is prohibited, except as permitted by Department policy.

608.7 MAINTAINING INFORMANT FILE SYSTEM
All informant files, when actively being used, shall be maintained in a locked container, cabinet or drawer as follows:

1. Maintenance and Security of Informant Files:
   a. The Chief of Police shall designate a commissioned employee to serve as the Informant Files Custodian.
   b. The Informant Files Custodian shall be responsible for the maintenance and security of all Master Informant files. Separate files shall be maintained on each informant and shall be maintained in a secure area segregated from other files.
   c. Access to the Master Informant files for update and review purposes will occur only under the authority of the Informant Files Custodian who will document, name, rank/job title, employer, date of access and reason for the file review.
   d. Master and Working Informant files are confidential and shall not be disclosed. Exceptions are:
      i. Court order
      ii. Prior approval by Chief of Police, Assistant Chief, Commander or Lieutenant
      iii. To a Prosecuting Attorney or designee, if a file is related to prosecution or consideration for prosecution.

2. Working Informant Files:
Confidential Informants

a. A separate working file shall be established for each informant.

b. These files shall be stored in a location, segregated from any other files and shall include all Informant Activity Logs and copies of any Funds Use/Receipts used in conjunction with the informant. This log and shall be updated as officers and supervisors work with the informant. Follow this file directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service Area:
Confidential Informant to obtain these forms.

3. Informant Number

   a. Each informant shall be designated an informant number by the Master Informant File Custodian.

4. Informant papers files will be retained by the custodian for one year after the date of closure.

   a. Files will then be purged and documented in the CI File Destruction Record.

608.8 INFORMANT BUYS

Each buy will be controlled in the following manner:

1. The informant will have a non-invasive strip search conducted before and after each controlled buy. Searches shall be done by a law enforcement employee of the same sex as the informant unless approved by a supervisor. If the informant’s vehicle or residence is utilized in the investigation, a thorough search will also be conducted of those areas to which the informant had access.

   a. The circumstances for a search by an officer of the opposite sex will be documented in the activity log.

2. The informant will be given funds which have been recorded by serial number for purchase of contraband. The informant shall not purchase any contraband with their own personal funds. To avoid an error, all personal funds will be taken from the informant prior to contact with the suspect and a receipt given. The personal funds shall be returned to the informant upon completion of the buy and the informant will sign that the funds have been returned.

3. Continuous surveillance will be conducted on the informant after the search and until they meet officers to be debriefed.

4. The informant shall then be thoroughly searched again as above described. All evidence and buy funds will be retrieved from the informant.

5. On a controlled buy or reliability buy, the informant shall be thoroughly debriefed and a report shall be written and submitted to the appropriate supervisor.

608.8.1 INFORMANT PAYMENT PROCEDURE

Each payment made must follow this procedure:
Confidential Informants

1. Payments to informants less than $250 must be approved by a supervisor. Payments over $250 must be approved by a lieutenant.

2. Informants will be paid in amounts appropriate given the following criteria:
   b. Impact of the investigation to the community.
   c. Past reliability and work record.
   d. Willingness to testify in court.
   e. Usefulness of the information provided.

3. Informants will generally not be paid until completion of their services, unless approved by the unit supervisor.

4. Officers will not promise an informant a fixed sum of money without supervisory approval. Payment will not be based on a contingency agreement or on a percentage or property seized.

5. All expenses going out to informants will be accounted for in the following manner:
   a. Receipt number;
   b. Date of payment;
   c. The amount of payment;
   d. The Confidential Informant number
   e. The case number and type of case if applicable; and
   f. The reason for payment.

6. All Funds/Use Receipt forms will be signed by the informant, paying officer and witnessing officer. The CI’s full name shall be used, as initials - CI’s numbers or nicknames are not acceptable. The Funds/Use Receipt form will be used for all payments with informants.

   See attachment: 608 Funds Use Receipt Form.pdf

7. The yellow copy of the Funds/Use Receipt form will be provided to the unit supervisor. The unit supervisor will attach the Fund/Use Receipt forms to the VPD Custodian Level Funds Disbursement Record form upon reconciliation of funds with unit lieutenant.

   See attachment: 608 VPD Custodian Level Funds Disbursement Record.pdf

608.8.2 REPORTING OF PAYMENTS
Each confidential informant receiving a cash payment shall be informed of their responsibility to report the cash to the IRS as income. If funds distributed exceed $600 in any reporting year, the confidential informant should be provided IRS Form 1099 (26 CFR § 1.6041-1). If such documentation or reporting may reveal the identity of the confidential informant and by doing so
Confidential Informants

jeopardize any investigation, the safety of peace officers or the safety of the confidential informant (26 CFR § 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the confidential informant shall be advised the amount they must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of this notification. The acknowledgement shall be documented on the Informant Special Consent Agreement form and retained in the confidential informant’s file.

Follow this file directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service Area: Confidential Informant to obtain this form.
Eyewitness Identification

610.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this Department employ eyewitness identification techniques.

610.1.1 DEFINITIONS
Definitions related to the policy include:

**Eyewitness Identification Process** - Any field identification, live lineup or photographic identification (photo laydowns).

**Field Identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live Lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic Lineup (Photo Laydown)** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

610.2 POLICY
This Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

610.3 INTERPRETIVE SERVICES
Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

610.4 EYEWITNESS IDENTIFICATION FORM
The Investigations Division Commander or designee shall be responsible for the development and maintenance of an eyewitness identification process for use by Department members when they are conducting eyewitness identifications.

The process and any related forms or reports should provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.
Eyewitness Identification

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An admonishment that the suspect may or may not be among those presented and the witness is not obligated to make an identification.

(f) An admonishment to the witness the investigation will continue regardless of whether an identification is made by the witness.

(g) A signature line where the witness acknowledges he/she understands the identification procedures and instructions.

610.5 EYEWITNESS IDENTIFICATION

Officers are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Officers should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

610.5.1 PHOTOGRAPHIC (PHOTO LAYDOWN) AND LIVE LINEUP CONSIDERATIONS

When practicable, the person composing the lineup and the person presenting the lineup should not be directly involved in the investigation of the case. When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

When practicable, the employee presenting a lineup to a witness should not know which photograph or person is the suspect.

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The officer presenting the lineup to a witness should do so sequentially and not simultaneously (i.e., show the witness one person at a time). The witness should view all persons in the lineup.

The order of the suspect or the photos and the fillers should be randomized before being presented to each witness.
Eyewitness Identification

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating officer should contact the appropriate Prosecuting Attorney before proceeding.

610.5.2 FIELD IDENTIFICATION CONSIDERATIONS
Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo laydown or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases, a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.
(b) Assess whether a witness should be included in a field identification process by considering:
   1. The length of time the witness observed the suspect.
   2. The distance between the witness and the suspect.
   3. Whether the witness could view the suspect's face.
   4. The quality of the lighting when the suspect was observed by the witness.
   5. Whether there were distracting noises or activity during the observation.
   6. Any other circumstances affecting the witness's opportunity to observe the suspect.
   7. The length of time that has elapsed since the witness observed the suspect.
(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
(d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
(e) A person should not be shown to the same witness more than once.
(f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
(g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
(h) If a witness positively identifies an individual as the perpetrator, officers may not need to conduct any further field identifications with other witnesses for that suspect.
Eyewitness Identification

610.6 DOCUMENTATION
A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the report.

If a photographic lineup (photo laydown) is utilized, a photo copy of the witness signed laydown is made and attached as an orphan document in the case file. The original photo laydown will be submitted into evidence. If more than one photo laydown is presented, the order of the montages presented will be documented in the report.
Disclosure of Potential Impeachment (Brady) Material

612.1 PURPOSE AND SCOPE
This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information ("PID Material," sometimes referred to elsewhere as "Brady material") to the Vancouver City Prosecutor and the Clark County Prosecuting Attorney ("Prosecutor").

612.1.1 DEFINITIONS
Definitions related to this policy include:

Potential Impeachment Disclosure (PID) Material - Information known or possessed by the Vancouver Police Department that is both favorable and material to the accused, either because it is exculpatory or it is impeaching.

612.2 POLICY
The Vancouver Police Department (VPD) will conduct fair and impartial investigations, and will provide the prosecution with both incriminating and exculpatory evidence, to include information that may adversely affect the credibility of a witness for the State. In addition to reporting all evidence of guilt, VPD will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the accused. The Department will identify and disclose PID Material to the prosecution as provided in this policy.

612.3 DISCLOSURE OF INVESTIGATIVE INFORMATION
Members of VPD must include in their investigative reports and summaries adequate information and reference to all material evidence and facts that are reasonably believed to be incriminating, exculpatory or relevant to the credibility of a witness. If a member of VPD learns of PID Material, regardless of whether it is before or after submission of a case, the member must document such information as soon as practicable. All original reports, supplemental reports and PSU investigative summaries containing PID Material shall be promptly processed and transmitted to the prosecutor.

If information contained within the report is believed to be privileged or confidential (e.g. contains information from a confidential informant), the member should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial regardless of whether that trial is upcoming or already concluded. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor. Supervisors who are uncertain about whether evidence or facts are material should address the issue with an appropriate prosecutor.
Disclosure of Potential Impeachment (Brady) Material

612.4 TRAINING
Department personnel shall receive training on at least an annual basis on the requirements of this policy.

612.5 INVESTIGATING BRADY ISSUES
If the Department receives information from any source that a member may have issues of credibility, dishonesty, or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Department Policy 902.
Search Warrants

615.1 PURPOSE AND SCOPE
As a general rule, searches require a search warrant. There are exceptions to the general rule, wherein a search warrant is not required as a prerequisite to conducting a search:

- Administrative,
- Community caretaking,
- Consent,
- Emergency aid,
- Exigent circumstances,
- Hot pursuit,
- Incident to arrest,
- Probation searches, or
- Protective sweeps.

In order to search without a warrant, officers must comply with the requirements for an exception as currently set down by the courts. This policy sets forth the guidelines to assist officers with applying for and serving a search warrant.

615.2 POLICY
It is the policy of this Department to provide guidelines for the execution of search warrants that protect the constitutional rights of citizens, provide for a high degree of safety for all involved and ensure that searches are conducted with a high level of professionalism.

615.3 SEARCH WARRANT APPLICATION
Application for a search warrant may be made by any police officer. Search warrants and affidavits will normally be written by the officer requesting the warrant. Warrant preparation will be coordinated with the appropriate investigating unit.

Search warrants are only issued upon a finding of probable cause to believe that an offense has or will be committed. The probable cause is based upon the officer's personal knowledge and/or hearsay information from another officer, a named citizen or undisclosed informant. The probable cause is relayed to the magistrate through use of an affidavit. The affidavit should:

1. Contain a clear and distinct description of the place(s) to be searched and the item(s) to be seized.
2. Provide facts and circumstances which provide probable cause for the search. This includes:
   (a) Information justifying the search; and
Search Warrants

(b) Information leading to the belief that the object(s) of the search are in the places or the possession of the subject(s) to be searched.

3. Affiant/officer’s background and experience.

4. Execution details.

(a) In the event that known officer safety risks present a situation where special warrant execution procedures will be needed (e.g., nighttime execution of the warrant), officers should specifically articulate such circumstances and request the magistrate to expressly authorize law enforcement to use such procedures in the execution of the warrant.

5. All search warrants related to the search of a structure or vehicle should contain the below verbiage:

During the execution of this search warrant, officers may encounter property which may need to be altered, trespassed, moved, damaged, destroyed, or otherwise manipulated in an effort to safely access the premises, avoid detection, preserve evidence, apprehend suspects, and/or otherwise further the investigation. Officers are authorized to interact with property on/near the premises in this manner when no other reasonable means of accomplishing these goals is presented.

This verbiage should be used when circumstances dictate, by placing it at the end of the search warrant, above the signature line area as noted below:

"And if you find same, or any part thereof, then bring same and items of identification to identify the residents and residence thereof before the Honorable District Court Judge _____ to be disposed of according to law."

Before issuing the warrant, the magistrate will need to be satisfied that probable cause exists. The magistrate may examine the affiant or any witnesses under oath.

When hearsay information of an undisclosed confidential informant is relied upon to establish probable cause, that information must be independently corroborated (i.e., information demonstrating past reliability of the informant or by personal observation and corroboration). When using information of an informant, members will comply with the Department policy related to confidential informants.

615.4 SEARCH WARRANT APPROVAL

A supervisor shall review the search warrant and the search warrant affidavit prior to its submission to a magistrate on all warrants for an occupied dwelling, all warrants that use information from a confidential informant and all warrants that identify a person to be searched.

Administrative warrants for items such as bank records, cell phone data, unoccupied vehicles and electronic devices may be reviewed at the discretion of the unit supervisor.
615.5 RISK ASSESSMENT

All search warrant executions involving a potential threat to members or citizens require a Planned Operations Risk Assessment form be completed prior to execution. The form is to be used on all search warrant operations that:

- Involve locations that are believed to be occupied; or
- Involve high-risk apprehensions, as defined in Policy 616 - Planned Operations Risk Assessment; or
- At the direction of a supervisor.

The Planned Operations Risk Assessment form is listed on SharePoint. Follow this file directory:

SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service:SearchWarrants-Sis~Risk Assessment Form

Examples of a threat might include, but not be limited to, violent/armed suspects, animals, geographical/physical obstacles causing a delay to securing the search location, or even a lack of information about the location to be searched.

The supervisor responsible for the search warrant execution is responsible for the proper completion of the Planned Operations Risk Assessment and any other necessary planning to ensure the safe and effective service of the warrant. The supervisor will ensure that the SWAT commander, or designee, is consulted, as required by the completed Planned Operations Risk Assessment form. This will assist the evaluation for need of Special Weapons and Tactics (SWAT) and/or Crisis Negotiations Team (CNT) in the execution of the warrant.

If SWAT/CNT are needed or requested, the SWAT commander, or designee, will coordinate with SWAT and the originating division/unit commander or designee, to ensure all tactical considerations have been discussed. The original completed Planned Operations Risk Assessment form, if not forwarded to SWAT as a request for their services, will be retained in the investigator’s case file.

Members will comply with Policy 616 - Planned Operations Risk Assessment when completing the Planned Operations Risk Assessment.

615.6 EXECUTION OF THE WARRANT

Search warrants generally state the period for which they are valid. All warrants, if served, must be done within the stated period in the search warrant.

Before entering any premises, the executing member will knock and give appropriate notice of identity, authority and purpose to the person to be searched or to the person in apparent control of the premises to be searched. If the member is not admitted after such notification, force may be used to enter the premises. Strict compliance with the knock and announce rule is required unless an officer has a reasonable suspicion that knocking and announcing their presence, under the particular circumstances, would be dangerous or futile, or that it would inhibit the effective investigation of the crime by, for example, allowing the destruction of evidence. If such entry occurs,
Search Warrants

the circumstances leading to the entry will be clearly articulated in the incident report form. If it is determined that no one is at the residence, members have the authority to forcibly enter (RCW 10.31.040). Before undertaking any search or seizure pursuant to the warrant, the executing member will, as soon as reasonable:

1. Give a copy of the warrant (not the affidavit) to the person to be searched, or to the person in apparent control of the premises to be searched.
2. Leave a copy of the warrant in a readily apparent location at the premises if the premises are unoccupied, or there is no one in apparent control.

Only a police officer may serve a search warrant. In the course of executing a search warrant, the member may take reasonable precautions to ensure that property will not be removed while the search is being conducted and to prevent interference with the search. Members have the same power and authority in all respects to break open any door or window and to use all necessary and proper means to overcome any forcible resistance as they do in executing or serving a warrant of arrest. In securing the premises to be searched, the member may seek out all persons on the premises and bring them to a controlled location for observation during the search.

Members of the media will not be allowed to enter private property without the consent of the property owner or individual in charge of the involved property.

615.7 LIMITATIONS OF WARRANTS
The scope of searches pursuant to search warrants is limited to the premises specified in the warrant and only for those items specified in the warrant to be seized.

1. The search must be terminated once all items specified in the warrant are discovered.
2. Unless the warrant(s) authorize the search of a named person(s), a search warrant for a residence or other premises does not permit a search of all the persons present during the time of the search. If there is probable cause to believe that persons on the premises are carrying or concealing items which reasonably could be the objects of the search warrant, those persons may be detained and searched to the extent necessary to determine whether they are concealing items covered by the warrant.

A member may remain on the premises in a search warrant only during the time reasonably necessary to conduct the search for the property described in the warrant.

615.8 POST EXECUTION RESPONSIBILITIES
Upon execution of the search warrant, the member will:

1. Leave a copy of the warrant and property receipt(s) specifying, in detail, the property taken. This copy will be left with the person from whom the property was taken, or in whose possession the property is found. In the absence of any person, the copy of the warrant/receipt(s) will be left in a conspicuous place.
2. Secure the location if the owner or other responsible party is unavailable.
3. File all affidavits, search warrants and returns, regardless of any associated cases, with the appropriate court. Members will file the search warrant return and receipts as
soon as reasonably possible, but generally no later than 3 business days, after the execution of the warrant.
Planned Operations Risk Assessment

616.1 PURPOSE AND SCOPE
The purpose of the Planned Operations Risk Assessment form is to evaluate risk factors associated with people, locations and specific circumstances relating to pre-planned tactical operations. The completed risk assessment information can then be used to help determine the appropriate service methods for accomplishing the objective while attempting to mitigate, eliminate or avoid the associated risk.

616.2 POLICY
The risk assessment process outlined in this policy is intended to ensure consistency in the completion and use of the Planned Operations Risk Assessment form.

616.3 DEFINITIONS
High-risk Apprehension: The arrest or apprehension of an armed or potentially armed suspect(s) where there is a likelihood of resistance.

High-risk Warrant Service: The service of search or arrest warrants characterized by known or suspected hazards and risks to such a degree that the service of which poses a significant threat to the safety of others or there are articulable facts which indicate service is outside the training and/or capabilities of the involved officers.

Pre-planned: Any event planned in advance of its occurrence. This does not include incidents that rapidly evolve with a very short timeline between notification of the incident and the need to respond.

Undercover Officer (UC): An undercover officer is any law enforcement officer dressed in civilian clothing who is being inserted into the criminal sub-culture and is presenting themselves as part of the criminal element with the purpose of actively interacting with the suspect as part of a surreptitious police operation. A UC is not to be confused with a plain clothes officer acting in strictly surveillance capacity.

616.4 PLANNED OPERATIONS RISK ASSESSMENT FORM
The Planned Operations Risk Assessment form contains a compilation of risk factors which either individually or combined indicate a heightened potential for violence, danger or harm as part of a lawful police action. In addition to the specific criminal history or history of violence by offenders and associates, consideration of police service type, location characteristics and terrain are also considered. The Planned Operations Risk Assessment form offers a method of identifying the risk associated with planned police operations and allows the Department the opportunity to eliminate, to mitigate or to avoid those risks through proper planning.

The Planned Operations Risk Assessment form is listed on SharePoint. Follow this link and file directory:
Planned Operations Risk Assessment

616.5 USE OF PLANNED OPERATIONS RISK ASSESSMENT FORM

A basic police function is to complete criminal investigations. Many investigations require the service of search warrants and/or the apprehension of wanted subjects. With the understanding that executing search warrants and arresting wanted subjects is potentially dangerous, the Department requires a Planned Operations Risk Assessment form be completed during the pre-planning phase of all search warrants involving a potential threat to members or citizens. Therefore, the form will be completed on:

- All pre-planned missions that involve locations that are believed to be occupied; and
- All pre-planned high-risk apprehensions; and
- At the direction of a supervisor.

It is understood that officers attempt contact with wanted subjects known to have warrants on a daily basis. Wanted/fugitive information is derived from WACIC/NCIC name checks, distributed warrant lists and other street-level sources. Not every contact requires a Planned Operations Risk Assessment form to be completed. However, it is expected that initiating officers complete due diligence with regard to assessing potential risks associated with such contacts.

General rules of thumb for when a Planned Operations Risk Assessment should be completed are:

- The wanted subject’s criminal history shows crimes of violence or weapons charges; or
- Occupied location where a search warrant is to be served; or
- The operation requires dynamic tactics (forced breaching with a dynamic entry technique) or advanced team tactics such as a vehicle intervention (vehicle pin); or
- Any high-risk warrant service; or
- An undercover officer is being inserted into a location.

616.6 PROCESSING OF RISK ASSESSMENT FORM

The investigator, or another officer with knowledge of the investigation, will complete the Planned Operations Risk Assessment form. A criminal history of the subject, previous police reports and other investigative information may be used to complete the form.

Once the Planned Operations Risk Assessment form has been completed, it will be reviewed and signed by the investigator’s immediate supervisor or designee. The form will then be forwarded to the division lieutenant for review and signature.

Once the completed Planned Operations Risk Assessment form has been processed within the division and risk factors do not warrant a Special Weapons and Tactics (SWAT) consultation, the
Planned Operations Risk Assessment

The investigator will retain the signed Planned Operations Risk Assessment form and proceed with planning and executing the operational plan for that mission.

If the risk factors indicate the need for a SWAT consultation, the form should be forwarded to the SWAT Commander or Team Leader for review. A consultation between the investigating officer and SWAT designee shall take place using the completed Planned Operation Risk Assessment form, supporting documents and a briefing by the investigator or Law Enforcement Officer (LEO) who is familiar with the case.

