

Grandview Police Department

Policy Manual

CHIEF'S PREFACE

“It does not matter if the cobblers and the masons fail to do their jobs well, but if the Guardians fail, the democracy will crumble.” (Plato)

Law Enforcement is an honorable profession. It is undertaken by fallible human beings attempting to bring order to chaos, consolation to those who hurt, and justice where wrongs exist.

In order to accomplish our Mission we look to policy to guide us.

This policy manual is created to provide guidance in the hard work we do.

No policy manual can contain all the information needed to make tough choices in tense and rapidly changing situations. A good manual can, however, tell us clearly how to handle the routine things and give guidelines for the unexpected.

At Grandview PD we take pride in hiring good people. We then give them good training, good supervision, and fair discipline. These things are all grounded in and supported by good policy.

Chief Kal Fuller

“Blessed are the peacemakers” (Matthew 5:9)

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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 police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

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

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

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MISSION STATEMENT

WHAT DO WE VALUE?

Members of the Grandview Police Department have agreed that our primary values are;

- Integrity
- Professionalism
- Empathy
- Striving for excellence

WHAT IS OUR MISSION

The mission of the Grandview Police Department is to protect life and serve our community with integrity and excellence.

WHAT IS OUR VISION?

The members of the Grandview Police Department want our Department to be respected as one of the best in the state.

We want to be a department of well trained individuals coming together as a team to proactively serve our community.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Grandview Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Grandview Police Department to limit its members to only exercise the authority granted to them by law.

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

100.3 PEACE OFFICER POWERS

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

100.3.1 ARREST AUTHORITY

The arrest authority of the Grandview Police Department includes (RCW 10.31.100):

- (a) When a peace officer has probable cause to believe that a person has committed or is committing a felony, the peace officer shall have the authority to arrest the person without a warrant.
- (b) A peace officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of a peace officer, except as provided in RCW 10.31.100 (e.g., when there is probable cause for certain offenses that involve domestic violence, driving under the influence, motor vehicle accidents).
- (c) A peace officer may arrest a person in compliance with an arrest warrant after confirming the existence and extradition. A peace officer making an arrest must inform the person that the peace officer is acting under the authority of a warrant and must provide the person with a copy of the warrant at the time of the arrest or arrival at the holding facility.

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters Idaho or Oregon in fresh pursuit of a person believed to have committed a felony (Idaho Code 19-701; ORS 133.430).

When an officer makes an arrest in Idaho or Oregon, the arresting officer shall cause the person to be taken without delay to a magistrate in the county where the arrest was made (Idaho Code 19-702; ORS 133.440).

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Law Enforcement Authority

100.5 CONSTITUTIONAL REQUIREMENTS

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

Law Enforcement Certification

101.1 PURPOSE AND SCOPE

All sworn officers employed by the Grandview Police Department shall receive certification by CJTC prior to assuming law enforcement duties and responsibilities, and shall begin attending an approved academy within the first six months of employment.

Oath of Office

102.1 PURPOSE AND SCOPE

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

102.2 POLICY

It is the policy of the Grandview Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

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

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

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed in accordance with the established records retention schedule and any applicable state and/or local law.

102.5 OATH WORDING

The Oath of the Grandview Police Department shall read:

I do solemnly swear that I am a citizen of the United States of America; that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Washington; that I will uphold and enforce the ordinances of the City of Grandview and applicable ordinances of Yakima County; that I will abide by the Law Enforcement Code of Ethics; that I will be truthful and honest in the conduct of official business; that I will, to the best of my ability, diligently and impartially perform all the duties of Police Officer for the City of Grandview, Yakima County. Washington, so help me God. [See attachment: Oath of Office Blank Form.pdf](#)

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Grandview Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

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

103.2 POLICY

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

103.2.1 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 Grandview 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 Grandview Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Chief of Police 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 Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 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:

Adult - Any person 18 years of age or older.

CFR - Code of Federal Regulations.

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City - The City of Grandview.

Non-sworn - Employees and volunteers who are not sworn peace officers.

CJTC - The Criminal Justice Training Commission.

Department/GPD - The Grandview Police Department.

DOL - The Department of Licensing.

Employee - Any person employed by the Department.

Juvenile - Any person under the age of 18 years.

Manual - The Grandview Police Department Policy Manual.

May - Indicates a permissive, discretionary, or conditional action.

Member - Any person employed or appointed by the Grandview Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary Officers
- Non-sworn employees
- Volunteers

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

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

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

Peace officer - Includes any "general authority Washington peace officer," "limited authority Washington peace officer," and "specially commissioned Washington peace officer" (RCW 10.93.020). Peace officers are generally referred to as officers in this manual (Washington State Office of the Attorney General Model Use of Force Policy).

Rank - The title of the classification held by an officer.

RCW - Revised Code of Washington (Example: RCW 9.41.040).

Shall or will - Indicates a mandatory action.

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

Supervisor - A person in a position of authority that may include responsibility for 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

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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.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

WAC - The Washington Administrative Code (Example: WAC 296-24-567).

WSP - The Washington State Patrol.

103.5 ISSUING THE POLICY MANUAL

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

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

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

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

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

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

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to the Assistant Chief, who will consider the recommendations and forward them to the Chief of Police as appropriate.

Previous policies will be archived online and changes to policies tracked within the Lexipol knowledge management system.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 DIVISIONS

The Chief of Police is responsible for administering and managing the Grandview Police Department and has the authority to spend funds in the approved budget for its day-to-day operation. There are three divisions in the Police Department as follows:

- Administration Division
- Patrol Division
- Investigation Division

200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Assistant Chief, whose primary responsibility is to provide general management direction and control for the Administration division. The Administration Division consists of Administrative Services and Dispatch.

200.2.2 OPERATIONS DIVISION

The Patrol Division is commanded by the Assistant Chief, whose primary responsibility is to provide general management direction and control for the Patrol Division. The Patrol Division consists of Uniformed Patrol and Special Operations, which includes Traffic, Dispatch and Police Aides/Assistants.

200.2.3 INVESTIGATION DIVISION

The Investigation Division is commanded by the Assistant Chief, whose primary responsibility is to provide general management, direction, and control for the Investigation Division. The Investigation Division consists of the Detective Unit and the Evidence Room..

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate the Assistant Chief to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Assistant Chief
- (b) Senior Sergeant
- (c) Sergeant

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Organizational Structure and Responsibility

- (d) Officer In Charge
- (e) Senior Commissioned Officer

200.3.2 UNITY OF COMMAND

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

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

200.4 POLICY

The Grandview Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

Departmental Directives

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing Departmental Directives.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon acknowledgement of Staff. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01" For example, 20-01 signifies the first Departmental Directive for the year 2020.

201.2 RESPONSIBILITIES

201.2.1 COMMAND STAFF

Command staff shall periodically review Departmental Directives to determine whether they should be incorporated into the Policy Manual and, as appropriate, will recommend necessary modifications to the Chief of Police.

201.2.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue Departmental Directives.

The Chief of Police shall provide a copy of any directives to Union Presidents. Union Presidents will have thirty (30) days to respond in writing with any comments they may have.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES

All members shall be provided access to the Departmental Directives. Members shall acknowledge that they have been provided access to and have had the opportunity to review the Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

201.3.1 CONFIRMATION OF RECEIPT

Members are required to acknowledge in writing or electronically the receipt and review of any new Departmental Directives. Signed acknowledgement forms and/or electronic receipts showing a member's acknowledgement shall be maintained by the Assistant Chief.

201.4 POLICY

Departmental Directives will be used to modify policies of the Grandview Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the

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Departmental Directives

Department. Applicable collective bargaining agreements, memorandums of understanding, and other alternatives should be considered before a Departmental Directive is issued.

201.5 PROTOCOL

Departmental Directives will be incorporated into the Policy Manual, as required, upon approval. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Assistant Chief or the authorized designee should ensure that all Departmental Directives are disseminated appropriately. Departmental Directives should be numbered consecutively and incorporate the year of issue. All members will be notified when a Departmental Directive is rescinded or has been formally adopted into the Policy Manual.

Emergency Management Plan

202.1 PURPOSE AND SCOPE

The City has prepared an Emergency Management Plan Manual 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 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 City emergency operations within and outside its borders.

202.1.1 GRANDVIEW CODES

An emergency management organization has been established by the City of Grandview. This ordinance has been approved by the City Council (WAC 118-30-050) (See City of Grandview Resolution 2014-41).

[See attachment: 2014-41 Resolution and 2014 CEMP.pdf](#)

202.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Management Plan may be activated by the Chief of Police, the highest ranking official on-duty or a responder who is at the scene of a major emergency.

Upon activation of the plan, the Chief of Police 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.

202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Management Plan is activated, all employees of the Grandview 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.

202.3 LOCATION OF EMERGENCY MANAGEMENT PLAN

The manual is available online at the Yakima County Office Of Emergency Management website and in Dispatch. All supervisors should familiarize themselves with the Emergency Management Plan and what roles police personnel will play when the plan is implemented.

The Assistant Chief or the authorized designee shall ensure that all copies of the Emergency Management Plan manual are kept current and available to all personnel.

[Yakima County Emergency Management Plan](#)

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Emergency Management Plan

202.4 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. The posted exit strategies shall include any special directions for physically impaired employees (WAC 296-24-567).

202.5 UPDATING OF MANUALS

The Assistant Chief or the authorized designee shall review the Emergency Management Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) (WAC 118-30-060(7)).

202.6 TRAINING

The Department should provide annual training in the Emergency Management Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Management Plan and the roles police personnel will play when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command staff discussion.

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and the Washington Criminal Justice Training Commission (CJTC) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with CJTC rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording all training for all members.

Updates and revisions may be made to any portion of the training plan at any time it is deemed necessary.

The plan will address all required training.

203.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations. Additional required training may be identified in individual policies.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training
- (b) State-mandated training:
 - 1. All officers will successfully complete an annual in-service training program of no less than 24 hours that includes the training required by the CJTC (WAC 139-05-300).
 - (a) Successful completion of the CJTC's two-hour annual online crisis intervention course shall be included in the 24 hours (RCW 43.101.427).

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2. All officers must complete a minimum of 40 hours of continuing de-escalation and mental health training every three years as provided in WAC 139-11-020 and WAC 139-11-060.
 - (a) This training may substitute the annual 24 hours in-service requirement under WAC 139-05-300 in the year the officer completes the 40-hour violence de-escalation training.
3. All supervisors and managers will complete appropriate training and obtain certification as required by CJTC (RCW 43.101.350).
4. Members who will serve as school resource officers shall receive training for school resource officers (RCW 28A.400.345).
 - (a) Training shall include the subject requirements of the safety and security staff training program developed by the educational service districts and be completed within the required timeframe (RCW 28A.310.515; RCW 28A.400.345).
 - (b) Training shall include review of applicable school district policies and procedures of duties and responsibilities of school resource officers (RCW 28A.320.124).
5. All officers shall complete gender-based violence incident response training required by RCW 43.101.276.
6. Any request for exemption, waiver, extension, or variance from any requirement of CJTC training must be made under WAC 139-03-030 and corresponding information be made available to the public in accordance with the Records Maintenance and Release Policy (WAC 139-11-030).

203.5 TRAINING COMMITTEE

The Chief of Police or his designee may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should be composed of at least three members. The Chief of Police will designate one member to act as chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Chief of Police may remove or replace members of the committee at their discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury, or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene on a regular basis as determined by the Training Sergeant to review the identified incidents. The committee shall determine by consensus whether

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a training need exists and then submit written recommendations of its findings to the Training Sergeant. The recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time, and location of the incident, but should focus on the type of training being recommended. The Chief of Police may place the Training Sergeant on the committee depending on the incident involved and experience levels.

The Chief of Police will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources. Training recommendations as determined by the Training Sergeant shall be submitted to the command staff for review.

203.6 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Grandview Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Sergeant or their designee.

Members assigned to participate in DTBs shall only use login credentials assigned to them by the Training Sergeant. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the during their shifts or as otherwise directed by their supervisor. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any internet-enabled computer, members shall only take DTBs as part of their on-duty assignments unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.7 EMPLOYEE CLASSIFICATIONS

The training needs for various classifications of employees will be different.

The Training Sergeant shall maintain a list of classifications of employees and the trainings that are mandatory for that classification.

The following classifications are currently recognized:

a. Sworn

1. Administrator
2. Sergeant
3. Detective

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4. Patrol Officer

5. Reserve Officer

b. Non-Sworn

1. Lead Dispatch

2. Dispatcher

203.8 MINIMUM TRAININGS

A list of minimum training classes for each classification shall be maintained by the Training Sergeant.

203.9 TRAINING SERGEANT

The Chief of Police shall designate a Training Sergeant who is responsible for developing, reviewing, updating, and maintaining the department training plan so that required training is completed. The Training Sergeant should review the training plan annually.

203.10 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify their supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 - 1. Document the absence in a memorandum to the member's supervisor.
 - 2. Make arrangements through their supervisor or the Training Sergeant to attend the required training on an alternate date.

203.11 TRAINING RECORDS

The Training Sergeant is responsible for the creation, filing, and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

203.11.1 TRAINING DOCUMENTATION

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

- An overview of the course content and/or an instructor lesson plan.
- Names and agency contact information of all attendees.

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- Instructor credentials or resume.
- Individual attendee test results (if applicable).
- A course completion roster.

Electronic Mail

204.1 PURPOSE AND SCOPE

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

204.2 EMAIL RIGHT OF PRIVACY

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

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

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

204.3 PROHIBITED USE OF EMAIL

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

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

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password by others.

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Washington Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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Electronic Mail

The Public Records Officer shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Email communications shall have a notice of privacy included at the bottom. The wording shall be "This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all written external correspondence shall be on department letterhead. All department letterhead shall bear the name of the Chief of Police. Personnel should use department letterhead only for official business and with approval of their supervisor.

Email communications shall have a notice of privacy included at the bottom. The wording shall be "This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."

205.4 SURVEYS

All public surveys made in the name of the Department shall be authorized by the Chief of Police or the Assistant Chief.

Supervisory Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

206.2 SUPERVISORY STAFFING LEVELS

Supervisors shall be placed on rotational shifts which spread their availability out as much as is practicable to maximize supervisory coverage. Supervisors will generally not be paired in normal yearly rotation schedules with another supervisor.

Concealed Pistol License

207.1 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.

207.2 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).

207.3 APPLICATION PROCESS AND RENEWAL

The Chief of Police has 30 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).

The Chief of Police is required to check with the National Instant Criminal Background Check System, the Washington State Patrol (WSP) electronic database, the Department of Social

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and Health Services electronic database, 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 check applies for a new concealed pistol license or to renew a concealed pistol license.

A background check for an original license shall be conducted through the WSP Criminal Identification Section and shall include a national check from the Federal Bureau of Investigation through the submission of fingerprints. The applicant may request and receive a copy of the results of the background check from the Chief of Police (RCW 9.41.070).

The license application shall bear the full name, residential address, telephone number and/or email address 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 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 a complete set of fingerprints to be forwarded to the WSP (RCW 9.41.070(4)).

207.3.1 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.

207.3.2 DOCUMENTATION AND FEES

The Chief of Police shall deliver the original license to the licensee, within seven days send the duplicate to the Director of Licensing, and shall preserve the triplicate or other form prescribed

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by the Department of Licensing for six years after the license has expired, been voided or revoked, or as otherwise provided in the department's 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 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.

207.4 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 by the department-established mail renewal procedures or within 90 days after returning to Washington state. Verification for this concealed pistol license renewal exception is subject to the requirements of RCW 9.41.070.

207.5 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).

207.6 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.

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- (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 the licensee's right to possess a firearm as identified in RCW 9.41.047.
- (f) Receipt of an order to surrender and prohibit weapons or an extreme risk protection order, other than an ex parte temporary protection order, issued against the licensee.

207.6.1 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)).

207.6.2 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 immediately notify the Department of Licensing in writing of the revocation of a license.

207.7 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.

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207.8 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.

207.9 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.

207.10 SUSPENSION OF LICENSES

The Chief of Police shall suspend any license issued pursuant to this policy immediately upon notice from the Department of Licensing that the person has been detained under RCW 71.05.150 or RCW 71.05.153 on the grounds that the person presents a likelihood of serious harm due to a behavioral health disorder (RCW 9.41.049).

The license shall remain suspended for a period of six months from the date the person was released from the behavioral health disorder detention or upon notice from the Department of Licensing of a restoration order (RCW 71.05.182; RCW 9.41.047(3)(f)).

Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE

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

208.2 POLICY

It is the policy of the Grandview Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

208.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

208.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as a an officer.

If the Grandview Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet CJTC standards for qualification to carry a firearm.

208.3.2 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 one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

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2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Washington law or by a private person or entity on his/her property if such prohibition is permitted by Washington law.

208.4 WASHINGTON IDENTIFICATION CARD

The Chief of Police may issue an identification card to a retired officer of this department for the purposes of carrying a concealed weapon within the State of Washington under RCW 9.41.060 who:

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

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

Any retired person receiving such an identification card shall abide by all of the other requirements of this policy that are applicable to a LEOSA identification card.

208.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift Sergeant of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions Policy.

208.5.1 RESPONSIBILITIES UNDER LEOSA

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

- (a) Sign 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 department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

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- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

208.6 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 pass/fail record of the qualifications.

If provided, the qualification shall include the firearms course and certificate developed by the Washington Association of Sheriffs and Police Chiefs (RCW 36.28A.090).

Road Staffing Levels

209.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper road coverage is available for all shifts within available resources. The Department intends to balance the employee's needs against the need to have flexibility and discretion in meeting operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

209.2 PATROL STAFFING LEVELS

The goal of shift scheduling should be to have at least two patrol officers on duty whenever possible and as resources allow.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy is intended to provide clarity to officers and promote safety for all by ensuring that all available and appropriate de-escalation techniques are used when possible, force is used appropriately only when necessary, and the amount of force used is proportional to the threat or resistance the officer encounters as well as the seriousness of the law enforcement objective that is being served.

While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every officer of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

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

This policy incorporates the Washington State Office of the Attorney General Model Use of Force Policy.

[See attachment: Use of Force policy submission.pdf](#)

300.1.1 DEFINITIONS

Definitions related to this policy include:

Chokehold - The intentional application of direct pressure to a person's trachea or windpipe for the purpose of restricting another person's airway (RCW 10.116.020).

Deadly force - The intentional application of force through the use of firearms or any other means reasonably likely to cause death or serious physical injury (RCW 9A.16.010).

De-escalation tactics - Actions used by a peace officer that are intended to minimize the likelihood of the need to use force during an incident (RCW 10.120.010). Using force is not a de-escalation tactic.

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

Flight - An act or instance of running away in an effort to leave and intentionally evade law enforcement.

Immediate threat of serious bodily injury or death - Based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person (RCW 10.120.020).

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

Necessary - Under the totality of the circumstances, a reasonably effective alternative to the use of force or deadly force does not appear to exist, and the type and amount of force or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others (RCW 10.120.010).

Neck restraint - Any vascular compression or similar restraint, hold, or other tactic in which pressure is applied to the neck for the purpose of constricting blood flow (RCW 10.116.020).

Physical force (referred to as "force" in this policy) - Any act reasonably likely to cause physical pain or injury or any other act exerted upon a person's body to compel, control, constrain, or restrain the person's movement. Physical force does not include pat-downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury (RCW 10.120.010).

Totality of the circumstances - All facts known to the officer leading up to, and at the time of, the use of force, and includes the actions of the person against whom the officer uses such force, and the actions of the officer (RCW 10.120.010).

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. Officers are involved on a daily basis 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 law enforcement duties.

It is the fundamental duty of law enforcement to preserve and protect all human life (RCW 10.120.010). Officers shall respect and uphold the dignity of all persons and use their authority in a bias-free manner.

The proper use of force is essential to ensure impartial policing and build trust in the community. While there are circumstances where individuals will not comply with the law unless compelled or controlled by officers through the use of force, officers must remain mindful that they derive their authority from the community and that unreasonable force degrades the legitimacy of that authority (Washington State Office of the Attorney General Model Use of Force Policy).

Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Nothing in this policy limits or restricts an officer's authority or responsibility to perform lifesaving measures or community caretaking functions or prevents an officer from responding to requests for assistance or service (RCW 10.120.020).

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300.2.1 DUTY TO INTERVENE AND REPORT

Any officer present and observing another law enforcement officer or a member attempting to use or using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of unreasonable force (RCW 10.93.190).

Any officer who observes another law enforcement officer or a member attempting to use or using force that is potentially beyond that which is objectively reasonable under the circumstances shall report these observations to a supervisor as soon as feasible (RCW 10.93.190).

300.2.2 PERSPECTIVE

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

300.2.3 ADDITIONAL STATE REQUIREMENTS ON THE DUTY TO INTERVENE AND REPORT

An officer shall not be disciplined for or retaliated against in any way for intervening in good faith or for reporting in good faith the unreasonable use of force by another law enforcement officer (RCW 10.93.190) (see the Anti-Retaliation Policy).

300.2.4 CRITICAL DECISION MAKING

Use of critical decision making can help officers achieve the expectations outlined in this manual. When safe and feasible, when making or considering whether to make contact with a member of the public, officers shall (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) Begin assessment and planning with available facts before arriving at the scene.
- (b) Request available resources, as needed, such as a crisis intervention team or other appropriate specialty unit or professionals.
- (c) Collect information when on scene.
- (d) Assess situations, threats, and risks.
- (e) Identify options for conflict resolution.
- (f) Determine a reasonable course of action.
- (g) Review and re-assess the situation as it evolves.

Nothing in this policy precludes officers from taking quick action when faced with a life-threatening situation, such as an active shooter. When safe and feasible, officers shall not unnecessarily jeopardize their own safety or the safety of others through tactical decisions that unreasonably place themselves or others at risk including but not limited to (Washington State Office of the Attorney General Model Use of Force Policy):

- Immediately approaching a person without proper evaluation of the situation.
- Leaving insufficient space between an officer and the person.

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- Not providing time for a person to comply with commands.
- Unnecessarily escalating a situation.

300.3 USE OF FORCE

Grandview Police Department personnel will use force as prescribed by federal, state, and local laws.

Officers shall use only the least 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. Officers shall use reasonable care when determining whether to use and when using any physical force or deadly force against another person (RCW 10.120.020).

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 this 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 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 (RCW 10.120.020):

- (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 (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.

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- (e) The individual displays signs of mental, behavioral, intellectual, developmental, or physical impairments or disabilities, including individuals who reasonably appear suicidal.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and the individual's ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) The individual is visibly pregnant or claims to be pregnant.
- (s) The individual is a minor, appears to be a minor, or claims to be a minor.
- (t) The individual is known to be a vulnerable adult or appears to be a vulnerable adult as defined by RCW 74.34.020.
- (u) The individual has limited English proficiency.
- (v) The individual is in the presence of a child.
- (w) Any other exigent circumstances.

300.3.2 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.3 USE OF FORCE TO SEIZE EVIDENCE

The Revised Code of Washington has no specific allowance for the use of force solely to seize evidence.

Officers will not use force solely to prevent a person from swallowing evidence or contraband.

300.3.4 ALTERNATIVE TACTICS - DE-ESCALATION

When possible, officers shall use all reasonably available and appropriate de-escalation tactics prior to using force (RCW 10.120.020). Using any type of physical force is not a de-escalation tactic (Washington State Office of the Attorney General Model Use of Force Policy).

Depending on the circumstances, officers have a number of de-escalation tactics to choose from which include but are not limited to (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) Employing tactical positioning and repositioning to maintain the benefit of distance and cover, such as backing away from the person to re-assess and determine which tactics to use.
- (b) Placing barriers or using existing structures to provide a shield or other protection between officers and a person.
- (c) Attempting to slow down or stabilize the situation to allow for the consideration and arrival of additional resources that may increase the likelihood of a safe resolution.
- (d) Requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder, other behavioral health providers, or back-up officers, including more experienced officers or supervisors.
- (e) Using clear instructions and verbal persuasion.
- (f) Employing verbal and non-verbal communication techniques to calm a person (e.g., speaking slowly, regulating tone and body language, uncrossing one's arms, minimizing hand gestures, reducing bright, flashing lights and sirens).
- (g) Attempting to communicate in non-verbal ways when verbal instructions would be inadequate (e.g., when the person and officer speak different languages, the person is unable to hear or understand instructions).
- (h) Communicating in a way that demonstrates respect for people's dignity (e.g., clearly explaining the officer's actions and expectations, listening to the person's questions and concerns and responding respectfully, being neutral and fair when making decisions).
- (i) When there are multiple officers, designating one officer to communicate in order to avoid competing or confusing commands.
- (j) Exhibiting patience while using all available and appropriate tactics and resources to provide as much time as needed to resolve the incident without using force.

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300.3.5 RESTRICTIONS ON RESPIRATORY RESTRAINTS

Officers of this department are not authorized to use respiratory restraints, also known as chokeholds or neck restraints (RCW 10.116.020).

300.3.6 PERMISSIBLE USES OF FORCE

An officer may use force upon another person to the extent necessary under these circumstances to (RCW 10.120.020):

- (a) Protect against a criminal offense when there is probable cause that the person has committed, is committing, or is about to commit the offense.
- (b) Effect an arrest.
- (c) Prevent an escape as defined under chapter 9A.76 RCW.
- (d) Take a person into custody, transport a person for evaluation or treatment, or provide other assistance under RCW 10.77; RCW 71.05; or RCW 71.34.
- (e) Take a minor into protective custody when authorized or directed by statute.
- (f) Execute or enforce a court order authorizing or directing an officer to take a person into custody.
- (g) Execute a search warrant.
- (h) Execute or enforce an oral directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes an officer to use force to execute or enforce the directive or order.
- (i) Prevent a person from fleeing or stop a person who is actively fleeing a lawful temporary investigative detention, provided that the person has been given notice that the person is being detained and is not free to leave.
- (j) Take a person into custody when authorized or directed by statute.
- (k) Protect against an imminent threat of bodily injury to the officer, another person, or the person against whom force is being used.

Officers shall terminate the use of force as soon as the necessity for such force ends (RCW 10.120.020).

300.3.7 IDENTIFICATION, WARNING, AND OPPORTUNITY TO COMPLY PRIOR TO THE USE OF FORCE

When safe and feasible, prior to the use of force, officers shall (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) Identify themselves as law enforcement officers.
 - 1. Identification is unnecessary when the officer has objectively reasonable grounds to believe the person is aware of this fact.
- (b) Attempt to determine whether the person has a special need, mental condition, physical limitation, developmental disability, language barrier, or other factor that may impact the person's ability to understand and comply with officer commands.

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- (c) Provide clear instructions and warnings.
- (d) Warn a person that force will be used unless the person's resistance ceases.
- (e) Give the person a reasonable opportunity to comply with the warning that force may be used.

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (RCW 10.120.020):

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

However, an officer shall not use deadly force against a person whose actions are a threat solely to themselves or property unless the person poses an immediate danger of death or serious physical injury to the officer or others in close proximity.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective and involve considerations and risks in addition to the justification for the use of deadly force.

An officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious bodily injury resulting from the operator's or a passenger's use of a deadly weapon. A vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available to the officer. (RCW 10.116.060).

When feasible, officers shall attempt to move out of the path of a moving vehicle rather than discharge their weapon at the operator.

Officers shall not shoot at any part of a vehicle in an attempt to disable the vehicle.

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

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300.4.2 DRAWING AND POINTING A FIREARM

- (a) An officer should only draw a firearm in the low-ready position (i.e., unholstered but out of the officer's visual field) when the officer makes reasonable observations based on the totality of the circumstances that the situation may evolve to the point where deadly force would be justified.
- (b) An officer should only point a firearm at a person when deadly force is justified.
- (c) When it is determined that the use of deadly force is not necessary, the officer should, as soon as safe and feasible, lower, holster, or secure the firearm.
- (d) Pointing a firearm at a person is a reportable use of force and its justification and circumstances shall be documented in accordance with procedures set by the statewide use of force data collection program (RCW 10.118.030).

300.4.3 RESTRICTED USE

Officers shall not use a firearm in the following circumstances (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) As an impact weapon except when deadly force is justified.
- (b) When it appears likely that an innocent person may be injured by the officer discharging the firearm in the direction of an innocent person.
- (c) When discharging or pointing a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.
- (d) When discharging or pointing a firearm at a person who presents a danger only to property and does not have the apparent opportunity or intent to immediately cause death or serious bodily injury to the officer or another person.

300.4.4 DISCHARGE OF FIREARMS

Officers are only permitted to discharge a firearm at a person in situations where deadly force is justified. Each discharge of the firearm must be justified. When feasible, officers shall give a verbal warning that a firearm will be discharged. Prior to the decision to use a firearm, officers should consider field of fire, backdrop, bystanders, potential for ricochet, and other risks of life (Washington State Office of the Attorney General Model Use of Force Policy).

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, 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 under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

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300.5.1 NOTIFICATIONS TO SUPERVISORS

On duty Supervisor notification shall be made and a use of force report shall be completed 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 Conducted Energy Device (CED) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

If no supervisor is on duty, notification will happen by forwarding the completed detail report to a supervisor for review.

If a major injury happens, an off duty supervisor or administration should be notified as soon as practicable.

[See attachment: Supervisor Notification CHECK LIST.pdf](#)

300.5.2 NOTIFICATION TO INDIAN AFFAIRS

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

300.5.3 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC)

Notification shall be made to CJTC within 15 days of learning of the occurrence of any death or serious injury caused by the use of force by an officer (RCW 43.101.135).

300.5.4 REPORTING TO WASHINGTON STATEWIDE USE OF FORCE DATA PROGRAM

The Department shall submit reports regarding use of force incidents as provided by RCW 10.118.030 to the Washington statewide use of force data program in the format and time frame established by the program (RCW 10.118.030).

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300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious at a scene controlled by law enforcement (RCW 36.28A.445). Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until the individual can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe (RCW 10.93.190).

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. 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. 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 the on-scene supervisor is 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 would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain, 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.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. 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) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived the individual's *Miranda* rights, the following shall apply:

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1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) 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.
1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance 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.

When an incident results in death, serious bodily harm, or great bodily harm, the supervisor shall immediately contact the Office of Independent Investigations pursuant to the procedures established by the Office of Independent Investigation (RCW 43.102.120).

[See attachment: Supervisor Responsibilities CHECK LIST.pdf](#)

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.

300.8 TRAINING

All officers and supervisors shall receive training consistent with this policy and related use of force policies at least annually. Training should (Washington State Office of the Attorney General Model Use of Force Policy):

- Be a combination of classroom and scenario-based learning.
- Include community partners, when relevant and feasible.

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- Incorporate cultural competency to understand disproportionately impacted communities, and how racialized experiences of policing and the criminal justice system may impact interactions with police.

This policy should be incorporated into defensive tactics curricula.

300.8.1 TRAINING REQUIREMENTS

Required annual training should include:

- (a) Legal updates.
- (b) De-escalation tactics, including reasonably effective alternatives to force including applicable legal requirements (RCW 10.120.010).
- (c) The duty to intervene.
- (d) The duty to request and/or render medical aid.
- (e) Warning shots (see the Firearms Policy).
- (f) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (g) Exercising reasonable care in determining when to use force.
- (h) Evaluation of whether certain applications of force are reasonable and proportional to the threat or resistance.

300.9 USE OF FORCE ANALYSIS

The Assistant Chief shall prepare an annual management review and analysis report on use of force incidents. The report shall be submitted to and reviewed and approved by the Chief of Police. The report should not contain the names of officers, suspects, or case numbers and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Grandview Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The Grandview Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.4 REVIEW BOARD

The Chief of Police will generally direct that the Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Chief of Police may direct the Use of Force Review Board to investigate and review the circumstances surrounding a discharge of a firearm, whether the employee was on- or off-duty, excluding:

- Training
- Recreational use
- Dispatching an injured animal
- Discharge with prior supervisory approval

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Assistant Chief will convene the Use of Force Review Board as necessary. It will be the responsibility of the supervisor of the involved employee to notify the Assistant Chief of any incidents requiring board review. The Assistant Chief will ensure that all relevant reports, documents and materials are available for consideration and review by the board.