Based on the Planned Operations Risk Assessment and the information obtained during the consultation, the SWAT Commander or designee will then make a service recommendation to the investigating division lieutenant and/or the Incident Commander for the operation regarding the service type and whether SWAT should be utilized during the operation. The recommendation will be documented on the Planned Operations Risk Assessment form.

The decision of whether or not to utilize SWAT during the operation remains with the Incident Commander. The decision will be documented on the Planned Operations Risk Assessment form and signed by the Incident Commander.

A copy of all completed Planned Operation Risk Assessment forms shall be forwarded to the Special Operations Lieutenant for data collection and retention.
Chapter 7 - Equipment
Department Issued Equipment

700.1 POLICY
This policy establishes accountability for the proper use and care of Department issued property and equipment used in the conduct of official duties and provides procedures in the event of loss or damage to the equipment.

700.2 EMPLOYEE RESPONSIBILITIES
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them.

(a) All personnel will utilize Department equipment only for its intended purpose in accordance with established Department procedures and will not abuse, waste, damage, or lose that property or equipment.

(b) Employees will maintain all Department equipment and property assigned to them in good condition.

(c) Employees will not convert Department equipment to their own use.

An employee's intentional or negligent abuse or misuse of Department property may lead to discipline.

700.3 INVENTORY PROCEDURE
Department property and equipment assigned to employees will be tracked through the inventory software system and will be verified regularly. Items valued at less than $300 that can be reused may not be included in the inventory system (i.e., holsters, uniforms, etc.); however, these items are expected to be maintained and kept by the employee and may be required to be returned at the end of the assignment.

700.3.1 AUDITS
Logistics will perform an annual audit by providing each employee with a list of assigned property and equipment that must be physically verified, submitted to their supervisor for review and returned to Logistics.

Records will be subject to audit by internal, state, and federal auditors.

700.4 PROPERTY AND EQUIPMENT STORAGE AND SECURITY
Employees must exercise accountability and control of Department issued equipment at all times. While not in use, employees will secure their equipment in areas that are not readily accessible to the public.
Department Issued Equipment

700.5  LOST, BROKEN, DEFECTIVE OR END OF LIFE EQUIPMENT
The use of damaged or unserviceable Department property should be discontinued as soon as practical and replaced with comparable Department property. Property or equipment no longer needed or usable must be returned to Logistics for disposal or reassignment.

Employees do not have authority to donate, scrap, recycle, auction, trade, or otherwise dispose of any Department owned property or equipment.

In the event property or equipment is damaged, lost or stolen, employees must notify their supervisor immediately and submit a Damaged/Lost/Stolen Property and Equipment Affidavit to Logistics.

Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Forms~Service Area: VPD Employee Specific Forms~Lost-Stolen-Damaged Equipment Affidavit to obtain a Damaged/Lost/Stolen Property and Equipment Affidavit

If the occurrence requires a Police Report, the details of the loss or damage to or equipment will be included. If the damage occurred as the result of criminal activity, a notation will also be made noting that restitution is requested if a suspect is successfully prosecuted.

In the event that lost or stolen equipment is recovered, employees will report the recovery to their supervisor as soon as possible.

700.5.1 UNIFORMS AND PATCHES
When a Department issued uniform, shoulder patch or cloth badge is no longer serviceable, the employee has the option to return the item to Logistics, destroy the item so that it is no longer recognizable and serviceable, or kept for personal memorabilia.

700.6  RETURNING EQUIPMENT UPON REASSIGNMENT
Upon reassignment to/from a specialty unit (SWAT, K-9, detectives, etc.) or upon promotion or a reduction in rank, personnel will be required to return property or equipment (badges, holsters, etc.) which may no longer be applicable to the new assignment.

700.7  RETURNING EQUIPMENT UPON SEPARATION FROM EMPLOYMENT
At the time of separation from employment, employees must return all Department owned property and equipment. The items will be compared with the inventory tracking system.

700.8  REIMBURSEMENT OF PERSONAL ITEMS
Generally, only personal items listed on the Reimbursable Personal Items Affidavit will be covered for reimbursement by the Department. This form must be completed and on file with Logistics prior to the reporting of any damaged items. Once reimbursement is made, the damaged item becomes the property of the Department. These items are:

a. Flashlights
Department Issued Equipment

b. Knives
c. Utility Tools
d. Watches
e. Sunglasses

Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Forms~Service Area: VPD Employee Specific Forms~Reimbursable Personal Items Affidavit to obtain a Reimbursable Personal Items Affidavit.

http://cvsharepoint/departments/PoliceDept/VPDNet/Pages/Forms.aspx

If any personal items not listed on the Reimbursable Personal Items Affidavit are damaged and need repairing/replacement, the employee may submit a memorandum describing the item, explaining how the item was damaged and the cost to repair/replace the item. The memorandum shall be submitted through their chain of command for review by the Division Commander. It is the discretion of the Division Commander if the Department will repair/replace the item.
Department Issued Cellular Telephones

702.1 POLICY
The Vancouver Police Department (VPD) may issue a cellular phone to staff when access to such technology will improve the efficiency and service to the community. Information or data housed in a Department issued cellular phone is the property of VPD. This policy shall be followed in conjunction with the City of Vancouver’s Electronic Communication Equipment and Services Policy.

702.2 PURPOSE AND SCOPE
1. Cellular telephones should be used for VPD work related business.
2. Personal calls are discouraged. Such calls should be infrequent and limited.
3. Non-international personal calls do not require reimbursement to the City of Vancouver.
4. International personal calls are not permitted;
   (a) In the event an international personal call is made, the full cost of the call must be reimbursed to the City of Vancouver.
5. Personal use to access data or websites is generally discouraged.
6. Personal use to access data or websites is allowed if:
   (a) There is little or no cost to the City;
   (b) The use does not interfere with the employee’s performance of duties or productivity;
   (c) Does not disrupt or distract from the conduct of the City business;
   (d) Complies with all other VPD and City of Vancouver policies.
   (e) See attachment: Electronic Communication Equipment and Services.pdf
7. VPD prohibits the personal use of cellular phones in the workplace to include; but not limited to:
   (a) Creating, distributing, downloading or viewing any material that is offensive, obscene, pornographic, profane, sexually oriented, harassing and/or in violation of the City’s employment policies and/or the City’s Operating Principles;
   (b) Distributing, downloading or modifying copyrighted materials, trade secrets, proprietary information, or confidential, privileged, or similar materials without prior authorization;
   (c) Creating, distributing, downloading or viewing any material that is threatening or related to violence or hate that is in violation of the City employment policies and/or the City’s Operating Principles;
   (d) Engaging in any activities for personal business or gain;
Department Issued Cellular Telephones

702.3 PROCEDURES
VPD issued cellular phones are an augmentation to the Department's communication system and not a substitute for radio communication. Approved uses include, but are not limited to, the following types of use:

1. Communication with members of community for work related issues;
2. Conveyance of sensitive or restricted information;
3. Transmission of information related to undercover operations;
4. Lengthy communication with other personnel on a Department-related matter;
5. Communication beyond normal radio range;
6. Incidents in which use of a landline telephone would be appropriate but where one is not available.

The Revised Code of Washington (RCW) 46.61.672 prohibits using personal electronic devices (such as cellular telephones) while operating a vehicle on a public highway. While the RCW does exempt persons using a cellular phone and driving an authorized emergency vehicle (RCW 46.61.687 § 2d), use of the cellular phone while operating a vehicle creates a potential risk to employees, and the community, and is discouraged. Employees not operating an authorized emergency vehicle are prohibited from using Department issued cellular phones while operating a City-owned vehicle. Vehicle crashes resulting from inattention to driving while using a cellular telephone will be handled as outlined in VPD Policy 902.

Employees are responsible for the proper use of the cellular phone and accessories and are required to sign a Cellular Phone Personal Use Agreement upon receipt of the cellular telephone. Employees are responsible for the proper care of the cellular phone and accessories to include but not limited to:

1. Ensure that the cellular telephone remains in serviceable condition at all times;
2. Report lost, stolen or damaged cellular telephones to their immediate supervisor;
3. Contacting VPD Logistics for required repairs and/or accessories.

All employees with a VPD issued cellular phone shall fully reimburse the City of Vancouver for any personal international or 900 prefix calls by the next billing cycle. VPD Logistics will review cell phone bills monthly for any such calls and notify the employee’s chain of command if any such calls are located.

Any employee who abuses or violates the guidelines outlined in this policy may be subject to forfeiture of the cellular telephone and discipline as outlined in Policy 902.
Chapter 8 - Support Services
Records Release and Security

809.1 PURPOSE AND SCOPE

The purpose of this section is to establish a comprehensive reference and procedure for the maintenance and release of Department reports and records in accordance with the Public Records Act (RCW 42.56, et seq.).

809.2 DEFINITIONS

Privacy Violation (right of privacy, right to privacy, personal privacy) - An invasion or violation of privacy occurs only if disclosure of information about the person would be highly offensive to a reasonable person, and is not of legitimate concern to the public. The rights to privacy in certain public records do not create any right of privacy beyond those rights that are specified by law as express exemptions from the public's right to inspect, examine, or copy public records (RCW 42.56.050).

Public Record - Includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics (RCW 42.56.010(2)).

Writing - Means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated (RCW 42.56.010(3)).

809.3 PUBLIC RECORDS OFFICER

The Professional Standards Unit (PSU) Lieutenant is designated as the Vancouver Police Department's Public Records Officer and will serve as the point of contact for members of the public when requesting disclosure of public records and will oversee the agency's compliance with the public records disclosure requirements.

The PSU Lieutenant will post his/her name, role as the Public Records Officer, and contact information in the facility conspicuously visible to the public, and on the Department Internet site, and upon appropriate publications so as to provide easy access to members of the public for directing requests for disclosure of public records (RCW 42.56.580).

The Public Records Officer shall complete a training program as required by RCW 42.56.152 within 90 days of assuming responsibilities for public records and complete refresher training as required (RCW 42.56.152).
809.4 PUBLIC REQUESTS FOR RECORDS
The Public Records Act provides that public records created by a public agency shall be subject to inspection and copying pursuant to request, except pursuant to exemptions set forth in the Act or otherwise established by statute (RCW 42.56.070(1)).

The Public Records Officer shall maintain business hours for record inspection or copying shall be posted on the Department’s website and made known by other means designed to provide the public with notice (RCW 42.56.090).

The Public Records Officer shall also establish, maintain and make available for public inspection and copying a statement of the actual per page cost or other costs, if any, that it charges for providing photocopies of public records and a statement of the factors and manner used to determine the actual per page cost or other costs, if any (RCW 42.56.070(7) and (8)).

Public requests for records of this Department shall be processed as follows (RCW 42.56.070):

809.4.1 PROCESSING OF REQUESTS
Any member of the public, including the media and elected officials, may access unrestricted records of this Department by submitting a request for each record sought and paying any associated fees. The processing of requests is subject to the following limitations:

(a) The employee processing the request shall determine if the requested record is available and/or subject to any exemption from disclosure. Processing of such requests shall be in accordance with this policy and RCW 42.56.520.

(b) The Department shall not be required to create records that do not otherwise exist in order to accommodate any request under the Public Records Act.

809.4.2 PROMPT RESPONSE REQUIRED
Responses to requests for public records shall be made promptly. Within five business days of receiving a public record request, the Department must respond by either (RCW 42.56.520):

(a) Providing the record.

(b) Acknowledging receipt of the request and providing a reasonable estimate of the time required to respond to the request.

(c) Denying the public record request.

(d) Providing an Internet address and link on the agency’s web site to the specific records requested, except that if the requester notifies the agency that he/she cannot access the records through the Internet, then the agency must provide copies of the record or allow the requester to view copies using an agency computer.

Additional time required to respond to a request may be based upon the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request. In acknowledging receipt of a public
Records Release and Security

record request that is unclear, a request to clarify what information the requestor is seeking may be made. If the requestor fails to clarify the request, the Department need not respond to it.

Denials of requests must be accompanied by a written statement of the specific reasons for denial. The Public Records Officer will establish mechanisms for the most prompt possible review of decisions denying inspection.

Requests that are denied are subject to judicial review and the burden of proof is on the Department to show that the records requested are exempt or prohibited in whole or part by statute (RCW 42.56.660).

809.5 REPORT RELEASE RESTRICTIONS
Absent a valid court order or other statutory authority, records and/or unrestricted portions of such records of this Department shall be made public subject to the following restrictions:

809.5.1 GENERAL CASE AND CRIME REPORTS
Examples of release restrictions include (RCW 42.56.240):

(a) Intelligence and investigative records - Specific intelligence information and specific investigative records, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy. Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation shall not be made public.

(b) Victim and witness information - Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints, if at the time a complaint is filed the complainant, victim or witness indicated a desire for disclosure or nondisclosure.

(c) Sex offenses - Investigative reports pertaining to sex offenses under RCW 9A.44 et seq., or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington Association of Sheriffs and Police Chiefs for permanent electronic retention and retrieval, pursuant to RCW 40.14.070(2)(b).

(d) License applications - Copies of license applications, including concealed pistol license applications or information on the applications may only be released to law enforcement or corrections agencies under RCW 9.41.070.

(e) Child sexual assault victims - Information revealing the identity of child victims of sexual assault who are under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.

(f) Personal information - Personal information in files maintained for employees, to the extent that disclosure would violate their right to privacy. This includes creditcard
numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers, except when disclosure is expressly required by or governed by other law (RCW 42.56.230).

(g) **Alarm System Program/Vacation Crime Watch Program Participants** - Personal identifying information collected by the Department for participation in an alarm system program and/or vacation crime watch program.

809.5.2 **ARREST REPORTS**

Arrest reports shall not be disseminated pursuant to the Criminal Records Privacy Act except to those agencies and under those circumstances necessary for a purpose in the administration of criminal justice as governed by RCW 10.97 et seq.

A person who is the subject of the record who requests information must comply with requirements of RCW 10.97.080.

In addition to the restrictions stated above, all requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the County Prosecutor, City Attorney or the courts.

Local criminal history information including, but not limited to, arrest history and disposition, fingerprints and booking photos shall only be subject to release to those agencies and individuals set forth in the Protected Information Policy.

809.5.3 **TRAFFIC COLLISION REPORTS**

Traffic collision reports (and related supplemental reports) are for official use only and may only be released without redaction pursuant to (RCW 46.52.080) to the following:

- The Washington State Patrol
- Department of Motor Vehicles
- Other Law Enforcement Agencies
- As authorized by law or valid court order

Upon request, parties having proper interest or involvement in the specific reported collision shall receive all of the factual data submitted in the report with the exception of the reports signed by the drivers involved in the accident. Such parties include the following (RCW 46.52.083):

- Involved drivers
- Legal guardians of the drivers
- Parent of a minor driver
- Injured parties
- Owners of damaged property
- Authorized attorney or insurance carrier
Requests for traffic collision reports from individuals or entities other than those listed above are entitled to receive reports in redacted format.

809.5.4 PERSONNEL RECORDS
The following employment and licensing information is exempt from public inspection and copying (RCW 42.56.250):

(a) Test questions, scoring keys and other examination data used to administer a license, employment or academic examination.

(b) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(c) The residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, Social Security numbers, driver license numbers, identicard numbers and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, Social Security numbers and emergency contact information of dependents of employees or volunteers of a public agency that are held in personnel records, public employment related records, or volunteer rosters, or are included in any mailing list of employees or volunteers of any public agency.

(d) Information that identifies a person who, while a Department employee:
   1. Seeks advice, under an informal process established by the employing agency, in order to ascertain his/her rights in connection with a possible unfair practice under RCW 49.60 et seq. against the person.
   2. Requests his/her identity or any identifying information not be disclosed.

(e) Investigative records compiled while conducting an active and ongoing investigation of a possible unfair practice under RCW 49.60 et seq. or of a possible violation of other federal, state or local laws prohibiting discrimination in employment.

(f) Photographs and month and year of birth in the personnel files of employees and workers of criminal justice agencies. The news media, as defined in RCW 5.68.010(5), shall have access to the photographs and full date of birth.
   1. News media does not include any person or organization of persons in the custody of a criminal justice agency.
   2. Any such request by the media for the date of birth of an employee should be forwarded to the Administration Supervisor and the affected employee should be promptly advised of the request.
   3. A court may issue an injunction, at the request of the Department or the employee, if it finds that such examination would clearly not be in the public
interest and would substantially and irreparably damage the employee or would substantially and irreparably damage vital government functions.

809.6 OTHER RECORDS
This Department maintains the right to refuse to disclose or release any other record when it would appear that the public's interest in accessing such record is outweighed by the need for non-disclosure.

Any record which was created exclusively in anticipation of potential litigation involving this Department shall not be subject to public disclosure.

Any other record not addressed in this policy shall not be subject to release where such record is exempted or prohibited from disclosure pursuant to state or federal law, including, but not limited to:

(a) Drafts, Notes, Recommendations, Memorandums: Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended are exempt under this chapter, except that a specific record is not exempt when publicly cited by an agency in connection with any agency action (RCW 42.56.280).

(b) Department Party to Controversy: Records that are relevant to a controversy to which the Department is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts (RCW 42.56.290).

(c) Security: Those portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts, which are acts that significantly disrupt the conduct of government or of the general civilian population of the state or the United States and that manifest an extreme indifference to human life, the public disclosure of which would have a substantial likelihood of threatening public safety, consisting of (RCW 42.56.420):

1. Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or to the response or deployment plans.

2. Records not subject to public disclosure under federal law that are shared by federal or international agencies, and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism.

(d) Those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans at a city, county, or state adult or juvenile correctional facility, the public disclosure of which would have a substantial likelihood of threatening the security of a city, county, or state adult or juvenile correctional facility or any individual's safety, including:
Records Release and Security

1. Information compiled by school districts or schools in the development of their comprehensive safe school plans under RCW 28A.320.125, to the extent that they identify specific vulnerabilities of school districts and each individual school.

2. Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities and other information that may increase the risk to the confidentiality, integrity or availability of department security, information technology infrastructure or assets.

3. The system security and emergency preparedness plan required under RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, and 81.112.180.

809.6.1 PERSONAL IDENTIFYING INFORMATION
Employees shall not access, use or disclose personal identifying information, including an individual’s photograph, social security number, driver identification number, name, address, telephone number and the individual’s medical or disability information, which is contained in any driver license record, motor vehicle record or any department record except as authorized by the Department and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721 and 18 USC § 2722).

809.7 SUBPOENA DUCES TECUM
Any Subpoena Duces Tecum (SDT) should be promptly provided to a supervisor for review and processing. While a Subpoena Duces Tecum may ultimately be subject to compliance, it is not an order from the Court that will automatically require the release of the requested information.

All questions regarding compliance with any Subpoena Duces Tecum should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

809.8 RELEASED RECORDS TO BE STAMPED
Each page of any record released pursuant to a Public Records Act request or Subpoena Duces Tecum shall be stamped in red ink with a departmental stamp identifying the individual to whom the record was released.
Protected Information

811.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Vancouver Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Release and Security Policy.

811.1.1 DEFINITIONS
Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Vancouver Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

811.2 POLICY
Members of the Vancouver Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

811.3 RESPONSIBILITIES
The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Licensing (DOL) records, Washington Crime Information Center (WACIC), and RegJIN.

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.
(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

811.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Vancouver Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

811.4.1 PENALTIES FOR MISUSE OF RECORDS
It is a misdemeanor to furnish, buy, receive or possess criminal history record information without authorization by Washington law (RCW 10.97.120).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Standards of Conduct Policy.

Employees who obtain, or attempt to obtain, information from the Department files other than that to which they are entitled in accordance with their official duties is a violation of the Standards of Conduct Policy.

811.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know (RCW 10.97.050).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Public Records Officer for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Public Records Officer to ensure proper documentation of the release (see the Records Release and Security Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other Department members or the public is at risk.
Nothing in this policy is intended to prohibit broadcasting warrant information.

811.5.1 REVIEW OF CRIMINAL OFFENDER RECORD
An individual may review his/her criminal history record information held by this department after complying with established Department requirements as authorized by RCW 10.97.080.

811.6 SECURITY OF PROTECTED INFORMATION
The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- Developing and maintaining security practices, procedures and training.
- Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities (RCW 19.255.010).

811.6.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

811.7 TRAINING
All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.
ACCESS

812.1 PURPOSE AND SCOPE
This policy clarifies ACCESS requirements to include but not limited to, physical security of ACCESS/CJIS systems, CJIS information and the requirements for the use and dissemination of criminal history record information.

812.2 POLICY
Use of the ACCESS/NCIC system is restricted to authorized criminal justice agencies, and criminal justice information obtained through the system may only be used for official law enforcement business in the administration of criminal justice such as to facilitate the apprehension of fugitives, the location of missing persons, the location and/or return of stolen property or similar criminal justice objectives. All users will conform to the requirements outlined in this policy to ensure proper and efficient use of the ACCESS system.

812.3 DEFINITIONS
ACCESS - A Central Computerized Enforcement Service System (ACCESS) is a computer controlled communications system located at the Washington State Patrol Information Technology Division in Tumwater. Through the use of special interfacing equipment, ACCESS extracts data from multiple repositories including the Washington State Patrol's Criminal Information Center (WACIC), Washington State Identification System (WASIS), the National Crime Information Center (NCIC), the Department of Licensing (DOL), the Department of Corrections Offender file (DOC), the International Justice & Public Safety Network (NLETS), and numerous regional systems. ACCESS provides direct contact with NCIC when WACIC is non-operational.

Criminal Justice Information - Information contained in records collected by criminal justice agencies that provide individual identification of a person along with the individual’s record of involvement in the criminal justice system as an alleged or convicted offender including but not limited to arrests, detentions, indictments, acquittals, and sentences.

Criminal Justice Agency - A government agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice. Criminal justice agencies include police departments, courts, the prosecuting attorney’s office and sheriff’s offices. Criminal justice agencies do not include code enforcement, the medical examiner, animal control, fire departments, defense attorneys, or security companies. (RCW10.97.030)

NCIC - The National Crime Information Center (NCIC) is a computerized system of criminal justice records. The Interstate Identification Index (III) is part of the NCIC network. The NCIC database allows a law enforcement agency automated access to all information regarding an individual's criminal history that is within the records of any law enforcement agency in the NCIC network. The system can be accessed 24 hours a day by any local, state or federal law enforcement agency to obtain criminal history information in eleven specific categories, including records of convicted
sex offenders, foreign fugitives, identity theft, missing persons, gang and terrorist organizations, fingerprint data, unidentified persons, and wanted persons.

**WACIC** – The Washington Crime Information Center (WACIC) is a statewide computerized repository for multiple types of entries including wanted persons, persons of interest and others. All entries are completed and managed by contributing agencies. WACIC stores criminal justice information that can be instantly retrieved and furnished to an authorized criminal justice agency. For WACIC, criminal justice information is information collected by criminal justice agencies that is needed in the performance of legally authorized, required function.

812.3.1 ACRONYM / ABBREVIATION LIST FOR CRIMINAL HISTORIES

http://cvsharepoint/departments/PoliceDept/VPDNet/Documents/Abbreviation%20List.docx

812.4 SECURITY MEASURES

The Vancouver Police Department has adopted the following security measures to comply with applicable laws and regulations and to prevent unauthorized access to the system data and/or unauthorized use of data obtained from the computerized file.

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

812.4.1 SYSTEM SECURITY

ACCESS terminal locations have adequate physical security to protect against any unauthorized personnel gaining access to the computer equipment or to any stored data.

VPD will establish usage restrictions and implementation guidelines for wireless technologies; and authorize, monitor, and control wireless access to the information system. Wireless technologies will maintain at least the minimum security applied to wired technology.

VPD personnel can only utilize ACCESS and CJIS information from secure terminals. A secure terminal is any Department owned or approved electronic device, mobile data terminal (MDT), desk top computer, laptop, or wireless device used inside a VPD building or police vehicle.

If a VPD employee utilizes one of these devices to obtain ACCESS or CJIS information in a non-secure location, then Advanced Authentication is mandatory.

If a police vehicle is left in a non-secure location and no Advanced Authentication is on the MDT, personnel must adhere to one of the following:

(a) The MDT must be removed from the vehicle and secured in a VPD building.

(b) A fingerprinted criminal justice employee must remain with the MDT at all times.
(c) The staff/personnel servicing the vehicle must be fingerprinted and background checked and review the Security Awareness training available on CJIS Online.

A secure location is considered to be inside any VPD police building or police vehicle.

Any VPD employee utilizing ACCESS or CJIS information outside of a VPD police building or police vehicle is considered to be in a non-secure location and requires Advanced Authentication.

To access this information in a non-secure location, without Advanced Authentication, violates state and federal regulations.

Example: Any VPD owned or approved electronic device, as noted above, which is removed from a VPD police building or police vehicle and is carried into and utilized for ACCESS or CJIS information in any location, private or public, subject to the viewing of any non-ACCESS approved person, such as a restaurant, private residence (whether their own or not), City Hall, etc., without Advance Authentication, is a violation.

Example: Any VPD employee who removes a MDT from a VPD police vehicle and utilizes it within a VPD police building does not require Advanced Authentication and is not a violation.

812.4.2 SECURITY BACKGROUND FOR PERSONNEL

VPD adheres to strict security standards for personnel who use or have access to the ACCESS/NCIC system including:

(a) Conducting Background Checks:

(a) National fingerprint-based criminal background checks shall be conducted for all personnel who have authorized access to FBI CJIS systems and those who have direct responsibility to configure and maintain computer systems and networks with access to FBI CJIS systems. The record checks shall be conducted prior to employee accessing any systems.

(b) All personnel, contractors, volunteers, and custodial workers with access to computer centers, terminal areas and/or areas where CJIS information is housed shall be escorted by authorized personnel or receive a fingerprint-based criminal background check. Authorized personnel are those persons who have passed a state and national fingerprint-based record check and have been granted access.

(c) VPD shall use the following procedures when reviewing the results of the criminal background check:

1. If the background check reveals a felony conviction, the individual shall be denied use, certification and/or the ability to work on connection to ACCESS.

2. If there are charges pending a disposition, the TAC will notify the ACCESS manager.

3. If the background check reveals a misdemeanor conviction, the TAC will notify the ACCESS section. VPD will have discretion whether to limit use of the ACCESS system.
ACCESS

2. Assuring that all personnel who use ACCESS complete training and certification at the appropriate level every two years:

   (a) Level 1 – For all users who use an ACCESS terminal for inquiries, locates or administrative purposes.
   (b) Level 2 – Includes all abilities of Level 1 and includes entry, clearing, canceling of records within the databases.
   (c) Providing peer level training for all management staff who are not ACCESS certified but manage ACCESS users.

3. Instructing personnel who use ACCESS on the proper use and dissemination of information.

4. All Department personnel, volunteers, and contractors must review the CJIS Basic Security Awareness Training every two years.

812.4.3 RE-BACKGROUND INVESTIGATIONS
ACCESS requires all personnel who use or work on the connections to ACCESS to have a re-background investigation conducted every 5 years.

   (a) Documentation of all five year re-background dates must be maintained for audit purposes.
   (b) The TAC must notify the Washington State Patrol (WSP) ACCESS Section for any of the following:
      (a) Felony convictions
      (b) Charges pending disposition
      (c) Misdemeanor findings

3. Unless otherwise determined by the ACCESS Section, it will be up to the discretion of the WSP whether to limit the use of ACCESS.

4. Do not retain criminal history information.

812.5 TECHNICAL AGENCY COORDINATOR (TAC)
VPD has a designated Technical Agency Coordinator (TAC) to act as the point of contact for matters relating to ACCESS and CJIS information.

   (a) The TAC must maintain a Level 2 training certification and attend TAC training at least once every three years.
   (b) The TAC assures that criminal background checks are performed as required and retains a log of the date of each re-background check.
   (c) The TAC retains the state identification number of each employee who uses ACCESS or maintains the application or network connection.
   (d) The TAC shall participate in and ensure that all appropriate records be available during audits conducted by ACCESS staff.
(e) The TAC is responsible for proper operator performance, strict adherence to state and NCIC policies and regulations, and prompt notification of policy violations to ACCESS.

### 812.6 VALIDATIONS

VPD acknowledges that it is necessary to confirm all records are complete, accurate and valid and that validation efforts must be well documented. Validation requirements are outlined within Records procedures.

### 812.7 QUERIES AND CRIMINAL HISTORY LOG

All criminal history logs are maintained in an automated format by the Washington State Patrol (WSP).

The criminal history inquiry must contain the following information:

1. The Attention (ATN) field must contain:
   - (a) Requestor's first initial and last name or PSN
   - (b) Specific criminal justice reason for the request or a case number
   - (c) (A specific criminal justice reason may include: the agency case number or the crime being investigated, i.e., assault, robbery etc. If an acronym is used for this purpose, it must be on the Department approved acronym list found on Sharepoint - VPDnet.) Person running the inquiry, if different from the requestor, should enter their PSN.

   Examples:
   - ATN/J SMITH / 19-1234
   - ATN/J SMITH / BURGLARY / 9999
   - ATN/J SMITH / BURGLARY
   - ATN/ 1234 / BURGLARY

2. The correct purpose code:
   - a. C - Use this purpose code for official duties in connection with the administration of criminal justice, investigation of crimes.
   - b. J - Use this purpose code when conducting background checks on criminal justice applicants including IT or conducting re-background of current employees.

   (a) Prohibited actions:
   - (a) VPD personnel will not provide criminal history information to another party or outside agency representatives.
   - (b) Personnel shall not use any information obtained though the ACCESS system, including all Department of Licensing (DOL) and Department of Corrections (DOC) information for private business/personal reasons, or furnish any information so obtained to any other person for such use other than for official law enforcement purposes.
812.8 HIT CONFIRMATION
A WACIC or NCIC hit alone is not probable cause to arrest a subject, but indicates a stolen property report, missing person report, or warrant, etc., may have been filed.

An inquiring agency must contact the originating agency of the hit for confirmation of data. To confirm a hit means to contact the agency that entered the record to:

(a) Ensure that the person or property inquired upon is identical to the person or property identified in the record.

(b) Ensure the warrant, missing person report, protection order, or theft report is still outstanding.

(c) Obtain a decision regarding:
   (a) The extradition of a wanted person when applicable.
   (b) The return of the missing person to the appropriate authorities.
   (c) The return of stolen property to its rightful owner.
   (d) The terms and conditions of a protection order.

4. The source documents used for hit confirmation may be electronic if the agency has implemented the proper controls for electronic documents supporting WACIC and/or NCIC records.

A confirmed hit can be adequate grounds to arrest the wanted person, detain the missing person, seize the stolen property, or charge the subject with violating a protection order, etc.

When an agency receives a record(s) in response to an inquiry, and no enforcement action is contemplated or possible because of extenuating circumstances, the hit should not be confirmed, and the record must not be located.

812.9 DISPOSAL OF CRIMINAL JUSTICE INFORMATION
VPD personnel must dispose of criminal history information by observing the actual shredding of the documents.

(a) Criminal history information run for purposes of a criminal investigation cannot be included in a case file. Detectives and officers may quote specific information reviewed into their case report and shred the referenced criminal history information.

(b) Criminal history information will not be scanned, and should not be attached as an orphan document into the Records Management System. All CJIS (Criminal Justice Information Systems) information to include Criminal History, all wants and protection order queries, DOL Checks, etc. should be disposed in secured shredding bins.
812.9.1 DISPOSAL OF MEDIA
Any media shall be disposed of as follows:

(a) Electronic media shall be sanitized prior to disposal or release for reuse by unauthorized individuals. Inoperable electronic media shall be destroyed (cut up, shredded, etc.).

(b) Physical media shall be destroyed by shredding or incineration when no longer required, using formal procedures.

(c) The disposal process will be observed by a fingerprinted criminal justice employee. Or, the disposal process does not need to be observed if the contracted company has all been fingerprinted and they have signed a CJIS Security Addendum. A copy of the Addendum must be provided to the ACCESS Section.

812.10 MISUSE OF THE ACCESS/NCIC SYSTEM
The ACCESS/NCIC System shall only be used for official law enforcement business. The Vancouver Police Department will investigate allegations of ACCESS/NCIC misuse. Examples of misuse include:

- Running criminal history for yourself, family or friends.
- Running information for a civilian or non-criminal justice employee for non-law enforcement use.
- Using the system for any personal reasons.
- “Visiting” or sending inappropriate administrative messages across a mobile data terminal (MDT) ACCESS connection.

Users do not have to disseminate information in order to be in violation. Accessing CJIS data for personal reasons is prohibited by state and federal law. Violations of the rules, regulations, policies, or procedures developed by NCIC and adopted by the Washington State Patrol or any other misuse or abuse of the ACCESS system may result in agency disciplinary measures and/or criminal prosecution.

812.10.1 REPORTING ACCESS/NCIC VIOLATIONS
If the Department initiates an internal investigation for ACCESS misuse, the PSU Lieutenant or designee must immediately notify the Department’s TAC. The TAC then must submit an ACCESS Violation Incident Report to the ACCESS Manager at the Washington State Patrol.

Whether the allegations are sustained or unfounded, the TAC must again be advised in order to notify the ACCESS manager of the investigation’s outcome.

If the allegations are sustained, the Vancouver Police Department will choose the level of internal discipline. The Washington State Patrol may work in conjunction with the Department to impose additional sanctions if warranted. This may include, but not limited to, additional training, revocation of individual certification, or termination of system access to the Department.

Even if the allegations are unfounded, the Washington State Patrol will then determine if there was indeed any violation of the ACCESS/NCIC system.
Computers and Digital Evidence

813.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs), digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

813.2 SEIZING COMPUTERS AND RELATED EVIDENCE
Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories, the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents. To safeguard against the possibility of destroying physical evidence, where latex gloves when handling these items.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, move the mouse or touch any key to awake the computer.

1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
   (a) If it appears there is any program open and running, do not do anything with the computer and immediately contact any member of the Digital Evidence Cybercrime Unit (DECU) for assistance and instruction.
   (b) If it does not appear any program is running, disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect and power cable from the case and remove the battery.

(e) Label each item with case number, evidence sheet number, and item number.

(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, officers should document the following in related reports:

1. Where the computer was located and whether or not it was in operation.
2. Who was using it at the time.
3. Who claimed ownership.
Computers and Digital Evidence

4. If it can be determined, how it was being used.
   (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (hard drives, tape drives, and disk drives) should be seized along with all media. Accessories (printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture.
   (j) Since most laptops have proprietary power cords, seize the power cord as well as the laptop being taken as evidence.

813.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner for instructions or a response to the scene.

It may be possible to perform an on-site inspection, or to image the hard drive only of the involved computer. This should only be done by someone specifically trained in processing computers for evidence.

813.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer's hard drive, or floppy disks, compact discs, or any other storage media is required, forward the following items to a computer forensic examiner:
   (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.
   (b) Copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to investigation.
   (c) A listing of the items to search for (e.g., photographs, financial records, e-mail, documents) including any known relevant "keywords" such as victim's names, addresses, credit card numbers or other information related to the investigation.
   (d) A forensic copy of a drive or disk will be made using a forensic computer and a forensic software program by someone trained in the examination of computer storage devices for evidence.

813.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media (e.g., hard discs, floppy discs, CDs, DVDs, tapes, memory cards, flash memory devices) should be seized and stored in a manner that will protect them from damage.
   (a) Do not review, access or open digital files prior to submission.
   (b) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
813.4 SEIZING PERSONAL COMMUNICATION DEVICES

Personal communication devices (PCD) such as cell phones or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.

(b) If unable to turn the device off, either place the item into "airplane" mode or remove the battery.

(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

(d) If possible, obtain any pass codes or pattern locks.

813.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

When confronted with a case where they are unsure how to proceed with the collection of any type of digital evidence, officers should contact a member of the Digital Evidence Cybercrime Unit (DECU) for assistance.

813.5.1 COLLECTION OF DIGITAL EVIDENCE

Photographs of evidence taken by members of VPD shall be done with either a Department issued digital camera or their Department issued cell phone. Officers should not use their personal devices to take photographs since the devices could be subject to seizure at a later time.

Photographs of evidence taken with digital cameras should be uploaded to the digital evidence section of TraQ. Once uploaded, they can be deleted from the camera or phone used to take the photos.

813.5.2 ADULT NUDITY OR PORNOGRAPHY

If evidence photographs involve any type of adult nudity or pornography, the photographs should be uploaded into TraQ and the "restricted" box marked. This will prevent others from viewing the
Computers and Digital Evidence

photos. If there is a need for a Department member to see the photos, they will have to contact evidence staff to arrange the transfer of the evidence.

  a. Members should never have any type of images depicting adult nudity or pornography of any kind sent to them via email, nor should they ever send these types of images over email themselves.

813.5.3 CHILD PORNOGRAPHY
Child pornography, or photos of child pornography taken in the field by a Department member should not be uploaded into TraQ. Instead, photographs will be downloaded from the camera to removable storage media (e.g., SD card, flash drive, CD Rom) and placed into evidence. The outside of the evidence envelope should have a marking indicating that there is child pornography on the media.

  a. Members should never have any type of images depicting child pornography of any kind sent to them via email, nor should they ever send these types of images over email themselves.

813.5.4 CLOUD BASED STORAGE
Officers confronted with a case where criminal evidence is found in an email or in a cloud-based storage site (e.g., Microsoft One Drive, Dropbox, Google Drive, etc.) have the following options:

  a. Seize the computer the email or cloud storage is being accessed on and place into evidence following the evidence seizure criteria outlined in this policy.

  b. Take photographs of the photos that are present on the screen, then later download onto a media storage device or upload into TraQ as appropriate.

  c. Obtain all relevant information regarding the email or cloud storage account the child pornography is located on and, if appropriate, obtain a signed consent for its examination. Relevant information includes:

1. Account type (e.g., email, cloud storage, etc.),

2. Account name,

3. Account owner,

4. Logins, and;

5. Passwords.

Officers should take steps to preserve the account from tampering/destruction by sending a preservation letter to the appropriate Electronic Service Provider. If members are unsure how to complete this task, they should consult a member of the Digital Evidence Cybercrime Unit (DECU) for assistance.
813.6 INTERNET CRIMES AGAINST CHILDREN (ICAC) INVESTIGATIONS

Only sworn, on-duty ICAC trained personnel shall conduct ICAC investigations in an undercover capacity. Private citizens shall not be asked to seek out investigative targets nor shall they be authorized to act as police agents in any online undercover capacity.

Media releases relating to prosecutions, crime alerts, or other matters concerning online undercover (ICAC) operations shall not include information regarding confidential investigative techniques, shall not reveal the undercover operative information and should be coordinated (when applicable) with other Task Force participants (local, state or federal agencies) that may be involved in the investigation and shall be consistent with VPD media relations protocols.
LInX Northwest Program

814.1 PURPOSE AND SCOPE
This policy clarifies the Law Enforcement Information Exchange (LInX) Northwest system requirements to include but not limited to, physical security of the LInX program, LInX information and the requirement to use and disseminate the shared information.

814.2 POLICY
The LInX system is a law enforcement information sharing partnership involving local, state, and federal law enforcement agencies in the Pacific Northwest. LInX has been developed to improve public safety, solve crimes, and prevent terrorism. LInX is a partnership built on trust and to maintain the trust following the rules are upheld by all LInX agencies. Violations of this policy may results in sanctions against an individual user or Regional Partner Agency (RPA).

814.3 DEPARTMENT RESPONSIBILITIES
Each RPA shall contribute information to LInX Northwest, once a connection is made, and agrees to permit the access, dissemination, and/or use of such information by every other partner agency in LInX Northwest. The contributing party has sole responsibility and accountability for ensuring this it is not constrained from permitting this by any laws, regulations, policies, and procedures applicable to the submitting party.

The Department LInX Administrator will conduct an annual audit to assure compliance with LInX Northwest system requirements.

814.3.1 INFORMATION ACCESSIBILITY AND SECURITY
Information obtained through LInX Northwest is considered Criminal Justice Information System (CJIS) information and shall be treated with the same security measures outlined in the Protected Information and ACCESS Policies. In addition to those measures, the following measures which are unique to LInX Northwest protocol shall be adhered to:

(a) A user may only access LInX when he/she has a legitimate, official law enforcement purpose after receiving LInX training.

(b) Information in the system shall not be disseminated outside of an accessing party without first obtaining express permission of each party that contributed the information in question. LInX users who wish to use information in LInX for the preparation of judicial process (e.g., affidavits, warrants, or subpoenas) agree to not print and use information from LInX, but to contact the originating agency who will provide a copy of the original report to the requestor for court or other official uses.

(c) Printing copies from LInX is highly restricted. Users may only retain printed copies temporarily and shall not place copies in an official file or submit them to a court. Printed copies must
be destroyed or shredded. Printed copies may not be made for members of non-participating agencies.

(d) Any requests for reports or data in LInX records from anyone other than an RPA to this exhibit will be directed to the contributing agency. Participating agencies in LInX agree to not disclose another agency’s reports or information to a third party. Even when an agency receives an official request for disclosure, LInX agencies agree to refer such requests to the originating agency of the report for action.

(e) Only pertinent information, obtained through LInX, used in the furtherance of an investigation should be listed in the report. Irrelevant and non-essential information should not be documented or listed as an investigatory resource.

(f) Each agency retains sole ownership of, sole responsibility for, and exclusive control over the content of the information that it contributes to LInX, and it may, at will, at any time update, correct or delete the information that it contributes to LInX.

814.4 SECURITY MEASURES
The Vancouver Police Department has adopted the following security measures to comply with applicable laws and regulations and to prevent unauthorized access to the LInX system and its data.

814.4.1 SYSTEM SECURITY
A Regional Partner Agency will have access to LInX via a secure internet connection. It is the RPA's responsibility to provide and maintain their own internet connectivity to LInX.

Department personnel can only utilize the LInX system to obtain CJIS information from secure terminal from a secure location. A secure terminal is any Department owned or approved electronic device, mobile data terminal (MDT), desk top computer, laptop or wireless device. A secure location is considered to be inside any Vancouver Police building or police vehicle.