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Use of Force Review Boards

301.4.1 COMPOSITION OF THE BOARD

The Assistant Chief should select a minimum of three Use of Force Review Board members from the following, as appropriate:

- A supervisor
- A peer officer chosen by the involved officer
- A peer officer chosen by administration
- Department instructor for the type of weapon, device or technique used
- A subject matter expert

The Assistant Chief will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with the department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

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

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

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Use of Force Review Boards

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police shall provide a copy of the findings to the involved employee. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

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

Because restraint devices are designed to compel, control, constrain, or restrain a person's movement, use of these devices is physical force and all considerations governing uses of physical force detailed in this policy and the Use of Force Policy apply to their use (Washington State Office of the Attorney General Model Use of Force Policy). However, physical force does not include compliant handcuffing where there is no complaint of physical pain or injury (RCW 10.120.010).

302.1.1 DEFINITIONS

Definitions related to this policy include (Washington State Office of the Attorney General Model Use of Force Policy):

Compression asphyxia - An inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by mechanically limiting expansion of the lungs through compressing of the chest and/or abdomen, interfering with breathing.

Positional asphyxia - An inadequate oxygen level in the blood and/or an excessive increase of carbon dioxide in the blood causing unconsciousness or death brought on by a person being placed in a body position which compresses the person's airway and does not allow the person to breathe freely.

302.2 POLICY

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

302.3 USE OF RESTRAINTS

Only members who have successfully completed Grandview Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, 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.

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Handcuffing and Restraints

- 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.

Restrained persons shall be monitored while in law enforcement custody (Washington State Office of the Attorney General Model Use of Force Policy).

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of 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.

302.3.2 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. Leg restraints, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure themselves or others, or damage property.

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances, and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the detainee, officers, or others. See the Transporting Persons in Custody Policy for guidelines relating to transporting pregnant persons.

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless suspected of committing a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure themselves, injure the officer, or damage property.

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

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. 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.

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

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, 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.

302.5 APPLICATION OF SPIT GUARDS

A spit guard (sometimes referred to as spit hood, spit mask, or spit sock) is a woven mesh device which can be placed over a person's head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and blood. Officers shall only use department-issued spit guards (Washington State Office of the Attorney General Model Use of Force Policy).

Spit guards 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.

Prior to application of a spit guard, an officer shall warn the individual and provide a reasonable time for the person to comply with the officer's commands. If applied, the officer shall remove the spit guard as soon as the threat of spitting or biting has ended, or the officer observes that the spit guard is no longer necessary.

Officers utilizing spit guards should ensure that the spit guard is fastened properly according to the manufacturer's instructions to allow for adequate ventilation and that the restrained person can breathe normally. After application of a spit guard and when safe to do so, officers shall move the individual into a seated or side recovery position. Officers shall provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. For individuals in mental health crisis, application of a spit guard may provoke an elevated level of distress. Officers should provide verbal reassurance and dynamically assess the situation to remove the spit guard as soon as appropriate. Officers should avoid commingling those wearing spit guards with others and detainees.

Spit guards 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 that affects their breathing, or the person demonstrates symptoms of labored or distressed breathing. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit guard, the spit guard 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 guard.

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Those who have been placed in a spit guard shall be continually monitored and shall not be left unattended until the spit guard is removed. In the event of a medical emergency, spit guards should be removed immediately. Spit guards shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg restraints, 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.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints (e.g., hobble 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 person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting 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 vehicle).

302.7.1 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.
- (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 the person's stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person shall be continually monitored by an officer while in the leg restraint (Washington State Office of the Attorney General Model Use of Force Policy). The officer should ensure that the person does not roll onto and remain on the person's stomach.

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- (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.

Officers shall not connect or assist with connecting a leg restraint to handcuffs or other types of restraints (i.e., hog-tie an individual) (Washington State Office of the Attorney General Model Use of Force Policy; RCW 10.116.022).

302.8 REQUIRED DOCUMENTATION

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

Officers shall document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

302.8.1 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.

302.9 TRAINING

The Training Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg restraints, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

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- (e) Proper placement of safely secured persons into an upright or seated position to avoid placement on the stomach for an extended period, as this could reduce the person's ability to breathe.

302.10 POSITIONAL ASPHYXIATION AND COMPRESSION ASPHYXIATION

Consistent with training, officers shall take the following actions to reduce the risk of positional asphyxiation and compression asphyxiation (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) As soon as safe and feasible after handcuffing or otherwise restraining a person taken to the ground, roll the person to the side and move the person to an upright position that does not impede the mechanism of normal breathing, except if the person is unconscious. This requirement is especially important when the person is handcuffed in the prone position.
 - 1. An exception is if the person is conscious and expresses a desire to be placed in a different position, the officers shall place the person in that position unless doing so poses a substantial risk of safety to the individual, officers, or others.
- (b) Do not put prolonged pressure on the chest, neck, or back, including by sitting, kneeling, or standing.
- (c) Continuously monitor the person's condition while being restrained, as death can occur suddenly and develop beyond the point of viable resuscitation within seconds. Monitoring includes but is not limited to assessing the adequacy of the individual's breathing, color, and any impairment as verbalized by the individual.
- (d) Whenever possible during team restraint when manpower limitations allow, the ranking officer shall designate a safety officer. The safety officer shall monitor the health and welfare of the person until:
 - 1. Responsibility is transferred to a health care professional (e.g., emergency medical technician (EMT), paramedic); or
 - 2. The person is placed in a seated position in a transport vehicle and verbalizes to the safety officer that the person feels okay, and the person appears to the safety officer to be well and speaking normally.
- (e) If the safety officer becomes aware of an issue with the person's breathing, color, or any impairment, the safety officer shall inform the ranking officer.
- (f) Do not transport a restrained person in the prone position.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.1.1 DEFINITIONS

Definitions related to this policy include (Washington State Office of the Attorney General Model Use of Force Policy):

Oleoresin capsicum (OC) - An inflammatory agent that causes an intense burning sensation of the eyes, nose, mouth, and skin, which may result in closing, tearing, and swelling of the eyes, as well as choking, gagging, and gasping for breath.

Tear gas - Chloroacetophenone (CN), O-chlorobenzylidene malononitrile (CS), and any similar chemical irritant dispersed in the air for the purpose of producing temporary physical discomfort or permanent injury. "Tear gas" does not include oleoresin capsicum (RCW 10.116.030).

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Grandview Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING, AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been authorized and issued by the Department or authorized and approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training and have demonstrated satisfactory skill and proficiency in the use of any control device are authorized to carry and use the device.

Control devices 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 device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

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303.4.2 QUARTERMASTER RESPONSIBILITIES

The Quartermaster shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Quartermaster or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Quartermaster for disposition. Damage to City property memos shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

CED cartridges expended in conjunction with a case shall be handled per GPD Conducted Energy Device Policy 304.5.5 Actions Following Deployments.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. Officers shall not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney unless deadly force is justified. Officers shall reassess the effectiveness of baton strikes as soon as safe and feasible, and if not effective, move to another appropriate target or to another tactical or physical force option. Officers shall not use a baton to intimidate a person when a baton warning is not justified by the threat presented (see the Use of Force Policy) (Washington State Office of the Attorney General Model Use of Force Policy).

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 TEAR GAS GUIDELINES

Officers or other members are not authorized to use tear gas unless necessary to alleviate a present risk of serious harm posed by a (RCW 10.116.030):

- (a) Riot.
- (b) Barricaded subject.
- (c) Hostage situation.

Only the Shift Sergeant, Incident Commander, or Special Weapons and Tactics Team Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary, and other alternatives to the use of tear gas have been exhausted (RCW 10.116.030).

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If tear gas is to be used outside a correctional, jail, or detention facility, authorization shall be obtained from the highest elected official of the jurisdiction in which the tear gas is to be used (RCW 10.116.030).

Prior to any use, an announcement shall be made of the intent to use tear gas. Sufficient time and space shall be allowed for compliance with the announcement (RCW 10.116.030).

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

303.7 OLEORESIN CAPSICUM GUIDELINES

As with other control devices, oleoresin capsicum spray and pepper projectiles 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, or when it is the safest reasonable tactic to effect an arrest. Pepper projectiles and 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.

After the initial application of OC spray, each subsequent application must also be justified.

OC spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option. Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons (Washington State Office of the Attorney General Model Use of Force Policy).

303.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in an approved manner. 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.

303.7.2 TREATMENT FOR OC SPRAY EXPOSURE

At the earliest safe opportunity at a scene controlled by law enforcement, an officer shall take action to address the effects of the OC by flushing the person's eyes out with clean water and ventilating with fresh air, if possible (Washington State Office of the Attorney General Model Use of Force Policy). Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE

Whenever tear gas or 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 clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in

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related reports. [See attachment: Chemical Agent Warning Label.pdf](#) [See attachment: Chemical Agent Notification.pdf](#)

303.9 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles are designed to stun, temporarily incapacitate, or cause temporary discomfort without penetrating the person's body (Washington State Office of the Attorney General Model Use of Force Policy). When used properly, kinetic energy projectiles 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.

303.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

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

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 suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

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 due to the circumstances.

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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.

An officer should target the buttocks, thigh, calf, and large muscle groups (Washington State Office of the Attorney General Model Use of Force Policy). Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. Officers should not use kinetic energy projectiles in the following circumstances unless the use of deadly force is justified (see the Use of Force Policy) (Washington State Office of the Attorney General Model Use of Force Policy):

- (a) When intentionally aiming kinetic energy projectiles at the head, neck, chest, or groin.
- (b) At ranges that are inconsistent with the projectile manufacturer's guidelines.
- (c) Directed at a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).

An officer deploying kinetic energy projectiles shall assess the effectiveness of the projectiles after each shot. If subsequent projectiles are needed, the officer should consider aiming at a different targeted area.

303.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such. Shotguns are not authorized as a firearm and are issued as a Less Lethal platform only.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

303.10 TRAINING FOR CONTROL DEVICES

The Training Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained, have demonstrated satisfactory skill and proficiency, are certified to carry the specific control device, and are retrained or recertified at a minimum of every two years.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

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- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

304.1.1 DEFINITIONS

Definitions related to this policy include (Washington State Office of the Attorney General Model Use of Force Policy):

Conducted energy device - A portable device that fires darts/electrodes that transmit an electrical charge or current intended to temporarily immobilize a person.

304.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEDS

Only members who have successfully completed department-approved training and have demonstrated satisfactory skill and proficiency may be issued and may carry the CED.

An officer that is issued a CED is expected to carry it as an option to be considered when deadly force is not justified (Washington State Office of the Attorney General Model Use of Force Policy).

The Quartermaster should keep a log of issued CEDs and the serial numbers of cartridges/magazines issued to members.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CED and cartridges/magazines that have been approved and issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

An officer shall carry a CED in a holster on the support side of the body, and in all but extreme circumstances, shall draw, exhibit, and use the device with the support (i.e., non-handgun firing) hand (Washington State Office of the Attorney General Model Use of Force Policy).

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

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304.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Quartermaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

304.4 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 warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

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

304.5 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 deploy the device within its operational range. Although the CED may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

304.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

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

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

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain 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 potential risk of using the device. This includes (Washington State Office of the Attorney General Model Use of Force Policy):

- (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.
- (e) In any environment where an officer knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including but not limited to OC spray with a volatile propellant, gasoline, natural gas, or propane.
- (f) Individuals who are situated on an elevated surface (e.g., a ledge, scaffold, near a precipice) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).
- (g) Individuals known to be located in water.
- (h) Operators in physical control of vehicles in motion, including automobiles, trucks, motorcycles, all-terrain vehicles, bicycles, and scooters unless deadly force is justified.

The primary use of a CED is not as a pain compliance tool. Drive-stun mode should only be used when necessary to complete the incapacitation circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other alternatives to deadly force are available and appropriate (Washington State Office of the Attorney General Model Use of Force Policy).

304.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, chest, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Officers shall apply the CED for only one standard cycle of five seconds or less and then evaluate the situation before applying any subsequent cycles (Washington State Office of the Attorney General Model Use of Force Policy). Once an officer has successfully deployed two probes

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on the subject, the officer shall continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

Multiple applications of the CED increase the risk of serious bodily injury or death. Officers should not intentionally deploy multiple CEDs at the same person, unless the first deployed CED clearly fails. An officer shall consider other options if the officer has used a CED three times against a person and the person continues to be a threat, as the CED may not be effective against that person (Washington State Office of the Attorney General Model Use of Force Policy).

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

304.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

Officers shall ensure that 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.

304.6 DOCUMENTATION

Officers shall clearly articulate and document the justification for each individual application of the CED in the related arrest/crime reports and the CED report forms (Washington State Office of the Attorney General Model Use of Force Policy). Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges,

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pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

304.6.1 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEDs
- (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

304.7 MEDICAL TREATMENT

At the earliest safe opportunity at a scene controlled by law enforcement, officers trained in probe removal and handling shall remove CED probes, unless probes are in a sensitive area, such as the head, breast, or groin. Probes in sensitive areas shall be removed by an emergency medical technician (EMT), paramedic, or other health care professional (Washington State Office of the Attorney General Model Use of Force Policy). Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. 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 CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications 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/video recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

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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 (see the Medical Aid and Response Policy).

304.8 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 a CED. The device's internal logs should be downloaded by a supervisor and saved with the related arrest/ crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

304.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training and demonstrating satisfactory skill and proficiency. Any personnel who have not carried the CED as a part of their assignments for a period of six months or more shall be recertified by a qualified CED 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 skills may be required at any time, if deemed appropriate, by the Training Sergeant. All training and proficiency for CEDs will be documented in the officer's training files.

Command staff, supervisors, and investigators should receive CED training as appropriate for the investigations they conduct and review.

Officers who do not carry CEDs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

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

Application of CEDs during training could result in injuries and should not be mandatory for certification.

The Training Sergeant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws until proficient 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 to the head, neck, chest, and groin.

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- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.
- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

Officer-Involved Shootings and Deaths

305.1 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 injured or dies as the result of an officer-involved shooting or as a result of other action of an officer.

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

305.2 POLICY

The policy of the Grandview Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's action.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

The Yakima Valley Special Investigations Unit (YVSIU) will be requested to investigate any officer involved shootings, incidents which involve great bodily harm or death, in-custody deaths, or high profile incidents where there may be an appearance of a conflict of interest.

If an event is not covered by an YVSIU activation, Policy 305 can provide guidelines for the investigation.

Jurisdiction is determined by the location of the shooting or death.

[See attachment: YVSIU 6.1.pdf](#)

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is usually controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Grandview Police Department would control the investigation if the suspect's crime occurred in Grandview.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime, by mutual agreement of the jurisdictional agencies.

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305.4.2 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be according to YVSIU protocol.

305.4.3 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.

305.4.4 OFFICER/DEPUTY USE OF FORCE INVESTIGATIONS

Where the use of deadly force by an officer results in death, substantial bodily harm, or great bodily harm, an investigation shall be completed by an independent investigative team that is independent of the Department and meets the independent investigations criteria of the Criminal Justice Training Commission (RCW 10.114.011; WAC 139-12-020; WAC 139-12-030).

305.5 INVESTIGATION PROCESS

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

305.5.1 UNINVOLVED OFFICERS RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first qualified uninvolved GPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief a supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved GPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 - 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any GPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties, and pursue suspects.
 - (a) Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

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scene, identity of known or potential witnesses, and any other pertinent information.

- (b) The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information. [See attachment: GPD Public Safety Statement.pdf](#)
- (c) Provide all available information to the Shift Sergeant and Dispatch. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional GPD members until properly relieved by another supervisor or other assigned personnel or investigator.
 - 1. If the incident involved the use of deadly force that resulted in death, substantial bodily harm, or great bodily harm, contact the appropriate independent investigation team (WAC 139-12-030).
- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - (a) Each involved GPD officer should be given an administrative order not to discuss the incident with other involved officers or GPD members pending further direction from a supervisor.
 - (b) When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that the officer is provided with a comparable replacement weapon or transported by other officers.
 - (c) Each involved officer will be offered to be assigned a trained CISM Peer Support person.

305.5.3 SHIFT SERGEANT RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Sergeant shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police, the Assistant Chief, the Yakima Valley Special Investigations Unit or the Washington State Office of Independent Investigations.

All outside inquiries about the incident shall be directed to the Shift Sergeant.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Assistant Chief
- Yakima Valley Special Investigations Unit (Chief of Police or designee must request activation)
- Washington State Office of Independent Investigations (RCW 43.102.050 (2)(b) and RCW 43.102.120 (1)(a)) (Chief of Police or his designee must call (833) 819-0718)
- Civil liability response team (Chief of Police or his designee)

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- Psychological/peer support personnel (CISM members)
- Chaplain (if requested)
- Coroner (if necessary)
- Involved officer's agency representative (if requested)

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
 1. Involved GPD 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 non-GPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) Information about licensed psychotherapists shall be provided by the Department to each involved GPD officer and to any other affected GPD members, upon request.
 1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Communications between the involved officer and a peer support member or a peer support group counselor is addressed in the Wellness Program Policy.

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.

Each involved GPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Sergeant to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

The Yakima Valley Special Investigations Unit will initially handle the criminal investigation into the circumstances of any officer-involved shooting or death.

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The Washington State Office of Independent Investigations will be contacted by the Chief of Police or his designee (RCW 43.102.050 (2)(b) and RCW 43.102.120) to give them notice of the incident and find out what their involvement will be. (833) 819-0718).

305.6.1 REPORTS BY INVOLVED GPD OFFICERS

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

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.

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

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.

305.6.2 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 (prior to arrival of the YVSIU) 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 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.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Contacting 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.

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305.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Detective Unit supervisor to assign appropriate investigative personnel to handle the investigation of related crimes.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Detective Unit supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the Assistant Chief.

305.7 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 GPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Assistant Chief and will be considered a confidential peace officer personnel file.

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

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily 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 a 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.
- (c) 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. Administrative interviews should be recorded by the investigator. The officer may also record the interview.

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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 Assistant Chief shall complete all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation may, at the discretion of the Chief of Police, be submitted to a Use of Force Review board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 CIVIL LIABILITY RESPONSE

A member 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.

305.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports if they desire. The involved officer may also choose to write a report first, then review video or audio recordings before writing a follow-up report.

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 body-worn video, or other video or audio recordings with the approval of the Chief of Police or the Assistant Chief.

Any body-worn and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or City Attorney's Office, as appropriate.

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Grandview Police Department should conduct both a Critical Incident Stress Debriefing and a tactical debriefing. See the Wellness Program Policy for guidance on Critical Incident Stress Debriefings.

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305.10.1 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police or his designee should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.11 MEDIA RELATIONS

Any media release shall be approved by the Chief of Police or his designee prior to release.

No involved GPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or their designee. Any inquiries regarding incidents being investigated by the YVSIU shall direct those inquiries to the YVSIU.

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.

305.12 EMPLOYEE ASSISTANCE PROGRAM

In all cases where injury or death result from an incident, the involved member and their immediate family (or significant other) will have available to them the services of the EAP, as administered by the Association of Washington Cities.

The EAP service shall not be related to any Department investigation of the incident and nothing discussed will be divulged to the Department. The consultation sessions will remain protected by the privileged relationship.

Firearms

306.1 PURPOSE AND SCOPE

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

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

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

306.2 POLICY

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

306.3 AUTHORIZED FIREARMS, AMMUNITION, AND OTHER WEAPONS

A firearm is a weapon with lethal ammunition carried by an officer that meets the firearm specifications of the Department or that has been authorized as a specialty firearm by the Chief of Police or the authorized designee (Washington State Office of the Attorney General Model Use of Force Policy). Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster.

All other weapons not provided by the Department may not be carried by members in the performance of their official duties without the express written authorization [See attachment: Request for Authorization all other weapons.pdf](#) of the Assistant Chief including but not limited to:

- (a) Edged weapons.
- (b) Chemical or electronic weapons.
- (c) Impact weapons.
- (d) Any weapon prohibited, or restricted by law, or that is not covered elsewhere by department policy.

This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

The authorized department-issued handgun is the H&K, USP, .45 cal. The following additional handguns are approved and authorized for on-duty use:

MAKE	MODEL	CALIBER

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Glock	41	.45
Glock	34	9mm
Glock	17	9mm

306.3.2 SHOTGUNS

The authorized department-issued shotgun is the Remington,870, 12 g. The following additional shotguns are approved and authorized for on-duty use. Shotguns are not authorized as a firearm and are issued and approved only as less Lethal launchers:

MAKE	MODEL	CALIBER
Benelli	M4	12 g
Mossberg	500	12 g

When not deployed, the shotgun shall be properly secured consistent with department training in the patrol vehicle.

306.3.3 PATROL RIFLES

The standard authorized department-issued patrol rifles are the PWS, Mk-1, .223 cal, LWRC, M6, 5.56, Colt CSR15, Loyal 9 M4-89.

Members wanting to carry a rifle other than the Department-issued rifles shall get written approval from the Chief of Police prior to on -duty use.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in the patrol vehicle.

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306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

[See attachment: Request for Authorization of Personal Firearm On-Duty.pdf](#)

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) Prior to training or carrying the handgun, the member shall request authorization to carry the handgun from the Chief of Police or the authorized designee.
- (b) The handgun shall be in good working order and from a reputable manufacturer or importer.
- (c) Only one secondary handgun may be carried at a time.
- (d) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (e) The handgun shall be carried in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (f) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.
- (i) While in uniformed patrol the secondary handgun will be carried concealed from general view.

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306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of department issued firearms by members while off-duty is permitted but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a department issued firearm while off-duty based on their authority as peace officers (i.e., without a valid concealed weapons permit), will be required to meet the following guidelines:

- (a) The firearm shall be carried in such a manner as to prevent unintentional discharge.
- (b) When armed, shall carry their badges and/or identification cards under circumstances requiring possession of such identification.

Whenever members choose to carry firearms off duty they are encouraged to carry their badges and identification cards to display in case they become involved in a situation where they need to identify themselves. The display of a badge whenever a firearm must be used in self defense is recommended for safety.

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

306.4 EQUIPMENT

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

306.4.1 REPAIRS OR MODIFICATIONS

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

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

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

306.4.2 HOLSTERS

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

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306.4.3 TACTICAL LIGHTS

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

306.4.4 OPTICS OR LASER SIGHTS

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

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the firearms training staff or in accordance with training.
- (b) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (c) Any firearm authorized by the Department to be carried on 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 or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

Members shall consider firearm safety training when handling firearms:

- a. Treat all guns as if they are loaded
- b. Keep the muzzle pointed in a safe direction
- c. Keep your finger off the trigger until you are ready to shoot.
- d. Be sure of your target and what is beyond.

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306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in locking individual lockers at the end of the shift.

306.5.2 STORAGE AT HOME

Members shall ensure that all department-issued firearms and ammunition are 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 criminal or civil liability (See RCW 9.41.360).

306.5.3 ALCOHOL AND DRUGS

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

306.6 FIREARMS TRAINING AND QUALIFICATIONS

Before carrying or using department-authorized firearms, all members who carry a firearm while on duty are required to demonstrate satisfactory skill and proficiency and successfully complete required training with their duty firearms. Firearms training will be offered quarterly as resources and scheduling allow. All members will qualify at least annually with their duty firearms and any secondary firearms. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

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(c) No range credit will be given for the following:

1. Unauthorized range make-up.
2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved 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 report with the Assistant Chief or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

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

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, conducted energy device, oleoresin capicum (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, becomes impractical, or if the animal reasonably appears to pose an imminent threat to human safety.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING SHOTS

An officer shall not use a firearm to fire a warning shot (Washington State Office of the Attorney General Model Use of Force Policy).

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306.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training 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 has the responsibility of making periodic inspections of all duty weapons carried by officers of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

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

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

306.8.1 INVENTORY OF FIREARMS

The Quartermaster shall conduct an annual inventory of all department-owned firearms and submit a report for acknowledgement by the Chief of Police.

306.9 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 Grandview 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).

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- (c) The Grandview Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Grandview 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.
- (d) An official letter signed by the Chief of Police authorizing armed travel may 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 associated with flying armed 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.

306.10 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 Grandview Police Department 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.

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Active permits from other states are subject to all requirements set forth in 18 USC § 926B.

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307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public, and fleeing suspects.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where a pursuing vehicle ~~ssimultaneously~~ intercepts and blocks the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall, and come to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An attempt by a uniformed officer in a vehicle equipped with emergency lights and a siren to stop a moving vehicle where the operator of the moving vehicle appears to be aware that the officer is signaling the operator to stop the vehicle and the operator of the moving vehicle appears to be willfully resisting or ignoring the officer's attempt to stop the vehicle by increasing vehicle speed, making evasive maneuvers, or operating the vehicle in a reckless manner that endangers the safety of the community or the officer.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

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307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (RCW 46.61.035):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing parking, direction of movement or turning in specified directions.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are not authorized to initiate a pursuit unless the following criteria exists (RCW 10.116.060):

- (a) When reasonable suspicion exists to believe that a person has violated the law.
- (b) The pursuit is necessary for the purpose of identifying or apprehending the person.
- (c) The person poses a threat to the safety of others and the safety risks of failing to apprehend or identify the person are considered to be greater than the safety risks of the vehicle pursuit under the circumstances.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.

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- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

307.3.3 VEHICLE PURSUIT FACTORS

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include but are not limited to (RCW 10.116.060):

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists, and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones), and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and the dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic, and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment, and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., minors, passengers, co-offenders, hostages).
- (k) The availability of other resources, such as air support assistance.

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- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

307.4 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

307.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.2 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless the officer is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to themselves or others.

The primary pursuing officer shall notify a supervisor immediately upon initiating a vehicle pursuit. The officer and the supervisor shall consider alternatives to initiating a vehicle pursuit as well as safety considerations (RCW 10.116.060).

The primary pursuing officer shall notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including but not limited to:

- (a) The location, direction of travel, and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.

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- (d) The use of firearms, threat of force, violence, injuries, hostages, or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road, and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.3 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.

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- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
 - (a) Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
 - (b) Request other officers to observe exits available to the suspect.
- (d) Notify the Washington State Patrol or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor (or Officer In Charge), trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not pursuing should remain in city limits, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members should consider deploying tire deflation devices (See 307.10.3 e)

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department (RCW 10.116.060).

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.

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- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in the field supervisor's judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines, or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Assistant Chief is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Grandview Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.6.1 SHIFT SERGEANT RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Shift Sergeant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Sergeant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Sergeant shall review all pertinent reports for content and forward them to the Assistant Chief.

307.7 DISPATCH

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel (LERN) most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of nonemergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that any on-duty supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.

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- (f) Notifying the Shift Sergeant as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Grandview Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with

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supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Grandview Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Sergeant should review a request for assistance from another agency. The Shift Sergeant or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

As soon as practicable after initiating a pursuit, the primary pursuing officer and supervisor, if available, shall develop a plan for the termination of the pursuit using available intervention options (RCW 10.116.060).

In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers, and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the

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use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon (see the Use of Force Policy).

307.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
 - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers, or others.
 - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
 - 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
 - 4. The suspect vehicle is stopped or traveling at a low speed.
 - 5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public, and occupants of the pursued vehicle.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
 - 1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
 - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking

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into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public, and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

- (e) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
 - 1. Should reasonably only affect the pursued vehicle.
 - 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
 - 3. Takes into account the limitations of such devices as well as the potential risk to officers, the public, and occupants of the pursued vehicle.
 - 4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers, or the public.

307.11 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. 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.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

307.12 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved supervisor, or if unavailable, another supervisor shall promptly complete a Pursuit After Action Report ([See attachment: Pursuit After Action Report.pdf](#)), briefly summarizing the pursuit to the

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Assistant Chief or the authorized designee. This log or memorandum should include, at a minimum:

- (a) Date and time of the pursuit.
 - (b) Initial reason and circumstances surrounding the pursuit.
 - (c) Approximate length of pursuit in distance and time, including the starting and termination points.
 - (d) Involved vehicles and officers.
 - (e) Alleged offenses.
 - (f) Whether a suspect was apprehended, as well as the means and methods used.
 - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 - (g) Arrestee information, if applicable.
 - (h) Any injuries and/or medical treatment.
 - (i) Any property or equipment damage.
 - (j) Name of supervisor at the scene or who handled the incident.
 - (k) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs, and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police shall direct the Assistant Chief to conduct a documented management review and analysis of department vehicle pursuits to minimally address policy (including suitability and compliance), procedure, training, and/or personnel issues that are identified during the review process. The Chief of Police shall review and approve the final report.

307.13 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

All officers engaging in vehicle pursuits shall have completed an emergency vehicle operator course, refresher training in emergency vehicle operation within two years prior to the pursuit, and be certified in at least one pursuit intervention option (RCW 10.116.060).

307.14 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

Officer Response to Calls

308.1 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.

308.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

308.3 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.

308.3.1 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.

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death, or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the dispatcher. 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.

308.4 REQUESTING EMERGENCY ASSISTANCE

When requesting 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

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- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the dispatcher.

308.5 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.

308.5.1 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.

An emergency response involving more than one vehicle should be coordinated by officers to avoid any unanticipated intersecting of response routes. The Shift Sergeant will make a determination regarding the appropriateness of the response and may reduce or enhance the response as warranted.

308.6 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. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Shift Sergeant, field supervisor or the dispatcher of the equipment failure so that another officer may be assigned to the emergency response.

308.7 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. In such an event, the officer should immediately notify the

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dispatcher. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

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 the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the officer in charge of the scene unless a supervisor assumes this responsibility.

308.8 DISPATCH

When information reasonably indicates that the public is threatened with serious injury or death, or an officer requests emergency assistance and immediate law enforcement response is needed, the dispatcher shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers.

308.8.1 RESPONSIBILITIES

Upon notification or assignment of an emergency response, the dispatcher is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.
- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).
- (e) Notifying the Shift Sergeant as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Shift Sergeant or field supervisor.

308.9 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 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.

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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.

Canines

309.1 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.

309.2 POLICY

It is the policy of the Grandview Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT

Canine teams are generally assigned to the Patrol. However, they may be assigned by the Shift Sergeant to other functions, based on the current operational needs.

309.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Assistant Chief for the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

309.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine if needed to meet operational objectives.

309.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must include a notification to the Shift Sergeant and are subject to the following:

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- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5.2 PUBLIC DEMONSTRATIONS

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

309.6 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- (c) Living within 15 miles travel time from the Grandview City limits.
- (d) Agreeing to be assigned to the position for a minimum of three years.

309.7 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Grandview Police Department facility.
- (d) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.

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- (e) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (f) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (g) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator, Chief of Police, or Assistant Chief.
- (i) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Sergeant.
- (j) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

309.7.1 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.

309.8 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

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).

309.9 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Shift Sergeant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

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309.10 TRAINING AND CERTIFICATION

Before assignment in the field, each canine team shall be trained and certified to meet current Criminal Justice Training Commission (CJTC) standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified to meet current CJTC standards (WAC 139-05-915).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines.

All canine training should be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Sergeant.

309.10.1 CONTINUED TRAINING

Each canine team shall be recertified to current CJTC standards. A canine team's certification will automatically expire if the handler and canine originally paired at the time of certification are no longer working together, or if the function for which the team was certified changes (WAC 139-05-915). Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Grandview 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.

309.10.2 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.

309.10.3 TRAINING RECORDS

A record for each canine that includes training, performance and identification records, and that meets CJTC requirements, shall be created and maintained in the canine handler's and the canine's training file.

309.10.4 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 Grandview Police Department may work with outside trainers with the applicable licenses or permits.

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309.10.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws. (21 USC § 823(f); RCW 69.50.302; RCW 69.50.508; WAC 246-887-200).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Grandview Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Agency (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.10.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

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309.11 REPORTING DEPLOYMENTS, BITES AND INJURIES

Any unintended bite or injury caused by a canine, whether on or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

309.12 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including;

- a. The search of vehicles, buildings, bags and other articles.
- b. Assisting in the search for narcotics during a search warrant service.
- c. Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

Domestic Violence

310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

310.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic violence - Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, coercive control, unlawful harassment, or stalking of one intimate partner by another intimate partner or of one family or household member by another family or household member (RCW 10.99.020; RCW 7.105.010).

310.2 POLICY

The Grandview 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. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

310.3 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.

310.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

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- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Unit in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
 - 1. Officers who have probable cause that a crime has been committed shall lawfully seize all firearms and ammunition that they reasonably believe were used or threatened to be used in the commission of the offense. Officers shall also seize all firearms in plain sight or discovered in a lawful search. Officers shall request consent to take temporary custody of any other firearms and ammunition that the alleged suspect may have access to (RCW 10.99.030).
 - 2. Officers shall separate the victim and inquire whether there are any firearms or ammunition in the home, whether the suspect has access to any firearms either on the premises or stored elsewhere, whether the suspect has a concealed pistol license, and whether a firearm has ever been used by the suspect under other circumstances that could be threatening or coercive (RCW 10.99.030).
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 3. The potential financial or child custody consequences of arrest.