Accessing LInX from any other device or location is prohibited.

LInX will maintain an audit capability that will log the date, time, subject, and originating account of all user queries. The LInX Governance Board will maintain these audit logs for at least five years.

The Department LInX Administrator has the authority to immediately disable an officer's LInX account who violates the LInX policy, is under criminal investigation, retires, resigns, is terminated or leaves the Agency for any reason.

814.5 TRAINING
Only officers who are ACCESS certified and have received the approved LInX training will be granted authorization to access LInX Northwest. Any updated training will be coordinated though the designated Vancouver Police Department LInX Administrators.
Chapter 9 - Custody
Internal Affairs Investigations

902.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Vancouver Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

http://cvsharepoint/departments/PoliceDept/VPDNet/vpdpolicydocs/Lexipol%20Policy%20Source%20Documents/Forms/AllItems.aspx
904.1 PURPOSE AND SCOPE
This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from an individual in conjunction with a criminal investigation. Nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

904.2 POLICY
The Vancouver Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state.

904.3 OFFENDERS SUBJECT TO DNA COLLECTION
The following offenders must submit a biological sample (RCW 43.43.754)

(a) An offender convicted of any felony offense.
(b) An offender convicted of assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041).
(c) An offender convicted of assault in the fourth degree with sexual motivation (RCW 9A.36.041; RCW 9.94A.835).
(d) An offender convicted of communication with a minor for immoral purposes (RCW 9.68A.090).
(e) An offender convicted of custodial sexual misconduct in the second degree (RCW 9A.44.170).
(f) An offender convicted of failure to register as a sex or kidnap offender (RCW 9A.44.130; RCW 9A.44.132).
(g) An offender convicted of harassment (RCW 9A.46.020).
(h) An offender convicted of patronizing a prostitute (RCW 9A.88.110).
(i) An offender convicted of sexual misconduct with a minor in the second degree (RCW 9A.44.096).
(j) An offender convicted of stalking (RCW 9A.46.110).
(k) An offender who violates a sexual assault protection order granted under RCW 7.90.005 et seq.

904.4 PROCEDURE
When an offender is required to provide a biological sample, a trained officer shall attempt to obtain the sample in accordance with this policy.

(a) Advise the offender their mouth must be free of food, gum, or foreign objects for at least ten minutes prior to the sample collection. Verify the offender’s identity with a government issued form of photo ID and make a photocopy. If an individual does not have a valid ID, one may be printed from the CCSO mugshot program. Verify the conviction is a qualifying conviction.
Biological Samples

(b) Access NCIC/WACIC to see if the individual’s DNA is already on file. This database is the only program WSP requires be checked for the current DNA status of the individual. There is no need to obtain a biological sample if one has previously been obtained (RCW 43.43.754).

(c) Open the WSP Convicted Offender Oral Swab Kit and fill out the Felon Submission Card.

(a) The officer will submit all swabs into evidence in a manner consistent with Department evidence collection protocol and a police report will be completed.

(d) Have the offender ink both thumbs using an ink pad. Instruct offender to apply their thumbprints to the appropriate space on the submission card. Instruct offender to press and lift their thumbs, not roll their thumbs. A moist towelette is provided in the kit to remove the ink.

(e) Remove the foam swab and instruct the offender to swab between the lower right gum line and cheek for approximately 30 seconds. Rotate swab and repeat on the other side of the mouth.

(f) Have the offender place the foam swab on a DNA card circle and press down in a rocking motion to transfer cells. The color on the card should change from pink to white within the circle. Turn the swab over and repeat the process on the second DNA circle. Discard the swab in the biohazard box.

(g) Place the DNA card and submission card inside the return envelope. Seal the envelope with safety seal; date and initial the seal.

(h) Once you have completed the DNA collection process, stamp the individual’s court paperwork with the DNA stamp located at the front counter. The stamp says, “DNA taken by the Vancouver Police Department,” and has a line for your initials, PSN and the date. Fill it out accordingly. Direct the individual to take their paperwork back to the court to prove they have complied with the order.

(i) Place the completed kit in the mail bin so it can be mailed to the WSP lab immediately.

(j) Place a copy of the ID with the date at the top in the basket for the monthly count. Once the count is completed and sent to the patrol Administrative Sergeant, the copies are to be shredded.

(k) All steps in the DNA process are to be completed at the time the DNA is taken.

904.5 TRAINING
The Training Division will provide training as needed in regards to the collection and processing of Biological Samples.
Chapter 10 - Personnel
Specialty and Detective Assignment Selection

1001.1 PURPOSE AND SCOPE
This policy outlines the process for filling Non-patrol assignments and collateral duty assignments.

At no time will this policy interfere with the authority of the Chief of Police to transfer or assign any member of VPD to a Non-patrol assignment.

1001.2 POLICY
The selection process outlined in this policy is intended to provide efficiency, consistency and a process to select the best qualified candidate for Non-patrol assignments and collateral duty assignments within Department needs at the time of the selection.

1001.3 QUALIFICATION REQUIREMENTS
The following general values will be used in evaluating employees for a Non-patrol and collateral duty assignments as is appropriate for the position. This is not an exhaustive list:

1. **Job Skills**: Effectiveness with which the employee applies job knowledge and skills to previous and current job assignments including written and oral communication skills. The employee's ability to perform the specific technical skill required in the specialty assignment.

2. **Work Habits**: Characteristics the employee demonstrates while performing job assignments including responsibility; accountability for actions; attendance; ability to follow instructions, rules and regulation; ability to plan and organize work while effectively using time, materials and resources in a manner which achieves the greatest results with a minimum of time and effort; and to be flexible and adaptable to change.

3. **Leadership Skills**: Effectiveness of the employee as a leader including general leadership skills, performance as a role model, self-management skills, initiative and ability to build cooperation through credibility, expertise, influence and persuasion.

4. **Honesty and Integrity**: Employee's demonstrated understanding of ethical standards and the impact of ethical decisions on the Department and the community and the ability to protect the integrity of both. Employee's willingness and ability to defend ethical actions.

5. **Self-Management/Self-Esteem**: Employee's effectiveness in self-evaluation and self-improvement and ability to receive constructive criticism and advice appropriately and be open and willing to change.

6. **Problem Solving/Decision-Making**: Employee's effectiveness at solving problems with innovation and creativity. Employee's ability to integrate experience, knowledge, advice of others and creativity into an action plan, to adapt the plan as needed, and to make effective decisions.

7. **Teamwork and Working Relationships**: Employee's effectiveness in working within a team environment and resolving conflict with others including:
Specialty and Detective Assignment Selection

(a) The employee’s ability to build trust and cooperation through clear and open communication among team members; perform one’s fair share of the group effort; collaborate effectively with others to accomplish work goals; lead the team through conflict and honor team agreements.

(b) The employee’s ability to build and maintain effective working relationships with customers, coworkers inside and outside of the Department and supervisors.

8. Career Development: Whether the particular assignment fits within the employee’s previously identified career development plans.

1001.3.1 SPECIFIC QUALIFICATION REQUIREMENTS
Non-patrol assignments include both Specialty and Detective positions. Employees serving in a Specialty position as outlined in 1001.5 are eligible to apply for Detective positions without having to return to a patrol assignment for one year.

Any employee who is assigned to a Detective position as outlined in 1001.5 must work in patrol for one calendar year prior to being eligible for another non-patrol assignment. The one year period must be exhausted prior to the beginning date in the assignment, not at the time of application. Any employee who is appointed to a non-patrol assignment without an application and selection process is not subject to this requirement.

All sworn personnel who meet the minimum qualifications may apply for a Major Crime Unit position regardless of their current assignment, and the mandatory service in patrol between detective assignments is waived for a Major Crime Unit positions only.

Personnel interested in applying for a non-patrol or collateral duty assignment may do so, even if they are the subject of a pending internal affairs investigation. However, should the candidate be selected for the position, final approval of the assignment could pend at the discretion of the Chief until the investigation is complete and findings rendered.

Employees must continue to meet the expectations of their primary duty assignment to retain a collateral duty assignment.

1001.3.2 DEPARTMENT QUALIFICATION REQUIREMENTS
In addition to individual qualification requirements, the following factors will be considered (this is not an exhaustive list):

1. Promoting specialty assignment opportunities for a broad range of personnel within the Department.

2. The particular needs of the Department and the specialty unit at the time of the selection.
1001.4 SELECTION PROCESS
All transfers and assignments are the sole prerogative of the Chief of Police and do not require a selection process.

The Office of the Chief must approve filling any vacancy and the process for selection, if any. When a selection process is utilized, the following steps will be followed:

1. The Division Commander or designee of the Division anticipating the vacancy shall notify the Office of the Chief of the vacancy, the justification for filling the vacancy, the recommended process for filling the vacancy and the criteria by which all applicants should be considered.

2. If a selection process is used, the VPD Human Resources (HR) Representative will coordinate the process including:
   (a) Reviewing all announcements for compliance with Equal Employment Opportunities (EEO) regulations and Department requirements including whether it contains the qualifications as identified in the position announcement.
   (b) Posting an announcement of the vacancy including the minimum qualification requirements and how to apply for the position.
   (c) Assistance with preparation of interview questions to assure compliance with EEO regulations and Department requirements.

3. Vacancy announcements must be posted and letters of interest accepted for at least fourteen (14) calendar days.

4. Candidates who are qualified and interested in applying for the position are responsible for submitting required application materials within the application period.

5. After the closing date of the position, the VPD HR Representative shall review the applications to determine whether applicants meet the minimum qualification requirements. If an applicant does not meet the qualification requirements the VPD HR Representative will notify the applicant and inform him/her that they will not be considered for the position.

6. The following information will be considered in the selection process and, if necessary, addressed in an interview with the candidate:
   (a) Performance evaluations for at least two (2) years.
      1. If an employee is qualified for the listed position and only has one evaluation, that will be acceptable.
   (b) Any commendations, corrective action or disciplinary action received by each candidate.
   (c) Whether each candidate is available to work the hours required by the assignment.
   (d) Each candidate’s internal affairs history.
   (e) Performance information and recommendations from present and/or previous supervisors.
Specialty and Detective Assignment Selection

7. Interviews, if any, will be conducted by an interview committee consisting of:
   
   (a) An Assistant Chief (optional).
   
   (b) The Commander from the division in which the vacancy occurs, if the position being filled is a sergeant or above.
   
   (c) The Lieutenant from the division in which the vacancy occurs, if the position being filled is an officer/detective.
   
   (d) A supervisor from the unit with the vacancy or other subject matter expert.
   
   (e) A City of Vancouver HR representative will participate in the interviews to assure compliance with applicable laws and Department requirements.
   
   (f) Command may allow community partners to assist in interviews if the position is applicable to such involvement. (such as NPO's or SRO's ect...)
   
   (g) The interview Committee Chair will be the highest ranking officer from the division in which the vacancy occurs.
   
   (h) In cases of conflict or if one of the above listed representative are not available, a designee can be appointed by the Office of the Chief.

If the assignment is advertised to candidates outside of VPD (e.g., SWAT/TEMS), the panel may include an additional representative from another law enforcement agency if the supervisor of the selected candidate is not a VPD employee or the administering agency is not VPD.

8. HR will provide appropriate training for the raters prior to the interview process.
   
   (a) The interview committee will adhere to the panel member agreement provided prior to the interview. The panel member agreement will address the following: confidentiality, consistency, objectivity and professionalism.

9. The Interview Committee will determine the strengths/weaknesses of each candidate and rank the candidates based on the questions asked during the interview and other material considered during the selection process.

10. The Interview Committee Chair will review the information obtained during the interview process to ensure consistency with Department selection criteria.

11. The Interview Committee Chair will report the strengths/weaknesses of each candidate to the Assistant Chief over that assignment with a recommendation as to the best qualified candidate for the position. The Chief of Police or designee will make the final decision.

12. The VPD HR Representative will ensure that all notes and other written information created during the selection process are retained according to Department policy and applicable records retention laws.

13. The interview panel will score each candidate consistent with HR standards. In order to qualify for any specialty position, interviewing candidates must have a minimum score of 70%.
Specialty and Detective Assignment Selection

(a) A list of candidates who meet the minimum score will be kept on file for at least 6 months and will be used to fill the position unless other action is taken by the Office of the Chief.

(b) The Chief of Police retains discretion in regards to the order of who gets the position.

1001.5 SPECIALTY AND DETECTIVE ROTATIONAL SCHEDULE

Specialty Positions:

(a) Administrative Sergeant 5 years
(b) Audit Sergeant 5 years
(c) Case Management Sergeant 5 years
(d) Training Sergeant 5 years
(e) Training Cpl./Ofc. 4 years
(f) DT Master Instructor 8 years
(g) Range Master 8 years
(h) School Resource Officer 5 years
(i) Special Operations Sergeant 5 years
(j) Neighborhood Police Officer 5 years
(k) Neighborhood Response Team Sergeant 4 years
(l) Neighborhood Response Team Detective 2 years
(m) USMS Task Force Detective 4 years
(n) Canine Officer-Master Instructor WLOD/10 years
(o) Canine Officer WLOD/5 years
(p) Traffic Sergeant Motor/Car 6 years
(q) Traffic Motor Cpl./Ofc. 6 years + 2 years Reconstructionist
(r) Traffic CTE Cpl./Ofc. 6 years + 2 years Reconstructionist
(s) Traffic Car Cpl./Ofc. 6 years + 2 years Reconstructionist
(t) Bicycle Patrol Officer 3 years

Detective Positions:

(a) Major Crimes Sergeant 6 years
(b) Major Crimes Detective 10 years
(c) Child Justice Sergeant 6 years
Specialty and Detective Assignment Selection

(d) Child Justice Detective 7 years
(e) Elder Justice Detective 7 years
(f) DECU Sergeant 6 years
(g) DECU Detective 7 years
(h) DV Sergeant 6 years
(i) DV Detective 6 years
(j) DTF Sergeant 6 years
(k) DTF Detective 6 years
(l) SSGTF Sergeant 6 years
(m) SSGTF Detective 6 years
(n) Special Investigations Sergeant 6 years
(o) Special Investigations Detective 6 years
(p) Property Crimes Sergeant 4 years
(q) Property Crimes Detective 4 years
(r) PSU Sergeant 5 years
(s) PSU Detective 2 years
(t) Background Sergeant 5 years
(u) Background Detective Temp
Promotions

1003.1 PURPOSE AND SCOPE
The purpose of this policy is to establish required and desirable qualifications for promotion through Civil Service positions including Corporal, Sergeant, Lieutenant and Commander and outlines a selection process for promotion.

Policy and procedure for selection to a specialty assignment or collateral assignment are outlined in Policy 1001 - Specialty and Detective Assignment Selection.

1003.2 POLICY
The Vancouver Police Department complies with the City of Vancouver’s Civil Service Rules and applicable laws for promotions including qualification requirements, examination plans and selection process. All elements used to evaluate candidates for promotion are job related and non-discriminatory.

1003.3 GENERAL REQUIREMENTS
The following values will be used in evaluating employees for promotion as is appropriate for the position. This is not an exhaustive list:

1. Job Skills
2. Quality of Work
3. Quantity of Work
4. Customer Service
5. Work Habits
6. Leadership Skills
7. Supervisory Skills
8. Honesty and Integrity
10. Self-Management and Self-Esteem
11. Problem Solving and Creativity
12. Teamwork
13. Conflict Resolution
14. Working Relationships
1003.4 QUALIFICATIONS
A candidate must meet the minimum qualification requirements as outlined in the applicable Civil Service Rules or collective bargaining agreement on or before the first day of examination, unless otherwise provided.

1003.5 SELECTION PROCESS
The Chief of Police will determine the best qualified candidate for the vacant position(s) and make an appointment to the position(s).

The following steps provide a model for selecting a candidate for promotion following certification of an eligibility list. This model does not apply to temporary/acting appointments or commander postilions if external candidates are recruited for the position.

The Chief of Police or designee(s) will take some or all of the following steps to determine the best qualified candidate for the vacant position:

1. Determine eligible candidates with the "Rule of Three" on the appropriate eligibility list as provided by Civil Service Rules.

2. Perform an administrative evaluation for each candidate to include:
   a. Review of the personnel and divisional file with particular attention to performance to evaluations, commendations, corrective and disciplinary action.
   b. Determination of ability to perform the duties outlined in the job description for the rank.
   c. Review of internal affairs history.
   d. Obtaining performance information and/or recommendations from present and previous supervisors for at least three (3) years.

3. Discuss the strengths/weaknesses of each candidate with a designated Command group.

4. Report all information on each candidate, including the information from the Command group, to the Chief of Police.

5. Conduct an interview with each eligible candidate.

1003.6 DOCUMENTATION OF PROMOTIONAL DECISIONS
The Chief of Police will assure that the process and reason for the decision are documents including the following:

1. The names of the individuals involved in the decision-making process.

2. Date and times of the candidates interviews including the name and ranks of all individuals present at each interview.

3. Dates and times of meetings to discuss the promotion decision including the names and ranks of all individuals present at each meeting.
The Police Human Resources Liaison maintains all documentation created during the process, including individual notes, in confidential files separate from the personnel file.

1003.7 EMPLOYEE FEEDBACK
Candidates are encouraged to seek constructive feedback regarding their performance during the examination process by:

1. Requesting information regarding strengths and areas that could be improved from the raters and decision-makers. Strengths and areas for improvement may involve performance during the exam process or in an employee's work performance, experience, training, or other job related issue that was considered during the promotional process.

2. Reviewing exam information provided that information may not be reviewed between the time the exam schedule is approved by the Civil Service Commission and the exam. "Exam information" includes written exams and exam answer keys, and rater comments from the interview panels or other assessment. "Exam information” does not include rater names or a right to review the actual written rater notes.
INTERNAL AFFAIRS INVESTIGATIONS
(Professional Standards)

1004.1 PURPOSE AND SCOPE
This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Vancouver Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

http://cvsharepoint/departments/PoliceDept/VPDNet/vpdpolicydocs/Lexipol%20Policy%20Source%20Documents/Section%201004.pdf
Sick Leave and Modified Duty

1012.1 PURPOSE AND SCOPE
This policy provides general guidance regarding the use and processing of sick leave and modified duty. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual (211 Sick leave/Short-Term Disability) or applicable labor agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC 2601 et seq.; RCW 49.78.220 et seq).

1012.2 POLICY
It is the policy of the Vancouver Police Department to provide eligible employees with a sick leave benefit.

1012.2.1 DEFINITIONS
Planned Vacancy - A vacancy for which an employee give notice at least 24 hours prior to the start of the shift.

Unplanned Vacancy - A vacancy for which notice is given less than 24 hours before the normally scheduled start of the shift.

1012.3 USE OF SICK LEAVE
Sick leave is intended to be used for qualified absences (RCW 49.46.210). Sick leave is not considered vacation. The Department may also provide opportunities for employees to work in temporary modified duty status if they are unable to perform the full scope of their job duties due to on or off duty injury or illness.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy -1038).

1012.3.1 NOTIFICATION
All employees should notify the Shift Sergeant or appropriate supervisor as soon as they are aware that they will not be able to report to work. If, due to an emergency, the employee is unable to contact the supervisor, every effort should be made to have a representative for the employee contact the supervisor (WAC 296-128-650).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the employee shall, whenever possible and practicable, provide the Department with no less than 10 day notice of the impending absence (WAC 296-128-650).
Sick Leave and Modified Duty

Upon return to work, employees are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

Failure to report to work for three consecutive days or shifts for which the employee is scheduled to work, without receiving authorization, may be considered a voluntary resignation for reasons of job abandonment.

1012.4 EXTENDED ABSENCE / FREQUENT ABSENCE
For absences exceeding three days, an employer may require verification that an employee's use of paid sick leave is for an authorized purpose. If an employer requires verification, verification must be provided to the employer within a reasonable time period during or after the leave. An employer's requirements for verification may not result in an unreasonable burden or expense on the employee, and may not exceed privacy or verification requirements otherwise established by law. (RCW 49.46.210)

The City recognizes that each individual situation is different, and the requirements of each job position is different. The City will consider all the circumstances of each situation, and the effect it has on the workgroup and/or work product.

Factors a manager may consider in determining whether poor attendance is an issue include, but are not limited to, the following:

• A pattern of tardiness or absences that disrupts the flow of work, burdens co-workers with extra tasks, lowers morale, increases labor costs or adversely affects the quality of services;
• A pattern of tardiness or absences the day before and/or the day after a holiday or days off;
• A pattern of tardiness or absences on scheduled work weekends, Saturdays, Sundays and/or holidays;
• A pattern of tardiness or absences the day after payday; or
• A pattern of calling in sick as rapidly as sick time is accrued.

If there is a reasonable concern about an employee's ability to return to work or to perform their essential job functions, the Department may request a fit for duty examination be conducted.

1012.5 ELIGIBILITY FOR MODIFIED / LIGHT DUTY
The Department may offer an employee a modified/light duty assignment if a suitable and available assignment exists. The Department will determine the type of work that is suitable according to the medical documentation and work that is available within the Department.

1. Modified duty is considered temporary, and normally does not exceed six months.
Sick Leave and Modified Duty

2. Employees are only eligible for modified/light duty assignments if the employee is in a regular full time or part time position, the employee has a short term injury or illness that prevents them from performing the full scope of their job duties, and the employee is expected to recover from the injury or illness and return to full job duties.

An employee who is medically released for, and offered light duty, but chooses not to accept the assignment, will use their allotted sick time instead.

Failure to provide timely notification of release to return to work may result in loss of pay and/or benefits.

1012.6 WORKERS’ COMPENSATION
Employees may use accrued sick leave hours on the date of injury and the three consecutive days following. On the fourth day, employees are considered on “time loss” and entitled to Workers’ Compensation time loss benefits. Employees may use accrued leave hours to supplement the time loss payment up to their base salary.

Prior to modified duty being approved, the employee must provide medical documentation from his/her treating physician which states that the employee is unable to perform the essential duties of his/her current position but may be able to work a modified duty assignment. The documentation should identify the specific physical limitations or restrictions. Modified duty is considered temporary and normally does not exceed six months. An employee who is medically released for and offered light duty, but chooses not to accept the assignment, will not be entitled to further time loss benefits.

For additional information see applicable CBAs: http://cvsharepoint/departments/HR/Pages/EmpLaborRelations.aspx

1012.7 TRAINING
Employees must obtain authorization from a supervisor prior to attending training during medical leave. Authorization may only be provided if it is consistent with the information obtained from the employee’s treating physician.

1012.8 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors include, but are not limited to:

Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy. If deemed necessary, advise their supervisor of the amount of sick leave being used in order to ensure proper staffing.

Monitor the use of overtime being worked if the employee is using sick time during their normal shift or work duty, and if appropriate, limit overtime and collateral duty assignments.

When appropriate, counseling employees regarding inappropriate use of sick leave.
Sick Leave and Modified Duty

Referring eligible employees to an available employee assistance program when appropriate.

Notify employee that they may be eligible for additional leave programs (FMLA, WFLA, etc.) and should contact Human Resources.

Ensure no retaliation or discrimination against an employee for using leave for authorized purposes under this policy (RCW 49.46.210)
Body Armor and Helmets

1022.1 PURPOSE AND SCOPE
Soft body armor vests and ballistic helmets have been shown to be effective in reducing deaths and serious injuries. This policy outlines the requirements for use of the protective vests and helmets.

1022.2 POLICY
The Department provides soft body armor and ballistic helmets for officers and Police Service Technicians (PST) assigned to patrol in an effort to ensure that personnel engaged in uniformed field duties or high-risk situations are wearing necessary protective equipment. While body armor and helmets provide a significant level of protection, it is not a substitute for the observance of officer safety procedures.

(Police Service Technicians assigned to patrol will only be issued soft body armor.)

1022.3 AUTHORIZED BODY ARMOR AND HELMET
Body armor and helmets must be either Department issued or Department approved. The Department will replace the protective vests and helmets according to manufacturer recommendations.

1022.3.1 EXTERNAL VEST CARRIER
Officers are authorized to wear an optional external vest carrier for soft body armor after being fitted and trained on use of the vest.

VPD recognizes that a standardized configuration of the external vest carrier may not be appropriate for all personnel due to variations in body types. VPD authorizes officers to wear certain equipment on an external vest carrier with the following guidelines:

a. All pouches must be affixed to the external carrier utilizing a load-bearing system that is compatible with and designed for use with the integrated nylon webbing, i.e., M.O.L.L.E./PALS.

b. All pouches affixed to the carrier must be black or patrol blue in color.

c. The following items must be affixed to the vest:
   1. Badge or badge patch
   2. Name tape
   3. "Police" patch (front and back)

d. The following items may be worn:
   1. Department issued equipment, such as handcuffs, Taser, OC spray, radio and ammunition magazines
   2. Flashlight
Body Armor and Helmets

3. First-aid medical equipment, such as trauma shears, tourniquet or gauze
4. Utility pouch
5. Patrol knife
6. Cell phone
7. Keys
8. Pens
9. American flag patch (2”x3”, subdued silver, red & blue w/no other design, insignia or logo)

Carrier attachments shall not obstruct or impede access to firearm, Taser, magazines or radio. In order to maintain the ability to properly identify as the police and insure professional appearance, all visible items attached to the external carrier should be muted and/or subdued in color. Attached items should not be brightly colored, excessive or detract from a professional appearance.

Officers are required to perform a weak hand draw with a Taser. Therefore, the Taser must be placed on the vest so the officer can perform a weak-hand draw. Transitioning to the strong hand after drawing with the weak hand is allowed.

Employees may not carry any other item, tool or piece of equipment on an external vest carrier unless specifically authorized by policy or by the Chief of Police or designee.

Officers must wear a Department issued or authorized shirt under an external carrier.

An external carrier vest may be removed when in a police facility or other secured facility with no public access.

1022.4 ISSUANCE OF BODY ARMOR AND HELMET

The Police Resource Technician shall ensure that body armor and a ballistic helmet is issued to all officers and Police Service Technicians assigned to patrol when they begin service at the Vancouver Police Department and that, when issued, the body armor and helmet meets or exceeds the standards of the National Institute of Justice. Prior to being issued body armor, each person will be fitted by a manufacturer/sales representative to assure proper fit.

The Police Resource Technician shall establish a body armor and helmet replacement schedule based on the manufacturer’s recommended replacement schedule and ensure that replacement body armor and helmets are issued whenever the body armor or helmet become worn or damaged to the point that its effectiveness or functionality has been compromised.

(Police Service Technicians assigned to patrol will only be issued soft body armor.)

1022.4.1 USE OF SOFT BODY ARMOR AND HELMETS

Generally, the use of body armor is required subject to the following:
Body Armor and Helmets

(a) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(b) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(c) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.

(d) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

If feasible, officers are required to wear a helmet in the following circumstances:

   a. During pre-planned tactical and other high-risk situations.
   b. Whenever a patrol rifle or shotgun is deployed by the officer.

Vests and helmets must be accessible to all sworn personnel during working hours.

1022.4.2 CARE AND MAINTENANCE OF SOFT BODY ARMOR AND HELMETS

Soft body armor and helmets should be stored, cared for and cleaned pursuant to the manufacturer's care instructions provided with the equipment. The instructions can be found on labels located on the external surface of each ballistic panel or within the packing material. The armor carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities.
Personnel Records

1024.1 PURPOSE AND SCOPE
This policy defines the types of employee records maintained by the Department and outlines the requirements for disclosure of information contained in the records.

1024.2 POLICY
The Vancouver Police Department complies with applicable laws regarding the maintenance, retention, and access to personnel records.

1024.3 DEPARTMENT FILE
The Department File is maintained in the Office of the Chief of Police as a permanent record of employment with this Department. The Department File should contain, but is not limited to, the following:

1. Performance evaluation reports regularly completed by appropriate supervisor(s) and signed by the affected employee.
2. Records of commendations and awards.
3. Personnel action reports reflecting assignments, promotions and other changes in the employee’s employment status.

1024.4 DIVISIONAL FILE
The Divisional File is separately maintained by an employee’s supervisor(s) within an assigned division for the purpose of completing timely performance evaluations. The Divisional File should contain, but is not limited to, the following:

1. Supervisor notes, information regarding corrective action (letters of counseling) and other materials intended to serve as a foundation for the completion of timely performance evaluations.
2. The supervisor may retain notes and copies of performance evaluations in the file for his/her own information. Notes of performance and training used for performance evaluations will be purged upon completion of the evaluation and resolution of any performance issues.

Once the performance evaluation form has been made final, all documents created during that evaluation period will be purged from the Divisional File. Only the most current performance evaluation and documents for the next evaluation should be retained in the Divisional File.
1024.5 TRAINING FILE
A Training File is maintained by the Training Unit for each employee. Training Files will contain records of all available training certificates (original/photocopies), transcripts, diplomas or any other educational documentation.

It shall be the responsibility of the involved employee to provide the Training Unit with evidence of completed training/education in a timely manner.

The Training Sergeant, or designee, shall ensure copies of such training records are placed in the employee’s Training File.

1024.6 INTERNAL AFFAIRS FILE
The Professional Standards Unit (PSU) shall be the official record keeper for all allegations of employee misconduct, including all materials related to any such investigation. PSU, in conjunction with the Office of the Chief of Police, shall maintain exclusive control of any such files. Access to these files will be provided in accordance with Policy 902 - Internal Affairs Investigation.

1024.7 MEDICAL FILE
Medical Files shall be maintained in the Office of the Chief separately from all other files and shall contain all documents relating to the employee’s medical condition and history, including but not limited to the following:

(a) Materials relating to medical leaves of absence.
(b) Documents relating to Workers’ Compensation claims.
(c) Fitness for duty examinations, psychological and physical examinations, follow-up inquires and related documents.
(d) Medical release forms, doctor’s slips, and attendance records, which relate to an employee’s medical condition.
(e) Any other documents or material, which reveals the employee’s medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.
1024.8 CONFIDENTIALITY OF ALL PERSONNEL FILES
To the extent possible, all personnel records, whether or not subject to public disclosure, should be maintained as confidential and private records. Access to employee records should be limited to only those City employees who maintain the files and those who have a legitimate need or legal right to access the information.

The Office of the Chief shall establish a system of accountability, security and record of access for employee personnel files.

1024.8.1 REQUESTS FOR DISCLOSURE
All personnel records are considered public unless they are covered by specific disclosure statutes.

Private personnel records that are exempted from public disclosure may include:

(a) Applications for public employment (RCW 42.56.250) to include confidential medical information such as employment psychology testing (WAC 139-07-030(3) and polygraph examination results, notes or findings

(b) Residential addresses and telephone numbers when held in a personnel file (RCW 42.56.250).

(c) Performance evaluations, which do not discuss specific instances of misconduct.

(d) Medical information.

(e) Industrial insurance (Workers’ Compensation) claim files and records (RCW 51.28.070).

(f) Employee identification numbers.

(g) Taxpayer information, such as tax withholding data (RCW 42.56.230(3)).

Records that are not covered by other specific disclosure exemption statutes must be made available for inspection and copying. This includes the following private personnel records:

(a) Employee advancement or discipline reports.

(b) Internal affairs complaints after such investigations have been completed, or are no longer under review or deliberation.

(c) Departmental reports sent to the Washington State Criminal Justice Training Commission regarding the separation from employment of an officer.

All requests for the disclosure of any information contained in any officer’s personnel record shall be handled in accordance with applicable public records laws.

All requests for disclosure, which result in access to an employee’s personnel file(s), must be approved by the Office of the Chief. Each request shall be logged in the corresponding file, and the effected employee will be notified of the request and/or disclosure prior to the release of any information. All such requests must be approved by the Office of the Chief. The Office of the Chief, or designee, will notify the employee via email.
1024.8.2 RELEASE OF INFORMATION
Except as provided by this policy, or pursuant to lawful process, no information contained in any personnel file shall be released without prior written consent of the involved officer, or written authorization of the Chief of Police or his/her designee.

1024.9 EMPLOYEE RESPONSIBILITIES
Employees must provide the Department with personal data which will include:

(a) Full name,
(b) Residential address,
(c) Telephone number,
(d) Marital status; and
(e) Person to be notified in an emergency.

Employees must notify the Office of the Chief of any change in the above information during the next business day after the change.

See attachment: Change of personnel Information Form.pdf

1024.10 EMPLOYEE ACCESS TO OWN FILE
Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). The Department will then provide access to the files within a reasonable time frame. Access to any personnel file will be in accordance to RCW 49.12.250 – Employee inspection of personnel files/erroneous or disputed information.

Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Chief of Police through the chain of command. The Department shall thereafter remove any such item if appropriate or provide the employee with a written explanation why the contested item will not be removed. If the contested item is not removed from the file, the employee’s request and the Department’s written response shall be retained with the contested item in the employee’s personnel file (RCW 49.12.250).

Employees will be restricted from accessing files containing any of the following information:

(a) Information obtained during their own background investigation.
(b) Internal Affairs files as provided in Policy 902 - Internal Affairs Investigations.

1024.11 RETENTION AND PURGING
Personnel records shall be maintained in accordance with the established Washington State Records Retention Schedules.
Retention and purging of investigations into allegations of employee misconduct shall follow the Washington Secretary of State Archive Law Enforcement Records Retention Schedule Chapter 8.3:

- Investigations with formal discipline imposed: Retain for 6 years after the completion of disciplinary action.
- Investigations with sustained findings and no form discipline: Retain for 6 years after final disposition.
- Investigations where the employee was exonerated, or charges were unfounded or not sustained: Retain for 6 years after final disposition.

When formal discipline is imposed, the Washington State Archivist is to be contacted for appraisal prior to any records destruction. Per the Washington Archive Law Enforcement Records Retention Schedule Chapter 8.3;
Fitness for Duty

1030.1 PURPOSE AND SCOPE
This policy establishes employee responsibilities, supervisor responsibilities and guidelines for fitness-for-duty evaluations. All officers are expected to be physically, emotionally and mentally fit for duty and able to perform their peace officer powers in a safe, productive and effective manner. This policy does not apply to evaluations related to substance abuse concerns.

1030.2 EMPLOYEE RESPONSIBILITIES
It shall be the responsibility of each Department employee to be physically, emotionally and mentally fit sufficient to safely, and effectively perform the essential duties of their job description.

   a. Each member of this Department shall perform his/her respective duties without physical, emotional and/or mental constraints.

   b. During working hours, all employees are required to be alert, attentive and capable of performing their assigned responsibilities.

   c. Any employee who feels unable to perform his/her duties shall promptly notify a supervisor.

   d. In the event an employee believes that another employee is unable to perform their duties, such observations and/or belief shall be promptly reported to a supervisor.

   e. Any employee who is taking medication that may impact their ability to perform the essential functions of their job shall notify a supervisor prior to working.

1030.3 SUPERVISOR RESPONSIBILITIES
A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.

   a. Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.

   b. In the event the employee appears to be in need of immediate medical and/or mental treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public while complying with the employee’s legal rights.

   c. In conjunction with the employee’s chain of command, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.

   d. The Chief of Police shall be promptly notified in the event any employee is relieved from duty.
1030.4 RELIEF FROM DUTY
Any employee suffering from a work or non-work related condition which warrants a temporary relief from duty may be entitled to be placed on family medical leave under state and/or federal law. Consult with Human Resources to assure proper notification and compliance with family medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for Workers' Compensation payments or may be required to use sick leave or other paid time off consistent with applicable policies.

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

1030.5 MEDICAL EXAMINATIONS
The Department has the right to require a medical examination (physical and psychological) provided the examination is job related and consistent with business necessity.

a. The Department may require an employee to undergo a fitness-for-duty medical examination whenever circumstances reasonably indicate that the employee may not be able to effectively perform the essential functions of their job or the employee may pose a risk to the safety of him/herself or others. This order shall come from the Chief of Police, or designee, and shall indicate the date, time and place for the examination.

b. The scope of the examination shall be confined to the physical or psychological condition that prompted the need for the examination.

c. In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

d. The examining health care provider will provide the Department with a report as to whether the employee is able to perform the essential functions of the job in a safe, productive and effective manner, any recommendations that may enable the employee to perform his/her job and any conditions for return to work.

e. Any employee ordered to receive a fitness-for-duty medical examination shall comply with the terms of the order and cooperate fully with the examining physician/therapist regarding any clinical interview, administered test, or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician/therapist may be deemed insubordination and may be subject to discipline up to and including termination.

f. Pending the results of the medical evaluation, the employee may be relieved of certain duties, assigned different duties, or relieved from duty under appropriate leave status.

1030.6 RESULTS OF THE EXAMINATION
If an employee has been deemed fit-for-duty by the examining health care provider, the Chief of Police, or designee, will notify the employee of the results and when to resume their duties.
Fitness for Duty

If the health care provider finds the employee cannot perform the essential functions of their job, the Department and Human Resources will engage in an interactive process with the employee in compliance with applicable laws to determine if and when the employee may be returned to work.

1030.7 APPEALS
An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty examination shall be entitled to an administrative appeal as outlined in their collective bargaining contract.
Hours of Work and Overtime Scheduling

1036.1 POLICY
The Vancouver Police Department utilizes an electronic scheduling system to schedule regular work hours, training hours, overtime hours, special deployments, leave hours and to backfill vacant shifts for all personnel. The time entered in the system is the record of the employee’s hours worked.

1036.2 DEFINITIONS
Planned Vacancy - A vacancy for which an employee gives notice at least 24 hours prior to the start of the shift.

Unplanned Vacancy - A vacancy for which notice is given less than 24 hours before the normally scheduled start of the shift.

Special Deployment - A working opportunity not part of the employee’s regular shift assignment such as school events, traffic emphasis and special details.

1036.3 EMPLOYEE RESPONSIBILITY
All VPD personnel are responsible for maintaining and ensuring the accuracy of their own calendar in the scheduling system as follows:

1. Employees are responsible for making accurate entries and the appropriate note codes when changes to their normal work schedule occur. Employees will submit and obtain supervisor approval for anticipated leave in advance as required by policy and/or applicable collective bargaining agreements (CBAs).

   (a) Examples include, but are not limited to, the following:
   i. Personal/Other Leave (vacation, military, bereavement, comp time etc.)
   ii. All requests for paid days off, with the exception of actual, sudden and temporary illness, will be submitted at least five (5) working days in advance of the absence and shall be in accordance with established departmental practice. Requests may be submitted with less than the required notice when agreed to by the immediate supervisor. VPD Policy 1012.3.1

   (b) Sick Leave:
   i. If a member is unable to report for work due to illness or injury, the employee shall notify his/her immediate supervisor or the on-duty supervisor as soon as possible prior to the regularly scheduled work shift. Policy 1012.3.1 Notification

   (c) Training (including regular squad training, specialty training, and other training)

   (d) Bereavement (employees must enter the relationship of the deceased).

   (e) Overtime (including a detail code stating what the overtime was for and how the overtime is paid (call back, middle day, comp).
1036.3.1 UNAVAILABLE STATUS
The Unavailable justification must be listed in the notes section of the electronic entry. Generally, an employee's regular days off does not justify their unavailability. Employees must document a reason for being unavailable on their days off. Regular days off do not count for unavailable.

In the event a member receives a subpoena for a date they are unavailable, it is the sole responsibility of the member to contact the assigned prosecutor, explain the reason for their unavailability and reschedule a date they are able to appear.

For guidance on the subpoena process, see Policy 347 - Subpoenas and Court Appearances.

1036.4 SUPERVISOR RESPONSIBILITY
Supervisors will make every effort to review and approve entries and schedule changes for their personnel by the date required by payroll. Telestaff entries that are not leave related should not be approved until the event has concluded. If overtime entries remain unapproved after the payroll deadline, payroll personnel will wait for supervisor approval. If leave entries remain unapproved after payroll deadline, payroll personnel will process as is and send a follow up e-mail to the supervisor for accuracy.

Supervisors will attempt to fill vacancies on other shifts when notified of an employee's unanticipated absence from another shift which will result in a staffing shortage for that shift.

Supervisors will contact the Department payroll personnel of any changes to their employee's schedule after the payroll deadline.

1036.5 DIVISION LIEUTENANTS RESPONSIBILITY
Division Lieutenants will review telestaff entries for their assigned staff when working to help reduce errors and to ensure current policy and Collective Bargaining Agreements (CBAs) are
being applied appropriately (i.e., justification is appropriate for the entry). The purpose for the
regular review is to ensure oversight, and timely entries to reduce the need for payroll sending an
excess of emails at the end of the payroll period.

1036.6 DIVISION COMMANDER RESPONSIBILITY
Division Commanders or their designees will follow-up on notifications from payroll requiring
additional information to process telestaff entries from employees within their Chain of Command.

1036.7 DEPARTMENT PAYROLL PERSONNEL RESPONSIBILITY
The Department payroll personnel are designated by the Office of the Chief to audit telestaff
related entries and to make corrections as needed. Payroll personnel will ensure all City and
Department policies, and current CBAs are being followed in regards to time keeping issues,
and the correct application of telestaff work codes are used. Payroll personnel will send a follow
up e-mail to the affected employee and their chain of command, documenting the reason for
any modifications made that affect an employee’s wage(s) and/or leave account balances. Any
modifications or corrections should be made by the employee’s next scheduled pay period.

1036.8 OVERTIME HOURS
If an employee commits to working an overtime shift, they are responsible to work the shift or to
find a replacement to work the shift. If the employee is unable to report for the overtime shift due to
an unforeseen circumstance such as personal injury or illness and is unable to find a replacement,
the employee must notify a supervisor as soon as possible.

Employees will submit overtime entries upon completion of their overtime assignment and will
notify a supervisor when their assignment is completed.

Employees must obtain prior approval from a supervisor to work overtime.
Schedules may not be adjusted to work voluntary overtime.

1036.9 SPECIAL DEPLOYMENTS
Special deployments will be staffed using the electronic scheduling system. Special deployments
may be offered initially to officers and/or supervisors. If the coordinating lieutenant is unable to
fill the special deployment by one day prior to the special deployment, the opportunity may be
offered to other qualified personnel (officers, corporals, sergeants or command staff) who were
not originally included in the opportunity.