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4. The physical or emotional state of either party.
 5. Use of drugs or alcohol by either party.
 6. Denial that the abuse occurred where evidence indicates otherwise.
 7. A request by the victim not to arrest the suspect.
 8. Location of the incident (public/private).
 9. Speculation that the complainant may not follow through with the prosecution.
 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
 11. The social status, community status, or professional position of the victim or suspect.
- (k) Unless doing so would jeopardize the criminal investigation, the victim should be apprised of investigative plans such as when the suspect or witnesses are going to be interviewed and any plans for making an arrest.

310.4.1 HOSPITALIZED VICTIM

When responding to a medical facility regarding an injured person, officers should make a reasonable attempt to determine whether the injury was a result of domestic violence prior to contacting the victim or person who reported the incident.

If domestic violence is suspected, contact should be made with the medical facility representatives out of the view and hearing of the victim and any potential suspects when practical.

310.4.2 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.

310.4.3 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.

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- (c) Alert the victim to any available victim advocates, shelters, and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if the victim has sustained injury or complains of pain.
- (f) Ask the victim whether the victim has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a safety concern or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate (RCW 10.99.040).

310.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

310.7 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 (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

310.7.1 CANADIAN COURT ORDERS

Any foreign court order properly issued in Canada shall be enforced by an officer as a foreign court order above. Any notice, if required, should be made in compliance with RCW 26.55.020.

310.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about the notice or receipt of the order, knowledge of its terms, and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.

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- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

310.9 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(1)).
- (b) When an officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, an arrest shall be made pursuant to the criteria in RCW 10.31.100 (RCW 10.99.030(2)(a)).
- (c) When an officer has confirmed that 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(2)). Whenever a member of this department serves or assists in serving a court order and that service is completed, a return of service form shall be completed and submitted to the Washington Crime Information Center (WACIC).

310.10 REPORTS AND RECORDS

- (a) Officers responding to a domestic violence call shall take a complete offense report, including the disposition of the case (RCW 10.99.030(2)(b)).
 - 1. The report shall include all information about firearms and concealed pistol licenses and be properly coded to alert any officials reviewing the report to the existence of the information concerning firearms (RCW 10.99.030).
- (b) All such reports should be documented under the appropriate crime classification and should use the distinction "Domestic Violence" in the Type of Crime box of the crime report form (RCW 10.99.035).
- (c) Whenever there is probable cause to believe that a crime has been committed and unless the case is under active investigation, the Investigation Supervisor shall ensure that all domestic violence crime reports are forwarded to the County Prosecutor's Office within 10 days of the date the incident was reported (RCW 10.99.035).
- (d) The Assistant Chief shall ensure that accurate records of domestic violence incidents are maintained and submitted to the Washington Association of Sheriffs and Police Chiefs, in accordance with state law (RCW 10.99.035).
- (e) The Assistant Chief should ensure that the original receipt issued for any firearm, dangerous weapon, or pistol license surrendered after service of a protection order is filed with the court within 24 hours of service of the order and retain a copy of the receipt electronically if available (RCW 9.41.801).

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310.11 ENTRY OF COURT ORDERS

The Public Information Spokesperson shall ensure that orders received from the court are entered into the WACIC or other applicable criminal intelligence information system for one year or until the expiration date specified on the order (RCW 10.99.040; RCW 10.99.050).

310.12 SERVICE OF COURT ORDERS

The officer serving a protection order, no-contact order, or restraining order that includes an order to surrender all firearms, dangerous weapons, and a concealed pistol license under RCW 9.41.800 shall (RCW 9.41.801):

- (a) Advise the subject that the order is effective upon service.
- (b) Request that any firearms, dangerous weapons, and any concealed pistol license be immediately surrendered. Officers shall take possession of any firearms discovered in plain view, lawful search, or consent from the subject.
 - 1. If the subject indicates by word or action an intent to not comply with a request to surrender firearms, dangerous weapons, or a concealed pistol license, consideration should be given to obtaining a search warrant for seizure.
- (c) Issue a receipt for any surrendered items.
 - 1. The officer should ensure the original receipt is forwarded to the Public Information Spokesperson as soon as practicable for filing with the court.

All firearms and weapons collected shall be handled and booked in accordance with the Property and Evidence Policy.

310.12.1 ELECTRONIC SERVICE OF COURT ORDERS

When an officer petitions the court ex parte for an emergency protection order on behalf of the victim and the court does not include an order to surrender and prohibit weapons or an extreme risk protection order, or has verified that all firearms, dangerous weapons, and any concealed pistol license have been temporarily removed by law enforcement, service of the order on the respondent may be made electronically pursuant to the requirements of RCW 10.99.040.

310.13 ORDERS TO SHOW CAUSE

When the Department receives notice from the court of an order to show cause regarding the surrender of weapons, the Detective Unit supervisor should consult with legal counsel, as appropriate, to address any requirements involving the Department, including the following (RCW 9.41.801):

- (a) Fulfilling any additional service requirements for the order to show cause.
- (b) Providing the court with a complete list of firearms and other dangerous weapons surrendered by the person pursuant to the court order that are in the possession of the Department.
- (c) Providing the court with verification that any concealed pistol license was surrendered by the person pursuant to the court order and that an agency with authority to revoke the license has been notified.

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- (d) Filing an affidavit with the court where there is reasonable suspicion that the person who is subject to the court order is not in full compliance with the terms, including the basis for the belief.

Search and Seizure

311.1 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 Grandview Police Department personnel to consider when dealing with search and seizure issues.

311.2 POLICY

It is the policy of the Grandview 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.

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.

311.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

311.3.1 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

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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 simulator device when an emergency situation exists (RCW 9.73.260).

GPD will consult with the LEAD Taskforce for their assistance and expertise when this type of device is believed to be needed.

311.4 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. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (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, 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.

311.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

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Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Temporary Custody of Juveniles

312.1 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 Grandview Police Department (34 USC § 11133).

312.1.1 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) by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell 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.

Examples of Non-secure custody

- (a) a. A juvenile under direct visual observation in the unlocked holding cell.
- (b) b. A juvenile under direct visual observation in the unlocked booking room.

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 handcuffed to a rail.
- (b) A juvenile left alone in a locked booking area..
- (c) A juvenile placed in a locked temporary holding cell.

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 running away, underage possession of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

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312.2 POLICY

The Grandview Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Grandview Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

312.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Grandview Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated (eg, high Drager breath alcohol level) by either drugs or alcohol.
- (e) Extremely violent or continuously violent

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.

These juveniles should not be held at the Grandview Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

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.

312.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Grandview 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 who is suspected of being a victim.

No juvenile should be held in temporary custody at the Grandview Police Department without authorization of the on duty supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian, 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 Department (34 USC § 11133; RCW 13.04.116(b)).

312.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody should be transferred as appropriate, as soon as possible in compliance with the Child Abuse Policy. Custodial arrangements should be made for

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non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

312.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation (or referral to Juvenile Court) 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 (34 USC § 11133; RCW 43.185C.260).

312.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Grandview 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 has been suspended.

312.4.4 LIMITATIONS ON RELEASE OF JUVENILE OFFENDERS

Juveniles should be referred to the appropriate juvenile authority and not released to a parent or guardian when there is probable cause to believe the juvenile (RCW 13.40.040(2)):

- (a) Will likely fail to appear for further proceedings.
- (b) Needs protection from him/herself.
- (c) Is a threat to community safety.
- (d) Will intimidate witnesses or otherwise unlawfully interfere with the administration of justice.
- (e) Has committed a crime while another case was pending.
- (f) Is a fugitive from justice.
- (g) Has had his/her parole suspended or modified.
- (h) Is a material witness.

312.4.5 VICTIMS OF SEXUAL EXPLOITATION

An officer may take a juvenile into custody to investigate possible sexual exploitation when the officer reasonably believes the juvenile is attempting to engage in sexual conduct for money or anything of value (RCW 43.185C.260).

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In these cases, the officer should transport the juvenile to an authorized evaluation and treatment facility in coordination with a community service provider (RCW 43.185C.260) (see the Child Abuse Policy for any mandatory notification requirements).

312.5 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.

Juveniles taken into custody should be advised the reason for the custody (RCW 43.185C.265).

312.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Grandview Police Department.
- (c) On-Duty Supervisor notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

312.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133). 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 Grandview 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.

312.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Grandview Police Department shall ensure the following:

- (a) Welfare checks and significant incidents/activities are noted on the log.

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- (b) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) A member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (d) There is reasonable access to toilets and wash basins.
- (e) There is reasonable access to a drinking fountain or water.
- (f) 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 diet required for the health of the juvenile.
- (g) There are reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (h) There is privacy during family, guardian, and/or attorney visits.
- (i) Juveniles are generally permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (j) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
 - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (k) Adequate shelter, heat, light, and ventilation should be provided without compromising security or enabling escape.
- (l) Adequate furnishings are available, including suitable chairs or benches.
- (m) Juveniles shall have the right to the same number of telephone calls as an adult in custody (see the Temporary Custody of Adults Policy).
- (n) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse.

312.9 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 Grandview Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the on-duty supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

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Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

312.9.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

312.10 PERSONAL PROPERTY

The personal property of a juvenile shall be processed in the same manner as an adult in temporary custody (see the Temporary Custody of Adults Policy).

312.11 SECURE CUSTODY

Only juvenile offenders 14 years and older may be placed in secure custody. On-duty supervisor notification is required when placing a juvenile offender in secure custody.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. On-duty Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. On-duty Supervisor approval should be documented.

312.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) Juveniles shall have constant auditory access to department members.
- (b) Initial placement into and removal from a locked enclosure shall be logged.
- (c) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.
 - 1. All checks shall be logged.
 - 2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (d) Males and females shall not be placed in the same locked room.
- (e) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (f) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

312.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE

The Assistant Chief will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Grandview Police Department. The procedures will address:

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- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the on-duty supervisor, Chief of Police and Detective Unit supervisor.
- (c) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the City Attorney.
- (f) Notification of the Coroner.
- (g) Notification of the juvenile court.
- (h) Evidence preservation.

312.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of *Miranda* rights, an officer shall permit a juvenile 17 years of age or younger to consult with legal counsel in person, by telephone, or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (RCW 13.40.740):

- (a) There is a belief that the juvenile is a victim of trafficking as defined by RCW 9A.40.100.
- (b) Information is necessary to protect an individual's life from an imminent threat.
- (c) A delay to allow legal consultation would impede the protection of an individual's life from imminent threat.
- (d) The questions are limited to what is reasonably expected to obtain the information necessary to protect an individual's life from an imminent threat.

After a consultation, any assertion of constitutional rights by the juvenile through legal counsel must be treated as though it came from the juvenile. The waiver of any constitutional rights of the juvenile may only be made according to the requirements of RCW 13.40.140 (judicial rights) (RCW 13.40.740).

312.13.1 RECORDING OF INTERVIEWS OR INTERROGATIONS

Interrogations or interviews of juvenile suspects shall be recorded when conducted at a place of detention (RCW 10.122.020; RCW 10.122.030). See the Investigation and Prosecution Policy for specific recording requirements.

312.14 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

A juvenile offender may be photographed and fingerprinted as provided by RCW 43.43.735.

312.15 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

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not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

312.15.1 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.

It shall be the responsibility of the Public Information Spokesperson and the appropriate Detective Unit supervisors to ensure that personnel of those bureaus act within legal guidelines.

312.16 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

Adult Abuse

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Grandview Police Department members as required by law.

313.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

313.2 POLICY

The Grandview Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

313.3 MANDATORY NOTIFICATION

Members of the Grandview 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 Coroner shall also be notified when there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect, or abandonment by another person (RCW 74.34.035).

For purposes of notification, the following definitions apply (RCW 74.34.020):

- Abandonment is action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the person without the means or ability to obtain necessary food, clothing, shelter, or health care.
- Abuse is intentional, willful, or reckless action or inaction that inflicts injury, unreasonable confinement or restraint, sexual abuse, physical abuse, financial exploitation, mental abuse, intimidation, or punishment.
- A vulnerable adult is a person who meets any of the following criteria:
 - (a) Is 60 years or older and who has the functional, mental, or physical inability to care for oneself.
 - (b) Is found by the superior court to be incapacitated under RCW 11.130.005 et seq.
 - (c) Has a developmental disability as defined under RCW 71A.10.020.
 - (d) Is admitted to any facility as defined in RCW 74.34.020 (e.g., assisted living facility, nursing home, other facility licensed by DSHS).

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- (e) Is receiving services from an individual provider or licensed home health, hospice, or home care agency.
- (f) Self-directs self-care and receives services from a personal aide under RCW 74.39.001 et seq.

313.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (RCW 74.34.035):

- (a) All notification to DSHS shall be made immediately or as soon as practicable by telephone
- (b) Information provided shall include, if known:
 - 1. The name and address of the person making the report.
 - 2. The name and address of the vulnerable adult.
 - 3. The name and address of the facility or agency providing care for the vulnerable adult.
 - 4. The name and address of the legal guardian or alternate decision maker.
 - 5. The nature and extent of the abandonment, abuse, financial exploitation, neglect, or self-neglect.
 - 6. Any history of previous abandonment, abuse, financial exploitation, neglect, or self-neglect.
 - 7. The identity of the alleged perpetrator, if known.
 - 8. Any other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect, or the cause of death of the deceased vulnerable adult.

313.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

313.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated. If the investigation reveals that a crime may

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have been committed, the City prosecutor shall be provided a written report of the incident (RCW 74.34.063(3)).

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the 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 potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

313.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for oneself, the officer should make reasonable attempts to contact DSHS. Generally, removal of an adult abuse victim from the abuse victim's family, guardian, or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from the abuse victim's family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to DSHS.

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Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian, or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

313.7 INTERVIEWS

313.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse 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.

313.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

313.8 MEDICAL EXAMINATIONS

When an 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 adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency, or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

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313.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

313.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Unit supervisor should:

- (a) Work with professionals from the appropriate agencies, including DSHS, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Unit supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

313.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Unit supervisor so an interagency response can begin.

313.10 STATE MANDATES AND OTHER RELEVANT LAWS

Washington requires or permits the following:

313.10.1 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, the officer has the authority to arrest the person without a warrant (RCW 10.31.100).

313.10.2 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for:

- (a) Providing a copy of the adult abuse report to DSHS as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

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313.10.3 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 74.34.035(9); RCW 74.34.095).

313.10.4 PROTECTIVE ORDERS

In any situation which an officer reasonably believes that a vulnerable adult has been abused, abandoned, or subjected to financial exploitation or neglect, or threatened with such actions, the officer should obtain a protective order against the person alleged to have committed or threatened such abuse pursuant to RCW 74.34.110 or RCW 7.105.100.

313.11 TRAINING

The Department will provide training on best practices in adult abuse investigations to members tasked with investigating these cases as resources allow.

Discriminatory Harassment

314.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

Sections of this policy may be controlled or superseded by the City of Grandview Personnel Policy Manual.

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

314.2 POLICY

The Grandview Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

314.3 DEFINITIONS

Definitions related to this policy include:

314.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making 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

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pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

314.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

314.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

314.3.4 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 and Washington State Human Rights Commission guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

314.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Director of Human Services, or the City Administrator.

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Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

314.4.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Director of Human Services in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

314.4.2 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

314.4.3 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, the Assistant Chief, the Chief of Police, the Director of Human Services, or the City Administrator for further information, direction, or clarification.

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314.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

314.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

314.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The member assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Director of Human Services, or the City Administrator.

314.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

314.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

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- (a) Approved by the Chief of Police, the City Administrator, or the Director of Human Services, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

314.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

314.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by acknowledging (within the Lexipol system) that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Child Abuse

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Grandview Police Department members are required to notify the Department of Children, Youth, and Families, Child Protective Services (CPS) of suspected child abuse.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

315.2 POLICY

The Grandview Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

315.3 MANDATORY NOTIFICATION

Members of the Grandview Police Department shall notify CPS when a report of abuse or neglect of a child is received or when there is reasonable cause to believe that a child has suffered abuse or neglect (RCW 26.44.030).

For purposes of notification, abuse or neglect of a child includes sexual abuse, sexual exploitation, female genital mutilation, and human trafficking; injury inflicted by any person under circumstances that cause harm to the child's health, welfare, or safety, excluding lawful discipline; and the negligent treatment or maltreatment by a person who is responsible for, or providing care to, a child (RCW 26.44.020).

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).

315.3.1 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.

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- (b) In non-emergency cases, notification to CPS shall be made within 72 hours after a report is received.
- (c) Notification, when possible, should include (RCW 26.44.040):
 - 1. The name, address and age of the child.
 - 2. The name and address of the child's parents, stepparents, guardians or other persons having custody of the child.
 - 3. The nature and extent of the alleged injury or injuries.
 - 4. The nature and extent of the alleged neglect.
 - 5. The nature and extent of the alleged sexual abuse.
 - 6. Any evidence of previous injuries, including the nature and extent of the injury.
 - 7. Any other information that may be helpful in establishing the cause of the child's death, injury or injuries, and the identity of the alleged perpetrator or perpetrators.
- (d) The Department shall forward all case dispositions to CPS.

315.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present 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).

315.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. 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) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.

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- (c) Any relevant statements the child may have made and to whom the child made the statements.
- (d) If a child was taken into protective custody, the reasons, the name, and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Applicable local protocol regarding child abuse investigations (RCW 26.44.185).

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).

315.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from the child's family, guardian, or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

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 taking the child into custody is necessary to prevent imminent physical harm to the child due to child abuse or neglect, including that which results from sexual abuse, sexual exploitation, a high-potency synthetic opioid (e.g., fentanyl), or a pattern of severe neglect, and that the child would be

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seriously 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).

315.6.1 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.

315.7 INTERVIEWS

315.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child 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. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

315.7.2 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.
- (b) A court order or warrant has been issued.

315.7.3 TRAINING REQUIREMENT

Absent exigent circumstances, 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.

315.8 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

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having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

315.9 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.

315.9.1 SUPERVISOR RESPONSIBILITIES

The Detective Unit Supervisor should:

- (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) Activate any available interagency response when an officer notifies the Detective Unit Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child. The items reviewed on the checklist should be included in the officers report narrative if applicable.

[See attachment: Children in Drug Houses Checklist.pdf](#)

315.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Unit Supervisor so an interagency response can begin.

315.10 STATE MANDATES AND OTHER RELEVANT LAWS

Washington requires or permits the following:

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315.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (RCW 42.56.240).

Records and information may be made available to multidisciplinary investigative team members as necessary for the performance of the member's duties as a member of the team. Members receiving records and information are subject to the same privacy and confidentiality restrictions as the person providing the information or records (RCW 26.44.175).

315.10.2 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).

315.10.3 CASE SUBMISSION TO PROSECUTOR

The Grandview 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.

315.10.4 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).

315.10.5 LOCAL CHILD ABUSE PROTOCOLS

The Detective Unit Supervisor should ensure that local child abuse protocols for the investigation of child abuse are available to those department members who have a role in child abuse investigations (RCW 26.44.185).

315.10.6 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).

315.10.7 POSTING OF MANDATED REPORTER REQUIREMENTS

The Shift Sergeant shall ensure that the CPS poster regarding mandated reporting requirements for child abuse and neglect is posted in a member common area (RCW 26.44.030).

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315.10.8 CHILD FATALITY INVESTIGATIONS

The Department should cooperate with any local health department child fatality investigation (RCW 70.05.170).

315.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Missing Persons

316.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

316.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - Includes persons who:

- (a) Are 13 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
 - 1. Out of the zone of safety for their chronological age and developmental stage
 - 2. Mentally or behaviorally disabled
 - 3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening
 - 4. Absent from home for more than 24 hours before being reported to law enforcement as missing
 - 5. In a life-threatening situation
 - 6. In the company of others who could endanger their welfare
 - 7. 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.
 - 8. 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.

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), the National Missing and Unidentified Persons System (NamUs), and the Washington Crime Information Center (WACIC).

316.2 POLICY

The Grandview 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 Grandview 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.

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316.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Detective Unit supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form [See attachment: Washington State Patrol Missing Persons Packet.pdf](#)
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (RCW 43.43.876) (under development)
- Missing person school notification form [See attachment: Missing Person School Notification Form.pdf](#)
- Medical records release form [See attachment: Washington State Patrol Missing Persons Packet.pdf](#)
- Biological sample collection kits

316.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member 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.

316.5 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 party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast "Be on the Look-Out (BOLO) bulletin" if the person is under 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 years of age or may be at risk.
- (e) Ensure that entries are made into the appropriate missing person networks:
 1. Immediately, when the missing person is at risk.
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

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- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable according to the facts.
- (g) Collect and/or review:
 - 1. A photograph and fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through their telecommunications carrier (RCW 80.36.570).
 - 1. Information may only be sought from a carrier in an emergency situation that involves the risk of death or serious physical harm.
 - 2. Members shall check NCIC and other available databases for a history of domestic violence or court order restricting contact and verify through the Washington State Patrol (WSP) that the missing person is not participating in the address confidentiality program under RCW 40.24.030 et seq. Information obtained from NCIC, other databases, or WSP shall not be released except by court order.
 - 3. Information received from a carrier is restricted and should only be released to first responders responding to the emergency situation.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) Consider contacting the WSP Missing and Exploited Children's Task Force (MECTF) if additional resources are needed (RCW 13.60.110).

316.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and workflow to the appropriate supervisor as soon as a missing person report is ready for review.

If appropriate, members should provide persons making a report with the Missing Person Checklist to assist them in providing detailed information.

[See attachment: Missing Person Checklist.pdf](#)

316.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not be limited to:

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- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Section.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

316.6.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section receiving member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding 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) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Unit.
- (e) Coordinating with the NCIC Terminal Contractor for Washington to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

316.7 DETECTIVE UNIT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.

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- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update WACIC, NCIC, and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the Coroner.
- (h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the WSP Missing and Unidentified Persons Unit (MUPU) and enter the photograph into applicable missing person networks (34 USC § 41308).
- (j) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

316.7.1 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:

- (a) File a missing person's report with MUPU. [See attachment: Washington State Patrol Missing Persons Packet.pdf](#)
- (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 30 days in order to verify the status of the reported missing person. After 12

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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).

316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

The Lead Dispatcher should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to MUPU.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to MUPU.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

316.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File and the NamUs database.
- (c) Use available resources, such as those related to missing persons, to identify the person.

316.9 CASE CLOSURE

The Detective Unit Supervisor 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 Grandview 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.

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- (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.

316.10 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 may include:

- (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

317.1 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.

317.2 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.

317.3 RESPONSIBILITIES

317.3.1 MEMBER RESPONSIBILITIES

Members of the Grandview Police Department should notify their supervisor, Shift Sergeant or Assistant Chief as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

317.3.2 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 Chief of Police, and the Assistant Chief 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 Assistant Chief

317.3.3 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES

The Lead Dispatcher is designated as the public alert reporting employee, who is responsible for:

- (a) Remaining familiar with the protocols for activating, maintaining and cancelling all applicable public alerts.
- (b) Being the point of contact with the Washington AMBER Alert Advisory Committee.
- (c) Ensuring the Department has members who have completed the appropriate training.

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317.4 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 Grandview 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.

317.4.1 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.

317.4.2 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.
- (b) Ensure all appropriate documentation is completed.
- (c) Contact the Washington State Patrol (WSP) Communication Center for entry into the Law Enforcement Alerting Portal (LEAP).
- (d) Ensure prompt entry of information into the Washington Crime Information Center (WACIC) and the National Crime Information Center (NCIC) databases.
- (e) Promptly notify the Chief of Police and the appropriate Assistant Chief of any AMBER Alert activation.

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- (f) 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, and potential destinations, if known.
 - 3. Name and telephone number of the Public Information Spokesperson (PIO) 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.

317.5 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 Grandview 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 an Endangered Missing Person.

An endangered missing person advisory may be termed a (RCW 13.60.010):

- (a) "Silver alert" when initiated to assist in the recovery of a missing endangered person age 60 or older.
- (b) "Missing Indigenous person alert" to assist in the recovery of a missing Indigenous person.

317.5.1 CRITERIA

All of the following criteria must exist prior to initiating an Endangered Missing Person Advisory:

- (a) The person is missing under unexplained, involuntary, or suspicious circumstances.
- (b) The person has a developmental disability, is a vulnerable adult, or is believed to be in danger because of age, health, mental or physical disability, in combination with environmental or weather conditions, or is believed to be unable to return to safety without assistance. This also includes a person diagnosed as having Alzheimer's disease or other age-related dementia (RCW 13.60.010).
- (c) There is enough information that could assist the public in the safe recovery of the missing person (e.g., photo or description, clothing worn when last seen, vehicle, location last seen).
- (d) The incident has been reported to and investigated by a law enforcement agency.

317.5.2 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:

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- (a) Ensure that department protocol is followed regarding approval of the alert.
- (b) Ensure all appropriate documentation is completed.
- (c) Contact the WSP Communication Center for entry into LEAP.
- (d) Direct Records Section personnel to 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) Direct the Records Section to enter the photograph into WACIC and NCIC, then send an email to the WSP Missing Persons Unit (MPU).
- (h) Appoint a PIO to handle the media.
 - 1. The PIO should notify the media through appropriate channels regarding the Endangered Person Advisory. Upon request, the WSP MPU can provide electronic posters with details of the missing person.
 - 2. If the Endangered Missing Person is 21 years of age or younger, NCMEC should be notified as soon as practicable.
- (i) The Records Section 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.

317.6 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 Grandview 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.

317.6.1 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.

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- (e) The release of the information will not improperly notify an officer's next of kin.

317.6.2 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 Section 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) 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) Contact the Assistant Chief to appoint or delegate the Appointment of a PIO to issue press releases and handle media inquiries.
 - 1. The Public Information Spokesperson should be updated continually and be in constant contact with all media outlets to obtain maximum media exposure, provide updates and cancel the Blue Alert when appropriate.
- (e) Advise Dispatch 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 canceling the Blue Alert.

317.7 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

317.8 HIT-AND-RUN ALERTS

The Hit-and-Run Alert system is a program of cooperation among state, local, and tribal law enforcement agencies and WSDOT to enhance the ability to identify and recover a fleeing vehicle involved in a serious injury or fatality hit-and-run collision.

317.8.1 CRITERIA

All of the following criteria must exist prior to initiating a Hit-and-Run Alert:

- (a) A hit-and-run collision resulting in serious injury or death occurred (RCW 46.52.020).

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- (b) Enough descriptive information is available to assist in locating the suspect vehicle, such as a full or partial license plate, a description of the vehicle and any possible damage to it, location, or direction of travel when last seen.
- (c) The incident has been reported and is being investigated by a law enforcement agency.

317.8.2 PROCEDURE

Should the Shift Sergeant or supervisor determine that the incident meets the criteria of a Hit-and-Run Alert, the Shift Sergeant or supervisor should:

- (a) Ensure that department protocol is followed regarding approval of the alert.
- (b) Ensure the appropriate form is completed.
- (c) Email the form to the WSP Hit-and-Run Alert Activation Team and immediately call the Team to discuss the activation.
- (d) Notify Dispatch of the advisory and ensure that it is prepared to handle a high volume of telephone calls.
- (e) Appoint a PIO to handle media inquiries.

The Records Section personnel should promptly cancel the alert when no longer needed by sending an email to the WSP Hit-and-Run Alert Activation Team.

Victim Witness Assistance

318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

318.2 POLICY

The Grandview Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Grandview Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

318.3 CRIME VICTIM LIAISON

Members of the Detective Unit will serve as crime victim liaisons. The crime victim liaisons will be the point of contact for individuals requiring further assistance or information from the Grandview Police Department regarding benefits from crime victim resources. The Detective Unit shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

318.3.1 SPECIFIC VICTIM LIAISON DUTIES

The crime victim liaison should:

- (a) Ensure that the Department affords victims and witnesses their appropriate rights (RCW 7.69.030; RCW 7.69B.020; RCW 70.125.110).
- (b) Ensure that child victims and witnesses are provided appropriate services and rights (RCW 7.69A.030).
- (c) Coordinate with the County Prosecutor's Office to ensure that all other required notifications are provided to victims and witnesses.

318.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

318.4.1 RIGHT OF IMMEDIATE MEDICAL ASSISTANCE

Victims have the right to immediate medical assistance and should not be detained for an unreasonable length of time before having such assistance administered. The officer may accompany the victim to a medical facility to question the victim about the criminal incident if the questioning does not hinder the administration of medical assistance (RCW 7.69.030).

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Victim Witness Assistance

318.5 VICTIM INFORMATION

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; RCW 70.125.110).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained.
- (e) Information regarding available compensation for qualifying victims of crime.
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U-Visa and T-Visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number and any applicable case or incident number.
- (j) A written statement enumerating the rights of victims (RCW 7.69.030; RCW 7.69A.030; RCW 7.69B.020).
- (k) The name, address and telephone number of the local victim/witness program, or contact information for the Washington Coalition of Crime Victim Advocates.
- (l) An advisement notifying victims of domestic violence of their right to personally initiate a criminal proceeding when an officer does not exercise arrest powers or initiate criminal proceedings by citation (RCW 10.99.030(6)(a)).
- (m) Information about the address confidentiality program (RCW 40.24.030).
- (n) Notification about the seriousness of traumatic brain injuries.

318.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

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Victim Witness Assistance

318.7 WITNESS INFORMATION

Any person who has been or expects to be summoned to testify for the prosecution in a criminal action, or who is subject to call or is likely to be called as a witness, has rights to specific information about the case (RCW 7.69.030).

The Assistant Chief shall ensure that witness information handouts are available and current. These should include information regarding witness rights (RCW 7.69.030).

Hate Crimes

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.2 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim.

319.3 PREVENTION AND PREPARATION

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, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources to do so.
- (c) Educating community and civic groups about hate crime laws.

319.4 INVESTIGATIONS

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) Assigned officers should 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 the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims, and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

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- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (e.g., Anti-Harassment Protective Order (AHPO)) through the courts or City Attorney.

319.4.1 DETECTIVE UNIT RESPONSIBILITY

If a hate crime case is assigned to the Detective Unit, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the City Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected hate crimes required by state law, and reporting such data to the Washington Association of Sheriffs and Police Chiefs (WASPC) (RCW 36.28A.030). This will be accomplished by confirming the case is labeled properly, entered into the records management system and appropriate records personnel notified.

319.4.2 DISPATCH RESPONSIBILITY

It is the responsibility of Dispatch/Records personnel to maintain statistical data on suspected hate crimes and report such data to the Washington Association of Sheriffs and Police Chiefs (WASPC) (RCW 36.28A.030).

319.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.

319.6 POLICY

The Grandview Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

Standards of Conduct

320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Grandview Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

320.2 POLICY

The continued employment or appointment of every member of the Grandview Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

320.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal in a memo to the Assistant Chief of Police.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

Any conflicting orders of a minimal nature that are corrected and resolved among everyone involved may be considered closed. Any conflict of a more substantial nature will be documented by memos detailing the circumstances. The memos will be directed to the Assistant Chief of Police who will evaluate them for any needed changes of policy, procedure, or training.

320.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

320.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Washington constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

320.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

320.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

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- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

320.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Grandview Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

320.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

320.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of one's official capacity.
- (b) Engaging in on duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member

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knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and nonsubpoenaed records.

320.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 7 days of any change in residence address or contact numbers.
- (f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

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320.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any workrelated investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on or off duty that brings discredit to this department.

320.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on the member's part or the part of any other member where such activities resulted in contact with any other

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law enforcement agency or that may result in criminal prosecution or discipline under this policy (RCW 10.93.190).

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful, or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this department or the City.
- (g) Use of obscene, indecent, profane, or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct that any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon this department or its members.

320.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on duty, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

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- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable

320.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

321.1 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.

321.1.1 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 Grandview Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), 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 and firmware. 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.

321.2 POLICY

It is the policy of the Grandview 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.

Sections of this policy may be controlled or superseded by the City of Grandview Personnel Policy Manual.

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

321.3 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

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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 logon information for their personal social networking accounts or to provide access to their personal social networking accounts unless otherwise allowed under RCW 49.44.200 (RCW 49.44.200).

321.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Sergeants.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

321.4.1 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 systems 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.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

321.4.2 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

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department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

321.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include but are not limited to adult forums, pornography, gambling, chat rooms, and similar or related internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the internet shall be limited to messages, mail, and data files.

321.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by the Chief of Police. This includes the use of telephones, cell phones, texting, email or any other "off the clock" but work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

321.5 PROTECTION OF SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor. Passwords for accounts that access CJI are governed by the CJIS Access, Maintenance, and Security Policy.

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.

321.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any

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contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Report Preparation

322.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

322.1.1 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. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

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. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

322.1.2 IN CUSTODY ARRESTEE REPORTS

A Probable Cause report for an in-custody subject shall be completed and properly routed prior to going off shift unless permission to hold the report has been approved by a supervisor.

If scheduling or time constraints do not allow a full narrative to be properly completed on the related case, it may be finished later but shall be done at the first reasonable opportunity. If practical, supervisory approval should be obtained if going off shift without completing a full narrative.

322.2 REQUIRED REPORTING

Written reports are required in all of the following situations in the appropriate department-approved manner unless otherwise approved by a supervisor.

322.2.1 CRIMINAL ACTIVITY

When a member 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 member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:

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1. Use of Force Policy
2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reports Policy

- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report may be documented using the normal method of drawing a case number and writing a report or by making notations in the dispatch call comments.

322.2.2 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 (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms Policy).
- (d) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Reporting Policy).
- (e) Any found property or found evidence.
- (f) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy).
- (g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

322.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation Policy. 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. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.

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- (b) Suicides
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician in attendance within 36 hours preceding death).
- (e) Found dead bodies or body parts.
- (f) Industrial accidents resulting in a death.

322.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

322.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug (non-alcohol) overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

322.3 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 special priority necessary under exceptional circumstances.

322.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some forms and logs require block print rather than typing.

Supervisors may require block printing or typing of reports, forms, or logs as needed for department consistency.

322.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

322.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should notify the reporting employee in order to relay the reasons for rejection. The original report should be returned 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 in a timely manner.

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322.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

322.6 ELECTRONIC SIGNATURES

The Grandview Police Department has established an electronic signature procedure for use by all employees of the Grandview Police Department. The Assistant Chief shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

Media Relations

323.1 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.

323.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Assistant Chiefs, Shift Sergeants and designated Public Information Spokesperson(s) may prepare and release information to the media in accordance with this policy and the applicable law.

323.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the first available supervisor. 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 Chief of Police.

323.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Public Information Spokesperson or other designated spokesperson.

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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 Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene. The news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Spokesperson.

323.3.1 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 Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police 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.

323.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives.. When requested, additional information may be made available (RCW 42.56.070(1)). This log will generally contain the following information:

- (a) The date, time, location, case number, and type of crime involved within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (b) The date, time, location, case number, city of residence, age 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,

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Media Relations

- (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 Coroner's Office.

After a subject has been arraigned in court it is generally acceptable to release information included on the Suspect Informational Report (SIR) unless otherwise restricted by law.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the Public Records Officer, or if unavailable, to the Shift Sergeant. Such requests will generally be processed in accordance with the provisions of the Public Records Act (RCW Chapter 42.56.001 et seq.).

The daily information log can be delivered by email. This service is arranged by GPD through Yakima County Technology Services.

323.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained.

Subpoenas and Court Appearances

324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Grandview Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

324.2 POLICY

Grandview Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

324.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

A subpoena may be served upon a member by personal service or by leaving such copy at the place of his/her residence (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 in a limited criminal matter. A criminal subpoena in Superior Court may be served by first-class mail together with a waiver of personal service and instructions for returning such waiver to complete service (Criminal Rules, CrRLJ 4.8; Criminal Rules, CrR 4.8).

Receiving a subpoena through the department provided email system is considered service for purposes of this chapter.

324.3.1 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 the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (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 Grandview Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Grandview Police Department.

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The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

324.3.2 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 memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

324.3.3 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.

324.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

324.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the Assistant Chief or their designee of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

324.6 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.
- (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.

324.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

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324.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

Reserve Officers

325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Grandview Police Department reserve officers to supplement and assist regular full-time police officers in their duties. These officers provide volunteer professional and special functions that augment regular staffing levels.

325.1.1 DEFINITIONS

Definitions related to this policy include:

Reserve officer - An officer of the Grandview Police Department who does not serve on a full-time basis but who, when called into active service, is fully commissioned on the same basis as full-time officers to enforce the criminal laws of the state (RCW 10.93.020).

325.2 RECRUITMENT AND SELECTION

The Grandview Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Prior to appointment, an applicant must have completed, or be in the process of completing, a CJTC-approved basic academy or reserve academy (WAC 139-05-810).

325.2.1 APPOINTMENT

Applicants who are selected for appointment as reserve officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

The Grandview Police Department shall immediately notify the CJTC of appointments on a CJTC personnel action report form (WAC 139-05-810).

Reserve officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Reserve officers shall have no property interest in continued appointment. However, if a reserve officer is removed for alleged misconduct, the reserve officer will be afforded an opportunity solely to clear their name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

325.3 TERMINATION OF RESERVE OFFICER

If a reserve officer is terminated for any reason, including resignation, the Grandview Police Department shall notify the CJTC on a CJTC personnel action form within 15 days of the termination (WAC 139-05-810).

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325.4 POLICY

The Grandview Police Department shall ensure that reserve officers are properly appointed, trained, and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

325.5 IDENTIFICATION AND UNIFORMS

Reserve officers will be issued Grandview Police Department uniforms, badges, and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. The identification cards will be the standard Grandview Police Department identification cards, with the exception that "Reserve" will be indicated on the cards.

325.6 AUTHORITY

Reserve officers shall perform law enforcement officer duties within the scope of their approved training. Reserve officers:

- (a) Perform law enforcement functions and have the authority to arrest on behalf of this department.
- (b) Shall not exercise law enforcement officer duties when off-duty.

325.7 PERSONNEL WORKING AS RESERVE OFFICERS

Qualified regular department personnel, when authorized, may also serve as reserve officers. However, this department shall not utilize the services of reserve officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer for reduced or no pay). Therefore, the reserve coordinator should consult with the Department of Human Resources prior to allowing regular department personnel to serve in a reserve officer capacity (29 CFR 553.30).

325.8 COMPLIANCE

Reserve officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment. The reserve officer shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a reserve officer unless by its nature it is inapplicable.

Reserve officers are required by this department to meet department-approved training requirements.

All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the reserve coordinator.

325.9 FIREARMS

Reserve officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the City prior to being issued firearms by this department or otherwise acting as reserve officers on behalf of the Grandview Police Department.

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Reserve Officers

Reserve officers will be issued duty firearms as specified in the Firearms Policy. Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

325.9.1 OPTIONAL FIREARMS

An instance may arise where a reserve officer is assigned to a plainclothes detail for their assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a pistol more suited to the assignment, but only with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to department standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by the department armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall demonstrate proficiency with said weapon.

325.10 RESERVE COORDINATOR

The Chief of Police shall delegate certain responsibilities to a reserve coordinator.

The reserve coordinator shall be appointed by and directly responsible to the Patrol Assistant Chief or the authorized designee.

The reserve coordinator may appoint a senior reserve officer or other designee to assist in the coordination of reserve officers and their activities.

The responsibilities of the coordinator or the authorized designee include but are not limited to:

- (a) Assigning reserve officers.
- (b) Conducting reserve officer meetings.
- (c) Establishing and maintaining a reserve officer callout roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring the field training progress of reserve officers.
- (f) Monitoring individual reserve officer performance.
- (g) Monitoring overall reserve officer activities.
- (h) Maintaining a liaison with other agency reserve coordinators.

325.11 FIELD TRAINING

All reserve officers shall complete the same department-specified field training as regular full-time police officers as described in the Field Training Officer Program Policy.

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Reserve Officers

325.12 SUPERVISION

Reserve officers may perform the same duties as regular full-time officers of this department provided they are under the direct or indirect supervision of a supervisor or officer in charge. Reserve officers shall never supervise a regular full-time officer.

325.12.1 EVALUATIONS

While in training, reserve officers should be continuously evaluated using standardized daily and weekly observation reports. The reserve officer will be considered a trainee until they have satisfactorily completed training. Reserve officers who have completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve officer.

325.12.2 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a personnel complaint made against them or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

Outside Agency Assistance

326.1 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.

326.2 POLICY

It is the policy of the Grandview 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.

326.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Sergeant or Officer-In-Charge 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 or Officer-In-Charge 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 basic report shall be prepared and submitted by the handling member.

When deciding to respond to a request for assistance from another agency, consideration will be given to balance:

- (a) the emergency level of the request.
- (b) the need to maintain adequate staffing within Grandview city limits.
- (c) the number of other agencies resources that are available to respond.

326.3.1 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 Grandview Police Department shall notify his/her supervisor or the Shift Sergeant and Dispatch as soon as practicable. This

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requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

326.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

326.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Sergeant.

326.6 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 Assistant Chief 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

327.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Grandview 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.

327.2 POLICY

It is the policy of the Grandview 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.

The Grandview Police Department will, as resources allow, maintain a member on the Yakima County Sex Offender Leveling Committee (YCSOLC). The YCSOLC shall handle most aspects of the Grandview Police Department's registered offender program.

327.3 REGISTRATION

The Detective Unit supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. Those assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the YCSOLC member shall ensure that the registration information is provided to the Washington State Patrol (WSP) 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.

327.3.1 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

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- Social Security number
- Biological sample if one has not already been submitted to the WSP (see the Biological Samples Policy for collection protocol) (RCW 43.43.754)

Offenders lacking a fixed residence must report weekly, in person, to the sheriff's office where he/she is registered.

The registering member shall confirm that photographs and fingerprints, which may include palmprints, are taken of all sex/kidnapping offenders.

327.3.2 CONTENTS OF REGISTRATION FOR FELONY FIREARM OFFENDERS

Felony firearm offenders who are required to register must appear in person and provide the following (RCW 9.41.330; RCW 9.41.333):

- Name and any aliases
- Complete residential address or where he/she plans to stay
- Identifying information, including a physical description
- Crime for which the person has been convicted
- Date and place of conviction
- Names of any other county where the firearm offender may have registered

The registering member may take photographs and fingerprints of the felony firearm offender.

327.4 MONITORING OF REGISTERED OFFENDERS

The Detective Unit supervisor should establish or maintain membership in a countywide system to 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.
 1. When notice is received that a sex offender is moving outside the jurisdiction of the Grandview Police Department, the Detective Unit 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.
- (d) Review any available Washington State database of felony firearm offenders.

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.

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The Detective Unit supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Grandview Police Department personnel, including timely updates regarding new or relocated registrants.

327.4.1 OFFENDERS TRAVELING OUT OF THE COUNTRY

When written notice is received from a registrant who intends to travel outside of the United States, the Sheriff shall notify the United States Marshals Service as soon as practicable after receipt of notification and also of any further notice of changes or cancellation of travel plans (RCW 9A.44.130(3)).

327.5 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular sex/kidnapping registrant's presence in the community. Members 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.

Members of the public requesting information on sex/kidnapping registrants should be provided the WASPC Sex Offender Information website or the Yakima County Sheriff's Office website.

The Public Information Spokesperson shall release local sex/kidnapping registered offender information to residents through the YCSOLC in accordance with RCW 4.24.550 or in compliance with a request under the Public Records Act (RCW 42.56.001 et seq.).

Information pertaining to felony firearm offenders should not be disseminated to the public. All inquiries should be referred to WSP.

327.5.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS

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 Grandview Police Department has no authority to direct where an offender may live.

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327.5.2 MANDATORY NOTIFICATION

The Assistant Chief shall ensure that:

- (a) A public notification is made for sex offenders who are classified as Risk Level III and who register in the County. The notice shall conform to the guidelines established in RCW 4.24.5501.
- (b) All information on sex/kidnapping offenders registered in the County is regularly updated and posted on the WASPC Sex Offender Information website (RCW 4.24.550(5)).

327.5.3 DISCRETIONARY DISSEMINATION FOR SEX OFFENDERS

Any dissemination by Grandview Police Department should be predicated upon the levels detailed below (RCW 4.24.550(3)):

- (a) Offenders classified as Risk Level I: The Department may disclose, upon request, relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the sex offender resides, expects to reside or is regularly found, and to any individual who requests information regarding a specific offender.
- (b) Offenders classified as Risk Level II: In addition to the dissemination for Level I, the Department may also disclose relevant, necessary and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the sex offender resides, expects to reside or is regularly found.
- (c) Offenders classified as Risk Level III: In addition to the dissemination of Level I and Level II, the Department may also disclose relevant, necessary and accurate information to the public at large.
- (d) Homeless and transient sex offenders may present unique risks to the community due to the impracticality of localized notification. The Department may also disclose relevant, necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

327.5.4 SCHOOL NOTIFICATIONS

The Sheriff has the responsibility of notifying the appropriate person at a school or other educational institution as set forth in RCW 9A.44.138 of any sex/kidnapping offender who attends or is employed there, and for providing the following information about the offender:

- Name
- Complete residential address
- Date and place of birth
- Place of employment
- Crime for which the person has been convicted
- Date and place of conviction

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- Aliases
- Photograph
- Risk level classification

327.6 SEX OFFENDER RISK ASSESSMENT

The Assistant Chief shall insure the YCSOLC maintains a procedure to review and assign an initial risk level classification of sex offenders who have moved or are released into this jurisdiction and the risk assessment level has not already been assigned by the Washington Department of Corrections. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Grandview Police Department is authorized to assign its own risk level.
- Risk level classification criteria.
- What risk assessment tools may be used and how such tools are scored.
- Assessment of known aggravating or mitigating factors related to the risk posed by the offender to the community.
- Notification process following a change in the risk level classification.
- The process for an offender to petition for review of the risk level classification.

Major Incident Notification

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

328.2 POLICY

The Grandview Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

328.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the Assistant Chief. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides.
- Traffic accidents with fatalities.
- Officer-involved shooting on- or off-duty (See the Officer-Involved Shootings and Deaths Policy for special notifications).
- Significant injury or death to employee on- or off-duty.
- Death of a prominent Grandview official.
- Arrest of Department employee or prominent Grandview official.
- Aircraft crash.
- In-custody deaths.

328.4 SHIFT SERGEANT RESPONSIBILITY

The on-duty Sergeant is responsible for making the appropriate notifications. The Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Shift Sergeant shall attempt to make the notifications as soon as practical. Notification should be made by phone to insure it was received.

If there is no on-duty supervisor, the shift dispatcher is responsible for making the appropriate notifications.

328.4.1 STAFF NOTIFICATION

In the event an incident occurs described in MINIMUM CRITERIA FOR NOTIFICATION, the Chief of Police shall be notified along with the Assistant Chief and the Detective Supervisor if that division is affected.

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328.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, any on-shift supervisor may contact detectives directly. If no supervisor is on shift, the Detective supervisor should be contacted to approve a response. If the Detective supervisor is unavailable then any supervisor may be contacted to authorize detectives to respond

Death Investigation

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

329.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Investigation Division Commander as necessary. The Shift Sergeant will make notification to command staff in accordance with the Major Incident Notification Policy.

329.2.1 CORONER JURISDICTION OVER REMAINS

The Coroner has jurisdiction of bodies of all deceased persons who come to their death suddenly in any of the following cases (RCW 68.50.010):

- (a) When in apparent good health without medical attendance within the thirty-six hours preceding death.
- (b) Where the circumstances of death indicate death was caused by unnatural or unlawful means.
- (c) Where death occurs under suspicious circumstances.
- (d) Where a Coroner's autopsy or postmortem or Coroner's inquest is to be held.
- (e) Where death results from unknown or obscure causes.
- (f) Where death occurs within one year following an accident.
- (g) Where the death is caused by any violence whatsoever.
- (h) Where death results from a known or suspected abortion; whether self-induced or otherwise.
- (i) Where death apparently results from drowning, hanging, burns, electrocution, gunshot wounds, stabs or cuts, lightning, starvation, radiation, exposure, alcoholism, narcotics or other addictions, tetanus, strangulations, suffocation, or smothering.
- (j) Where death is due to premature birth or still birth.
- (k) Where death is due to a violent contagious disease or suspected contagious disease which may be a public health hazard.
- (l) Where death results from alleged rape, carnal knowledge, or sodomy.

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- (m) Where death occurs in a jail or prison.
- (n) Where a body is found dead or is not claimed by relatives or friends.

The body or human remains shall not be disturbed or moved from the position or place of death without permission of the Coroner (RCW 68.50.050).

Deputy Coroners shall attempt to complete the basic documentation form provided by the Coroner's Office as soon as practical. The form will be provided to the Coroner and scanned into the GPD case file. ([See attachment: Coroner Call Sheet.pdf](#))

329.2.2 REPORTING

All incidents involving a death shall be documented on the appropriate form.

329.2.3 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Detective Unit shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Shift Sergeant or Detective Unit supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of the investigator's supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

329.2.4 INDIGENOUS PERSONS

Upon knowledge that the remains are of an indigenous person, officers shall attempt to identify and contact, as soon as practicable, family members and any affected tribes, tribal organizations, and communities prior to removal or disturbance of the remains, except where deemed necessary by the Coroner and officers in the interest of safety or to preserve evidence for any ongoing criminal investigation. Efforts shall include attempts to facilitate contact through the regional liaison for missing and murdered indigenous persons pursuant to RCW 43.43.874 within 10 days of the Coroner having jurisdiction over the remains (RCW 68.50.325).

The lead investigator in cooperation with the Coroner shall provide the family member or representative of a list that contains any prohibited conduct when interacting with the remains including an explanation of why the conduct is prohibited. Additionally, any practices or ceremonies related to the remains by the family or representative require proper authorization by the Coroner and the lead investigator while the remains are under the jurisdiction of the Coroner (RCW 68.50.325).

329.2.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's

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employment should ensure that the regional Washington Division of Occupational Safety and Health (DOSH) office is notified of all pertinent information.

329.3 POLICY

It is the policy of the Grandview Police Department to respond, document, and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide, and homicide, shall be initiated, conducted, and properly documented.

329.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Coroner a unique identifying number for the body. The number shall be included in any report.

329.5 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

Identity Theft

330.1 PURPOSE AND SCOPE

Identity theft is a crime that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

330.2 REPORTING

This department will initiate an incident 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. The employee receiving the report will ensure that the complainant receives a copy of the incident report (RCW 9.35.050).

In cases where the reporting party does not reside or work within this jurisdiction and there is no known or suspected criminal activity occurring within this jurisdiction the reporting party may be referred to the appropriate law enforcement agency having jurisdiction. If it is not reasonably practical for the reporting party to file a timely report with his/her home jurisdiction 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 victim's name when the victim has never made such an application).

The employee preparing the report should also cross-reference all other known reports made by the victim (e.g., US Secret Service, credit reporting bureaus, US Postal Service and DOL) with all known report numbers.

Following supervisory review and department processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

Limited English Proficiency Services

331.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

331.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Grandview Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

331.2 POLICY

It is the policy of the Grandview Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

331.3 LEP COORDINATOR

The designated LEP Coordinator for Grandview Police Department shall be the Lead Dispatcher or other person as designated by the Chief of Police.

The responsibilities of the LEP Coordinator include, but are not limited to:

- (a) Coordinating and implementing all aspects of the Grandview Police Department's LEP services to LEP individuals.

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- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each officer.
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters. **(Attach standards and assessments here)**
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) 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.

331.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.
- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

331.5 TYPES OF LEP ASSISTANCE AVAILABLE

Grandview Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a

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condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

331.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

331.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

331.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

331.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

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Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

331.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

331.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Where qualified bilingual members or other authorized 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 LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

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331.10 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

331.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Grandview Police Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

331.11.1 EMERGENCY CALLS TO DISPATCH

Department members will make every reasonable effort to promptly accommodate LEP individuals calling in to Dispatch. When a Dispatcher receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Dispatch, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter. If the nature of the call seems to require less than an emergency response the call-taker may also attempt to obtain interpretation help from another police dispatch entity or city department.

Grandview Police Department Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

While emergency calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

331.12 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 LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

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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 request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

331.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

331.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

331.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare,

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the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

331.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

331.17 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 schools, community groups, local businesses and neighborhoods to provide equal access to such programs and services.

331.18 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Sergeant shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Sergeant shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

331.18.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

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Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

ADA Compliance

332.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to Grandview Police Department services, programs, and activities for persons with disabilities, in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities. See the Service Animals Policy for guidance on protecting the rights of individuals who use service animals in accordance with the ADA. See the Immigration Considerations Policy for direction regarding the state law prohibition of the use of federal immigration authorities as interpreters and language services providers.

332.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

ADA coordinator - The member designated by the Chief of Police to coordinate the department's efforts to comply with the ADA (28 CFR 35.107).

Assistive devices, auxiliary aids, and services - Tools used by persons with disabilities to facilitate their participation in services, programs, and activities offered by the Grandview Police Department and to facilitate effective communication. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; a qualified reader; or a qualified interpreter.

Disability - A physical or mental impairment that substantially limits a major life activity including hearing, seeing, or speaking, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

Facility - All aspects of department buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

Modification - Any change, adjustment, alteration, adaptation, or accommodation that renders a department service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to services, programs, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

Qualified interpreter - A person authorized by the Department as a language services provider who is able to interpret effectively, accurately, and impartially, both receptively and expressively,

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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.

332.2 POLICY

It is the policy of the Grandview Police Department that persons with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to services, programs, and activities of the Department.

The Department will not discriminate against or deny any individual access to services, programs, or activities based upon the presence or suspected presence of disabilities.

332.3 ADA COORDINATOR RESPONSIBILITIES

The Chief of Police has designated the Assistant Chief as the ADA coordinator. The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Collaborating with the City ADA coordinator regarding the Grandview Police Department's efforts to provide equal access to services, programs, and activities.
 - 1. Maintaining department compliance with accessibility standards for department web content and mobile applications as required by 28 CFR 35 Subpart H (28 CFR 35.200).
- (b) Collaborating with the City ADA coordinator to facilitate a process of periodic self-evaluation. The process should include:
 - 1. Inspection of current department facilities to identify access issues.
 - 2. Review of current department services, activities, and programs for access issues.
 - 3. Assessment and update, if necessary, of current compliance measures.
 - 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
 - 5. Review of the department's emergency programs, services, and activities as they apply to persons with disabilities.
 - 6. Recommendation of a schedule to implement needed improvements.
- (c) Acting as a liaison with local disability advocacy groups or other disability-focused groups regarding access to department services, programs, and activities.
- (d) Developing procedures that will enable members to access assistive devices, auxiliary aids, and services, and making the procedures available as appropriate.
 - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to members.
- (e) Developing procedures for the review and processing of requests for modifications that will help members provide persons with disabilities access to department services, programs, and activities, as appropriate.

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- (f) Establishing procedures for the booking process to assist members with managing commonly encountered disabilities such as sight or mobility impairments and intellectual or developmental disabilities.
- (g) Providing notice to the public regarding the rights and protections afforded by the ADA. This may include posters, published notices, handbooks, manuals, and pamphlets describing department services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications (28 CFR 35.106).
- (h) Collaborating with other city departments during the planning process to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
- (i) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities. The complaint procedures should include an appeal process (28 CFR 35.107).
- (j) Verifying that third parties providing department services, programs, or activities through contract, outsourcing, licensing, or other arrangement have established reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (k) Recommending amendments to this policy as needed.

332.4 REQUESTS

The goal of any modification should be to allow a person with a disability to participate in a service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, members should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Members should not ask about the nature and extent of a person's disability but should limit questions to elicit information necessary to determine the need for a modification and the appropriate type of modification.

If the requested modification or an alternative modification can reasonably be made at the time of the request, the member should make the modification. A member who is unable to accommodate a request or unsure about whether a request should be accommodated should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

332.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

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- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
 - 1. A substantial alteration of the service, program, or activity.
 - 2. An undue financial or administrative burden on the Department. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
 - 3. A threat to or the destruction of the historic significance of a historic property.
 - 4. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with department members and the person requesting the modification to determine if an alternative modification is available.
- (c) Where new construction or physical modification of an existing building or facility would be unfeasible or unduly burdensome, the ADA coordinator should work with department members to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
 - 1. Reassigning services, programs, or activities to accessible buildings or facilities.
 - 2. Utilizing technology, equipment, rolling stock, or other conveyances.
 - 3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
 - 4. Any other means or methods that would make services, programs, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the service, program, or activity will not be made (28 CFR 35.150).

332.4.2 PERSONAL DEVICES AND ASSISTANCE

Although members should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

332.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications (28 CFR 35.130(f)).

332.5 COMMUNICATIONS WITH PERSONS WITH DISABILITIES

Members should remain alert to the possibility of communication problems when engaging with persons with disabilities. When a member knows or suspects an individual requires assistance to effectively communicate, the member should identify the individual's choice of assistive devices, auxiliary aids, and services. The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

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Factors to consider when determining whether an alternative method may be 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 modification reasonably appears effective under the circumstances. This may include 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. Once the emergency has ended, the method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

332.5.1 TYPES OF ASSISTANCE AVAILABLE

Department members shall not refuse an available type of assistive device, auxiliary aid, or service to a person with a disability who is requesting assistance. The Department will not require persons with disabilities to furnish their own assistive device, auxiliary aid, or service as a condition for receiving access to department services, programs, and activities. The Department will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services (28 CFR 35.160).

The Department will not require that persons with disabilities use department-provided assistive devices, auxiliary aids, and services. Department-provided assistive devices, auxiliary aids, and services may include but are not limited to the means described in this policy.

332.5.2 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment. If such a recording is not available, members may read aloud from the appropriate form or provide forms with enlarged print.

332.5.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee) with individuals who normally rely on sign language or speechreading (i.e., lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the matter. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a legal proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time.
- (b) Experienced in providing interpretation services related to law enforcement matters in the person's primary language.
- (c) Familiar with the use of text- and video-based communications products and systems.

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- (d) Certified in either American Sign Language (ASL) or Signing Exact English (SEE).
- (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 or when it is reasonably apparent that an interpreter is needed. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Persons with disabilities shall not be required to provide an interpreter (28 CFR 35.160).

332.5.4 TELECOMMUNICATION SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., during booking or attorney contacts), members must also provide those with communication-related disabilities the opportunity to place calls using an available TTY, TDD, or other voice, text, or video-based communications product or system. Members shall provide additional time, as needed, for effective communication due to the slower nature of assisted communications.

The Department will accept all TDD and computer modem calls placed by individuals with communications-related disabilities and received via a telecommunications relay service (28 CFR 35.162).

332.5.5 COMMUNITY VOLUNTEERS

Where qualified interpreters are unavailable to assist members, department-approved community volunteers who have demonstrated competence in communication services, such as ASL or SEE, may be called upon to provide interpreter services when appropriate. However, department members must carefully consider the nature of the interaction and the relationship between the individual with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

332.5.6 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 interaction and relationship between the individual with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Except in an emergency involving an imminent threat to the safety or welfare of any person and no qualified interpreter is reasonably available, members shall not use a minor child as an interpreter (28 CFR 35.160).

332.5.7 FIELD ENFORCEMENT CONSIDERATIONS

Due to the unpredictable and varied nature of field enforcement, the Department recognizes that it is impracticable to provide immediate access to a comprehensive supply of assistive

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devices, auxiliary aids, and services to every member of this department. Members involved in interactions with persons with disabilities that occur in the field should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

332.6 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals with disabilities are protected during a custodial interrogation, this department will provide reasonable modifications before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that the individual understands the process and desires to proceed without receiving a modification. *Miranda* warnings should be provided to a suspect via the individual's preferred method of communication.

Interrogations should be recorded whenever reasonably practicable. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

332.7 ARREST

If an individual with a communication-related disability is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter as soon as reasonably practicable, unless the individual indicates a preference for a different assistive device, auxiliary aid, or service, or the officer reasonably determines another effective method of communication exists under the circumstances. The interpreter shall be present for any *Miranda* warnings, statements, or interrogations (RCW 2.42.120).

Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

332.8 WEBSITE ACCESS

The ADA coordinator should work with the appropriate parties to develop online content that is readily accessible to persons with disabilities. Department web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice and federal regulations (28 CFR 35 Subpart H; 28 CFR 35.200).

Department website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

332.9 DOCUMENTATION

Whenever any modification has been provided, the member involved should document:

- (a) The type of modification, assistive device, auxiliary aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, or service provided by the Department or another identified source, as applicable.

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- (c) Whether the individual's express preference for the modification was not honored and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

All written communications exchanged in a criminal case shall be attached to the member's report or placed into evidence.

332.10 COMPLAINTS

A member who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access the department's programs, services, or activities should document the complaint and promptly refer the matter to the ADA coordinator (28 CFR 35.107). The Department shall assist persons with disabilities who require assistance to file a complaint regarding members of this department. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate.

332.11 TRAINING

Members should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy, related procedures, forms, and available resources.
- (b) Procedures for handling requests for modifications.
- (c) Accessing assistive devices, auxiliary aids, and services needed to accommodate requests for modifications.
- (d) General requirements of the ADA, including modifying policies and practices, communicating with individuals with disabilities, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the member's job duties.

Management staff, even if they do not interact regularly with individuals with disabilities, should receive training as appropriate to understand and reinforce this policy.

The Training Sergeant should maintain records of all training provided and retain a copy in each member's training file in accordance with the established records retention schedule.

332.11.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of department assistive devices, auxiliary aids, and services for communicating with individuals with communication-related disabilities. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) Practical instruction on how to access any TTY, TDD, or other voice, text, or video-based communications products and systems available.

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Training should be provided for all Dispatch members who may have contact with individuals from the public who have communication-related disabilities. Refresher training should be provided as appropriate.

Chaplains

334.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Grandview Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public (RCW 41.22.030; RCW 41.22.040).

334.2 POLICY

The Grandview Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

334.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate-level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

334.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Grandview Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

334.4.1 RECRUITMENT

Chaplains should be recruited consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are allowed to participate in ride-alongs with department members before and during the selection process.

334.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.

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- (b) Include a recommendation from employers or volunteer programs.
- (c) Interview with the Chief of Police..
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

334.5 IDENTIFICATION AND CLOTHING

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Grandview Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Grandview Police Department identification cards, with the exception that "Chaplain" will be indicated on the cards. Chaplains shall be required to return any issued department property at the termination of service.

Chaplains shall conform to all clothing regulations and appearance standards of this department.

334.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Assistant Chief or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Shift Sergeant.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain call-out roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.

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- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

334.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

Chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Grandview Police Department.

334.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

334.7.2 OPERATIONAL GUIDELINES

- (a) Chaplains will be scheduled to be on-call.
- (b) Generally, each chaplain will serve with Grandview Police Department personnel a minimum of two hours per month.
- (c) At the end of each watch the chaplain will check out of service with dispatch.
- (d) Chaplains shall be permitted to ride with officers during any shift and observe Grandview Police Department operations.
- (e) Chaplains shall not be evaluators of members of the Department.
- (f) In responding to incidents, a chaplain shall never function as an officer.
- (g) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (h) Chaplains shall serve only within the jurisdiction of the Grandview Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (i) Each chaplain may have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

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334.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

334.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Sergeant or supervisor aids in accomplishing the mission of the Department.
- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

334.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Fostering familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

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334.7.6 CHAPLAIN MEETINGS

Chaplains are required to attend any meeting they are scheduled for. Any absences must be satisfactorily explained to the chaplain coordinator.

334.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Grandview Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Grandview Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

334.9 TRAINING

The Department may establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Sergeant, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

Public Safety Video Surveillance System

335.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

335.2 POLICY

The Grandview Police Department operates a public safety video surveillance system (Security Lines US; Digital PODs) to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the City to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist City officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

335.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology.

335.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected City divisions. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-activity areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.
- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.

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Public Safety Video Surveillance System

- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images may be transmitted to monitors installed at Dispatch. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. Trained Dispatch personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

335.3.2 CAMERA MARKINGS

The main entrances into town shall be marked in a conspicuous manner with appropriate signs to inform the public that areas could be under police surveillance. Signs should be placed appropriately and without obstruction to ensure visibility.

335.3.3 INTEGRATION WITH OTHER TECHNOLOGY

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

335.4 VIDEO SUPERVISION

Supervisors should monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

335.4.1 VIDEO VIEWING LOG

A Viewing log should be maintained at Grandview Police Department. The log should be used to document all persons not employed by the Grandview Police Department who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

See attachment: [Video Surveillance System Log.pdf](#)

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Public Safety Video Surveillance System

335.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

335.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

335.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

335.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Grandview Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Shift Sergeant for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

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Public Safety Video Surveillance System

335.7 VIDEO SURVEILLANCE AUDIT

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

Any recommendations for training or policy should be promptly addressed.