1036.10 AUDITS AND REPORTS
Audits will occur every pay period to verify the accuracy of the data contained in the scheduling
system. The audit will review pay types, pay qualifications, FLSA compliance, policy requirements
and appropriate coding. Reports will be available for analysis of staffing patterns, attendance,
leave usage, and overtime use.
Per City Policy 200, payroll personnel will use time from an employee’s leave bank to equate the correct number of hours of the employee’s assigned work schedule to meet FLSA requirements. If issues arise from the audits and they cannot be resolved during the payroll processing deadline, Department payroll personnel will make the needed adjustments and inform the employee(s) and the correct chain of command by use of e-mail of the adjustments.

1036.11 SCHEDULING OF TRAINING HOURS
Training entries will reflect the actual amount of time spent in class/training or performing class related tasks. If the training course/class requires homework related tasks such as; studying, research, or preparing for presentations, prior approval from the employee’s Chain of Command is required if it exceeds the allotted classroom time. If scheduled training takes less time than the employee’s allotted work day, the remaining time shall be accounted for by either, vacation, comp, or a continuing of the work day such as report writing, ongoing investigations, or returning to normal duty. If payroll personnel, during the course of reconciling payroll, discover shortage of hours, they will adjust the employee’s time to accurately reflect their hours of work by deducting hours from accrued leave. If this deduction was made in error, or the employee(s) become aware their time was improperly accounted for, they will notify their respective chain of command to correct the deduction.

1. Training Time shall count hour-for-hour for the member's regular assigned work. As used herein, the term "Training Time" shall include time spent actually attending City-directed business, training or conferences.

Example #1- Patrol Officer #A normally works a 10.5hr day. He/she attends squad training (also a 10.5hr scheduled day). There would be no need to account for time differently (e.g., Flex/Training Time would both account for a 10.5hr day). If training ends 1hr early, the officer would need to account for the 1hr time period with the appropriate code (W-Adj if the employee continues to work and the notes should clarify what the time was spent on) or 1hr Vacation/PDO/Comp time, etc.

Example #2- Patrol Officer #A normally works a 10.5hr day. He/she attends training that consists of an 8hr work day. In this case, the employee needs to account for the extra 2.5hrs in telestaff by use of the work code W-Adj (if the employee continues or returns to work).

1. All time spent in Travel Status shall count hour-for-hour for the employee’s regular assigned work regardless of the day, or time of day during which the travel occurs. As used herein, the term "Travel Status” shall include reasonable time spent checking-in and awaiting public transit, time spent actively traveling, time spent retrieving baggage and/or Department-owned equipment or Department authorized duty weapons, and time spent traveling between the destination airport and destination hotel. The intent is to account for travel time to destination to include such occurrences as reasonable wait time for the airplane or meal breaks for long trips, not personal detours while traveling to a destination.

2. It is the employee’s responsibility to notify their supervisor of any time corrections to training entries.
3. Travel time is not authorized for training being hosted by VPD and/or the training is located in Clark County or the surrounding Portland metro area.

4. Recognizing travel by airplane requires time to check-in before the flight, and time to gather belongings and travel to a destination. Generally, this would be up to two hours before and up to one hour after a flight barring an unusual circumstance.

5. Unusual circumstances should be documented in telestaff. An email, to the employee's supervisor and department payroll personnel by the officer in travel status to document the reason for extended travel (i.e., flight delay/traffic crash, etc.).

6. If an employee’s travel status plus training time exceeds their regular work week, the member shall work with their chain of command to flex their time to the extent practicable. The Department recognizes that occasionally due to the timing of applicable Fair Labor Standards Act ("FLSA") periods, it may not be practical to flex time. In such cases, the employee shall be entitled to overtime to the same extent otherwise allowed by the appropriate Collective Bargaining Agreement.

1036.12 SHIFT TRADE
Shift trade is designed to allow employees leave when they do not have the appropriate amount of leave available or staffing does not allow for it. It is the responsibility of the employee whose shift is being covered to ensure that the shift is covered as agreed. If the shift is not covered as agreed, the employee whose shift is not covered will be required to use leave to account for the time or find another employee to cover the shift. All shift trades will be approved and entered by a supervisor.

1036.13 LEAVE WITHOUT PAY (LWOP)
The use of LWOP must be approved by the Office of the Chief unless covered by City policy.
Fatigue Management

1037.1 PURPOSE

The Vancouver Police Department recognizes that research has well documented the fact that fatigue may decrease alertness, impair task performance, and interfere with decision making.

The Department further recognizes that excess fatigue may adversely affect an employees' performance, health and safety, as well as their relations with the public and the quality of their discretionary decisions.

To demonstrate that fatigue safety is a high priority, to maintain an employees' safety, and to reduce the risk that fatigue may cause to the community, the Department has set forth guidelines governing overtime hours and periods of rest for all employees of the Vancouver Police Department.

1037.2 POLICY

1. Employees of the Vancouver Police Department should not work more than 16 consecutive hours, including extra duty, in a 24-hour period.

2. With the exception of a major event or rare exigent circumstances involving a prolonged deployment, employees will have a minimum of 8 consecutive hours off duty in every 24-hour period.

3. With the exception of a major event or rare exigent circumstances involving a prolonged deployment, employees will have at least 24 consecutive hours off duty during regularly scheduled days off.

4. When an employee is ordered to appear in court, and that court appearance interrupts the employee’s scheduled time off duty or requires the employee to work 16 or more hours during their 24 hour work cycle, the Department will provide leave to accommodate the 8 consecutive hours off duty either before or after the appearance in court. Generally, fatigue management will be used only after an employee has worked 16 consecutive hours or more. However, on rare occasions, it can be granted to avoid a fatigue management situation for an employee’s next regularly scheduled shift.

(a) An example of the intended use of fatigue management leave in this circumstance would be for a graveyard employee who got off duty at 0630 hours and had court the same day from 1000 to 1700 hours. This employee would not be required to report for his/her next shift until 8 consecutive hours off duty had been achieved, thus returning to duty at 0100 hours.

(b) An example of a rare situation where fatigue management could be granted before an employee had already worked 16 hours would be for a graveyard officer who got off duty at 0630 hours and was scheduled for a court appearance at 1300 hours. In this case, less hours of fatigue management leave would be used by releasing the employee at 0500 hours, than by providing 8 hours after the court appearance.
5. When an employee is called out to respond to an unplanned event and has not had at least 8 consecutive hours off duty before being called back to work, the Department will provide paid leave to ensure that the employee has at least 8 consecutive hours off duty either before or after the unplanned event. Generally, fatigue management will be used only after an employee has worked 16 consecutive hours or more.

   (a) An example of the intended use of fatigue management leave in this circumstance would be a day shift traffic officer whose shift ended at 1700 hours and who is called out to a traffic fatality from 2300 to 0200 hours. Because the officer did not receive the 8 consecutive hours off duty before being called out, he or she would not be required to report for the next shift until 8 consecutive hours off duty had been achieved following the call out, thus returning to duty at 1000 hours.

6. The Department will make sure that employees don’t feel obligated to drive home when they feel exhausted. Any employee who does not feel capable of driving safely should notify a supervisor immediately. Supervisors will assist the employee with arranging safe transportation.

7. When an employee is scheduled to attend training or provide instruction, he or she should work with their supervisor and plan for the event in compliance with this policy by using flex time and TX days. Employees attending training as students/instructors should be flexing their time prior to attending or instructing, rather than using fatigue management leave. The Department will make reasonable efforts to assist with scheduling.

8. Employees may only be compensated once for the same work hours. For example, employees who are on vacation, compensatory time, or any other paid time off may not work overtime during the same hours unless exigent or emergency conditions exist or the Department calls the employee back to work.

9. Employees who have taken unscheduled sick leave from their regular scheduled shift shall be precluded from working an overtime shift for 24 hours from the end of their normal scheduled shift. If the sick leave was for a qualifying family member, then the employee may sign up for an overtime shift without the sick time restriction.

1037.3 PROCEDURES
It is the responsibility of each employee to:

1. Monitor his or her own work hours in relation to these guidelines.

2. Notify the appropriate supervisor(s) when work hour issues related to these guidelines arise in the employees work schedule.

3. Refrain from volunteering or “signing up” for overtime hours that would be in violation of these guidelines.

4. Accurately record time entries in the Department’s timekeeping software to show the need for fatigue management.

It is the responsibility of Supervisors to:

1. Refrain from pre-scheduling any employee in obvious violation of these guidelines.
Fatigue Management

2. Make adjustments to the work schedule, when possible, to ensure that employees are not forced to work beyond these limits.

3. Evaluate and approve fatigue management leave entries that have been submitted into the Department’s timekeeping software, ensuring compliance with this policy and accurate payment to the employee.

4. Manage employee work hours on a regular basis to assure that employees do not continue on duty or begin duty in obvious violation of these guidelines.

5. Manage employee work hours and fitness for duty in exigent and emergency circumstances that require exceptions to these guidelines.

6. Notify the chain of command any time it is necessary to provide an employee paid fatigue management leave to meet the requirements of this policy. Include the reason for an employee using fatigue management in the notes section of the entry.
Off Duty Employment

1038.1 PURPOSE AND SCOPE
The purpose of this policy is to set forth guidelines to govern off-duty employment for all employees of the Vancouver Police Department. This policy does not address nor apply to any form of extra duty employment which is sponsored by the Department.

1038.2 POLICY
The policy of the Vancouver Police Department is to provide guidelines to Department employees to inform them of the types of off duty employment that are appropriate, and to establish procedures to maintain accountability for the welfare of the agency. These requirements are essential for the efficient operation of the Department and for the protection of VPD employees, the Department, and the community.

1038.3 DEFINITIONS
Employment - The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.

Extra Duty Employment - A job assignment outside of regularly scheduled work hours that involves providing services for a particular agency, function or event; and the actual or potential use of law enforcement powers. For further guidelines refer to Policy 1039 - Extra Duty Employment.

Off Duty Employment - Any employment (including self-employment) that will not require the use or potential use of law enforcement powers by the off duty VPD employee.

1038.4 APPLICATION SUBMISSION
No member of this Department may engage in any off duty employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for off duty employment or engaging in off duty employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Off Duty Employment Request form which shall be submitted to the employee’s immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration. The Chief of Police will make the final determination on the request.

Each application will be reviewed on a case-by-case basis. If approved, the employee will be provided with a copy of the approved permit.

If denied, the employee shall be provided with a written reason for the denial of the application at the time of the denial.

All requests will be reviewed and responded to within seven business days upon receipt at the Office of the Chief.
Off Duty Employment

Follow this directory: SharePoint~Departments~PoliceDepartment~VPDNET~Forms~Service Area:Off Duty Forms to obtain a copy of this application form.

1038.4.1 REVOCATION/SUSPENSION OF OFF-DUTY EMPLOYMENT
Any off duty employment requests may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this Department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at their discretion, revoke any previously approved off duty employment request. That revocation will stand until the employee's performance has been reestablished at a satisfactory level and their supervisor recommends reinstatement of the off-duty employment request.

(b) If, at any time during the term of a valid off duty employment request, an employee’s conduct or off duty employment conflicts with the provisions of Department policy, the request may be suspended or revoked.

1038.4.2 OFF DUTY EMPLOYMENT LIMITATIONS
Limitations on off duty employment are as follows:

a. New employees who have not completed their probationary period shall not be eligible to engage in off duty employment. Also, employees who are on medical or other leave due to sickness, temporary disability, or an on duty injury may not be eligible to engage in off duty employment.

b. Work hours for all off duty employment must be scheduled in a manner that does not conflict or interfere with the VPD employee’s performance of duty (including court appearances).

c. Any employee engaged in any off duty employment is subject to call#out in case of emergency, and may be expected to leave his off duty employment in such situations.

d. Any exceptions can be reviewed and approved by the Office of the Chief.

1038.5 PROHIBITED OFF DUTY EMPLOYMENT
The Department expressly reserves the right to deny any Off Duty Employment Request submitted by an employee seeking to engage in any activity which would:

a. Involve the employee’s use of Departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage. This shall include the prohibition of access to official records or databases of this Department or other agencies through the use of the employee’s position with this Department.

b. Present a conflict of interest such as a process server, repossessor, or bill collector; towing of vehicles; or any other employment in which police authority might be used to collect money or merchandise for private purposes, e.g. security guard or loss prevention officer.
Off Duty Employment

c. Assist as a private investigator or in any manner the case preparation for the defense in any criminal action or for either side in any civil action or proceeding.
d. Involve the sale of alcoholic beverages as the principal business.
e. Involve any gambling establishment.

Any employee found to be using their position in this Department in order to exploit any of the above items may be subject to disciplinary action.

1038.6 MATERIAL CHANGES OR TERMINATION OF OUTSIDE EMPLOYMENT

If an employee terminates their off duty employment, the employee shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued off-duty employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees are also required to disclose material changes in off duty employment that occur after approval of off duty employment has been granted to the Chief of Police in writing. For the purpose of this policy, such changes include any material change in the number of hours, type of duties or demands of off duty employment. Employees who are uncertain whether a change in off duty employment is material are advised to report the change.
Extra Duty Employment

1039.1 POLICY
This policy provides law enforcement officers with guidelines for extra duty employment. This policy does not address nor apply to off duty employment, which is covered under separate policy.

1039.2 DEFINITIONS
Employment - The provision of a service, whether or not in exchange for a fee or other service. Employment does not include volunteer work for charitable organizations.

Extra Duty Detail Coordinator - The Department member who is responsible for posting and monitoring the extra duty detail.

Extra Duty Employment - A job assignment outside of regularly scheduled work hours that involves providing services for a particular agency, function or event; and the actual or potential use of law enforcement powers.

Off Duty Employment - Any employment (including self-employment) that will not require the use or potential use of law enforcement powers by the off-duty VPD employee. For further guidelines refer to Policy 1038 - Off Duty Employment.

1039.3 EXTRA DUTY ELIGIBILITY REQUIREMENTS
Officers must meet eligibility requirements to work extra duty assignments:

1. Officers must be able to perform the essential functions of a police officer position with or without reasonable accommodation; and must not be on light-duty or leave due for medical reasons including sickness, temporary disability or injury.

2. Officers must have successfully completed their Field Training Program following their date of hire.

3. The extra-duty assignment must not conflict or interfere with the officer’s regular performance of duty including, but not limited to, his/her regular shift assignment and court appearances.

4. Officers must be able to perform the extra duty assignment on regularly scheduled days off or before or after the completion of a regularly scheduled work shift. Officers may not adjust or flex regularly scheduled work hours and may not work extra duty assignments during scheduled vacation (PDO) hours.

1039.4 OFFICER RESPONSIBILITIES
When an officer volunteers for an extra duty assignment, they can have any supervisor sign them up for the duty on the electronic scheduling system.
Extra Duty Employment

While on the extra duty assignment, the officers are:

1. Required at the beginning of the extra duty assignment, contact the shift supervisor of the precinct or district in which the extra duty work is occurring to brief them on the assignment and to coordinate any material requests such as patrol vehicles.

2. Performing work as VPD employees and as such shall comply with all City and Department policies, procedures and tasks.

3. To follow the reporting and documentation policies, procedures and tasks as if they were working a regular duty assignment.
   a. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment and should be reported as time worked on employee time records.

4. Subject to call-out in case of emergency and may be expected to leave the extra duty assignment.

5. Compensated at one and one-half times the officers regular rate of pay.

6. Required to notify the extra duty detail coordinator of any deviation in the hours scheduled to work.

1039.4.1 OFFICER WITHDRAWAL
In the event an officer has to withdraw their name from the assignment, they must follow these guidelines:

1. The officer scheduled for the extra duty assignment must find another officer to perform the extra duty assignment and notify the extra duty coordinator of the replacement prior to the extra duty assignment.

2. The withdrawal from the extra duty assignment is not complete until the extra duty coordinator has approved the withdrawal and the change is made in the electronic scheduling system.

3. The extra duty coordinator may make exceptions to these requirements if exigent circumstances exist.

4. Officers may not remove their own name from or make other changes to the extra duty assignment roster on the electronic scheduling system.

1039.5 SUPERVISOR RESPONSIBILITIES
When notified of an officer(s) working an extra duty assignment in their precinct or district, the on duty supervisor assures that the officer(s) has notified dispatch of their assignment.

Adequate supervision and equipment for each extra duty assignment will be determined by the extra duty coordinator. If additional resources are need at the time of the event, the on
Extra Duty Employment

duty supervisor will make every attempt to provide the officer with the necessary resources to adequately conduct the extra duty assignment.

1039.6 DEPARTMENTAL RESTRICTIONS
The Department may limit and/or prohibit officers from working extra duty assignments if the officer has withdrawn from extra duty without giving prior notice in the past, failed to arrange for a replacement or failed to report for the extra duty assignment.

The Office of the Chief, Commander or Lieutenant has the discretion to allow, limit or prohibit an officer(s) from performing extra duty work.

1039.6.1 SPECIAL RESTRICTIONS
Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work in a uniformed or other capacity which might reasonably disclose the officer's status as a law enforcement officer.

1039.7 CIVILIAN EXTRA DUTY CONTRACT ASSIGNMENTS
Any private organization, entity or individual seeking special services for security or traffic control from members of this Department must submit a written request to the Chief of Police in advance of the desired service. Such outside overtime will be assigned, monitored and paid through the Department.

1. The applicant will be required to enter into an indemnification agreement prior to approval.

2. The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.

3. Should such a request be approved, any employees working this extra duty assignment shall be subject to the following conditions:
   a. The officer(s) shall wear the Departmental uniform/identification.
   b. The officer(s) shall be subject to the rules and regulations of this Department.
   c. No officer may engage in such extra duty assignment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
   d. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
   e. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

The applicant must submit the attached document in order for their request to be considered.

See attachment: 1039 Extra Duty Contract.pdf
Personal Appearance Standards

1042.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the Department, employees shall maintain their personal hygiene and appearance in a manner that projects a professional image appropriate for this Department and for their assignment.

1042.2 GROOMING STANDARDS
Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Office of the Chief has granted exception.

1042.2.1 HAIR
Hairstyles of all members shall be neat in appearance.

Members hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

All hair colors should be of human genome coloring.

1042.2.2 FACIAL HAIR
Members hair must be clean-shaven or wear facial hair that is well-groomed and closely trimmed, not exceeding 1 inch in length.

Beards, including goatees, must not extend to the neck. Goatees may be worn with or without a mustache attached.

Small patches of hair directly below the lower lip are not allowed. No Patterns or designs are allowed to be cut into hair.

1042.2.3 FINGERNAILS
Fingernails of Department members shall be cleaned and trimmed. Nails shall not be so long as to interfere with the duties assigned or to pose a safety hazard to the employee or public.

1042.2.4 BODY PIERCINGS, JEWELRY AND ACCESSORIES
Uniformed personnel shall not wear any earrings, necklaces, bracelets, or large conspicuous rings while on duty, except as provided herein.

Personnel may wear earrings, no larger than 5mm or 3/16 inches in diameter. No other visible body piercings are allowed, to include piercing of the, eyebrow or nose. Piercing holes larger than those used for a small post earring must be closed or covered while on duty.

Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Wristwatches should be of a modest size with the bands no wider than one inch. The bands should be made of a neutral color.
Personal Appearance Standards

Department members may wear one ring on each hand (a set of wedding rings is considered one ring). No personal ornaments shall be worn by officer’s on any part of the uniform or equipment, except those authorized within the Uniform Manual.

Members should evaluate the wearing of any jewelry against a possible safety hazard and the possibility of such items being lost or damaged during the course of their duties.

Contact lenses that create an unnatural eye color or graphic design are not permitted.

1042.3 TATTOOS/BODY ART
While on-duty, or representing the department in any capacity, members may have or display tattoos; with the following restrictions:

(a) One wedding ring tattoo on the ring finger
(b) Tattooed make-up giving the appearance of natural color and style is allowed (i.e. eyebrows)
(c) No other visible tattoos are permitted on the head, face, neck or hands. Hands are considered to the area below the wrist bone
(d) Tattoos depicting racist, indecent, extremist, lawless or offensive themes are prohibited. A tattoo is considered "offensive" if it is sexist, sexual, racist, vulgar, anti-social, violent, or discriminates against any person by virtue of words, symbols, or pictures in the tattoo or body art.
(e) Additional prohibited tattoos or body art is any such tattoo/art associated with any organization or group that advocates intolerance or discrimination, that brings discredit upon the Department, or violates the Departments' defined Vision, Mission and Values.

1042.4 BODY ALTERATION
Alterations to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

1. Tongue splitting or piercing.
2. The complete or transdermal implantation of any material other than hair replacement.
3. Abnormal shaping of the ears, eyes, nose or teeth.
4. Branding or scarification.
Awards and Recognition

1045.1 PURPOSE AND SCOPE
This chapter establishes a Department award policy to formally recognize and reward exceptional performance and outstanding contributions to the Department or community by employees and citizens.

1045.2 POLICY
It is the policy of the Vancouver Police Department to acknowledge and reward employees for work that consistently demonstrates outstanding individual or group performance. The Department may also recognize citizens who perform acts of exemplary service to the community or to the Department.