335.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Child and Dependent Adult Safety

336.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

336.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Grandview Police Department will endeavor to create a strong cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

336.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

336.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered, children or dependent adults.

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Child and Dependent Adult Safety

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify the Department of Social and Health Services, if appropriate.
- (e) Notify the field supervisor or Shift Sergeant of the disposition of children and dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

Officers shall promptly notify Child Protective Services (CPS) whenever a child under 13 years of age is present in a vehicle and his/her parent, guardian or legal custodian is arrested for a drug or alcohol driving offense in accordance with the department Child Abuse Policy (RCW 26.44.250).

336.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

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Child and Dependent Adult Safety

336.3.3 REPORTING

- (a) For all Domestic Violence arrests where children are present or living in the household, and any other arrest where the disposition of the children is of concern, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether he/she reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

336.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

336.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

336.5 TRAINING

The Training Sergeant is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

Service Animals

337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

337.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

All references to "service animals" in this policy also mean a dog or miniature horse undergoing training to become a service animal (RCW 49.60.040).

337.2 POLICY

It is the policy of the Grandview Police Department to provide services and access to services, programs, and activities of the Department to persons with service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

337.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Grandview Police Department affords to all members of the public (28 CFR 35.136).

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness, or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms, or legs.

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- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

337.4 INQUIRIES REGARDING SERVICE ANIMALS

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about their disabilities nor should members ask any individual to provide any license, certification, or identification card for the service animal.

337.5 CONTACT WITH SERVICE ANIMALS

Service animals are not pets. Department members should not interfere with a service animal by talking to, petting, or otherwise initiating contact.

337.6 REMOVAL OF SERVICE ANIMALS

If a service animal is not housebroken, exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, a department supervisor may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136 (b); 28 CFR 35.139).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse access to services, programs, and activities to an individual with a disability. Members are expected to provide all services, programs, and activities that are reasonably available to an individual with a disability, with or without a service animal.

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337.7 COMPLAINTS

When handling calls of a complaint regarding a service animal, members should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Volunteer Program

338.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

338.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

338.2 VOLUNTEER MANAGEMENT

338.2.1 VOLUNTEER COORDINATOR

The Volunteer Coordinator shall be appointed by the Assistant Chief. The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator should work with other Department staff on an ongoing basis to assist in the development and implementation of volunteer-staffed positions.

The Volunteer Coordinator, or his/her designee, shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions.
- (b) Facilitating the implementation of new volunteer activities and assignments.
- (c) Maintaining records for each volunteer.
- (d) Tracking and evaluating the contribution of volunteers.
- (e) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completion and dissemination as appropriate of all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Administering discipline when warranted.
- (j) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.

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338.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the requester's immediate supervisor. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

338.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The Volunteer Coordinator or designee should conduct a face-to-face interview with an applicant under consideration.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check. Fingerprints shall be obtained from all applicants and applicants shall be processed for criminal history.
- (b) Employment.
- (c) References.
- (d) Credit check.

A polygraph exam may be required of each applicant depending on the type of assignment.

338.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Coordinator. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of their position description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

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338.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the Department, personnel, policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

338.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

338.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

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338.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as and act as a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

338.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or department policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

338.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty.

Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

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338.5.1 VEHICLE USE

Volunteers assigned to duties such as vacation house checks or other assignments that require the use of a vehicle must first complete the following:

- (a) A driving safety briefing and department-approved driver safety course.
- (b) Verification that the volunteer possesses a valid Washington Driver's License.
- (c) Verification that the volunteer carries current vehicle insurance.

The Volunteer Coordinator should insure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service and volunteers are not authorized to operate a Department vehicle Code-3.

338.5.2 RADIO AND MDT USAGE

Volunteers shall successfully complete Central Computerized Enforcement Service System (ACCESS) and radio procedures training prior to using the police radio or MDT and comply with all related provisions. The Volunteer Coordinator should ensure that radio and ACCESS training is provided for volunteers whenever necessary.

338.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

338.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

338.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the

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best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

Off-Duty Law Enforcement Actions

339.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Grandview Police Department with respect to taking law enforcement action while off-duty.

339.2 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 officer of this department who becomes aware of an incident or circumstance that the officer reasonably believes would justify the use of deadly force or result in significant property damage may take reasonable action to minimize or eliminate the threat (see the Use of Force Policy).

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.

339.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. When carrying firearms while off-duty, based on their authority as a peace officer, officers shall also carry their department-issued badge and identification. Officers carrying a firearm while off duty in the same capacity as any citizen (ie., Open carry, CWP, etc.) are encouraged to carry their issued badge and identification for safety reasons.

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

339.4 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.

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Off-Duty Law Enforcement Actions

- (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.

339.4.1 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 an Grandview Police Department officer until acknowledged. Official identification should also be displayed.

339.4.2 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.

339.4.3 NON-SWORN RESPONSIBILITIES

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.

339.4.4 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.

339.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Shift Sergeant as soon as practicable. The Shift Sergeant shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Department Use of Social Media

340.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

340.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

340.2 POLICY

The Grandview Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment, and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

340.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made to the Assistant Chief

The routine process will be for the Chief of Police or the Assistant Chief to forward social media posts to the Grandview City Clerk who will post items to the City of Grandview Facebook page.

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Department Use of Social Media

340.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission, and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

Authorized members shall review all content prior to posting to ensure that the posting does not contain prohibited content.

340.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), a Public Information Spokesperson may be designated by a supervisor to make ongoing posts.

340.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Grandview Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

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Department Use of Social Media

340.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

340.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues. The same supervisor should review the department social media on a quarterly basis for any posted prohibited content and remove the same upon discovery.

340.7 RETENTION OF RECORDS

The Assistant Chief should work with the City of Grandview Public Records Officer to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

340.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Native American Graves Protection and Repatriation

341.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

341.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects - Objects that, as part of the death rite or ceremony of a Native American culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains. Funerary objects are either associated funerary objects or unassociated funerary objects.

Associated funerary objects are any funerary objects related to removed human remains, where the location of the human remains is known. This includes objects that were made exclusively for burial purposes or to contain human remains, regardless of the physical location or existence of any related human remains.

Unassociated funerary objects are any other funerary objects that are identified by a preponderance of the evidence such as:

- Related to human remains but the remains were not removed, or the location of the remains is unknown.
- Related to specific individuals or families.
- Removed from specific burial sites with Native American cultural affiliation.
- Removed from an area where such burial sites are known to have existed, but the site no longer exists.

Native American human remains - Any physical part of the body of a Native American individual.

Objects of cultural patrimony - Objects having ongoing historical, traditional, or cultural importance that is central to the Native American group or culture itself and, therefore, cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

341.2 POLICY

It is the policy of the Grandview Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, unassociated funerary objects, sacred

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Native American Graves Protection and Repatriation

objects, or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption, or complicated custody transfer processes.

341.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, unassociated funerary objects, sacred objects, or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.5).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.5):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land - Coroner (RCW 68.50.645)
- Tribal land - Responsible Indian tribal official

341.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.7).

Community Relations

343.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

343.2 POLICY

It is the policy of the Grandview Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

343.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in Grandview or the surrounding area.
- (c) Work with community members to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify the Dispatch of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol.

343.4 COMMUNITY RELATIONS COORDINATOR

The Assistant Chief or their authorized designee will serve as the community relations coordinator. He/she should encourage members to:

- (a) Obtain department-approved training related to community relations.
- (b) Respond to requests from the community for assistance in identifying issues and solving problems related to community relations and public safety.

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- (c) Work with community groups, department members and other community resources to (RCW 43.101.240):
 - 1. Identify and solve public safety problems within the community.
 - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (d) Work with the Assistant Chief to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (e) Recognize department and community members for exceptional work or performance in community relations efforts.
- (f) Attend City council and other community meetings to obtain information on community relations needs.
- (g) Inform the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

343.5 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should encourage programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (b) Youth leadership and life skills mentoring.
- (c) School resource officer/Gang Resistance Education and Training (G.R.E.A.T.) programs.
- (d) Neighborhood Watch and crime prevention programs.

343.6 INFORMATION SHARING

The community relations coordinator should encourage the development methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously, as resources allow.

343.7 LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should encourage members to develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

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- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Along Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.

343.8 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities.

343.9 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers or suspects.. The community relations coordinator should identify information that may increase transparency regarding department operations.

343.10 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, may be involved in the training to provide input from a community perspective.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles (with lights and sirens), patrol the jurisdictional areas of Grandview, 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 inspections, business inspections, community presentations, etc.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other division within the Department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.
- (i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the Grandview Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report. The supervisor should ensure that all terrorism related reports are forwarded to the Detective Unit Supervisor in a timely fashion.

400.2 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 Grandview Police Department.

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Patrol Function

400.2.1 CRIME ANALYSIS

The Crime Analysis function will generally be handled by the Detective Unit. Criminal information and intelligence reports can be submitted to the Records Section for distribution to all divisions within the Department through bulletins as needed.

400.2.2 CRIME REPORTS

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 BULLETIN BOARDS

A bulletin board will be kept in the briefing room for display of suspect information, intelligence reports and photographs.

400.3 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 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.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Grandview Police Department's commitment to policing that is fair and objective. Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships) (RCW 43.101.410).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing or improper profiling - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin (including limited English proficiency), religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Grandview 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, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 OTHER PROHIBITIONS

The Grandview 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 43.101.419).

Additionally, members shall not collect information from a person based on religious belief, practice, or affiliation unless permitted under state law. Members shall not (RCW 42.60.020; RCW 42.60.030):

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- (a) Provide or disclose to federal government authorities personally identifiable information about a person's religious belief, practice, or affiliation unless the member is being questioned as a witness to a crime.
- (b) Assist federal government authorities in compiling personal information about a person's religious belief, practice, or affiliation.
- (c) Investigate or enforce any requirement that a person register with the federal government or a federal agency based on religion.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report any demographic information required by the Department (RCW 43.101.410).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - (a) Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (c) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

Subject to any fiscal constraints, the Assistant Chief should review available data related to traffic stops, including demographic data, existing procedures, practices, and training, as well as

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complaints. The data should be analyzed for any patterns or other possible indicators of racial- or bias-based profiling and included in an annual report for the Washington Association of Sheriffs and Police Chiefs (WASPC) (RCW 43.101.410(3)).

401.7 ADMINISTRATION

The Patrol Assistant Chief shall review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The report should also include a documented review of department activities with potential for bias. This may include traffic and field contacts, asset forfeiture efforts, citizen complaints, and any corrective measures taken. The annual report should not contain any identifying information about any specific complaint, member of the public, or officer. It shall be reviewed and approved by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the department annual report and the annual report submitted to the WASPC, and discuss the results with those they are assigned to supervise.

401.7.1 INCIDENT REVIEW AND ANALYSIS

The annual report shall include a management review and analysis of bias-based profiling incidents and should address any policy, procedure, training, and/or personnel issues identified during the review process.

401.8 TRAINING

Training on fair and objective policing and review of this policy shall be conducted annually and include (RCW 43.101.410):

- (a) Explicit and implicit biases.
- (b) Avoiding improper profiling.

Shift Briefing

402.1 PURPOSE AND SCOPE

This policy discusses the activity of briefing and includes the tasks that should be accomplished during this short period.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Shift Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.

402.3 RETENTION OF SHIFT BRIEFING TRAINING RECORDS

Shift Briefing training materials and a curriculum or summary shall be forwarded to the Training Sergeant for inclusion in training records, as appropriate.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Grandview Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured

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persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 ASSISTANT CHIEF RESPONSIBILITIES

The Assistant Chief is responsible for ensuring procedures are established that are consistent with the Washington State Patrol Crime Laboratory Division Crime Scene Procedures Manual, including, but not limited to:

- (a) Ensuring reasonable access to qualified personnel, equipment and supplies for processing crime scenes.
- (b) Establishing procedures for collecting, processing and preserving physical evidence in the field.
- (c) Establishing procedures for photographing, video-recording and other imaging used to collect and preserve evidence.
- (d) Establishing procedures for processing, developing, lifting and labeling fingerprints.
- (e) Establishing procedures for the safe collection, storage, transportation and submission of biological and other evidence for DNA testing and evaluation.

403.7 EXECUTION OF HEALTH ORDERS

Sworn members of this department shall enforce all lawful orders of the local health officer, issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (RCW 70.05.070; WAC 246-100-040(2)).

Crisis Response Unit

404.1 PURPOSE AND SCOPE

Grandview Police Department will utilize the Yakima Special Weapons and Tactics team (Yakima SWAT) when unique crisis response assistance is needed. Yakima SWAT is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics Team (SWAT). The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary.

If the Yakima Special Weapons and Tactics team is unavailable other regional teams may be requested as appropriate.

404.1.1 SWAT TEAM DEFINED

A SWAT team is a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 POLICY

It shall be the policy of this department to maintain at least one member on the Regional Yakima SWAT team as available resources allow.

404.3 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT

The following procedures serve as guidelines requesting Yakima SWAT. Generally, the Special Weapons and Tactics Team and the Crisis Negotiation Team will be activated together.

404.3.1 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether Yakima SWAT is to be requested to respond to the scene.

404.3.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT

The following are examples of incidents which may result in requesting the activation of a Crisis Response Unit:

- (a) Barricaded suspects who refuse an order to surrender.
- (b) Incidents where hostages are taken.
- (c) Cases of suicide threats with possible hostages.
- (d) Arrests of dangerous persons with known weapons.

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- (e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

404.3.3 MOBILIZATION OF CRISIS RESPONSE UNIT

The on-scene supervisor shall make a request to the Assistant Chief or the Chief of Police for the Crisis Response Unit. The Assistant Chief or the Chief of Police will contact the CRU Commander. If unavailable, Yakima Police Department Dispatch shall be notified and requested to contact the next available person in their chain of command. The Assistant Chief shall notify the Chief of Police of any request for a Crisis Response Unit callout.

The Shift Sergeant should provide the Assistant Chief or Chief of Police with as much of the following information which is available at the time:

- (a) The number of suspects, known weapons and resources.
- (b) If the suspect is in control of hostages.
- (c) If the suspect is barricaded.
- (d) The type of crime involved.
- (e) If the suspect has threatened or attempted suicide.
- (f) The location of the command post and a safe approach to it.
- (g) The extent of any perimeter and the number of officers involved.
- (h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.
- (i) The results of a Threat Assessment Form [See attachment: RISK ANALYSIS FOR PLANNED OPS.pdf](#)

404.3.4 FIELD UNIT RESPONSIBILITIES

While waiting for the Crisis Response Unit, field personnel should, if safe, practical and sufficient resources exist:

- (a) Establish an inner and outer perimeter.
- (b) Establish a command post outside of the inner perimeter.
- (c) Establish an arrest/response team. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a deadly threat or behavior.
- (d) Evacuate any injured persons or citizens in the zone of danger.
- (e) Attempt to establish preliminary communication with the suspect. Once the CRU has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.
- (f) Be prepared to brief CRU Commander on situation.

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- (g) Plan for, and stage, anticipated resources.

404.3.5 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Crisis Response Unit at the scene, the Incident Commander shall brief the CRU Commander about the situation. After joint review, it will be the CRU Commander's decision, with input from the Incident Commander, whether to deploy the Crisis Response Unit.

Once the Incident Commander authorizes deployment, the CRU Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security, and support for the Crisis Response Unit. The Incident Commander and the CRU Commander (and/or their designees) shall maintain communications at all times.

404.3.6 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL

All of those persons who are non-Crisis Response Unit personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with Crisis Team personnel directly. All non-emergency communications shall be channeled through Dispatch.

Ride-Along Policy

405.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

405.1.1 ELIGIBILITY

The Grandview Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age.
- Prior case related contacts with Grandview Police Department
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor.

The School Resource Officer may conduct job shadow ride-alongs to assist students under the age of 18. The SRO shall have the student fill out a Ride-Along Form and make sure a parents signature is obtained.

405.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The general ride-along times are from 0700-2400hrs. Exceptions to this schedule may be made as approved by the Chief of Police, Assistant Chief, or Shift Sergeant.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Assistant Chief. The participant will complete a ride-along waiver form. Information requested will include a valid ID or Washington driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must sign the Ride-Along Form.

The Ride-Along Form will be sent to the Chief of Police for approval. The form will then be forwarded to an appropriate Sergeant.

The Shift Sergeant will schedule a date, based on availability, generally at least one week after the date of application. The application will be forwarded to the respective Shift Sergeant who is on duty during the ride along period. The on duty Sergeant will determine who shall be assigned to take the participant out.

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If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

[See attachment: Ride Along Application and Waiver.pdf](#)

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every year. An exception would apply to the following: Explorers, RSVP, Chaplains, Reserves, police applicants, and all others with approval of the Shift Sergeant.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

405.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in conservative attire generally acceptable in an office or school environment. Clothing with printed sayings or large logos will not be acceptable. The Shift Sergeant or assigned officer may refuse a ride along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Shift Sergeant. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Assistant Chief is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the form shall be returned to the Assistant Chief with any comments which may be offered by the officer.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.

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- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
- (c) The officer may terminate the ride-along at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.
- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Exposure to hazardous materials present potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - A substance which, by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 POLICY

It is the policy of the Grandview Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

406.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill, or fire. When members come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

406.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify Dispatch, appropriate supervisors, the appropriate fire department and hazardous response units.
 - 1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (c) Wear personal protective equipment (PPE), being cognizant that some hazardous material can be inhaled.

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- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
 - 1. Placards or use of an emergency response guidebook.
 - 2. Driver's manifest or statements or shipping documents from the person transporting the material.
 - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
 - (a) The type of material.
 - (b) How to secure and contain the material.
 - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first-aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene and prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Depending on the material, begin voluntary evacuation of the immediate and surrounding areas.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable.
- (k) Dependent upon the substance and other specific conditions, consider initiating an emergency public notification or evacuation. The decision to initiate public notifications and/or evacuations shall be in accordance with the Grandview Local Emergency Planning Committee (LEPC) procedures.
- (l) Consult an Emergency Response Guide (ERG) to identify any possibly hazardous material and determine appropriate safety precautions to take.

406.5 REPORTING EXPOSURE

Department members who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Sergeant as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report as applicable.

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406.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is available from supervisors. PPE items not maintained by this department may be available through the appropriate fire department or emergency response team.

An Emergency Response Guide Book will be maintained in either written format or accessible by digital means to line officers.

Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Grandview Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS

A supervisor may order the telephone company to cut, reroute or divert telephone lines in order to prevent a suspect from communicating with anyone other than designated personnel in a barricade or hostage situation (RCW 70.85.100).

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407.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Spokesperson.

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- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

407.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the PIO.

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- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting Yakima S.W.A.T via the chain of command if appropriate and apprising the S.W.A.T Commander or his/her designee of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Dispatch.
- (i) Identify a media staging area outside the outer perimeter and have the department Public Information Spokesperson or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

407.6 CRISIS RESPONSE UNIT RESPONSIBILITIES

It will be the Yakima S.W.A.T Commander's decision, with input from the Incident Commander, whether to deploy the S.W.A.T team during a hostage or barricade situation. Once the S.W.A.T and Incident Commanders authorize deployment, the S.W.A.T Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the S.W.A.T team. The Incident Commander and the S.W.A.T team Commander or the authorized designee shall maintain communications at all times.

Response to Bomb Calls

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Grandview Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such 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 should always be the primary consideration.

408.2 POLICY

It is the policy of the Grandview Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement, and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Shift Sergeant is immediately advised and informed of the details. This will enable the Shift Sergeant to ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

408.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 GRANDVIEW POLICE DEPARTMENT FACILITY

If the bomb threat is against the Grandview Police Department facility, the Shift Sergeant will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Grandview Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Shift Sergeant deems appropriate.

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408.4.3 FEDERAL BUILDING OR PROPERTY

If the Bomb threat is against the Grandview Post Office, the Grandview Postmaster will be contacted. Members will assist the Postmaster or any Postal Inspector as a GPD Sergeant deems appropriate.

Bomb threats against a military installation should be reported to the military security responsible for the installation.

A bomb threat against the national guard armory will generate a call on their part to a bomb detection unit from the Yakima Training Center. Members will assist the National Guard as a GPD Sergeant deems appropriate.

408.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Grandview, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting police assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:
 - 1. No evacuation of personnel and no search for a device.
 - 2. Search for a device without evacuation of personnel.
 - 3. Evacuation of personnel without a search for a device.
 - 4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that a Sergeant is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

A supervisor should be notified when police assistance is requested. The supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Shift Sergeant determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.

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- (c) Whether to evacuate and/or search the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 - 1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
 - 2. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 - 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

408.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.
- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to a supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.

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3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.
- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

Emergency Detentions

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under an emergency detention.

409.2 POLICY

It is the policy of the Grandview Police Department to protect the public and individuals through legal and appropriate use of the emergency detention process.

409.3 AUTHORITY

An officer may take a person into emergency detention when either (RCW 71.05.150; RCW 71.05.153; RCW 71.05.201; RCW 71.34.710; RCW 71.34.351):

- (a) There is reasonable cause to believe that a person is suffering from a behavioral health disorder (e.g., mental disorder, substance abuse disorder) and presents an imminent likelihood of serious harm, or is in imminent danger because of being gravely disabled
- (b) The officer has received an order authorizing emergency detention from a court or a designated crisis responder

Persons taken into emergency detention should be transported to an appropriate facility as soon as practicable.

409.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for emergency detention, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Facilitate transportation or transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the emergency detention process, if appropriate.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for emergency 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.

Emergency Detentions

- (d) Community or other resources available to assist in dealing with behavioral 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.

Emergency detentions should be preferred over arrest for individuals with behavioral health disorders who are suspected of committing minor crimes or creating other public safety issues.

409.5 TRANSPORTATION

Transport for any individual into emergency detention shall be conducted in accordance with the Transporting Persons in Custody Policy.

Officers may transport individuals in a patrol vehicle and shall secure them in accordance with the Handcuffing and Restraints Policy.

409.6 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 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, officers will not apply facility-ordered restraints.

409.7 DOCUMENTATION

The officer should complete a case report detailing the reasons for an emergency detention.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

409.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into emergency detention should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for emergency 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 emergency detention.
- (c) Facilitate the individual's transfer to the jail facility.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for emergency detention.

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In the supervisor's judgment, the individual may instead 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.

If a supervisor believes an individual needs services not available in the Sunnyside Jail, the individual may be transported to Yakima County Jail.

See also: RCW 10.31.100 Alternatives to Arrest. Officers are encouraged to take individuals in crisis to a crisis stabilization unit and provides immunity from liability for any good faith conduct under that section.

409.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into emergency custody, the handling officers 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., 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 officers should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

409.10 TRAINING

This department will endeavor to provide department-approved training on interaction with persons with behavioral health disorders, emergency detentions and crisis intervention.

Citation Releases

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Grandview Police Department with guidance on when to release adults who are suspected offenders on a citation and notice to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

410.2 POLICY

The Grandview Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation and notice to appear in court, when authorized to do so.

410.3 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)).

410.4 PROHIBITIONS

The release of a suspected offender on a citation and notice to appear is not permitted when:

- (a) A person has been arrested pursuant to RCW 10.31.100(2) (restraining orders).
- (b) An officer has probable cause to believe that the person arrested has violated RCW 46.61.502 (DUI) or RCW 46.61.504 (physical control of a vehicle while DUI) or equivalent local ordinance and the officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 (alcohol and drug violators) within the last 10 years, or that the person is charged with or is awaiting arraignment for an offense that would qualify as a prior offense under RCW 46.61.5055 if it were a conviction (RCW 10.31.100; Criminal Rules, CrRLJ 3.2(o)(3)).

See the Domestic Violence Policy for release restrictions related to those investigations.

410.5 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.
- (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.

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Grandview Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Grandview Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

See US Department of State publication on [Diplomatic and Consular Immunity](#)

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety, or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests, and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

411.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

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Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note a)	Yes	Yes	Yes	No for official acts. Yes otherwise (note a).	No immunity or inviolability (note a)
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note a)	Yes (note d)	Yes	No for official acts. Testimony may not be compelled in any case.	No for official acts. Yes otherwise (note a).	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts. Yes otherwise.	No for official acts. Yes otherwise.	No immunity or inviolability
Consulate Employees	Yes (note a)	Yes	Yes	No for official acts. Yes otherwise.	No for official acts. Yes otherwise (note a).	No immunity or inviolability (note a)
Int'l Org Staff (note b)	Yes (note c)	Yes (note c)	Yes	Yes (note c)	No for official acts. Yes otherwise (note c).	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note b)	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise.	No immunity or inviolability

Notes for diplomatic immunity table:

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- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response and Deployment

412.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

412.2 POLICY

The Grandview Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

412.3 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

412.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

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- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be made based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel, This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

412.5 PLANNING

The Assistant Chief should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.
- (k) Coordination with school security representatives.

412.6 TRAINING

The Training Sergeant should include rapid response to critical incidents in the training plan. This training should address:

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- (a) Orientation to likely critical incident target sites, such as schools, stores, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

412.7 SCHOOL NOTIFICATION

The Assistant Chief should establish protocols for public and private school notification in the event an incident reasonably appears to require a lockdown or evacuation. Protocols should include notification to all known schools in the vicinity of the incident that may be similarly threatened (RCW 28A.320.125).

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Grandview Police Department relating to immigration laws and interacting with federal immigration officials (RCW 43.10.315).

413.2 POLICY

It is the policy of the Grandview 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 national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Washington constitutions.

413.4 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials 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.

413.5 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; RCW 2.28.310):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

413.6 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

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Immigration Violations

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Chief of Police or the authorized designee. The Chief of Police or his designee should:

- (a) Review the case report 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 (RCW 7.98.020).
 - 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.

413.6.1 TIME FRAME FOR COMPLETION

The Chief of Police or the designee should ensure that the certification for the U visa or T visa is processed within 90 days of the request, unless the victim is in federal immigration removal proceedings, in which case the certification shall be executed within 14 days after the request is received. The certification may be withdrawn only if the victim unreasonably refuses to provide information and assistance related to the investigation or prosecution of the associated criminal activity when reasonably requested by the Department (RCW 7.98.020).

413.6.2 U VISA AND T VISA DOCUMENTATION AND REPORTING

The Chief of Police or the designee shall keep written documentation regarding the number of certification forms that are (RCW 7.98.020):

- (a) Requested by a victim.
- (b) Signed.
- (c) Denied.
- (d) Withdrawn.

The Chief of Police or the authorized designee should ensure that the information collected regarding certification forms is reported annually to the Office of Crime Victims Advocacy (RCW 7.98.020).

413.6.3 RELEASE OF INFORMATION

Personal identifying information or information regarding the citizenship or immigration status of any victim of criminal activity or trafficking who is requesting a certification shall not be disclosed except when allowed by law (RCW 7.98.020). See also the Records Maintenance and Release Policy.

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413.7 TRAINING

The Training Sergeant should ensure that officers receive training on this policy.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.
- (c) Statutory limitations on immigration enforcement.
- (d) U visa and T visa certification training.
- (e) Appropriate information sharing pursuant to 8 USC § 1373.

413.8 WASHINGTON STATE IMMIGRATION RESTRICTIONS

Members shall not (RCW 10.93.160):

- (a) Inquire into or collect information about an individual's immigration or citizenship status, or place of birth unless there is a connection between such information and an investigation into a violation of state or local criminal law.
- (b) Provide information pursuant to notification requests from federal immigration authorities for the purposes of civil immigration enforcement, except as required by law.
- (c) Provide nonpublicly available personal information about an individual to federal immigration authorities in a noncriminal matter, except as required by state or federal law.
- (d) Give federal immigration authorities access to interview individuals about a noncriminal matter while they are in custody, except as required by state or federal law, a court order, or written consent of the individual.
- (e) Allow a federal immigration authority to conduct an interview regarding federal immigration violations with a person who is in custody if the person has not consented in writing to be interviewed. In order to obtain consent, the person shall be provided with an oral explanation and a written consent form that explains the purpose of the interview, that the interview is voluntary, and that the person may decline to be interviewed or may choose to be interviewed only with the person's attorney present.
- (f) Detain individuals solely for the purpose of determining their immigration status.
- (g) Take a person into custody or hold a person in custody:
 - 1. Solely for the purposes of determining immigration status
 - 2. Based solely on a civil immigration warrant issued by a federal immigration authority
 - 3. On an immigration hold request

413.8.1 SCHOOL RESOURCE OFFICERS

Members who are school resource officers shall not (RCW 10.93.160):

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- (a) Inquire or collect information about an individual's immigration or citizenship status, or place of birth.
- (b) Provide information pursuant to notification requests from federal immigration officials for the purposes of civil immigration enforcement, except as required by law.

Emergency Utility Service

414.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter; any break or malfunction in the water system beyond the water meter is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen should be advised, however, that we will attempt to contact a Public Works on-call employee to determine what can be done to assist them.

If it is not clear where the break is, or if it is in fact city water, Public Works personnel should be called as soon as practical.

414.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The Electric Company or Public Works should be promptly notified, as appropriate.

Public Works may be contacted to provide barricades as needed.

414.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

Public Works maintains the reservoirs and public water equipment, as well as several other street drainage pumps. In the event of flooding or equipment malfunctions, City Public Works emergency personnel should be contacted as soon as possible.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by Dispatch.

414.1.5 LIGHT POLES

Some light poles in town are City of Grandview property.

If a light pole is struck public works should be contacted to determine who it belongs to and assist in removing or securing it. Be aware of the possible danger from electrical current.

414.1 TRAFFIC SIGNAL MAINTENANCE

The Washington State Department of Transportation maintains all traffic signals within Grandview.

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Emergency Utility Service

414.1.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the Department of Transportation. The Officer may provide traffic control as needed until temporary signs can be placed or the light can be repaired.

Public Works may be contacted to provide emergency signage as necessary.

Field Training Officer Program

415.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Grandview Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, productive and professional manner.

415.2 FIELD TRAINING OFFICER SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

415.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of four years of patrol experience, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Evaluation by supervisors and current FTOs.
- (e) Holds a valid Peace Officer Certificate with CJTC.

415.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete either a CJTC Certified (40-hour) Field Training Officer's Course or a CJTC Certified (40-hour) Police Training Officer's course prior to being assigned as an FTO.

415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Patrol Assistant Chief or his/her designee and shall possess a CJTC Supervisory Certificate.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs.
- (b) Conduct FTO meetings.
- (c) Maintain and ensure FTO/Trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.

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Field Training Officer Program

- (f) Monitor overall FTO Program.
- (g) Maintain liaison with academy staff on recruit performance during the academy.
- (h) Develop ongoing training for FTOs.

415.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Grandview Police Department who has successfully completed a CJTC approved Basic Academy.

415.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of 10 weeks, before assuming law enforcement duties.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks. The lateral officer shall successfully complete the Field Training Program before assuming law enforcement duties.

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

415.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Grandview Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Grandview Police Department.

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

415.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

- (a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO program supervisor on a daily basis.
- (b) Review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.
- (d) Sign off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

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Field Training Officer Program

415.6.2 IMMEDIATE SUPERVISOR

The Training Sergeant shall review and approve the Daily Trainee Performance Evaluations and forward them to the Assistant Chief.

415.6.3 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTO's and on the Field Training Program.

415.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations.
- (b) End of phase evaluations.
- (c) A Memo certifying that the trainee has successfully completed the required number of hours of field training.

Aircraft Accidents

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

416.2 POLICY

It is the policy of the Grandview Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

416.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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Aircraft Accidents

416.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

416.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) Coroner.
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

416.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

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- (d) Evacuation chutes, ballistic parachute systems and composite materials.

416.8 DOCUMENTATION

All aircraft accidents occurring within the City of Grandview shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of GPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

416.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

416.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

416.9 MEDIA RELATIONS

The Assistant Chief or his designee should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Aircraft Accidents

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The Assistant Chief should coordinate with other involved entities before the release of information.

Obtaining Air Support

417.1 PURPOSE AND SCOPE

The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

417.2 REQUEST FOR HELICOPTER ASSISTANCE

If an officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After determining the need for a helicopter, an officer, may call the closest known agency having helicopter support available. The officer on duty will apprise that agency of the specific details of the incident prompting the request.

The Yakima Sheriff's Office may be contacted to see if they know of who has on-call resources available.

The State Patrol may be contacted to determine if they have resources available or know of an agency that does have resources.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Police helicopters may be requested under any of the following conditions:

- (a) When the helicopter is activated under pre-existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in immediate jeopardy and the presence of the helicopters may reduce such hazard.
- (c) When the use of the helicopters will aid in the capture of a suspected violent fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) Other situations with the approval of the Chief of Police or the Assistant Chief.

Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Consensual encounter - 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 - Posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - 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.

Temporary detention - When an officer intentionally, through words, actions or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

418.2 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Grandview Police Department to strengthen community involvement, community awareness, and problem identification.

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Contacts and Temporary Detentions

418.2.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggests he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

418.2.2 JUVENILE FIELD CONTACTS

An officer shall permit a juvenile 17 years of age or younger to consult with legal counsel in person, by telephone, or by video conference, before the juvenile waives any constitutional rights anytime an officer detains a juvenile based on probable cause of involvement in criminal activity or requests the juvenile provide consent to an evidentiary search of the juvenile's property, dwellings, or vehicles under their control (RCW 13.40.740). See the Temporary Custody of Juveniles Policy, Interviewing or Interrogating Juvenile Suspects section for additional guidance and exceptions.

418.2 POLICY

The Grandview Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

418.3 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to the following:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.

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- (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 weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, pat-down searches should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

418.4 FIELD PHOTOGRAPHS

Available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

418.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the consent witnessed by another officer if reasonable.

418.4.2 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. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted and retained in compliance with this policy.

418.4.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Records Section with either associated FI information or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Shift Sergeant should review and forward the photograph to one of the following locations:

- (a) If the photo and associated FI or memorandum is relevant to criminal organization/enterprise enforcement, the Shift Sergeant will forward the photo and documents to

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the Assistant Chief (acting as the designated criminal intelligence system supervisor). The Assistant Chief will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Section to be included in a related case file.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

418.4.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

418.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to their departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Criminal Organizations

419.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Grandview Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

419.2 POLICY

The Grandview Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

419.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20 and RCW 43.43.762.

The Assistant Chief will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

419.3.1 SYSTEM ENTRIES

It is the Assistant Chief's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance with the

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established records retention schedule and for at least as long as the entry is maintained in the system.

The Assistant Chief or his designee should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Public Information Spokesperson may not purge such documents without the approval of the designated supervisor.

419.3.2 SYSTEM ENTRIES

It is the Assistant Chief's responsibility to approve the entry of any information into a criminal intelligence system operated by the state patrol and authorized by RCW 43.43.762. Entries into such a database shall be based upon reasonable suspicion of criminal activity or actual criminal activity, and must be supported by documentation, where documentation is available (RCW 43.43.762(2)).

419.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

419.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Section or Evidence Room, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Dispatch records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

419.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged in compliance with the department records retention schedule or entered in an authorized criminal intelligence system, as applicable.

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The Assistant Chief or his designee shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

419.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

419.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, an affirmation or denial may be provided, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation. Any further information release will be handled according to the Release Policy.

419.7 CRIMINAL STREET GANGS

The Training Sergeant should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity.
- (b) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

419.8 TRAINING

The Training Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

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- (a) The protection of civil liberties
- (b) Participation in a multi-agency criminal intelligence system.
- (c) Submission of information into a multi-agency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.
- (f) All users of the Washington criminal street gang database shall receive training on its use prior to accessing the database (RCW 43.43.762).

Shift Sergeants

420.1 PURPOSE AND SCOPE

Each patrol shift should be directed by supervisors who are capable of making decisions and communicating in a manner consistent with department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant or Officer In Charge (OIC) heads each watch. There may be periods of time due to scheduling when no on-scene supervisor is available.

420.2 DESIGNATION AS OFFICER-IN-CHARGE

When a Sergeant is unavailable for duty as Shift Sergeant, in most instances the senior qualified Officer In Charge shall be designated as acting Shift Sergeant. If no Sergeant or Officer In Charge is on duty then the most senior officer will take lead.

This policy does not preclude designating a less senior officer as an acting Shift Sergeant when operational needs require or training permits.

See attachment: [Police Collective Bargaining Agreement.pdf](#) for Officer In Charge information.

Mobile Data Terminal Use

421.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use, and application of the Mobile Data Terminal (MDT) system in order to ensure proper access to confidential records from local, state, and national law enforcement databases, and to ensure effective electronic communications between department members and Dispatch. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

421.2 POLICY

Grandview Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

421.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

421.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use, Protected Information, and CJIS Access, Maintenance, and Security policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Sergeants.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks, or communications that are directly related to the business, administration, or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from their supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the MDT 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 MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

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Mobile Data Terminal Use

421.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

421.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Sergeant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity.

421.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service, out for fuel) will be transmitted over the police radio or through the MDT 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 MDT when the vehicle is not in motion.

421.6 EQUIPMENT CONSIDERATIONS

421.6.1 MALFUNCTIONING MDT

Whenever members must drive a vehicle in which the MDT is not working, they shall notify Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

421.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

Portable Audio/Video Recorders

422.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand-held or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Grandview Police Department facility, authorized undercover operations, wiretaps, or eavesdropping (concealed listening devices).

422.2 POLICY

The Grandview Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

422.3 COORDINATOR

The Assistant Chief will be the coordinator and responsible for (RCW 10.109.010):

- (a) Establishing procedures for the security, storage and maintenance of data and recordings.
- (b) Establishing procedures for transferring, downloading, tagging or marking events.
- (c) Establishing procedures for members communicating to non-English speakers, those with limited English proficiency or those who are deaf or hard of hearing, that a portable recorder is being used.
- (d) Establishing procedures for accessing data and recordings.
- (e) Establishing procedures for logging or auditing access.

422.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of the department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

422.5 MEMBER RESPONSIBILITIES

If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording

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Portable Audio/Video Recorders

in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation (RCW 10.109.010).

422.6 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

- (a) All enforcement and investigative contacts including stops and field interview (FI) situations
- (b) Traffic stops, including but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops
- (c) Self-initiated activity in which a member would normally notify Dispatch
- (d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

As soon as practicable, officers shall verbally notify individuals that they are being recorded using a portable recorder in the following circumstances (RCW 9.73.090):

- During an arrest, including the reading of *Miranda* rights
- During a traffic stop or other encounter simultaneously recorded by a portable recorder and an in-car camera system

At no time is a member expected to jeopardize their safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

422.6.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits

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the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

422.6.2 SURREPTITIOUS USE OF THE AUDIO/VIDEO RECORDER

Washington law prohibits any individual from surreptitiously recording any conversation, except as provided in RCW 9.73.040, RCW 9.73.090 and RCW 9.73.210.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

422.6.3 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

422.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with a department-issued or personally owned recorder. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

422.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

- (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

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Portable Audio/Video Recorders

- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

422.9 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's and Washington State's records retention schedule.

422.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

422.10 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors may request authorization to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by the Assistant Chief, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Assistant Chief prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

422.11 TRAINING

The Training Sergeant should ensure that those members issued a portable recorder receive initial training upon issue and periodic training thereafter.

Public Recording of Law Enforcement Activity

423.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

423.2 POLICY

The Grandview Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

423.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

423.4 OFFICER/DEPUTY RESPONSE

Officers should promptly request that any on-duty supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media. Officers may contact an off-duty supervisor or administrator if they have any specific questions about what actions to take.

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Public Recording of Law Enforcement Activity

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

423.5 SUPERVISOR RESPONSIBILITIES

An on-duty supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The on-duty supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

423.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - (a) To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - (b) If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to

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be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Medical Cannabis

424.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for handling and distinguishing between claims of medical cannabis use under Washington's Medical Use of Cannabis Act and criminal controlled substance violations (RCW 69.51A.005 et seq.).

424.1.1 DEFINITIONS

Definitions related to this policy include (RCW 69.51A.010):

Authorization - Documentation that is signed and dated by a qualifying patient's health care professional, authorizing use of medical cannabis.

Designated provider - A person who:

- Is 21 years of age or older and is the parent or guardian of a qualifying patient who is 17 years of age or younger and holds a recognition card.
- Has been designated in writing by a qualifying patient to serve as the designated provider for that patient.
- Has an authorization from the qualifying patient's health care professional.
- Has been entered into the medical cannabis authorization database as being the designated provider to a qualifying patient and has been provided a recognition card.

An individual may act as a designated provider to no more than one patient at a time, is prohibited from consuming cannabis obtained for the use of the qualifying patient, and may only provide cannabis to the patient designated to the provider.

Medical use of cannabis - The manufacture, production, possession, transportation, delivery, ingestion, application, or administration of cannabis for the exclusive benefit of a qualifying patient in the treatment of the patient's terminal or debilitating medical condition.

Qualifying patient - Any person who meets all of the following criteria:

- Has been diagnosed by the person's health care professional as having a terminal or a debilitating medical condition
- Is a resident of the state of Washington at the time of such diagnosis
- Has been advised by the person's health care professional about the risks and benefits of the medical use of cannabis
- Has been advised by the health care professional that the person may benefit from the medical use of cannabis
- Has an authorization from the person's health care professional or has been entered into the medical cannabis authorization database and has been provided a recognition card
- Is not under supervision for a crime that does not allow for the use of medical cannabis

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Recognition card - A card issued to qualifying patients and designated providers by a cannabis retailer with a medical cannabis endorsement that has entered them into the medical cannabis authorization database.

424.2 POLICY

It is the policy of the Grandview Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Washington medical cannabis laws are intended to provide protection from prosecution for those who use, possess, deliver or produce cannabis to mitigate the symptoms of certain debilitating or terminal medical conditions. However, Washington medical cannabis laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of cannabis.

Officers should exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both the individuals protected under Washington law and the resources of the Department.

Officers should attempt to consult with the LEAD Taskforce, for their experience and expertise in marijuana enforcement, before making any non time sensitive decisions. After consulting with LEAD it is preferable to allow them to adopt or assist with any investigation.

424.3 INVESTIGATION

Investigations involving the possession, delivery, or production of cannabis generally fall into one of several categories:

- (a) No medicinal claim is made.
- (b) A medicinal claim is made by a qualifying patient or designated provider who is in possession of amounts within the limits designated by RCW 69.51A.040.
- (c) A medicinal claim is made by a qualifying patient or designated provider who is in possession of amounts exceeding the limits designated by RCW 69.51A.040 or who presented no authorization when initially contacted.

424.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, or production of cannabis where there is no claim that the cannabis is for medicinal purposes, the officer should proceed with reasonable enforcement action. A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the cannabis is possessed or produced for medicinal purposes.

424.3.2 MEDICAL CLAIMS BY QUALIFYING PATIENTS OR DESIGNATED PROVIDERS

A qualifying patient or designated provider who was entered into the medical cannabis authorization database and who possesses a valid recognition card or who holds a valid authorization but has not been entered into the authorization database nor issued a recognition card should not be arrested or cited if the patient or provider possesses no more than six plants

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in the patient's or provider's residence with up to 8 ounces of useable cannabis from these plants and any of the following (RCW 69.51A.040):

- (a) 48 ounces of cannabis-infused product in solid form
- (b) 3 ounces of useable cannabis
- (c) 216 ounces of cannabis-infused product in liquid form
- (d) 21 grams of cannabis concentrates

A qualifying patient may be allowed to possess up to 15 plants with up to 16 ounces of useable cannabis in the patient's residence for the personal medical use of the patient with appropriate health care professional authorization (RCW 69.51A.210).

Qualifying patients and designated providers who have not been entered into the authorization database may purchase cannabis only at a retail outlet at the same quantities as non-patients (RCW 69.50.360; RCW 69.51A.210). Qualifying patients and designated providers may purchase immature plants or clones and cannabis seeds from a licensed cannabis producer (RCW 69.51A.310).

If a person is both a qualifying patient and a designated provider for another, the person may possess no more than double the amounts described above (RCW 69.51A.040(1)).

Officers may take enforcement action against a designated provider even when the above thresholds are not exceeded if there is evidence that the provider has converted the patient's cannabis for the provider's personal use or benefit or has provided for more than one patient within a 15-day period (RCW 69.51A.040).

Officers may take enforcement action against a qualifying patient even when the above thresholds are not exceeded if there is evidence that the patient sold, donated, or supplied the cannabis to another person (RCW 69.51A.040).

424.3.3 EXCESS AMOUNTS OR NO AUTHORIZATION

A qualifying patient or designated provider may raise an affirmative defense to charges that the amount of cannabis in the patient's or provider's possession exceeds the amount legally allowed by RCW 69.51A.040 based upon medical need (RCW 69.51A.045).

Officers should conduct a thorough investigation in such cases, but in general, should not arrest a subject for possession, delivery, or production of cannabis if an excess amount appears reasonable based upon the above policy consideration. Similarly, if an officer can verify that authorization exists, even though a recognition card was not presented or obtained by a qualified patient or designated provider, an arrest generally should not be made (RCW 69.51A.040).

All facts should be thoroughly documented and if evidence is not seized, it shall be photographed and detailed in the report.

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424.3.4 ADDITIONAL CONSIDERATIONS

Prior to making a physical arrest or confiscating cannabis plants, usable cannabis, or product, officers should consider the following:

- (a) Whenever the initial investigation reveals an amount greater than specified by law, officers should, in anticipation of an affirmative defense, consider and document:
 - 1. The medical condition itself.
 - 2. The quality of the cannabis (chemical content).
 - 3. The method of ingestion (e.g., smoking, eating, nebulizer).
 - 4. The timing of the possession in relation to a harvest (patient may be storing cannabis).
 - 5. Whether the cannabis is being cultivated indoors or outdoors, and the climate.
- (b) Before proceeding with enforcement related to collective gardens, cooperatives, or commercial producers, officers should consider conferring with appropriate legal counsel and the Washington State Liquor and Cannabis Board for license-related issues (WAC 314-55-410).
- (c) Medical use and possession of cannabis authorized under the Washington medical cannabis statute does not support the forfeiture of property as set forth in the Asset Forfeiture Policy (RCW 69.51A.050).
- (d) Laws and regulations do provide for the cultivation of industrial hemp. The Washington State Department of Agriculture should be contacted should questions arise regarding possible industrial hemp activity (RCW 15.140.030).
- (e) A medical endorsement can be added to a cannabis retail license to allow a retailer to sell cannabis for medical use to qualifying patients and designated providers. Transaction limits apply (WAC 314-55-080; WAC 314-55-095).
- (f) The Washington State Department of Health maintains a Medical Cannabis Authorization Database and regulates cannabis retail outlets with medical cannabis endorsements. This database may be accessed by authorized law enforcement officials for specific criminal investigations (WAC 246-71-080).

424.4 EXCEPTIONS

This policy does not apply to the following offenses; officers may take enforcement action if the person (RCW 69.51A.060):

- (a) Engages in the medical use of cannabis in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway, including violations of RCW 46.61.502 or RCW 46.61.504, or equivalent local ordinances.
- (b) Uses or displays medical cannabis in a manner or place open to the view of the public.

424.5 FEDERAL LAW ENFORCEMENT

Officers may exchange information regarding a cannabis investigation with federal law enforcement authorities when information is requested by federal law enforcement authorities or

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whenever the officer reasonably believes federal law enforcement authorities would request the information if the authorities were aware of the information.

424.6 EVIDENCE ROOM SUPERVISOR RESPONSIBILITIES

The Evidence Room Supervisor shall ensure that cannabis, drug paraphernalia, or other related property seized from a person engaged or assisting in the use of medical cannabis is not destroyed.

Upon a determination by the prosecuting attorney that the person from whom cannabis, drug paraphernalia, or related property was seized is entitled to possession under the law, the Evidence Room Supervisor should return to that person any usable cannabis, plants, drug paraphernalia, or other seized property. That determination is the result of a decision not to prosecute, by the dismissal of charges or an acquittal.

The Evidence Room Supervisor may destroy cannabis that was alleged to be for medical purposes upon receipt of a court order.

The Evidence Room Supervisor may release cannabis to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Unit Supervisor.

Bicycle Patrol Unit

425.1 PURPOSE AND SCOPE

The Grandview Police Department has bicycles available for officer use 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. Bicycle patrol can also provide better opportunity for police and citizen interaction. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

425.2 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.

A Sergeant can approve or deny the use of a patrol bicycle on any particular shift as circumstances warrant. If no Sergeant is on shift, officers can choose to self deploy on a bicycle as conditions allow. In general, bicycles should only be deployed if there is an additional officer working in a marked units in addition to any bicycle. All officers may be deployed on bicycle patrol with approval of an on duty Sergeant.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Assistant Chief.

425.3 TRAINING

Bicycle patrol officers should receive initial and yearly in-service refresher training in safety or changes to bicycle traffic laws. The initial training shall minimally include the following:

- Bicycle safety and accident prevention.
- Bicycle related traffic laws.

Bicycle patrol officers that choose to wear specialized bicycle gloves will be required to qualify with their duty firearm while wearing specialized riding gloves. Officers shall notify the Rangemaster if they choose to utilize specialized gloves.

425.4 UNIFORMS AND EQUIPMENT

Officers shall wear a department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes a department-approved helmet.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment unless exempted by a supervisor or the Assistant Chief.

An officer may operate a bicycle without police uniform with a sergeants approval if necessary for covert operations.

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425.5 CARE AND USE OF PATROL BICYCLES

Officers will be provided department issued bicycles.

Bicycles are considered vehicles and are subject to laws, regulations, and privileges applicable to the operation of vehicles upon the highway (RCW 46.04.670).

Every such bicycle shall be equipped with front lights and rear reflectors or lights, and brakes satisfying the requirements of RCW 46.61.780.

Each bicycle shall be equipped with at least one blue lamp and a siren capable of giving an audible signal (RCW 46.37.190; WAC 204-21-130).

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to insure proper working order of the equipment. At minimum the following will be inspected prior to use:

- (a) Tire Pressure
- (b) Brakes functioning properly
- (c) All body parts securely attached
- (d) General road readiness of the bike

Minor repairs (i.e., tire pressure, flat repairs, tightening body parts) may be made by the officer. If a needed repair is beyond the ability of the bicycle officer, or requires specialized tools, a repair work order will be completed and forwarded to the Assistant Chief.

Necessary repairs or maintenance to bicycles will be performed by a department-approved repair shop or technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each electric bicycle should have batteries rotated on the respective chargers to increase battery life.

Officers shall not modify the patrol bicycle, remove, modify, or add components except with the expressed approval of the Assistant Chief or his designee, or in the event of an emergency.

A pickup is available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk is discouraged. If a vehicle push bumper is utilized it must be done with care not to damage the bicycle or the vehicle and only if it can be done safely.

Bicycles should be properly secured when not in the officer's immediate presence.

425.6 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

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operation reasonably appears necessary for officer safety and/or tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

It shall be the policy of this department that all other bicycle operation shall be in compliance with the rules of the road except when responding to an emergency call or when in the pursuit of an actual or suspected violator. An emergency response or pursuit shall be conducted only with emergency lights and siren and under the conditions required by RCW 46.61.035 and with due regard and caution for the safety of all persons using the highway as required by RCW 46.61.035(4).

Foot Pursuits

426.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

426.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

426.3 DECISION TO PURSUE

The safety of department members 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 members.

Officers may be justified in initiating a foot pursuit of any individual that 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 alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

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 a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.
- (d) Thermal imaging or other sensing technology.
- (e) Air support.

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- (f) 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 foot pursuit.

426.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) 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/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (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 that 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 foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer 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 that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

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- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

426.5 RESPONSIBILITIES IN FOOT PURSUITS

426.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. 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, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

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 foot 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 the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

426.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that 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.

426.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible;

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the supervisor does not, however, need to be physically present to exercise control over the foot 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 appears to unreasonably 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-foot pursuit activity.

The supervisor will make an initial determination of whether the foot pursuit appeared to be in compliance with this policy or that additional review and/or follow-up is warranted.

426.5.4 DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that any on-duty field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Shift Sergeant as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

426.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved officers.
- (f) 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 Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of any supervisor at the scene or who handled the incident.

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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 support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Automated License Plate Readers

427.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPR is used by the Grandview Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

427.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Assistant Chief. The Assistant Chief will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

427.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official and legitimate law enforcement business.
- (b) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not required before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment, or access ALPR data, without first completing department-approved training.
- (e) If practicable, the officer should verify an ALPR response through the Central Computerized Enforcement Service System (ACCESS) before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may retrieve ACCESS data unless otherwise authorized to do so.

427.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Grandview Police Department, and because such data may contain confidential ACCESS information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

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The Administration Assistant Chief is responsible to ensure proper collection and retention of ALPR data and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server shall be stored according to the [Washington State Law Enforcement Records Retention Schedule](#) and thereafter may be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action, or is subject to a lawful action to produce records. In such circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

See: [Washington State Law Enforcement Records Retention Schedule](#)

427.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Grandview Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Public Information Spokesperson and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted on a regular basis.

Homeless Persons

428.1 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 Grandview Police Department recognizes that members of the homeless community are often in need of special protection and services. The Grandview Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following policy sections when serving the homeless community (see the Emergency Detentions Policy).

428.1.1 POLICY

It is the policy of the Grandview 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.

428.2 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate the Assistant Chief to act as the Homeless Liaison. The responsibilities of the Homeless Liaison 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) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:
 - 1. Proper posting of notices of trespass and clean-up operations.
 - 2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.
- (d) Be present if possible, 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.
- (e) Implement training to assist officers in understanding current legal and social issues relating to the homeless.

428.3 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

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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.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

428.3.1 OTHER 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 and if so, proceed in accordance with the Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (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 (RCW 9.94A.535).

428.4 PERSONAL PROPERTY

The reasonably identifiable 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 known personal property of a homeless person.

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. Otherwise, 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. The property should be photographed and measures should be

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taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department Homeless Liaison Officer. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer.

Officers who encounter recent but unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter.

428.5 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 transportation to a mental health specialist if requested by the person and approved by a supervisor.

428.6 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 has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

First Amendment Assemblies

429.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

429.2 POLICY

The Grandview 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.

429.3 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.

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429.3.1 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.

429.4 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.

429.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

429.5.1 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.

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- 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 solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

429.5.2 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:

- (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.

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- (t) Parameters for the use of body-worn cameras and other portable recording devices.

429.5.3 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 (see the Outside Agency Assistance Policy).

429.6 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.

429.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

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 conducted energy devices 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 (see the Control Devices and Techniques and the Conducted Energy Device policies).

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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.

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

429.8 ARRESTS

The Grandview 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 (see the Citation Releases Policy).

429.9 MEDIA RELATIONS

The Public Information Spokesperson 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 (see the Media Relations Policy).

429.10 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.

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429.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (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)

429.11.1 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.

429.12 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.

Civil Disputes

430.1 PURPOSE AND SCOPE

This policy provides members of the Grandview Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Washington law.

430.2 POLICY

The Grandview Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

430.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should consult any on-duty supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

430.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent

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court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

430.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location (e.g., the police department) to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members may accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items (RCW 7.105.320). Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or the person may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

430.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

430.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

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430.6.1 REQUEST TO REMOVE TRESPASSER DECLARATION

Officers possessing a lawful declaration signed under penalty of perjury and in the form required by law, may take enforcement action to remove a person from a residence when (RCW 9A.52.105):

- The person has been allowed a reasonable opportunity to secure and present evidence that the person is lawfully on the premises
- The officer reasonably believe he/she has probable cause to believe the person is committing criminal trespass under RCW 9A.52.070

An officer should give the trespasser a reasonable opportunity to vacate the premises before taking enforcement action.

Crisis Intervention Incidents

431.1 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.

431.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

431.2 POLICY

The Grandview 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.

431.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

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Crisis Intervention Incidents

431.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Assistant Chief should 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.

431.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to 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.

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 independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary 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) 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.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.
- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

431.6 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.

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Crisis Intervention Incidents

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.
- 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 retreat 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.

431.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher 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.

431.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

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- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Assistant Chief.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

431.9 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.

431.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Emergency Detentions Policy.

See: 409 Emergency Detentions

431.9.2 SUICIDE THREATS OR ATTEMPTS

Officers should consider a referral to mental health services when a person has threatened or attempted suicide and the person does not qualify for emergency detention or voluntarily consent to immediate evaluation at a behavioral health facility (RCW 71.05.457).

- (a) Referrals should be made to the person by providing the name and phone number of the behavioral health agency and any available handouts.
- (b) The officer may notify the behavioral health agency of the referral by phone or other method, in addition to preparing a written incident report.

Incident reports documenting a referral to a behavioral health agency should be sufficiently detailed regarding the nature of the incident and the person's behavior, to facilitate the behavioral health agency's prioritization and nature of their response. The officer should promptly provide a copy of the report to the referred behavioral health agency (RCW 71.05.457).

431.10 NON-SWORN INTERACTION WITH PEOPLE IN CRISIS

Non-sworn members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.

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- (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.

431.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

Training shall include mandated training in crisis intervention, certified by the Criminal Justice Training Commission, as required by Washington law (RCW 43.101.427; WAC 139-09-020 et seq.).

Medical Aid and Response

432.1 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.

432.2 POLICY

It is the policy of the Grandview Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

432.3 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 automated external defibrillator (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.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs of extreme agitation or is engaging in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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Injured persons shall be monitored while in law enforcement custody (Washington State Office of the Attorney General Model Use of Force Policy).

432.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are not in custody and who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

For guidelines regarding transporting ill or injured persons who are in custody, see the Transporting Persons in Custody Policy.

Members should not provide emergency escort for medical transport or civilian vehicles.

432.5 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 emergency detention in accordance with the Emergency Detentions Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, the officer should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

432.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

432.7 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from any landing zone.

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Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

432.8 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 (DOH) that includes instruction in CPR and the use of an AED (RCW 70.54.310).

432.8.1 AED USER RESPONSIBILITY

Members who are issued AEDs should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly shall be taken out of service and given to the Training Sergeant who is responsible for ensuring appropriate maintenance.

Following 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.

Any member who uses an AED shall contact Dispatch as soon as possible and request response by EMS (RCW 70.54.310).

432.8.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use. Any data from usage shall be made available, upon request, to EMS or other health care providers (RCW 70.54.310).

432.8.3 AED TRAINING AND MAINTENANCE

The Training Sergeant should ensure appropriate training is provided to members authorized to use an AED.

The Training Sergeant is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines, and will retain records of all maintenance in accordance with the established records retention schedule (RCW 70.54.310).

432.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the health care practitioner who prescribed the overdose medication for use by the member (RCW 69.41.095).

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432.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Sergeant.

Any member who administers an opioid overdose medication should contact Dispatch as soon as possible and request response by EMS.

432.9.2 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication should detail its use in an appropriate report.

The Training Sergeant will ensure that the Public Information Spokesperson is provided enough information to meet applicable state reporting requirements.

432.9.3 OPIOID OVERDOSE MEDICATION TRAINING

The Training Sergeant should ensure training is provided to members authorized to administer opioid overdose medication.

432.10 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, the arrestee should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance to an appropriate medical facility.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

432.10.1 STATE REQUIREMENTS

When an individual in custody for a violent or sex offense is taken to a hospital, the transporting officer shall remain with or secure the individual while the individual is receiving care, unless (RCW 10.110.020; RCW 10.110.030):

- (a) The medical care provider determines the individual does not need to be accompanied or secured.

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- (b) The officer notifies the medical care provider that the officer is leaving after reasonably determining:
 - 1. The individual does not present an imminent and significant risk of causing physical harm to themselves or another person.
 - 2. There is no longer sufficient evidentiary basis to maintain the individual in custody.
 - 3. In the interest of public safety, the officer's presence is urgently required at another location and supervisor approval is obtained.
- (a) The officer shall make a reasonable effort to ensure a replacement officer is provided or other means of securing the individual is provided as soon as possible.

432.10.2 HOSPITAL SECURITY AND CONTROL

Officers who transport persons in custody to medical facilities for treatment should provide security and control during examination and treatment consistent with department protocols. Any such transport should be conducted in accordance with the Transporting Persons in Custody Policy.

The Assistant Chief should develop protocols related to the following:

- (a) Providing security and control during an examination or treatment, including:
 - 1. Monitoring the person in custody (e.g., guarding against escape, suicide, and assault of others)
 - 2. Removal of restraints, if necessary and appropriate (see the Handcuffing and Restraints Policy)
- (b) Responsibility for continuing security and control if the person in custody is admitted to the hospital
 - 1. This should include transferring custody of the person to an appropriate agency.

432.11 FIRST-AID TRAINING

The Training Sergeant should ensure officers receive periodic first-aid training appropriate for their position.

Suspicious Activity Reporting

433.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

433.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

433.2 POLICY

The Grandview Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

433.3 RESPONSIBILITIES

The Assistant Chief and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Assistant Chief include, but are not limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

433.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any non-sworn member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

433.5 HANDLING INFORMATION

The Records Section will forward copies of SARs, in a timely manner in printed form or through workflow to the following, as appropriate:

- Detective Unit
- Assistant Chief
- LEAD Taskforce Detective
- Other authorized designees

Body-Worn Cameras

434.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of a body-worn camera (BWC) by officers of this department and for the access, use, and retention of department BWC media (RCW 10.109.010).

The provisions of this policy, including notice, documentation, access, and retention, also apply to other portable audio/video recording devices used by members, where applicable.

This policy does not apply to undercover operations, wiretaps, or eavesdropping (concealed listening devices).

434.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - To place a BWC in active mode (also called event mode). In active mode, the BWC records both video and audio.

BWC media - The video, audio, and images captured by department BWCs and the associated metadata.

BWC media systems - Any software, including web-based programs and mobile applications, used by the Department to upload/download, store, view, transfer, and otherwise maintain BWC media.

Deactivate - To place a BWC in buffering mode (also called ready or pre-event mode). In buffering mode, the BWC records video (without audio) in short, predetermined intervals that are retained only temporarily. However, when a BWC is activated, the interval recorded immediately prior to activation is then stored as part of the BWC media. Deactivate does not mean powering off the BWC.

Event - A general term referring to a set of circumstances that may, but does not necessarily, correlate directly to a single public safety incident.

434.2 POLICY

It is the policy of the Department to use BWCs and BWC media for evidence collection and to accurately document events in a way that promotes officer safety and department accountability and transparency while also protecting the privacy of members of the public.

434.3 RESPONSIBILITIES

434.3.1 BWC COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee should delegate certain responsibilities to a BWC coordinator.

The responsibilities of the coordinator include:

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- (a) Serving as a liaison between the Department and the BWC manufacturer/distributor and any third-party media storage vendor.
- (b) Developing inventory procedures for issuing and tracking BWC equipment, including properly marking BWCs as property of the Department and recording the date each BWC is placed into or taken out of service.
- (c) Assisting with troubleshooting and maintenance of BWC equipment and media systems and, when necessary, coordinating the repair or replacement of BWCs.
 - 1. All equipment and system malfunctions and their resolutions should be documented, and maintenance and repair records should be maintained for all BWCs.
- (d) Managing BWC media systems so that:
 - 1. Access is limited to the minimum necessary authorized users and user privileges are restricted to those necessary for the member to conduct assigned department duties.
 - 2. Security requirements, such as two-factor authentication and appropriate password parameters, are in place for user credentials.
- (e) Configuring BWC media systems, or developing manual procedures, so that media is appropriately categorized and retained according to the event type tagged by officers.
- (f) Retaining audit logs or records of all access, alteration, and deletion of BWC media and media systems, and conducting periodic audits to ensure compliance with applicable laws, regulations, and department policy.
- (g) Developing and updating BWC training for officers who are assigned a BWC or for members given access to BWC media systems.
- (h) Coordinating with the community relations coordinator to (see the Community Relations Policy):
 - 1. Provide the public with notice of the department's use of BWCs (e.g., posting on the department website or social media pages).
 - 2. Gain insight into community expectations regarding BWC use.
- (i) Coordinating with the Public Information Spokesperson to (see the Records Section and Records Maintenance and Release policies):
 - 1. Determine and apply proper retention periods to BWC media.
 - 2. Develop procedures for the appropriate release of BWC media.
- (j) Coordinating with the Evidence Room to develop procedures for the transfer, storage, and backup of evidentiary BWC media (see the Property and Evidence Policy).
- (k) Completing an annual administrative review of the BWC program and providing it to the Chief of Police for review.

434.3.2 OFFICER RESPONSIBILITIES

Every officer issued a BWC is responsible for its proper use, safekeeping, and maintenance.