1045.3 AWARD BOARDS
1. The Chief shall authorize an Awards Board to receive and evaluate recommendations for awards. This Board shall determine whether an award should be presented and, if so, which award would be appropriate.
2. The Board shall consist of seven members and will represent a cross-section of Departmental ranks and duty assignments.
3. If a Board member is under consideration for an award, that member shall be excused from the Board for the period when this award is under consideration. The Chief may appoint an ad hoc member to the Board of appropriate rank to serve on the Board in place of the member being considered for the period indicated.

1045.4 RECOGNIZED AWARDS FOR SWORN PERSONNEL
The Vancouver Police Department recognizes the following awards for issuance to sworn personnel:
A. Medal of Honor
B. Medal of Valor
C. Silver Star Medal
D. Medal of Distinction
E. Purple Heart
F. Lifesaving Award
G. Career Service Medal
H. Meritorious Service Award
I. Special Service Award
Awards and Recognition

J. Team Commendation
K. Certificate of Department Recognition
L. Divisional Recognition

1045.4.1 MEDAL OF HONOR
The Medal of Honor is Washington State’s highest award for law enforcement per RCW 41.72.020. It is awarded to Departmental members killed in the line of duty or displaying exemplary meritorious conduct. All nominations shall be forwarded to the Washington State Law Enforcement Medal of Honor Committee and shall be in accordance with all policies and procedures set forth.

This award consists of a medal, ribbon bar, and a certificate.

1045.4.2 MEDAL OF VALOR
The Medal of Valor is the highest award presented by the Vancouver Police Department, and is awarded to officers who distinguish themselves conspicuously by gallantry and extraordinary heroism. Usually, such an act must be in excess of normal demands and of such a nature that the member was fully aware of the imminent threat to their personal safety and acted above and beyond the call of duty at the risk of their own life.

This award consists of a medal, ribbon bar, and a certificate.

1045.4.3 SILVER STAR
The Silver Star is the second highest award presented by the Vancouver Police Department, and is awarded to officers who display technical skill, courageous action, or significant bravery during a dangerous or life-threatening incident. These acts of courage do not rise to the level of risk as required for the Medal of Valor, but are actions of bravery well beyond normal expectation.

This award consists of a medal, ribbon bar, and a certificate.

1045.4.4 MEDAL OF DISTINCTION
A Medal of Distinction is awarded for outstanding performance beyond the ordinary course of duty during hazardous situations. The officer must demonstrate alertness, perseverance, or timely judgment in the performance of a difficult task which results in the protection of life, the recovery of stolen property, the prevention or solving of a major crime, or the apprehension of an armed or dangerous person. The action of the officer must be truly exemplary, as opposed to competent and professional.

This award consists of a medal, ribbon bar, and a certificate.
Awards and Recognition

1045.4.5 PURPLE HEART
The Purple Heart is awarded to officers who receive substantial bodily harm inflicted by an assailant while the officer was in the performance of their duty. The injury must not be the result of, or concurrent with, and the conduct of the officer that is less than acceptable by all standards. The award consists of a medal, ribbon bar, and a certificate.

1045.4.6 LIFESAVING AWARD
The Lifesaving Award is given to an officer who is directly responsible for the saving of a human life. Documentation and supporting evidence, which may include statements of witnesses, physicians, or supervisors, must be included to substantiate the award. This award is also appropriate in those circumstances where the action of an officer prolonged human life to the extent of the victim being released to the care of medical authorities, even though the victim may have expired at a later time.
This award consists of a medal, a ribbon bar, and a certificate.

1045.4.7 CAREER SERVICE MEDAL
The Career Service Medal is awarded to officers who complete at least 20 years of active civilian law enforcement service, of which at least 15 years were served with the Vancouver Police Department. This medal is presented to eligible sworn officers.
This award consists of a medal and a certificate.

1045.4.8 MERITORIOUS SERVICE AWARD
The Meritorious Service Award is given to an officer for very competent and professional performance. This award recognizes an officer that performed competently in a stressful situation, in a stress position over an extended period of time, or that performed duties beyond normal expectations in the investigation and case preparation of an unusual or special case.
This award consists of a ribbon bar and a certificate.

1045.4.9 SPECIAL SERVICE AWARD
A Special Service Award is presented to an officer that has performed competently and with merit in a collateral assignment as a member of a specialized Department unit for three (3) or more years. The supervisor of the specialized unit will be responsible for nominating an eligible employee.
This award consists of a ribbon bar and a certificate.

1045.4.10 TEAM COMMENDATION
A Team Commendation is presented to a group of officers, civilian personnel and/or citizens whose collective efforts significantly impact the overall service delivery for the Vancouver Police Department.
This award consists of a ribbon bar and a certificate.
Awards and Recognition

1045.4.11 CERTIFICATE OF DEPARTMENTAL RECOGNITION
A Certificate of Department Recognition may be awarded to an officer who is responsible for improving the conditions within the Department or the community. This award may be presented for the performance of noteworthy achievements, special services, or the completion of special duties or projects. Such acts shall be evaluated on the basis of being above and beyond normal job requirements, but to a lesser degree than required for a medal award.

This award consists of a certificate placed in the officer’s personnel file.

1045.4.12 DIVISIONAL RECOGNITION
Divisional Recognition is presented to an officer for outstanding performance of duty. It may be awarded for performance over a period of time, or for contributing to the success of a project or program. This award may be presented by any supervisor or command member directly to the officer.

This award consists of a memorandum placed in the officer’s divisional file.

1045.5 RECOGNIZED AWARDS FOR CIVILIAN PERSONNEL
The Vancouver Police Department recognizes the following awards for issuance to civilian personnel:

A. Department Citation
B. Lifesaving Award
C. Certificate of Department Recognition
D. Supervisory Recognition
E. Team Commendation

1045.5.1 DEPARTMENT CITATION
A Department Citation is awarded to non-sworn members of the Department for competent and professional service. This award recognizes employees that performed with extreme competence in a stressful position over an extended period of time. The Department Citation may also be awarded for extreme professionalism or competency in an unusual or hazardous situation.

This award consists of a medal, ribbon bar, and certificate.

1045.5.2 LIFESAVING AWARD
The Lifesaving Award is given to an employee who is directly responsible for the saving of a human life. Documentation and supporting evidence, that may include statements of witnesses, physicians, or supervisors, must be included to substantiate the award. This award is also appropriate in those circumstances where the actions of an employee prolonged human life to the extent of the victim being released to the care of medical authorities, even though the victim may have expired at a later time.

This award consists of a medal, a ribbon bar, and a certificate.
Awards and Recognition

1045.5.3 CERTIFICATE OF DEPARTMENT RECOGNITION
A Certificate of Department Recognition may be awarded to an employee who is responsible for
improving the conditions within the Department or community. This award may be presented for
the performance of noteworthy achievements, special services, or the completion of special duties
or projects. Such acts shall be evaluated on the basis of being above and beyond normal job
requirements, but to a lesser degree than required for a medal award.

This award consists of a certificate placed in the employee’s personnel file.

1045.5.4 SUPERVISORY RECOGNITION
Supervisory Recognition is awarded to an employee for outstanding performance of their duties. It
may be presented for performance over a period of time, or for contributing to the success of a
project or program. This award may be presented by any supervisor directly to the employee.

This award consists of a memorandum placed in the employee’s divisional file.

1045.5.5 TEAM COMMENDATION
A Team Commendation is presented to a group of officers, civilian personnel and/or citizens
whose collective efforts significantly impact the overall service delivery for the Vancouver Police
Department.

This award consists of a ribbon bar and a certificate.

1045.6 RECOGNIZED AWARDS FOR CITIZENS
The Vancouver Police Department recognizes the following awards for issuance to citizens:

A. Department Citation
B. Lifesaving Award
C. Certificate of Department Recognition
D. Citizen Recognition
E. Team Commendation

1045.6.1 DEPARTMENT CITATION
A Department Citation is awarded to a citizen for bravery in coming to the aid of an officer or
another citizen. The actions of the citizen must be exemplary and must not needlessly place self
or others at risk. This award may also be presented to a citizen, a group, or an organization
that has committed substantial time, effort, or assistance to the Vancouver Police Department to
further the goals and ideals of the Department.

This award consists of a plaque and a certificate.

1045.6.2 LIFESAVING AWARD
The Lifesaving Award is given to a citizen that is directly responsible for the saving of a
human life. Documentation and supporting evidence, that may include statements of witnesses,
physicians, or supervisors, must be included to substantiate the award. This award is also
Awards and Recognition

appropriate in those circumstances where the actions of the citizen prolonged human life to the extent of the victim being released to the care of medical authorities, even though the victim may have expired at a later time.

This award consists of a plaque and a certificate.

1045.6.3 CERTIFICATE OF DEPARTMENT RECOGNITION
A Certificate of Department Recognition is awarded to a citizen, group, or organization that is responsible for improving relations with the Department and the community.

This award consists of a certificate.

1045.6.4 CITIZEN RECOGNITION
Citizen Recognition is awarded to a civilian for their contribution to the success of a project or program, or for significant actions taken in support of law enforcement or safety in the community.

This award consists of a memorandum.

1045.6.5 TEAM COMMENDATION
A Team Commendation is presented to a group of officers, civilian personnel and/or citizens whose collective efforts significantly impact the overall service delivery for the Vancouver Police Department.

This award consists of a ribbon bar and a certificate.

1045.7 RETIREMENT AWARDS
1. Officers retiring in good standing, whether for service or disability, with 15 years or more of combined law enforcement service, will be issued a “retired” identification card, “retired” wallet badge or plaque, as appropriate.

2. Recognizing that law enforcement service at a prior agency is valuable, the retiring member may, at their expense, furnish badges from their previous department for inclusion in any retirement presentation.

3. Officers retiring under disability conditions, either duty or non-duty, with less than 15 years of law enforcement service will be issued a “retired” identification card and wallet badge.

1045.8 PROCEDURES FOR RECOMMENDATION OF AWARD
1. Any Department member may recommend another officer, another employee, or a citizen as a candidate for departmental recognition, with the exception of the Special Service Award, which must be submitted by the Unit Supervisor.

a) Vancouver Police Officers as defined by RCW 10.93.020, or police canines as identified in RCW 4.24.41, are eligible for awards designated for sworn personnel.

b) Employees of the City of Vancouver, assigned to the Vancouver Police Department, are eligible for awards designated for civilian personnel.
Awards and Recognition

c) All recommendations for Departmental awards shall be submitted in writing and include a thorough description of the circumstances.

   See attachment: 1045 Department Awards Nomination Form.pdf

d) Recommendations must be submitted to the committee within 90 days of the nominated action.

e) Recommendations for awards other than Divisional Recognition shall be forwarded to the Awards Board through the normal chain of command.

f) Each level of command will review the recommendations, adding concurrence or disagreement, and the reasons supporting their comments, in writing.

g) The Awards Board shall meet as needed, or as directed by the Chief of Police, to consider recommendations. The Board may make any one of the following findings:

   1) The recommendation meets the standards for the award and the award is approved;

   2) The circumstances justify recognition, but for an award other than that specified in the initial recommendation;

   3) The facts as currently known do not justify an award at this time.

h) A majority vote by the committee members shall decide the recommendation.

i) The Board will present a written report to the Chief of its recommendations.

j) No awards shall be approved for actions that violate Department policies and procedures.

2. A final determination on all levels of Departmental recognition will be made by the Office of the Chief.

1045.9 PROCEDURE FOR PRESENTATION OF AWARDS

1. Presentation of Departmental awards involving a medal or ribbon bar will be made at the next regularly scheduled recognition ceremony unless the Board, or the Chief, or his/her designee determines it necessary to schedule an additional ceremony. Certificates of Recognition and other supervisory recognition may also be presented at the formal ceremony at the discretion of the Chief or designee.

2. All Department members receiving departmental recognition shall have a copy of the certificate, memorandum, and/or letter placed in their personnel file.
Domestic Violence Involving Law Enforcement Employees

1050.1 PURPOSE AND SCOPE
This policy establishes procedures, protocols and actions for investigating and reporting domestic violence involving employees of this and other law enforcement agencies. The intent of this policy is to ensure that law enforcement employees are held to the standards of the law regarding domestic violence (RCW 10.99.090).

1050.1.1 DEFINITIONS
Agency - Means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

Employee - Means any person currently employed with the Vancouver Police Department.

DVPC - Domestic Violence Prosecution Center

Non-Sworn Employee - Means any employee of an agency that is not classified as a peace officer defined in RCW 10.93.020.

Sworn Employee - Means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the Sheriff under RCW Chapter 36.28.

1050.2 DEPARTMENT RESPONSIBILITIES
Vancouver Police Department has the following obligations (RCW 10.99.030 and 10.99.090):

(a) Provide pre-hire screening procedures reasonably calculated to disclose whether an applicant for a sworn employee position has a history of domestic violence, child abuse allegations, or have been subject to a protective order.

(b) Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic violence professionals in the community.

(c) In response to observed behavior or at the request of the employee, the Vancouver Police Department may offer or recommend intervention services to all employees. If domestic violence is suspected, the referral should be to a domestic violence specialist.

(d) Any employee who becomes aware of domestic violence committed by a sworn/non-sworn employee must immediately report that allegation to their supervisor.

(e) Recognize that employees who disclose that they have personally engaged in criminal acts of domestic violence are not entitled to confidentiality. Such acts shall be investigated administratively and criminally as appropriate.
Domestic Violence Involving Law Enforcement Employees

(f) Provide information to employing law enforcement agencies within 24 hours of a domestic violence or domestic dispute report involving a sworn/non-sworn employee. This should be accomplished by either a direct phone conversation or personal contact with the agency head.

(g) Provide information on this domestic violence policy and programs under RCW 26.50.150 to employees and make it available to employee families and the public.

(h) Provide victims of domestic violence by Vancouver Police Department employees a Department point of contact to assist the victim through the investigative process. Unless otherwise designated, the point of contact will be the Domestic Violence Prosecution Center (DVPC) Sergeant.

(i) Provide victims of domestic violence by Vancouver Police Department employees contact information about public and private nonprofit domestic violence services and information regarding relevant confidentiality policies related to the victim's information.

(j) Respond to Vancouver Police Department employees who are alleged victims of violence at the hands of sworn/non-sworn employees of the Vancouver Police Department. Safety concerns and domestic violence services information will be reviewed with the victim employee.

(k) Provide for an impartial administrative investigation and appropriate criminal investigation of all acts of domestic violence allegedly committed by a sworn/non-sworn employee and appropriate sanctions when it is found that an employee has committed an act of domestic violence. Administrative investigations may be conducted by the Vancouver Police Department or through agreements with other law enforcement agencies.

(l) Consider whether to relieve a sworn employee of Department issued weapons and suspend law enforcement powers pending resolution of an investigation.

1050.2.1 SUPERVISOR RESPONSIBILITIES

In an effort to prevent domestic violence behaviors and/or to prevent problems from escalating to criminal conduct, supervisors:

(1) Recognize on-duty and/or off-duty behavior that may be a warning sign of domestic violence.
   a. Warning signs may include, but are not limited to, increased use of force during arrests, alcohol and/or drug abuse, increase in controlling behaviors, stalking activity, citizen and fellow employee complaints of unwarranted aggression and verbal abuse, and aggression toward animals.
   b. Monitor frequent tardiness and absences.

(2) Recognize inappropriate aggressive behaviors by all Departmental personnel.
   a. Inappropriate aggressive behaviors may include, but are not limited to: stalking, inappropriate surveillance activities, unusually high incidences of physical altercations, injuries, or verbal disputes.
Domestic Violence Involving Law Enforcement Employees

(3) Maintain close supervision of all personnel who display warning signs or inappropriate aggressive behaviors.

(4) Accept reports of domestic violence by all personnel.
   a. Vancouver Police personnel who disclose to any member of the Department that they have personally engaged in or been a victim of domestic violence that may rise to the level of criminal behavior are not entitled to confidentiality.
   b. A report of potentially criminal domestic violence by Vancouver Police personnel shall be treated as an admission of a crime or notification that a crime has occurred.

(5) Document the warning signs, inappropriate behaviors and reports of domestic violence.

(6) Notify Command of warning signs, inappropriate behaviors and reports of domestic violence.
   a. The notification should include information about domestic violence whether on or off duty for all Department employees.

1050.2.2 COMMAND STAFF RESPONSIBILITIES
A command staff member notified of an incident covered by this policy shall notify the Office of the Chief promptly of such incident and:

(1) If a Vancouver Police Department sworn employee is involved they shall:
   a. Determine if the involved employee's law enforcement powers should be suspended and if duty weapon, and other Department owned equipment should be removed pending investigation outcome and possible prosecutorial charging decision.
   b. Issue an administrative order prohibiting on-duty contact with the victim if appropriate.
   c. Forward information on the incident to the Professional Standards Unit and/or the Office of the Chief for review and further action.
   d. Respond or designate a command staff member to respond to a scene if the situation dictates command presence.

(2) If a non-sworn Vancouver Police Department employee is involved, they shall:
   a. Forward information on the incident to the Professional Standards Unit and or the Office of the Chief for review and further action.
   b. Respond or designate a command staff member to respond to a scene if the situation dictates command presence.

(3) If any employee of another law enforcement agency is involved they shall:
   a. Verify command notification of the employing agency.
   b. Verify the on-duty VPD supervisor has offered assistance on scene.
   c. Ensure that the Vancouver Police Department provides appropriate reports and any other requested documentation to the employing agency.
Domestic Violence Involving Law Enforcement Employees

1050.2.3 INVESTIGATIVE RESPONSIBILITIES
(1) The Vancouver Police Department investigates reports of law enforcement criminal domestic violence involving sworn and non-sworn employees from other agencies the same as reports of all incidents of domestic violence involving citizens. In these cases, the Domestic Violence Prosecution Center (DVPC) Sergeant shall:
   a. Review the report and assign the criminal investigation.
   b. Coordinate with the appropriate prosecutor’s office regarding charging and prosecution.
   c. Assist the victim with safety concerns and develop a safety plan.
(2) All completed investigations of domestic violence that reveal probable cause of a crime committed by any agency sworn employee or the agency head shall be promptly forwarded to the appropriate authority for a charging decision.
(3) This Department will refer law enforcement domestic violence cases, occurring in the city of Vancouver involving Vancouver Police sworn employees, to the Regional Major Crimes Team for criminal investigation.
(4) For all situations involving any employee of this Department, who is a victim of domestic violence, the DVPC Sergeant shall:
   a. Act as the Departmental point of contact.
   b. Contact the victim and develop a safety plan.

1050.2.4 ADMINISTRATIVE RESPONSIBILITIES
An internal affairs investigation will be conducted by the Professional Standards Unit, completely separate from any criminal investigation, when:
(a) Any Vancouver Police employee is arrested or charges filed involving domestic violence.
(b) Articulable facts exist regarding domestic violence behavior, even if the employee is not arrested or charged.
(c) Command will take any necessary administrative action prior to the investigation to protect the interests of everyone involved.
(d) Disciplinary action may be taken following completion of the investigation up to and including termination of employment as provided within Policy 902 - Internal Affairs.

1050.3 EMPLOYEE ACTIONS
All law enforcement employees have the following obligations or entitlements (RCW 10.99.090):
(a) Employees are entitled to seek assistance through the employee assistance program, employee peer support counselors, chaplains, or psychological professionals.
(b) Employees with knowledge or information about any sworn employee in violation of this policy must report in writing to their supervisor or the Professional Standards Unit as soon as possible. Failure to report may subject the employee to disciplinary action.
Domestic Violence Involving Law Enforcement Employees

(c) Employees who are victims of domestic violence are encouraged to request assistance, but are not subject to punitive measures for failing to report their abuse.

(d) Employees should be alert to the likelihood of victim or witness intimidation and shall immediately take appropriate action. This action will include, but is not limited to the report to their supervisor or the Professional Standards Unit.

(e) Employees are expected to fully cooperate with the investigation of allegations under this policy but only as requested by a supervisor, the Professional Standards Unit or ordered by court or other legal process (e.g., subpoena).

(f) When a law enforcement agency responds to a call in which an employee is alleged to have been involved in a domestic dispute or committed an act of domestic violence, the involved employee must immediately report that police response to their supervisor.

(g) When an employee becomes the subject of an investigation for child abuse or neglect, or becomes subject to an order under RCW 26.44.063 or RCW 26.50 or any equivalent order issued by another state or tribal court, that employee must immediately report the fact to his/her supervisor. The employee must also notify their supervisor of any notices of court dates, appearances, and proceedings.

1050.4 INCIDENT RESPONSE
Any notification of any incident of domestic violence involving any law enforcement officer requires a prompt response, full investigation and a complete written report by this Department (RCW 10.99.030). This response would be the same for non-sworn employees of the Vancouver Police Department. These incidents additionally require:

(a) On-scene supervisory presence.

(b) Notification through the chain of command to the Office of the Chief of this Department; and if the incident involves employees of another agency, notification of the agency head of the employing agency.

(c) The Office of the Chief may delegate responsibility for receiving such reports to the DVPC or Regional Major Crimes Team. The unit supervisor should review each referral for any potential conflict of interest.