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At the beginning of each shift or period of BWC use, the officer should inspect their assigned BWC to confirm it is charged and in good working order. As part of the inspection, the officer should perform a function test by activating the BWC and recording a brief video stating their name, identification number, assignment, and the date and time.

Officers should wear their assigned BWC on their outermost garment positioned at or near chest level and as close to the center of their body as practicable. Officers are responsible for ensuring there are no obstructions and that the BWC remains in a position suitable for recording.

When a BWC is not in the physical possession of the officer to which it is assigned, it should be placed on the charging dock and stored in a secure location.

Officers shall report any malfunction or damage to the BWC coordinator or on-duty supervisor as soon as practicable and, if possible, obtain a functioning BWC to use either temporarily while repairs are being made to the officer's BWC or as a permanent replacement.

434.4 BWC USE

The following guidelines apply to the use of BWCs:

- (a) Only department-issued BWCs should be used. Members are prohibited from using any other BWC without the express consent of the Chief of Police or the authorized designee.
- (b) BWCs should only be used by the officer or officers to whom it was issued unless otherwise authorized by a supervisor.
- (c) The use of department-issued BWCs shall be strictly limited to officers for department-related activities (RCW 10.109.030).
- (d) Members shall not use BWCs or BWC media systems for which they have not received prior authorization and appropriate training.
- (e) Members shall immediately report unauthorized access or use of BWCs or BWC media systems by another member to their supervisor or the Chief of Police.

434.4.1 PROHIBITIONS

BWCs should not be used to record:

- (a) Routine administrative activities of the Department that do not involve interactions with the public. Care should be taken to avoid incidentally recording confidential documents that the Department has a duty to keep secure (i.e., criminal justice information).
- (b) Areas within the department facilities where members have a reasonable expectation of privacy (e.g., locker rooms or dressing areas, breakrooms) unless responding to a call for service or conducting an investigation.
- (c) Conversations of other members without their knowledge.
- (d) When a member is taking an authorized break or otherwise engaged in personal activities.
- (e) In a courtroom unless responding to a call for service or emergency situation.

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- (f) Interactions with undercover officers or confidential informants.
- (g) Strip searches.

BWCs shall not be used for the purpose of embarrassment, harassment, or ridicule of any individual or group.

434.5 ACTIVATION OF BWC

Officers should activate their BWC during all calls for service and the performance of law enforcement-related functions. Officers are not required to activate their BWC during casual or informal contacts with members of the public that are not part of or related to law enforcement functions. However, officers should activate their BWC any time a contact with an individual becomes hostile or adversarial.

Unless otherwise authorized by this policy or approved by a supervisor, BWCs should remain activated until the call for service or law enforcement-related function has concluded. An officer may cease recording if they are simply waiting for a tow truck or a family member to arrive, or in other similar situations.

At no time is an officer expected to jeopardize their safety to activate their BWC. However, the BWC should be activated as soon as reasonably practicable in required situations.

If an officer attempts to activate their BWC but the BWC fails to record an event, the officer should notify their supervisor as soon as practicable.

434.5.1 NOTICE OF RECORDING

Unless otherwise approved based on unique circumstances, an officer should wear the BWC in a manner that is conspicuous and shall answer truthfully if asked whether they are equipped with a BWC or if their BWC is activated.

As soon as practicable, officers shall verbally notify individuals that they are being recorded using a BWC in the following circumstances (RCW 9.73.090):

- (a) During an arrest, including the reading of *Miranda* rights.
- (b) During a traffic stop or other encounter simultaneously recorded by BWC and an in-car camera system.

The notice should be captured on the recording or narrated by the officer.

434.5.2 PRIVACY CONSIDERATIONS

Officers should remain sensitive to the dignity of individuals being recorded and should exercise sound discretion with respect to privacy concerns.

When responding to a place where individuals have an expectation of privacy (e.g., private residences, medical or mental health facilities, restrooms) or to a sensitive situation (e.g., individuals partially or fully unclothed), officers are permitted to mute or deactivate their BWC if it reasonably appears that the privacy concern outweighs any legitimate department interest in recording the event. Officers may also mute or deactivate their BWC:

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- (a) To protect the privacy of a victim or witness.
- (b) When an individual wishes to provide information anonymously.
- (c) To avoid recording a confidential informant or undercover officer.
- (d) When discussing case tactics or strategy.
- (e) During private conversations with other members or emergency responders.

Officers should choose to mute rather than deactivate BWCs when practicable. Deactivation should only be used when muting the BWC will not accomplish the level of privacy necessary for the situation.

Before muting or deactivating their BWC, the officer should verbally narrate the reason on the recording. As soon as possible once the privacy concern is no longer an issue, or when circumstances change so that the privacy concern no longer outweighs the department's interest in recording the event (e.g., the individual becomes combative, the conversation ends), the officer should unmute or reactivate their BWC and verbally note that recording has resumed.

434.5.3 LIVESTREAMING

Livestreaming enables authorized individuals to remotely view the audio and video captured by an officer's BWC in real time. Only supervisors and dispatchers approved by the Chief of Police or the authorized designee shall have access to livestreaming capabilities.

Livestreaming should only be activated:

- (a) For purposes of officer safety when the officer is not responding to their radio or there is some other indication of distress.
- (b) To assist with situational awareness or tactical decisions during a significant incident.
- (c) When requested by the officer.

434.5.4 DOCUMENTATION

Officers are encouraged to provide narration while using a BWC when it would be useful to provide context or clarification of the events being recorded. However, the use of a BWC is not a replacement for written reports and should not be referred to in a written report in place of detailing the event.

Every report prepared by an officer who is issued a BWC should state "BWC available" or "BWC unavailable," as applicable, and should document:

- (a) To the extent practicable and relevant, the identity of individuals appearing in the BWC media.
- (b) An explanation of why BWC media is unavailable including any malfunction, damage, or battery issue that resulted in the failure of the BWC to capture all or part of the event.
- (c) Any exigency or other circumstances that prevented the officer from immediately activating the recording at the beginning of the event.

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- (d) Any period of the event in which the officer deactivated or muted their BWC and the reason for such action.
- (e) If livestreaming was activated during the event, the reason for livestreaming and the members who communicated or participated in the event through BWC livestreaming.

434.6 UPLOADING BWC MEDIA

Unless otherwise authorized by a supervisor, all media from an officer's BWC should be properly uploaded and tagged before the end of their shift. BWC media related to a serious or high-profile event (e.g., search for a missing child, active shooter situation) should be uploaded and tagged as soon as practicable upon returning to the Department.

Following an officer involved shooting or death or other event deemed necessary, a supervisor should take possession of the BWC for each officer present and upload and tag the BWC media.

434.6.1 TAGGING BWC MEDIA

Officers should tag all media captured by their BWC with their name and/or identification number, the case or incident number, and the event type. BWC media should be tagged upon uploading or, if capabilities permit tagging in the field, as close to the time of the event as possible. If more than one event type applies to BWC media, it should be tagged with each event type. If BWC media can only be tagged with a single event type, the media should be tagged using the event type with the longest retention period.

BWC media depicting sensitive circumstances or events should be tagged as restricted. BWC media should be flagged for supervisor review when it pertains to a significant event such as:

- (a) An incident that is the basis of a formal or informal complaint or is likely to result in a complaint.
- (b) When a member has sustained a serious injury or a line-of-duty death has occurred.
- (c) When a firearm discharge or use of force incident has occurred.
- (d) An event that has attracted or is likely to attract significant media attention.

Supervisors should conduct audits at regular intervals to confirm BWC media is being properly uploaded and tagged by their subordinates.

434.7 BWC MEDIA

All BWC media is the sole property of the Department. Members shall have no expectation of privacy or ownership interest in the content of BWC media.

All BWC media shall be stored and transferred in a manner that is physically and digitally secure with appropriate safeguards to prevent unauthorized modification, use, release, or transfer. Contracts with any third-party vendors for the storage of BWC media should include provisions specifying that all BWC media remains the property of the Department and shall not be used by the vendor for any purpose without explicit approval of the Chief of Police or the authorized designee.

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Members shall not alter, copy, delete, release, or permit access to BWC media other than as permitted in this policy without the express consent of the Chief of Police or the authorized designee.

BWC media systems should not be accessed using personal devices unless authorized by the Chief of Police or the authorized designee.

434.7.1 ACCESS AND USE OF BWC MEDIA

BWC media systems shall only be accessed by authorized members using the member's own login credentials and in accordance with the Information Technology Use Policy.

BWC media shall only be accessed and viewed for legitimate department-related purposes in accordance with the following guidelines:

- (a) BWC media tagged as restricted should only be accessible by those designated by the Chief of Police or the authorized designee.
- (b) Officers may review their own BWC media for department-related purposes. Officers should document in their report if they reviewed BWC media before completing the report.
- (c) Investigators may review BWC media pertaining to their assigned cases.
- (d) An officer testifying regarding a department-related event may review the pertinent BWC media before testifying.
- (e) Supervisors are permitted to access and view BWC media of their subordinates.
 - 1. Supervisors should review BWC media that is tagged as a significant event or that the supervisor is aware pertains to a significant event.
 - 2. Supervisors should conduct periodic documented reviews of their subordinate's BWC media at least annually to evaluate the officer's performance, verify compliance with department procedures, and determine the need for additional training. The review should include a variety of event types when possible. Supervisors should review BWC media with the recording officer when it would be beneficial to provide guidance or to conduct one-on-one informal training for the officer.
 - 3. Supervisors should conduct periodic reviews of a sample of each subordinate's BWC media to evaluate BWC use and ensure compliance with this policy.
- (f) The Training Sergeant is permitted to access and view BWC media for training purposes.
 - 1. The Training Sergeant should conduct a quarterly review of a random sampling of BWC media to evaluate department performance and effectiveness and to identify specific areas where additional training or changes to protocols would be beneficial. Training Committee members may review BWC media as part of their review to identify training needs.
 - 2. The Training Sergeant may use BWC media for training purposes with the approval of the Chief of Police or the authorized designee. The Training

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Sergeant should use caution to avoid embarrassing or singling out a member and, to the extent practicable, should seek consent from the members appearing in the BWC media before its use for training. When practicable, sensitive issues depicted in BWC media should be redacted before being used for training.

- (g) The Public Information Spokesperson may access BWC media when necessary to conduct department-related duties.
- (h) The BWC coordinator may access BWC media and the BWC media system as needed to ensure the system is functioning properly, provide troubleshooting assistance, conduct audits, and fulfill other responsibilities related to their role.

434.7.2 PUBLIC ACCESS

Unless disclosure is required by law or a court order, BWC media should not be released to the public if it depicts (RCW 42.56.050):

- (a) The interior of a private residence.
- (b) The interior of a facility that offers health care, mental health or substance abuse treatment, or social services.
- (c) An intimate image.
- (d) A minor.
- (e) The body of a deceased person.
- (f) The identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030, or disclosure of intimate images as defined in RCW 9A.86.010.
- (g) The identifiable location information of a community-based domestic violence program as defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

Requests for the release of BWC media shall be processed in accordance with the Records Maintenance and Release Policy. The Public Information Spokesperson should review BWC media before public release.

434.8 RETENTION OF BWC MEDIA

Non-evidentiary BWC media should be retained in accordance with state records retention laws but in no event for a period less than 60 days (RCW 42.56.240).

Unless circumstances justify continued retention, BWC media should be permanently deleted upon the expiration of the retention period in a way that it cannot be retrieved. BWC media shall not otherwise be deleted by any person without the authorization of the Chief of Police or the authorized designee.

434.8.1 EVIDENTIARY BWC MEDIA

BWC media relevant to a criminal prosecution should be exported from the BWC media system and securely transferred to digital evidence storage according to established department procedures. Evidentiary BWC media is subject to the same laws, policies, and procedures as all

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other evidence, including chain of custody, accessibility, and retention periods (see the Property and Evidence Policy).

434.9 TRAINING

The BWC coordinator should ensure that each officer issued a BWC receives initial training before use, and periodic refresher training thereafter. Training should include (RCW 10.109.010):

- (a) Proper use of the BWC device and accessories.
- (b) When BWC activation is required, permitted, and prohibited.
- (c) How and when an individual should be informed of being recorded, including methods for communicating with persons with hearing disabilities or limited English proficiency.
- (d) How to respond to an individual's reluctance to being recorded or request to stop recording.
- (e) Proper use of the BWC media systems, including uploading and tagging procedures.
- (f) Security procedures for BWC media, including appropriate access and use.

Members who are not issued a BWC but who have access to BWC media systems shall receive training on the BWC media system, including appropriate access, use, and security procedures.

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 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 accident 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 accident 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 Grandview Police Department. Information provided by the Electronic Traffic Information Processing (eTRIP) data retrieval system is a valuable resource for traffic accident occurrences and officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

The Electronic Traffic Information Processing (eTRIP) data retrieval system has developed and implemented the Statewide Electronic Collision & Ticket Online Records (SECTOR) system that enables Law Enforcement Agencies to electronically create tickets and collision reports in the field and transmit this data to state repositories and authorized users, GPD utilizes the SECTOR system.

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, 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 accident 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

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commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

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) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

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 to 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 of the traffic violations listed in RCW 10.31.100
- (c) When a driver has been detained for a traffic offense listed in RCW 46.63.020 and fails to provide adequate identification or when the officer has reasonable grounds to believe that the person to be cited will not respond to a written citation. In such cases, officers should, when practicable, obtain the approval of a supervisor before making an 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 COMMERCIAL LICENSE PLATES

If an officer contacts a traffic violator who is operating a commercial truck, truck tractor or tractor with registration that a computer check confirms to be revoked, suspended or canceled, the officer shall confiscate the license plates. The Department may either recycle or destroy the plates (RCW 46.32.100).

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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 shall be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests shall 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 shall be worn include traffic control duties, accident 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 shall retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in each patrol and investigation unit, and in the saddlebag or gear bag of each police bicycle. Each vest should be stored in a manner that protects and maintains 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 for replacement of damaged or unserviceable vests. The Quartermaster should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 HAZARDOUS ROAD CONDITIONS

The Grandview Police Department will make all reasonable efforts to address all reported hazardous road conditions in a timely manner as circumstances and resources permit.

500.7 TRAFFIC COMPLAINTS BY CROSSING GUARDS

Crossing guards have the authority to submit reports to this department for certain violations occurring in and around crosswalks (RCW 46.61.275). Generally these reports may be for offenses involving a driver's failure to stop at a crosswalk or to exercise due care for pedestrians. Reports must be received no later than 72 hours after the violation occurred.

This department will give due consideration and will investigate, to a reasonable degree, reports of violations submitted by crossing guards, in an effort to identify the alleged violator. If the driver

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is identified and there is reasonable cause to believe a violation of RCW 46.61.235(5), RCW 46.61.245(2) or RCW 46.61.261(2) has occurred, a notice of traffic infraction should be issued.

The Assistant Chief shall ensure that a procedure for investigating the reports received by this department is in place.

500.7.1 NOTIFICATION OF INFRACTION

The Assistant Chief or a designee may initiate an investigation of the reported violation after receiving a report from a crossing guard. The investigator shall contact the last known owner of the violator vehicle and request the owner to supply information identifying the driver. If the driver is identified and there is reasonable cause to believe that a traffic violation has occurred, a notice of infraction may be served upon the driver of the vehicle (RCW 46.61.275(2)).

500.8 SCHOOL BUS SAFETY CAMERAS

Any school district with buses properly equipped with cameras that capture stop-arm violations may report such violations to the Grandview Police Department whenever they occur within the department's jurisdiction.

The Assistant Chief should establish a procedure for school districts to report school bus stop-arm violations (RCW 46.63.180).

500.8.1 NOTIFICATION OF INFRACTION

The Assistant Chief or the authorized designee should initiate an investigation of the reported violation after receiving a stop-arm violation report from a school district.

Issuance of a citation shall conform to state requirements (RCW 46.63.180). The notice of infraction shall be mailed to the registered owner or renter, if applicable, of the vehicle within 14 days of the violation.

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

This policy describes the circumstances in which members should prepare traffic collision reports.

501.2 TRAFFIC COLLISION REPORTS

All traffic collision reports taken by members of this department shall be forwarded to the Traffic Bureau for approval and data entry into the Records Management System.

501.2.1 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 as soon as practicable or in any case prior to the end of the employee's shift.

501.3 REPORTING SITUATIONS

501.3.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway 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. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Assistant Chief.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

501.3.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Grandview Police Department resulting in a serious injury or fatality, the Assistant Chief or the Shift Sergeant, shall notify the Washington State Patrol for assistance. If WSP is unavailable Yakima Sheriff's Office should be contacted.

If this is an on-duty traffic collision and criteria are met, the Yakima Valley Special Investigations Unit can be requested to respond.

The term serious injury is defined as any injury that may result in a fatality.

Protecting the appearance of fairness and impartiality is important in all such events.

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Traffic Collision Reporting

501.3.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Assistant Chief or on-duty Shift Sergeant may request assistance from the Washington State Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

501.3.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

Traffic collision reports shall be taken when they occur on private property under any of the following circumstances:

- (a) When there is a death or injury to any person involved
- (b) When a hit-and-run violation occurred
- (c) When an RCW violation occurred
- (d) Property damage exceeds the dollar amount currently established by WSP

501.3.5 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 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

When a collision results in death or substantial bodily harm as defined in RCW 9A.04.110, officers shall use the current state authorized form to document the collision and submit it to the appropriate state department (RCW 46.52.070).

501.4 NOTIFICATIONS

In the event of a serious injury or death related traffic collision, officers shall contact the Washington State Patrol to relate the circumstances of the traffic collision and request their assistance with the investigation if they are available to assist.

In the event of a death related traffic collision officers will notify a supervisor or Administrator as soon as reasonably practical.

In the event of a collision involving a city employee or elected official a notification will be made to an administrator. Notification in a minor incident may be made by email. A major incident notification should be made by phone.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

502.2 TOWING SERVICES

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

502.3 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers should investigate whether reasonable alternatives to towing are available after arrest. A vehicle should not be towed if reasonable alternatives are available. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- (a) The vehicle can be legally parked, left in a reasonably secure and safe location, and is not needed as evidence.
- (b) The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- (c) The arrestee or owner of the vehicle requests that it be released to a person who is present, willing, and able to legally take control of the vehicle.
- (d) The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

502.4 VEHICLE INVENTORY

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the inventory report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including but not limited to any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats, and under the seats.

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- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) 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. Locked or closed containers located within the passenger compartment should be inventoried as a sealed unit, absent exigent circumstances.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses, fanny packs, personal organizers, briefcases or other closed containers designed for carrying money, small valuables, or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the inventory report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner or booked into property for safekeeping.

Any cash, jewelry, or other small valuables located during the inventory process will be held for safekeeping, in accordance with the Property and Evidence Policy. A copy of the property form should be given to the person in control of the vehicle or, if that person is not present, left in the vehicle.

A copy of the vehicle inventory will be given to the tow truck operator.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members, and protecting the Department against fraudulent claims of lost, stolen, or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

502.5 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft, or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator, or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

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Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or their agent to request a hearing to contest the tow.

502.6 POLICY

The Grandview Police Department will tow vehicles when appropriate and in accordance with the law.

502.7 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through Dispatch to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (RCW 46.55.080; RCW 46.55.085; RCW 46.55.113).

Vehicles that are not the property of the City should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant, or comply with posted signs.

502.8 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS

An officer should tow a vehicle when probable cause exists to believe the vehicle has been stolen or used in the commission of a felony, or the driver committed a traffic offense for which impoundment is authorized by law.

502.8.1 RECORDS SECTION RESPONSIBILITIES

Whenever a stolen vehicle is impounded by the Grandview Police Department, Records Section personnel will promptly attempt to notify the legal owner of the recovery.

502.9 RECORDS

Records Section members shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

502.9.1 VEHICLE STORAGE REPORT

Department members towing a vehicle shall complete an impound authorization and inventory form. The report should be submitted to the Records Section as soon as practicable after the vehicle is towed.

Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound validity hearings.

503.2 IMPOUND HEARING

When a vehicle is impounded by any member of the Grandview Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or their agent (RCW 46.55.240).

The hearing may be conducted by an administrative hearings officer instead of in the district court. A decision made by an administrative hearing officer may be appealed to the district court for final judgment.

The registered or legal owner of the vehicle can start the hearing process by submitting a letter to the Chief of Police detailing the circumstances of the situation and what action they are requesting.

503.2.1 HEARING PROCEDURES

The registered or legal owner of an impounded vehicle that does not agree with, and contests, the results of a GPD hearing should be directed to the Yakima County District Court to determine the current process for setting a hearing date through the court.

503.3 EARLY RELEASE REVIEW

When a vehicle is impounded by any member of the Grandview Police Department, a review will be conducted upon the request of the registered or legal owner of the vehicle

This early release review is not an impound hearing but a procedure set up at the request of the Yakima County District Court.

503.3.1 EARLY RELEASE FORM

A registered or legal owner of a vehicle that wishes to request an early release of an impounded vehicle should be provided a form to make the request.

Attachment: Early Vehicle Release Request [See attachment: Grandview PD Early Impound Release Form.pdf](#)

503.3.2 HEARING PROCEDURES

The Chief of Police or his designee shall consider all information provided and determine whether the vehicle was impounded consistent with law and department policy. The Department will have the burden of proving by preponderance of the evidence that the vehicle was impounded lawfully and within policy.

If a decision is made that the vehicle was impounded within the law and department policy, the Chief of Police or his designee shall advise the inquiring party that they may appeal the decision with the district court for a final judgment.

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Vehicle Impound Hearings

A decision that the vehicle was not impounded in a lawful manner or within department policy will require that the vehicle in impound be released immediately. Towing and storage fees will be paid at the Department's expense (RCW 46.55.120(3)(e)).

If the Chief of Police or his designee determines that the vehicle was impounded in a lawful manner and within department policy but there is a basis for early release (See RCW 46.55.120 (1)(b), he will notify the tow company that the vehicle may be released after all towing charges are paid.

A registered or legal owner of a vehicle that wishes to contest the decision of the Chief of Police or his designee can contact the Yakima County District Court to request a tow hearing.

Impaired Driving

504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY

The Grandview Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Washington's impaired driving laws.

504.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Assistant Chief will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Washington or another jurisdiction.
- (g) Whether a child under the age of 16 was present in the vehicle (RCW 46.61.507).

504.4 FIELD TESTS

The Assistant Chief should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.5 CHEMICAL TESTS

A person implies consent under Washington law to a chemical test or tests of the person's breath and to providing the associated chemical sample under any of the following (RCW 46.20.308):

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- (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 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 (RCW 46.61.503).
- (c) The officer has stopped a person operating a commercial motor vehicle license (CDL) and has reasonable grounds to believe that the person was driving while having alcohol in the person's system (RCW 46.25.120).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.5.1 STATUTORY NOTIFICATIONS

An officer requesting that a person submit to a chemical test shall provide the person, prior to administering the test, with the mandatory warnings pursuant to RCW 46.20.308(2) or if driving a commercial vehicle the warnings pursuant to RCW 46.25.120(3).

504.5.2 BREATH SAMPLES

The Assistant Chief should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

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 Washington State Patrol (the Assistant Chief should also be notified by email).

Generally, chemical tests to determine alcohol concentration shall be of the breath only (RCW 46.20.308; RCW 46.25.120).

504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (RCW 46.61.506). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be drawn and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability

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to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

A blood sample may be obtained only with the consent of the individual or as otherwise provided in this policy (RCW 46.20.308; RCW 46.25.120).

504.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers shall:

- (a) Advise the arrestee of the requirement to provide a sample.
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

504.6.1 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who has been arrested and does not consent to a blood test when any of the following conditions exist (RCW 46.20.308; RCW 46.25.120):

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist.

Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

504.6.2 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request any on duty 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 the 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 individual to submit to such a sample without physical resistance. This dialogue may be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

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2. In misdemeanor cases, if the arrestee becomes excessively violent, the officer may choose not to use additional force and a refusal should be noted in the report along with a detailed description of the decision factors involved in the situation.
 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (f) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 ARREST AND INVESTIGATION

504.7.1 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).

Arrests supported by probable cause for DUI are mandatory if the person has been convicted of DUI in the past 10 years or if the officer has knowledge based on the information available to him/her that the person is charged with, or is waiting arraignment for, an offense that would qualify as a prior offense as defined by RCW 46.61.5055 if it were a conviction (RCW 10.31.100).

504.7.2 OFFICER RESPONSIBILITIES

If a person refuses to submit to a chemical 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(5)):

- (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 his/her right to a hearing before the Department of Licensing (DOL).
- (c) Advise the person that his/her license or permit is a temporary license.
- (d) Immediately notify the DOL of the arrest and within 72 hours transmit to the DOL a sworn report that 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.
- (e) Submit a sworn report to the DOL when the person has a CDL and either refused or had a test administered that disclosed a prohibited amount of alcohol or any amount of THC concentration (RCW 46.25.120(5)).

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When a person is arrested for a violation of RCW 46.61.502 (DUI) or RCW 46.61.504 (Physical control of vehicle while DUI), the officer shall make a clear notation on the report if there is a child under the age of 16 present in the vehicle and promptly notify child protective services as required in the Child Abuse Policy (RCW 46.61.507).

504.7.3 ADDITIONAL TESTING

A person submitting to a chemical test pursuant to this policy may have a qualified person of his/her own choosing administer one or more tests in addition to any administered at the direction of an officer (RCW 46.20.308(2); RCW 46.61.506).

504.8 RECORDS SECTION RESPONSIBILITIES

The Lead Dispatcher will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

504.9 ADMINISTRATIVE HEARINGS

The Lead Dispatcher will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the DOL.

Any officer who receive notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the DOL file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

504.10 TRAINING

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

Traffic Citations

505.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES

The Assistant Chief shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Records Section shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

505.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Assistant Chief. Upon a review of the circumstances involving the issuance of the traffic citation, the Assistant Chief may recommend dismissal of the traffic citation. If approved by the Chief of Police, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Assistant Chief for review.

505.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of a physical citation shall be presented to a supervisor to approve the voiding of the citation.

The Assistant Chief shall periodically review voided citations.

505.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall notify his/her immediate supervisor or the Assistant Chief. The immediate supervisor or the Assistant Chief shall prepare a letter of correction to the court having jurisdiction and to the recipient of Assistant Chief citation.

505.6 DISPOSITION OF TRAFFIC CITATIONS

Copies of all traffic citations issued by members of this department shall be filed with the Records Section.

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505.7 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

Disabled Vehicles

506.1 PURPOSE AND SCOPE

This department has adopted the following policy on assisting motorists in disabled vehicles within this jurisdiction.

506.2 POLICY

It is the policy of the Grandview Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

See also: Policy 502 Vehicle Towing and Release.

506.3 OFFICER RESPONSIBILITY

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.4 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of department resources, and the vulnerability of the disabled motorist.

506.4.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

A tow company may be called off the rotation list to assist the operator of a disabled vehicle that constitutes an immediate traffic hazard. The vehicle operator should be asked if they have a preference of tow company before calling a tow company off the rotation list.

506.4.3 RELOCATION OF MOTORIST

The relocation of a motorist with a disabled vehicle should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

Unauthorized 24 Hour Vehicle Violations

507.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of unauthorized vehicles parked in violation of 24 hour time limitations.

507.2 MARKING VEHICLES

Vehicles suspected of being subject to removal from a highway after being left unattended for 24 hours shall be marked and a case number issued (See also [RCW 46.55.010\(14\)](#)).

A notification sticker shall be applied in a visible location. A visible chalk mark may be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Alternately, a visible chalk mark may be placed on the pavement in line with the center of the rear drivers side tire. Any method of marking shall be noted in the case report.

If a marked vehicle has been moved or the markings have been removed during a 24-hour investigation period, the vehicle may be re-marked for another 24-hour period and a supplemental entry made into the case report.

See also: [GMC 10.20.030 Twenty-four-hour Parking](#)

507.2.1 MARKED VEHICLE FOLLOW UP

Officers shall be responsible for the follow up investigation of all 24-hour unauthorized vehicle violations. If a marked vehicle has current Washington registration plates, Officers shall check the records to learn the identity of the last owner of record. Officers shall make a reasonable effort to contact the owner and provide notice that if the vehicle is not removed within twenty-four hours from the time the sticker was attached, the vehicle may be taken into custody and stored at the owner's expense ([RCW 46.55.085\(2\)](#)).

507.2.2 VEHICLE STORAGE

An officer may impound and store any vehicle not removed 24 hours after marking ([RCW 46.55.085\(3\)](#)).

The officer authorizing the storage of the vehicle shall complete a uniform impound authorization and inventory form. The completed form shall be submitted to the Records Section immediately following the storage of the vehicle ([RCW 46.55.075\(2\)](#)).

Vehicle Seizure and Forfeiture

508.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure and forfeiture of vehicles associated with the arrest of subjects for driving under the influence (RCW 46.61.502) or physical control of a vehicle while under the influence (RCW 46.61.504).

508.2 SUSPENSION OF WASHINGTON DRIVER LICENSES

RCW 46.61.5058 provides for the forfeiture of any vehicle when the driver of such vehicle has been arrested for driving under the influence or physical control of a vehicle while under the influence, if such person has a prior offense within seven years as defined in RCW 46.61.5055.

508.2.1 ADMINISTRATIVE RESPONSIBILITIES

All procedures and administrative responsibilities associated with this policy are overseen by the Assistant Chief or their designee.

508.3 VEHICLE SEIZURE PROCEDURES

When an officer arrests a subject for driving under the influence (RCW 46.61.502) or physical control of a vehicle while under the influence (RCW 46.61.504), the officer may initiate steps to seize the arrestee's vehicle under the following circumstances:

- (a) The arrestee has a prior offense within seven years as defined in RCW 46.61.5055
- (b) The arrestee must be provided with a department form to notify the arrestee, in writing, that it is unlawful to transfer, sell, or encumber in any way the subject's interest in the vehicle in which they were driving or had physical control when the violation occurred, and
- (c) The vehicle is not a rental (RCW 46.61.5058(1)(b)).

The vehicle may be seized as provided under the authority of RCW 46.61.5058.

508.3.1 PHYSICAL SEIZURE OF VEHICLE

Physical seizure of the vehicle shall occur only upon the following circumstances:

- (a) Upon conviction of either driving under the influence or physical control of a vehicle while driving under the influence where the person convicted has a prior offense within seven years as defined in RCW 46.61.5055 and the person driving has a financial interest in the vehicle.
- (b) Upon a court order.
- (c) If there is reasonable cause to believe that the vehicle subject to seizure has been the subject of a prior judgment in favor of the state in a forfeiture proceeding, the officer may seize the vehicle immediately.

Any vehicle that is seized pursuant to any of the above subsections should immediately be impounded and held pending further court action (RCW 46.61.5058(3)).

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508.4 VEHICLE FORFEITURE

It is the policy of the Grandview Police Department to initiate forfeiture proceedings on all vehicles seized pursuant to RCW 46.61.5058.

Within fifteen days after vehicle seizure, the legal owner of the seized vehicle shall be notified of the seizure and intended forfeiture. Such notification shall be accomplished in writing to the last known address of the legal owner by certified mail with a return of service requested, or any other form of notification required by court order (RCW 46.61.5058(4)).

508.4.1 FORFEITURE HEARING

Persons notified of seizure have forty-five days to respond. Upon written response, such persons shall have the opportunity to be heard as to the claim or right (RCW 46.61.5058(6)).

- (a) The following procedure shall apply in such cases:
 - 1. Persons requesting a forfeiture hearing must complete and sign an Grandview Police Department Forfeiture Request Form;
 - 2. All hearings shall be scheduled and conducted in a timely fashion.
 - 3. The hearing officer(s) shall be designated by the Chief of Police.
 - 4. The decision of the hearing officer shall be considered final.
- (b) The owner of the seized vehicle may, through his/her initiation and legal process, choose to remove the hearing to court.
- (c) The vehicle shall be considered forfeited under the following circumstances:
 - 1. If, forty-five days after the seizure, no person has notified the Grandview Police Department of a claim of ownership or right to the vehicle.
 - 2. After a hearing officer has determined that the vehicle was lawfully seized and is subject to forfeit.
 - 3. A court of local jurisdiction has determined that the vehicle was lawfully seized and is subject to forfeit.
- (d) In any case where it is determined that the vehicle is not subject to forfeit, it shall be immediately returned to the legal owner.