(d) In the event of a report of domestic violence alleged to have been committed by the Chief of Police, prompt notification will be made to the employing entity's chief executive officer, or, in the case of an elected Sheriff, the County's Prosecutor.

1050.4.1 PATROL RESPONSE - SWORN EMPLOYEE (NON-VPD)
A patrol officer responding to an incident of domestic violence involving a non-VPD law enforcement officer shall request a supervisory response.

(a) The primary unit will conduct a thorough investigation of a non-VPD law enforcement officer the same as reports of domestic violence involving citizens.
Domestic Violence Involving Law Enforcement Employees

(b) Patrol units responding to suspicious circumstances, compelling third party accounts of incidents, unexplained property damage, verbal arguments etc. or other troubling event involving non-VPD law enforcement officers, will complete written reports of the incident.

(c) A copy of all reports of the incident should be forwarded to the DVPC. Access to the report should then be restricted to some form of “read only” version or physically secured.

1050.4.2 PATROL RESPONSE - SWORN/NON-SWORN EMPLOYEE (VPD)
A patrol officer responding to an incident of domestic violence involving a Vancouver Police employee shall request a supervisory response.

(a) The primary unit will respond to secure the scene and ensure the safety of all parties involved.

(b) If the alleged offender has left the scene and probable cause exists, responding patrol units shall search the area and obtain information as to the location of the suspect.

1050.4.3 PATROL SUPERVISOR RESPONSE
A patrol supervisor shall:

(1) Respond to the scene of all domestic violence incidents within the jurisdiction of the Vancouver Police Department involving any law enforcement officer or Vancouver Police employee.

   a. In the event of the arrest of a sworn employee of another agency, contact that agency prior to custody transport and request authorization to seize that employee’s agency issued weapons or arrange for the employing agency to obtain them. Consideration should be given to other agency equipment and inquiries made about voluntary surrender of personal weapons that may be secured for safekeeping.

   b. Notify precinct command.

(2) Respond whenever practical to the scene of any domestic violence incident involving any employee of this Department regardless of jurisdiction. Supervisors will coordinate information and offer assistance to the agency of jurisdiction.

   a. In the event of the arrest of a sworn employee of the Vancouver Police Department in another law enforcement jurisdiction, contact the Office of the Chief who will order the surrender of the officer’s Department issued weapons.

(3) In the event any employee of this Department is involved in any domestic violence incident as a suspect or victim:

   a. Notify precinct command. If the incident involves an Assistant Chief or Chief of Police, notify the individual’s direct supervisor.

   b. Ensure scene security and if needed provide medical aid.

   c. If the victim or suspect in any domestic violence incident is an employee of this Department, request the Regional Major Crimes Team be notified to respond and conduct the investigation.
(4) In all cases involving any Vancouver Police employees, debrief those responding Vancouver Police officers and have them submit a report detailing their actions.

1050.5 VICTIM SAFETY ASSISTANCE AND NOTIFICATION
The Vancouver Police Department will work with community resources and domestic violence advocacy agencies and shall make available to the victim (RCW 10.99.090):

(a) Information on how to obtain protective orders and/or removal of weapons from his/her home.
(b) Assistance with obtaining such orders in coordination with domestic violence victim advocates.
(c) A copy of this policy and any agency confidentiality policy.
(d) Information about public and private domestic violence advocacy resources to include the Washington State Domestic Violence Hotline.
(e) Information related to relevant confidentiality policies related to the victim’s information and public disclosure as provided by law.
(f) The Vancouver Police Department will coordinate victim notification regarding criminal and administrative investigative processes through the DVPC and Professional Standards Unit in order to assist with victim safety.
Department Badges and Identification

1052.1 PURPOSE AND SCOPE
This policy provides guidelines for the authorization and use of Department badges, patches and identification.

1052.2 POLICY
The Vancouver Police Department badge, uniform patch and identification, as well as the likeness of these items and the name of the Vancouver Police Department are the property of the Department and their use shall be restricted as set forth in this policy.

The uniform badge shall be issued by the Department as a symbol of authority. Only authorized badges issued by this Department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

Employees of the Department, when acting as a representative of the Vancouver Police Department or the City of Vancouver, shall, upon request of any person, give their name and display the official badge or identification card. In certain emergency situations, it is not feasible to comply with such requests immediately. However, employees of this Department shall identify themselves when requested to do so as soon as it is practicable.

1052.2.1 FLAT BADGE
Sworn officers may purchase, at his/her own expense, a flat badge capable of being carried in a wallet or badge carrier. The use of the flat badge is subject to all the same provisions of Departmental policy as the uniform badge.

   a. An officer may sell, exchange, or transfer the flat badge he/she purchased to another officer within the Vancouver Police Department with the written approval of the Chief of Police.

   b. An honorably retired officer may keep his/her flat badge upon retirement.

   c. The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1052.2.2 CIVILIAN PERSONNEL
Badges issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g., DECU Investigator).

Non-sworn personnel shall not display any Department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

Non-sworn personnel shall not display any Department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
1052.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement, employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia.

1052.2.4 ISSUED RETIRED BADGE
Upon honorable retirement, sworn personnel will be issued a "retired" flat badge and wallet at no cost to the employee.

1052.2.5 DEPARTMENT ISSUED IDENTIFICATION
The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their Department-issued identification at all times while on duty.

Whenever sworn personnel are off duty and carrying a concealed weapon under the authority of the Department, they must be in possession of their Department-issued identification card.

1052.3 DAMAGED OR LOSS OF A BADGE/IDENTIFICATION CARD
Employees shall be responsible for the safekeeping, proper care, use and replacement of Department badges and identification cards assigned or entrusted to them.

Employees shall promptly report the damage to and/or loss of a badge or identification card through their chain of command as soon as possible. Personnel reporting damage and/or loss of a badge must follow the directions outlined in Policy 700 - Department Owned and Personal Property. Employees may be required to pay for the replacement of a badge if it is intentionally abused or if the employee’s reckless action caused damage to or loss of the badge.

Employees reporting the damage and/or loss of a Department issued identification card can obtain a replacement card through the Office of the Chief.

1052.4 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and Department name for all material (printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her Department badge or identification card to others and shall not permit the badge or identification card to be reproduced, duplicated or used to gain favor/consideration.
1052.5 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the Department badge shall not be used without the expressed authorization of the Chief of Police.

The Vancouver Police Officers Guild and the Police Command Union may use the likeness of the Department badge for merchandise and official union business provided they are used in a clear representation of the union and not the Vancouver Police Department. The following modifications shall be included:

- a. The text on the upper and lower ribbons is replaced with the name of the employee association.

- b. The badge number portion displays the initials of the employee association.
Peer Support Team

1053.1 PURPOSE AND SCOPE
The mission of the Peer Support Team is to provide information and emotional support to employees and their families when personal or professional problems may affect them. Official interactions are confidential, providing it does not violate any law or Department regulation. The Peer Support Team may supplement the Department psychologist. The Team is specifically trained for support with Critical Incident Stress Management (CISM), but is not a substitute for mental health professionals.

1053.2 DEFINITIONS
Critical Incidents – A significant situation or traumatic event faced during the course of law enforcement duties that may cause unusually strong emotional reactions, which may overwhelm an individual’s coping skills and has the potential to interfere with their ability to function either at the scene or at a later time.

Examples of critical incidents include, but are not limited to; officer involved shootings, line of duty deaths, serious injury to self or other officers in the performance of their duties, suicide of an officer, mass casualty (disaster) event, death of children, hostage taking, barricaded subject with a specific danger to personnel, a prolonged event that ends in a loss of life, or any other events identified by the Chief of Police, or designee, as a traumatic critical incident under this policy.

Critical Incident Stress Debriefing (CISD) – The CISD is a structured group discussion designed to mitigate or resolve the psychological distress associated with a critical incident. The process provides information on potential stress symptoms and coping techniques and helps personnel work through their own thoughts, reactions and symptoms. The CISD is facilitated by a specially trained team that includes mental health professionals and peer support personnel.

Peer Support Counselor/Personnel – Personnel who have been specially trained in crisis intervention and stress management techniques to provide emotional and moral support and counseling to other Department personnel and to know when and how to intervene in crisis situation or when to make referrals to a qualified mental health professional. Support may be provided when an officer needs those services due to involvement in a critical incident, day-to-day stressors or working in a high stress environment. Services include one-on-one peer support, crisis intervention group meetings and on-scene support.

1053.3 CONFIDENTIALITY
RCW 5.6.060 (6)(a) states, “A peer support group counselor shall not, without consent of the law enforcement officer or firefighter making communication, be compelled to testify about any communication made to the counselor by the officer or firefighter while receiving counseling. The counselor must be designated as such by the Sheriff, Police Chief, Fire Chief, or chief of the Washington State Peer Support Team, prior to the incident that results in counseling. The privilege only applies when the communication was made to the counselor while acting in his or her capacity
Peer Support Team

as a peer support group counselor. The privilege does not apply if the counselor was an initial responding officer or firefighter, a witness, or a party to the incident which prompted the delivery of a peer support group counseling services to the law enforcement officer of firefighter.”

Team members must inform Department members of the limits of their confidentiality and consider potential role conflicts (e.g., supervisor providing peer support). Exceptions to confidentiality may include the following:

- Threats to self
- Threats to others (specific)
- Crimes
- Child, spousal or elder abuse

1053.4 GOALS

- Provide a timely onsite response to support members involved in a critical incident.
- Provide post-incident support to affected members.

1053.5 PEER SUPPORT TEAM STRUCTURE

The team shall consist of:

1. A Lieutenant will have administrative responsibility for the team and report to the Chief of Police. The Lieutenant will serve as the chair of the Team.

2. A Sergeant will have supervisory responsibility of the Team. The Sergeant will serve as the co-chair of the Team.

3. The Peer Support Team Psychologist will maintain clinical oversight, facilitate demobilizations, defusing and debriefings. The Psychologist will provide evaluations and assist the team supervisors in team functions, training and meetings.

4. Team members who have received the mandatory, certified CISM training to assist affected officers. The number of sworn and civilian members of the Team may vary depending on the needs of the Department.

5. Steering committee team members are chosen based on training and experience in critical incident stress management. The steering committee is separate from the Team, but can become members by following the same selection process listed in this policy. The steering committee is responsible for the management and monitoring of the Peer Support Team over the long term. The steering committee will meet as often as needed to review after-action incidents, policy updates, legal updates or any strategic planning the unit needs.

1053.6 PEER SUPPORT TEAM RESPONSIBILITIES

In the event of an Officer-Involved-Shooting (OIS) incident, the Peer Support Team is able to assist officers.
Peer Support Team

1. A Peer Support Team member may be assigned to assist with the involved member throughout the entire OIS process.

2. Ensure the officer is comfortable and provide them with food and drink.

3. Remind involved officer to make appropriate family notifications.

4. Visually inspect the involved officer for injuries or other damage to uniform or equipment that occurred during the incident.

5. Coordinate with the investigation for retrieval and return of any personal property left at the scene belonging to the involved officer.

6. Coordinate replacement of the officer’s clothing if taken as evidence.

7. Explain the post OIS process to the involved officer in accordance with Policy 309 - Officer Involved Shooting.

8. Arrange for transportation for the involved officer and the officer’s family as needed.

9. Coordinate and provide individual and group debriefs as necessary.

10. Work with District/Division Lieutenant to ensure reasonable notice for all scheduled appointments.

1053.7 PEER SUPPORT TEAM ACTIVATION
When a situation occurs which has a high probability of creating critical incident stress, a Peer Support Sergeant, Incident Commander or command level officer may activate the Team.

A Peer Support Sergeant, or designee, shall notify the Team lieutenant and the necessary team members. A Peer Support Sergeant, or designee, shall provide oversight of all Team assignments and coordinate with the Incident Commander.

1053.8 ADMINISTRATION
1. Individuals receiving peer support may voluntarily choose or reject a team member by using any criteria they believe is important. They may also decline services provided by the Peer Support Team.

2. The team may not hamper or impede a disciplinary process of an affected employee.

3. Candidates for Peer Support Team should be selected based on their ability to actively listen, level of credibility with their peers, experience, maturity, judgement, motivation and recommendation by their supervisor.

4. The selection process will follow the specialty unit selection policy of the Vancouver Police Department.

5. Team members should be allowed a leave of absence from the Team when personal or professional conflicts arise.
6. Team members should avoid conflicting peer support relationships.

7. Team members will be compensated per the Vancouver Police Officer’s Guild contract for training, meetings and call-outs by approval of a command level officer.

8. Peer Support Team members will not be issued take home vehicles for this collateral duty.

1053.9 TRAINING
All team members shall attend and receive the basic International Critical Incident Stress Foundation certified training prior to actively counseling or coordinating a critical stress incident. Ongoing training will be conducted for Team members as necessary. The training should involve continued education in topics such as, but not limited to:

- Officer Involved Shooting Peer Counseling
- Enhancing Interpersonal Communication Skills
- Stress Management Techniques
- Dealing with Depression
- Developing Healthy Relationships
- Drug and Alcohol Abuse
- Compulsive Behaviors
- Critical Incident Stress
- Post-Traumatic Stress Disorder (PTSD)
- Grief and Bereavement
- Suicide Prevention
Performance Evaluation

1056.1 PURPOSE AND SCOPE
This policy defines the performance evaluation process and establishes guidelines for conducting
the formal written performance evaluation and discussion.

1056.2 POLICY
Performance evaluation is an ongoing process of communication between a supervisor and
an employee that occurs throughout the year. The communication process includes setting
objectives, identifying goals, providing feedback and evaluating results. The process also includes
a written performance evaluation and a discussion about the written evaluation that is completed
at established times during the year.

1056.3 DEFINITIONS
Divisional File: Any file which is separately maintained internally by an employee’s supervisor
within an assigned division for the purpose of completing performance evaluations. Medical
information is not included.

Personnel File: That file which is maintained in Human Resources and/or the Office of the Chief
as a permanent record of employment history with the City. Medical information is not included.

1056.4 WRITTEN PERFORMANCE EVALUATION
The written performance evaluation provides a guide for mutual work planning and review and
an opportunity to convert general impressions into a more objective history of work performance
based on job standards. The objective is to:

1. Review and record work performance,
2. Give recognition for good work,
3. Provide a guide for improvement where needed,
4. Identify opportunities for professional development, and
5. Outline action steps necessary to meet professional development and work performance related
goals.

Each evaluation covers a specified period and is based on performance during that period.
The employee performance evaluation is used for making personnel decisions relating to
promotion, job assignment, corrective action, disciplinary action, demotion and termination from
employment.

1056.4.1 EVALUATION FREQUENCY AND RATING PERIOD (SWORN PERSONNEL)
The evaluation rating period for VPD employees is January through December. The Department
requires the following performance evaluations during the rating period:
Performance Evaluation

1. At the beginning of the rating period, supervisors review the tasks of an employee’s job assignment, discuss expectations for performance and the evaluation rating criteria and establish individual goals with each employee.

2. At the end of the rating period, supervisors complete the written performance evaluation.

3. For employees in a new hire probationary status, the evaluation should be completed prior to the end of the probationary period to advise the employee of satisfactory performance; actions that should be taken to improve in areas of weakness; and recommendations relating to successful completion of probation.

The authorized Department evaluation forms for sworn personnel are listed in SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Forms~Service Area:Evaluations to obtain a copy of the appropriate forms.

1056.4.2 EVALUATION FREQUENCY AND RATING PERIOD (CIVILIAN PERSONNEL)
The evaluation rating period for VPD employees is January through December. The Department requires the following performance evaluations during the rating period:

1. For employees in a new hire probationary status, the evaluation should be completed prior to the end of the probationary period to advise the employee of satisfactory performance; actions that should be taken to improve in areas of weakness; and recommendations relating to successful completion of probation.

2. At the end of the rating period, supervisors complete the written performance evaluation.

The authorized Department evaluation forms for civilian personnel are listed in SharePoint. Follow this file directory: SharePoint~Departments~Police Department~VPDNET~Forms~Service Area:Evaluations to obtain a copy of the appropriate forms.

1056.5 PERFORMANCE IMPROVEMENT PLAN
A performance improvement plan may be completed any time a supervisor deems it is appropriate. Generally, a performance improvement plan is a tool used to demonstrate those areas of performance deemed less than standard and to establish a work-plan for improving performance in those areas.

1056.6 SUPERVISOR RESPONSIBILITIES AND EVALUATION PROCESS
The supervisor’s responsibilities during the evaluation include:

1. At the beginning of the performance evaluation period, reviewing the employee’s job responsibilities and establishing individual performance standards and goals.

2. Assessing employee’s performance and progress toward goals midway through the evaluation period.

3. Soliciting input from the employee and gathering information in preparation for the formal written performance evaluation.
Performance Evaluation

4. Completing the written performance evaluation form to include:
   a. Any corrective counseling, verbal reprimands, disciplinary action, performance improvement plans and other areas where an employee could improve work performance. Supervisors should also include steps taken to improve the performance or conduct issue. After the corrective counseling is incorporated into the performance evaluation, it shall be destroyed.
   b. Any major accomplishments, commendations, awards and other examples of good work performance.

(In the event a Vancouver Police Officers Guild (VPOG) member is involved in either of the above listed events, refer to VPOG Collective Bargaining Agreement.)

See attachment: 1056 VPOG Sworn Employees Procedures for Performance Evaluations.pdf

5. Providing follow-up and assistance as indicated in the performance evaluation, providing timely feedback to employees on performance and monitoring and documenting employee performance.

1056.7 EVALUATION MEETING
The supervisor will meet with each employee to have a collaborative discussion about their performance evaluation. The meeting should include:

1. A discussion of the employee’s work performance during the rating period.
2. Creation of goals for reaching the expected level of performance in areas where improvement is needed.
3. Seeking the employee’s input and clarifying any questions the employee may have.
4. A discussion of career interests and expectations and goals for the upcoming year.

1056.8 EVALUATION DISTRIBUTION
The original performance evaluation shall be maintained in the employee's personnel file. A copy will be given to the employee and a copy may be retained in the employee's Divisional File.

1056.9 EVALUATION FOLLOW-UP
An employee’s supervisor shall monitor performance and provide follow-up feedback throughout the year by:

1. Maintaining documentation of performance in a divisional file throughout the evaluation period, to include positive and negative behavior.
2. Keeping communication open and providing timely feedback to employees regarding performance.
3. Providing follow-up and assistance as indicated in the performance expectations.
4. Leading employees toward accomplishing their goals.
Employee Speech, Expression and Social Networking

1058.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1058.1.1 APPLICABILITY
This policy applies to all forms of communication including but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1058.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this Department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Vancouver Police Department will carefully balance the individual employee’s rights against the Department’s needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1058.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Vancouver Police Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee's family or associates.
Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

**1058.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the Department’s safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Vancouver Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Vancouver Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Vancouver Police Department or its employees. Examples may include:
   1. Expression that demonstrates support for criminal activity.
   2. Statements that indicate disregard for the law or the state or U.S. Constitution.
   3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportsations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (RCW 9A.68.020).
Employee Speech, Expression and Social Networking

(f) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Vancouver Police Department on any personal or social networking or other website or web page, is allowed if the use otherwise complies with all other City of Vancouver and Department policies and the Operating Principles, and will not lead to embarrassment of the City of Vancouver or the Department.

(g) Accessing websites, or use of any personal communication device, game device or media device, whether personally or Department owned, for personal purposes while on-duty is acceptable under the following circumstance:

1. There is little or no cost to the City of Vancouver.
2. The use does not interfere with the employee’s performance of duties or productivity.
3. The use does not disrupt or distract from the conduct of City of Vancouver business.
4. The use otherwise complies with all other City of Vancouver policies and/or Operating Principles, and will not lead to embarrassment of the City of Vancouver.
5. Examples of prohibited uses include, but are not limited to:
   • Creating, distributing, downloading or viewing any material that is offensive, obscene, pornographic, profane, sexually oriented, harassing and/or in violation of the City Of Vancouver's employment policies and/or Operating Principles;
   • Distributing, downloading or modifying copyrighted materials, trade secrets, proprietary information, or confidential, privileged, or similar materials without prior authorization;
   • Creating, distributing, downloading or viewing any material that is threatening or related to violence or hate that is in violation of the City of Vancouver's employment policies and/or Operating Principles;
   • Engaging in any activities for personal business or gain; or
   • Using systems in any manner that violates any local, state or federal law

Employees must take reasonable and prompt action, upon notification from the Department or when a member becomes aware, to remove any content, including content posted by others, that is a violation of this policy from any web page or website maintained by the employee (e.g., social media or personal website).

1058.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS
While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Vancouver Police Department or identify themselves in any way that could be
reasonably perceived as representing the Vancouver Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose or contradict any social issue, cause or religion.
(c) Endorse, support or oppose any product, service, company or other commercial entity.
(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1058.5 PRIVACY EXPECTATION
Members forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the Department e-mail system, computer network or any information placed into storage on any Department system or device.

This includes records of all key strokes or web-browsing history made at any Department computer or over any Department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through Department computers, electronic devices or networks. However, the Department shall not require a member to disclose a personal user name or password, or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (RCW 49.44.200).

1058.6 CONSIDERATIONS
In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
Employee Speech, Expression and Social Networking

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member’s appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1058.7 TRAINING
Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.