508.5 PROCEDURES FOLLOWING FORFEITURE

Vehicles that have been lawfully seized and through forfeit the ownership is transferred to the Grandview Police Department may be sold or retained for official use provided that all bona fide security interests to the vehicle are first satisfied (RCW 46.61.5058(7)). The following procedure shall apply after vehicles are legally forfeited to the Grandview Police Department:

- (a) The Assistant Chief or his/her designee shall determine the disposition of all vehicles legally forfeited to the Grandview Police Department. Such disposition shall be

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determined based on vehicle value, existing security interest, and the needs of the Department.

- (b) The value of the vehicle is the sale price, or if retained, the fair market value of the vehicle at the time of the seizure (RCW 46.61.5058(14)).
- (c) A record of the forfeited vehicle shall be maintained. The record shall indicate the prior owner's information, if known, a description of the vehicle, the disposition of the vehicle, its value at time of seizure and the amount of proceeds realized from disposition of the vehicle (RCW 46.61.5058(8)).
 - 1. Such records shall be maintained for at least seven years (RCW 46.61.5058(9)).
- (d) A copy of the records of all forfeited vehicles shall be filed with the state treasurer each calendar quarter (RCW 46.61.5058(10)).
- (e) By January 31st of each year, ten percent of the net proceeds of vehicles forfeited during the preceding calendar year shall be remitted to the state treasurer (RCW 46.61.5058(12)(13)).

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Grandview Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Sergeant.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 NON-SWORN MEMBER RESPONSIBILITIES

A non-sworn member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

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600.3.3 ARRESTS BY PRIVATE PERSONS

Private persons may make a common law arrest for crimes constituting a breach of the peace or may detain a person under the authority of RCW 9A.16.020 (felonies, retail theft, etc.) Any officer presented with a private person wishing to make an arrest must determine whether there is probable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no probable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
 - 1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
 - 2. Absent probable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is probable cause to believe that a private person's arrest is lawful, the officer shall take a written statement from the person who has made the arrest. In addition, the officer may exercise one of the following options:
 - 1. Take the individual into physical custody for booking.
 - 2. Release the individual subsequent to the issuance of a citation for the individual to appear in the appropriate court.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. See the Temporary Custody of Juveniles Policy for juvenile requirements.

600.4.1 AUDIO/VIDEO RECORDINGS

The following custodial interrogations conducted at a place of detention (as defined by RCW 10.122.020) shall be electronically recorded (audio and video):

- (a) The interrogation of a juvenile
- (b) The interrogation of an adult who is suspected of a felony

The recording shall include any required warnings, advice of the rights of the individual being questioned, and waiver of rights. Consent to the electronic recording is not required, but the officer shall inform the suspect that they are being recorded (RCW 10.122.030).

A custodial interrogation at any place other than a place of detention shall be recorded by audio means at a minimum (RCW 10.122.030).

Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

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Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Unit supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate, and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.4.2 DOCUMENTATION

If a custodial interrogation at a place of detention occurs without electronically recording it in its entirety, the officer shall prepare a written or electronic report explaining the reason and summarize the custodial interrogation process and the individual's statements. This report shall be completed as soon as practicable after completing the interrogation (RCW 10.122.030).

If the custodial interrogation occurs outside a place of detention, the officer shall complete a report as soon as practicable explaining the decision and summarize the custodial interrogation process and the individual's statements (RCW 10.122.030).

600.4.3 EXCEPTIONS

Exceptions to the recording requirements apply in the following circumstances:

- (a) When spontaneous utterances or statements are made outside the course of a custodial interrogation, or a statement made in response to a question asked routinely during the processing of the arrest of an individual (RCW 10.122.030).
- (b) Exigent circumstances exist that prevent an officer from electronically recording an interrogation. In those cases, the officer shall record electronically an explanation of the exigent circumstances before conducting the interrogation, if feasible, or as soon as practicable after the interrogation is completed (RCW 10.122.040).
- (c) The individual indicates a refusal to participate or further participate in the electronic recording. When feasible, the agreement of the individual to participate in the interrogation without recording or further participate should be recorded electronically (RCW 10.122.060).
- (d) The officer conducting an interrogation has no reason to believe the individual being interrogated committed an act that requires electronic recording of the interrogation (RCW 10.122.080).
 - 1. If during the interrogation, the individual being interviewed reveals facts and circumstances that give the officer conducting the interview a reason to believe that an act was committed that requires an electronic recording, the continued interrogation shall be recorded.

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- (e) The officer or the officer's supervisor reasonably believes the electronic recording would disclose the identity of a confidential informant or jeopardize the safety of the officer, the individual being interrogated, or another person (RCW 10.122.090).
 - 1. If feasible and consistent with the safety of a confidential informant, an explanation of the basis for the belief that electronic recording would disclose the informant's identity must be electronically recorded at the time of the interrogation or if not feasible as soon as practicable after the interrogation is completed.
- (f) The equipment malfunctions (RCW 10.122.100).

600.4.4 RECORDING PROCEDURES

The Chief of Police should designate a member of the Department to be responsible for electronic recordings. Responsibilities should include but are not limited to (RCW 10.122.150):

- (a) Developing protocols on how a recording is made, including the following:
 - 1. Standards for angles, focus, and field of vision to promote accurate recording.
- (b) Developing procedures for the collection and review of recordings or absence of recordings by supervisors.
- (c) Assigning a specific supervisor responsibility to promote accountability, including but not limited to:
 - 1. Adequate staffing.
 - 2. Training.
 - 3. Material resources.
- (d) Developing procedures for preservation of chain of custody of recordings.
- (e) Developing a process for explaining noncompliance with procedures.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
 - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

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- (d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).
- (g) After consultation with the Assistant Chief it is determined that in a particular minor case there is a high disproportionate cost of investigation or prosecution. Such things as the burden on any witnesses, the costs of locating a suspect, and the lack of solvability factors may be considered and compared to the importance of prosecuting the offense in question.

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, road officers should request that the Detective Unit assist with seizing computers and related evidence. If the Detective Unit is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses,

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requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Assistant Chief or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

600.9 CASE MANAGEMENT

The Detective Unit supervisor is responsible for the proper management of all cases. The Detective Unit supervisor, the authorized designee or the sergeants review group should use the department's case management system to screen all criminal reports for follow-up assignment or closure based on solvability factors. Solvability factors to consider include the following:

- (a) Witnesses to the crime
- (b) Suspect identification, description, or location
- (c) Vehicle identification
- (d) Motive
- (e) Physical evidence
- (f) Whether stolen property can be traced
- (g) Other potential suspects

Asset Seizure and Forfeiture

601.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the seizure, maintenance, forfeiture, and disposition of assets associated with criminal activity.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Asset - For purposes of this policy, an item of value, whether tangible or intangible, that is subject to seizure by law enforcement and eligible for forfeiture under applicable laws.

Forfeiture - The process by which legal ownership of an asset is transferred to a government entity or agency because of the asset's connection to criminal activity.

Forfeiture attorney - The attorney, office, or agency responsible for initiating and managing the legal proceedings by which ownership of a seized asset is transferred to the government.

Seizure - The act by law enforcement officials of taking possession or control of an asset. For purposes of this policy, "seizure" refers specifically to taking possession or control of an asset with the intent to seek forfeiture.

601.2 POLICY

It is the policy of the Grandview Police Department to use the asset forfeiture process as a strategic means to deter crime, disrupt criminal enterprises, and deprive criminals of the proceeds and instruments of their illegal activities. The decision to seize or seek forfeiture of an asset shall not be influenced by the potential for financial gain and shall be conducted in a manner that adheres to state and federal laws, upholds individual's constitutional rights, and preserves the integrity of the criminal justice process.

601.3 FORFEITURE COORDINATOR RESPONSIBILITIES

The Chief of Police or the authorized designee shall appoint a forfeiture coordinator. The responsibilities of the forfeiture coordinator include but are not limited to:

- (a) Serving as the liaison between the Department and the forfeiture attorney.
- (b) Maintaining a seizure ledger of all currency seized by the Department and an inventory of all other assets seized by the Department.
- (c) Tracking and documenting each forfeiture case from seizure through final disposition.
- (d) Overseeing and conducting forfeiture assessments.
- (e) Developing and maintaining appropriate forms in consultation with the forfeiture attorney, including a seizure report and a notice of seizure and inventory form.
- (f) Ensuring that officers involved in the seizure and forfeiture of assets receive appropriate training.
- (g) Reviewing each asset forfeiture case to ensure that:

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1. A seizure report is properly completed and the facts and circumstances establishing probable cause are adequately documented.
 2. A notice of seizure and intended forfeiture and an inventory form has been timely served upon the appropriate parties (2025 WA HB 1440, § 2).
 3. If requested, an administrative hearing to contest forfeiture of the assets is scheduled and conducted (2025 WA HB 1440, § 2).
 4. The seizure report has been timely submitted to the forfeiture attorney.
- (h) Overseeing the storage and maintenance of seized assets, depositing seized currency as required pending forfeiture, and making appropriate arrangements when necessary to accommodate unusual or atypical assets.
- (i) Serving as the Department liaison in multi-agency asset forfeiture matters, including:
1. Coordinating with agencies in a joint forfeiture case to ensure that one agency is clearly designated as the lead and that the roles and responsibilities of all others are established.
 2. Facilitating the execution of appropriate sharing agreements or memorandums of understanding (MOUs) when forfeiture proceeds are to be split between state and/or local agencies.
 3. Maintaining department compliance with the federal Equitable Sharing Program and submitting timely requests for the Department's share of federally forfeited proceeds, as appropriate.
 4. Submitting federal adoption requests when forfeiture of an asset seized by the Department would be more appropriately sought under federal law and, if adoption is granted, taking necessary actions to support the successful transfer of the asset to the federal government or facilitating a substitute custodial agreement.
- (j) Overseeing the appropriate disposition of assets in accordance with state law and this policy.
- (k) Compiling and submitting forfeiture and expenditure reports as prescribed by state law and City financial directives.

601.4 ASSETS SUBJECT TO FORFEITURE

The following assets are subject to forfeiture:

- (a) Firearms that were carried, possessed, or sold illegally (RCW 9.41.098).
- (b) Devices, profits, proceeds, associated equipment, real property, and conveyances related to illegal gambling (RCW 9.46.231).
- (c) Visual and printed depictions of minors engaged in sexually explicit conduct, and materials and equipment used to make, conveyances used to transport, and proceeds from such depictions (RCW 9.68A.120).

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- (d) Investment interest, proceeds, and real or personal property related to organized crime, criminal profiteering, human trafficking, commercial sexual abuse of a minor, or promoting prostitution (RCW 9A.82.100).
- (e) Proceeds traceable to or derived from money laundering (RCW 9A.83.030).
- (f) Proceeds and real and personal property acquired or maintained in relation to commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting prostitution in the first degree, and conveyances used to facilitate these offenses (RCW 9A.88.150).
- (g) Personal property, including money, weapons, and vehicles, 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).
- (h) Real and personal property that was used to commit or facilitate or was compensation for a crime involving the theft, trafficking, or unlawful possession of commercial metal property, or was acquired from proceeds from such crimes (RCW 19.290.230).
- (i) Conveyances, personal property, and real property used in the violation of the Uniform Controlled Substances Act and proceeds from these violations (RCW 69.50.505).
- (j) Conveyances and equipment used to commit poaching/wildlife crimes (RCW 77.15.070).
- (k) Vehicles that were previously impounded due to illegal racing conduct that are used to commit the crime of racing (RCW 46.61.748).
- (l) Vehicles used while driving without an interlock device, driving under the influence, or being in actual physical control of a vehicle while under the influence when the driver has committed a similar offense within the previous seven years (RCW 46.61.5058).

601.4.1 FORFEITURE ASSESSMENT

For each asset identified for forfeiture, a forfeiture assessment should be conducted by the forfeiture coordinator, forfeiture attorney, and/or the investigators and officers involved in the case. To the extent practicable, the assessment should be conducted before the asset is seized to anticipate potential issues and enable informed decisions consistent with department goals and objectives. However, forfeiture assessments are intended to be an evaluative process rather than a one-time event and, in unanticipated or complex cases, may need to occur wholly or partially after seizure.

Although the scope and complexity will vary based on the nature of the asset and circumstances of the case, forfeiture assessments should generally address the following considerations:

- (a) The value of the asset relative to the law enforcement objectives sought.
 - 1. Unless an exception has been approved based on special circumstances of the case, an asset should not be seized if its value is below the minimum thresholds set by the Department or the forfeiture attorney.
 - 2. An asset should not be seized if its forfeiture would be grossly disproportionate to the underlying criminal activity.

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3. A large amount of money is insufficient by itself to establish the probable cause required to make a seizure.
- (b) Identification of the owners of the assets and any liens or other encumbrances which may exist.
 1. Searches of appropriate ownership and stolen property databases (e.g., DOL records, firearm registries, property records, secretary of state filings) should be conducted to verify ownership claims.
 2. When there is reason to believe an owner or interest holder of the asset was not involved in or aware of the criminal activity (an "innocent owner"), the forfeiture attorney should be consulted for guidance on how to proceed.
- (c) The feasibility of seizing, maintaining, forfeiting, and disposing of the asset.
 1. A financial analysis should be conducted to evaluate potential maintenance, storage, and disposal costs relative to anticipated proceeds.
 2. Warrants and/or court orders (e.g., restraining orders, writs of entry) necessary to conduct the seizure should be identified and procured.
 3. Acceptable solutions should be identified to resolve any logistical challenges that may exist due to the nature or characteristics of the asset (e.g., a trailer to transport seized livestock, a hangar rented to store a seized airplane). The forfeiture attorney should be consulted if it is likely that a pre-forfeiture sale or other interlocutory action will be necessary to address unique management issues or to preserve the value of the asset.

601.5 ASSET SEIZURE

A search warrant should be procured prior to seizure, unless it is not practicable to do so.

An asset may be seized without a warrant under the following circumstances:

- (a) Firearm crimes - incident to an arrest or with probable cause that the weapon was used in these crimes (RCW 9A.41.098).
- (b) Illegal gambling crimes - incident to an arrest, upon a prior judgment authorizing forfeiture, with probable cause that the asset is dangerous to health or safety, or with probable cause that the asset was used in these crimes (RCW 9A.46.231).
- (c) Crimes related to depictions of minors engaged in sexually explicit conduct - incident to an arrest, upon a prior judgment authorizing forfeiture, with probable cause that the asset is dangerous to health or safety, or with probable cause that the asset was used in these crimes (RCW 9A.68A.120).
- (d) Money laundering - incident to an arrest or upon a prior judgment authorizing forfeiture (RCW 9A.83.030).
- (e) Commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, or promoting prostitution in the first degree - incident to an arrest, upon a prior judgment authorizing forfeiture, or with probable cause that the asset was used in these crimes (RCW 9A.88.150).

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- (f) Felony crimes - incident to an arrest, upon a prior judgment authorizing forfeiture, with probable cause that the asset is dangerous to health or safety, or with probable cause that the asset was used in a felony crime (RCW 10.105.010).
- (g) Commercial metal crimes - incident to an arrest or upon a prior judgment authorizing forfeiture (RCW 19.290.230).
- (h) Drug law violations - incident to an arrest, upon a prior judgment authorizing forfeiture, with probable cause that the asset is dangerous to health or safety, or with probable cause that the asset was used in these crimes (RCW 69.50.505).
- (i) Fish and game violations - with probable cause that the asset was used in these crimes (RCW 77.15.070).
- (j) Racing vehicles - incident to an arrest, upon a prior judgment authorizing forfeiture, or with probable cause that the vehicle was used in a felony (RCW 46.61.748).
- (k) Vehicles used in driving under the influence crimes - upon a prior judgment authorizing forfeiture (RCW 46.61.5058).

Real property shall only be seized pursuant to a warrant (RCW 9.46.231; RCW 9A.83.030; RCW 9A.88.150; RCW 19.290.230; RCW 69.50.505).

601.6 PROCESSING SEIZED ASSETS

When practicable, seizure should be accomplished by taking physical custody of an asset. An officer seizing an asset should comply with the following:

- (a) Photographs and/or videos should be taken of the asset and its condition and circumstances before it is moved or disturbed, if possible, or as soon as practicable following the seizure.
- (b) A notice of seizure and inventory form should be completed at the scene. A copy of the form should be provided to the person or persons from whom the asset was seized or, if no one is present or claims ownership of the asset, left in the place where the asset was found, if it is reasonable to do so. The officer should document the name of each person to whom the form was given or the location where it was left.
- (c) Seized assets should be secured as soon as practicable. Prior to going off-duty, the officer should process seized assets according to the following guidelines:
 - 1. Except as provided below, seized assets should be transferred to the Evidence Room in accordance with the Property and Evidence Policy. The notation "Seized Subject to Forfeiture" should be clearly written in the comment section of the property form and the on the asset's packaging. No other evidence should be booked on a property form with seized assets.
 - 2. Oversized assets and assets requiring special maintenance considerations should be secured as directed by the forfeiture coordinator in accordance with department procedures.
 - 3. Unless seized currency has specific evidentiary value (e.g., distinct markings or packaging, fingerprints or narcotics found on the bills), it should be photocopied and turned over to the forfeiture coordinator.

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- (a) The forfeiture coordinator shall document the currency on the seizure ledger and issue a receipt to be placed in the case file. The forfeiture coordinator and the officer shall each sign the receipt and the ledger entry.
- (b) Seized currency shall be promptly deposited in the appropriate account pending forfeiture.

When officers suspect an asset may be subject to seizure but are unable to take physical custody (e.g., it is located elsewhere; its whereabouts are unknown; it is real estate, bank accounts, non-tangible assets), the information known about the asset and the grounds for a potential seizure should be documented in the appropriate report and forwarded to the forfeiture coordinator to conduct a forfeiture assessment.

601.6.1 SEIZURE REPORTS

An officer who seizes an asset should document the following in a seizure report:

- (a) The date, time, and location of the seizure.
- (b) The officers and other agencies, if any, involved in the seizure.
- (c) The person who was in possession of the asset at the time of seizure.
- (d) A detailed description of the asset.
- (e) The facts and circumstances that formed the basis of probable cause for the seizure.
- (f) An explanation of the connection between the asset and the criminal activity and other facts evidencing the asset is subject to forfeiture.
- (g) The identity of each owner or interest holder and how that information was determined (e.g., verbal claims of ownership, titles, public records).

The seizure report, along with the original copy of the notice of seizure and intent to forfeit and the inventory form, should be submitted to the forfeiture coordinator for review within two days of the seizure.

The forfeiture report and other case records should be forwarded to the forfeiture attorney for prosecution within 5 business days (2025 WA HB 1440, § 2).

601.7 MAINTAINING SEIZED ASSETS

Seized assets shall be securely maintained in a manner that prevents waste and preserves its condition. No member of this department shall use or dispose of seized assets while a forfeiture action is pending.

If an asset is held both as evidence and subject to forfeiture, the evidentiary function shall take precedence and, regardless of its forfeiture status, the asset shall be retained until such time as its use as evidence is no longer required.

601.7.1 RETURN OF SEIZED ASSETS

If forfeiture of an asset is no longer being pursued (e.g., further investigation reveals the asset is not subject to forfeiture, the forfeiture attorney declines to file the case) or has been denied by

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a decision from an administrative hearing or court, the asset should be promptly returned to the registered owner or, when there is no registered owner (e.g., cash), to the person from whom it was seized (2025 WA HB 1440, § 2).

If the asset cannot be returned because it is being retained as evidence, the Evidence Room shall be notified that the asset is no longer subject to forfeiture and should be returned once it is no longer required to be held as evidence.

601.8 DISPOSITION OF FORFEITED ASSETS

When forfeiture of an asset is granted and the Department receives a copy of the administrative decision or court order, an asset, other than forfeited currency, should be disposed of according to the following guidelines (2025 WA HB 1440, § 4):

- (a) Destruction - An asset shall be destroyed if required by law or court order. An asset should be destroyed if it is harmful to the public, or its condition renders it unsuitable for official use and unlikely to generate more than a minimal return if sold.
 - 1. Controlled substances and plants from which controlled substances are derived shall be turned over to the pharmacy quality assurance commission for destruction (RCW 69.50.505).
- (b) Retention - An asset may be retained by the Department exclusively for the expansion and improvement of related law enforcement activities (2025 WA HB 1440, § 5).
- (c) Transfer - An asset may be transferred to appropriate entities if authorized in writing by the Chief of Police or the authorized designee and permitted by state law.
 - 1. If the owners of gambling devices and equipment cannot be located, the devices and equipment shall be sent to the state gambling commission (RCW 9.46.231).
- (d) Sale - All other assets should be sold according to state law and department procedures.
 - 1. Forfeited assets should not be sold to members of the Department or their immediate family.

Firearms forfeited pursuant to RCW 9.41.098 will be disposed of as ordered by the court (RCW 9.41.098).

Title or ownership records, as applicable, should be updated upon receipt of the forfeiture order and any subsequent transfer or sale of the asset.

601.8.1 DISPOSITION OF FORFEITURE FUNDS

Forfeiture funds (i.e., forfeited currency and proceeds from the sale of forfeited assets) shall be distributed as follows:

- (a) To satisfy third-party interests, including victim compensation.
- (b) To pay or reimburse expenses incurred from the seizure, maintenance, forfeiture, or sale of the asset.

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- (c) Pursuant to a sharing agreement or MOU between agencies involved in the seizure or forfeiture of the asset.
- (d) To the state, as applicable:
 - 1. If assets were forfeited pursuant to RCW 77.15.070, sale proceeds shall be deposited in the fish and wildlife enforcement reward account (RCW 77.15.070).
- (e) Deposited into a designated department forfeiture account to be used exclusively for the expansion and improvement of related law enforcement activities. Forfeited funds shall not be used to supplant preexisting funding sources (2025 WA HB 1440, § 5).

All forfeiture funds, including funds received from another local, state, or federal agency for participation in a joint investigation, shall be subject to appropriate accounting controls including regular audits of all deposits and expenditures.

601.8.2 STATE PAYMENTS

By January 31 of each year, the Department shall remit to the state treasurer an amount equal to 10 percent of the net proceeds of any property forfeited during the preceding calendar year (2025 WA HB 1440, § 5).

If assets were forfeited pursuant to RCW 10.105.010 and 46.61.5058, the Department shall remit to the state by January 31st of each year an amount equal to 10 percent of the net proceeds of any property forfeited under during the preceding calendar year (2025 WA HB 1440, § 5).

Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Grandview Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Grandview Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

603.2 POLICY

The Grandview Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

603.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

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Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

603.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Assistant Chief, Detective Unit supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Grandview Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Detective Unit supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants unless accompanied by at least one additional officer or with prior approval of the Detective Unit supervisor.
 - (a)
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

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Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Detective Unit. The Detective Unit supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Assistant Chief, Detective Unit supervisor or their authorized designees.

The Investigation Assistant Chief should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Detective Unit supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

603.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth

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- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 - 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant
- (m) Proof that a Criminal History check was done and a summary of the results.

603.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

The Detective Unit supervisor will discuss the above factors with the Assistant Chief and recommend the type and level of payment subject to approval by the Chief of Police.

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Detective Unit buy/expense fund.
 - (a) The Detective Unit supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be approved by the Chief of Police or the authorized designee.

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- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
 - 1. The cash transfer form shall include the following:
 - (a) Date
 - (b) Payment amount
 - (c) Grandview Police Department case number
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 - 2. The cash transfer form shall be signed by the informant.
 - 3. The cash transfer form will be kept in the informant's file.

603.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

603.6.3 AUDIT OF PAYMENTS

The Detective Unit supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least twice yearly, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

[See attachment: Investigative Fund Audit Log Form.pdf](#)

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Grandview Police 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.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

If appropriate, Language Line translation services can be utilized for communication.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Assistant Chief shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (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 instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

604.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.6 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect.

In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

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The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

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 member should contact the appropriate prosecuting attorney before proceeding.

604.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (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, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up 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 subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that

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suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

604.8 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information - Information known or possessed by the Grandview Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant. (See *Brady v. Maryland*, 373 U.S. 83 (1963))

605.2 POLICY

The Grandview Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Grandview Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer 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. 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 in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

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605.4 DISCLOSURE OF PERSONNEL INFORMATION

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.
 - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Chief of Police or his/her designee shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any materials pursuant to this process, the Chief of Police or his/her designee should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

The Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

605.5 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 Personnel Complaints Policy (RCW 10.93.150).

605.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

605.7 BRADY PROCESS

The Chief of Police shall select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Assistant Chief or the authorized designee.

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The responsibilities of the coordinator include but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure (RCW 10.93.180).
- (b) Reporting to the appropriate prosecutor of any jurisdiction where an officer may testify (RCW 10.93.180):
 - 1. Any act by An officer that may be potentially exculpatory to a criminal defendant and/or misconduct that an officer engaged in that affects their credibility within 10 days of discovery of the act.
 - 2. Information about a newly hired officer with a prior potential impeachment disclosure within 10 days of hiring.
- (c) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
 - 1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

Unmanned Aerial System

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned aerial system (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means.

606.2 POLICY

A UAS may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations, and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current, and/or coordinating compliance with FAA Part 107 Remote Pilot Certificate, as appropriate for department operations.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.
- Developing uniform protocols for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

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- Coordinating the completion of the FAA Emergency Operation Request Form in emergency situations, as applicable (e.g., natural disasters, search and rescue, emergency situations to safeguard human life).
- Developing protocols for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Developing operational protocols governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.
- Maintaining familiarity with FAA regulatory standards, state laws and regulations, and local ordinances regarding the operations of a UAS.

606.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted consistent with FAA regulations.

Prior to flight, the UAE will be inspected in accordance with any FAA regulations. At a minimum, the following will be done, unless exigent circumstances exist:

- Inspect to see that it is in a condition for safe operation.
- Ensure that control links to the UAE are working properly.

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- Check that there is sufficient power to continue to a normal landing.
- Ensure that anything attached to the UAE is secure

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in established records retention schedules.

Sexual Assault Investigations

607.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notification requirements are addressed in the Child Abuse and Adult Abuse policies.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in RCW 9A.44.010 et seq. and RCW 9A.64.020.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

607.2 POLICY

It is the policy of the Grandview Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

607.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

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607.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

607.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim Witness Assistance Policy. (See Policy 316)

607.5.1 VICTIM PERSONAL REPRESENTATIVE AND ADVOCATE

A victim may choose a personal representative to accompany him/her to the hospital or other health care facility and to any proceeding concerning the alleged sexual assault, including interviews. A personal representative includes a friend, relative, attorney, or employee or volunteer from a community sexual assault program or specialized treatment service provider (RCW 70.125.030; RCW 70.125.060).

The victim may also choose to consult with a sexual assault survivor's advocate throughout the investigatory process of the case. The assigned investigator should ensure the advocate has access to the victim during the process (RCW 70.125.110).

607.5.1 POLYGRAPH EXAMINATION OF VICTIM

Victims of alleged sex offenses shall not be asked or required to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of the offense. The refusal of a victim to submit to a polygraph or other truth telling device shall not by itself prevent the investigation, charging or prosecution of the offense (RCW 10.58.038; 34 USC § 10451).

607.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

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If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing. Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

607.6.1 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence are required to do the following:

- (a) Sexual assault examination kits shall be submitted to an approved lab within 30 days with a request for testing prioritization when either of the following conditions are met (RCW 5.70.040):
 - 1. A related report or complaint is received by the Department alleging a sexual assault or other crime has occurred and the victim has consented to the submission.
 - 2. The victim is an unemancipated person 17 years or age or younger.
- (b) Facilitate the collection of an unreported sexual assault kit from a collecting entity when this department has jurisdiction to investigate any related criminal allegations (RCW 5.70.030).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

607.6.2 STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM

Members investigating a sexual assault should ensure that biological evidence is tracked appropriately in the statewide sexual assault kit tracking system (RCW 35.21.195; RCW 36.28.200).

607.6.3 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

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607.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the supervisor.

Classification of a sexual assault case as unfounded requires the supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

607.8 CASE REVIEW

The Assistant Chief should ensure Sexual Assault cases are reviewed at least annually. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

607.8.1 RETENTION

The Assistant Chief should ensure evidence, investigatory reports, and records related to violent or sex offenses are appropriately marked for retention under RCW 5.70.010.

607.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Assistant Chief should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

607.10 TRAINING

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
 - (a) Initial response to sexual assaults.
 - (b) Legal issues.
 - (c) Victim advocacy.
 - (d) Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
 - (a) Interviewing sexual assault victims.

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- (b) SART.
- (c) Medical and legal aspects of sexual assault investigations.
- (d) Serial crimes investigations.
- (e) Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
- (f) Techniques for communicating with victims to minimize trauma.
- (g) The course provided by the Washington State Criminal Justice Training Commission on investigating sexual assault and other gender-based violence cases developed pursuant to RCW 43.101.272.
- (h) Proper protocol for the use of the statewide sexual assault kit tracking system (RCW 35.21.195; RCW 36.28.200).

607.11 CASE STATUS NOTIFICATION

The investigator assigned to the case should keep the victim informed of the status of the investigation in a timely manner. The victim should be informed of the expected and appropriate time frames for receiving a response to inquiries made regarding the status of the investigation (RCW 5.70.005; RCW 70.125.110).

The investigator should provide the victim with contact information for the assigned prosecutor, if available, to receive updates related to the prosecution of the case (RCW 70.125.110).

Warrant Service

608.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

608.2 POLICY

It is the policy of the Grandview Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

608.3 OPERATIONS DIRECTOR

The operations director will normally be the Assistant Chief (see the Operations Planning and Deconfliction Policy) or his designee. The Operations Director shall review all risk assessment forms with the involved supervisor or officer to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

608.4 SEARCH WARRANTS

Officers should receive authorization from any on-duty supervisor before preparing a search warrant application.

Once authorization is received, the officer will prepare the affidavit and search warrant. They will consult with a prosecuting attorney if needed. They will also review the risk assessment form. If the risk level is classified as anything higher than "Low Risk", the completed risk assessment form and warrant affidavit will be submitted to a supervisor and/or the Administration for review (see the Operations Planning and Deconfliction Policy).

See attachment: [RISK ANALYSIS FOR PLANNED OPS.pdf](#)

608.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to an appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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If the warrant is classified as high risk, service will be coordinated by the operations director or his designee. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

To make an arrest in criminal actions, the officer may break open any outer or inner door, windows of a dwelling house or other building, or any other enclosure, if, after notice of his or her office and purpose, he or she be refused admittance. (RCW 10.31.040)

608.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime execution.
 - 1. An officer shall not seek a no-knock warrant (RCW 10.31.040).
- (b) A clear explanation of the affiant's training, experience, and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

608.7 HIGH-RISK WARRANT SERVICE

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution

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of a search warrant. The images should include the surrounding area and persons present.

- (b) The warrant service is video-recorded when practicable and reasonable to do so. The warrant service may be audio-recorded when announcing to everyone present that the conversation is going to be recorded and said announcement is recorded except if allowed by the warrant (RCW 9.73.030).
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

608.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

608.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

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608.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Grandview Police Department are utilized appropriately. Any concerns regarding the requested use of Grandview Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Sergeant should assume this role.

If officers intend to serve a warrant outside Grandview Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Grandview Police Department when assisting outside agencies or serving a warrant outside Grandview Police Department jurisdiction.

608.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

608.12 TRAINING

The Training Sergeant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

608.13 NO-KNOCK ENTRIES

No-knock entries are only authorized if exigent circumstances arise at the scene such that knocking and announcing the officer's presence would create an imminent threat of physical violence to the officer or another person.

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Warrant Service

608.14 DOCUMENTATION

Documentation related to the service of a warrant shall be maintained in accordance with the established records retention schedule.

Operations Planning and Deconfliction

609.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

609.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

609.2 POLICY

It is the policy of the Grandview Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

609.3 OPERATIONS DIRECTOR

The Chief of Police will generally designate the Assistant Chief to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

609.4 RISK ASSESSMENT

See: Risk Assessment Form

609.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

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Operations Planning and Deconfliction

- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

609.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to the appropriate supervisor or the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

609.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
 - (a) Special Weapons and Tactics Team (SWAT)
 - (b) Additional personnel
 - (c) Outside agency assistance
 - (d) Special equipment
 - (e) Medical personnel
 - (f) Persons trained in negotiation

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- (g) Additional surveillance
- (h) Canines
- (i) Evidence Room or analytical personnel to assist with cataloguing seizures
- (j) Forensic specialists
- (k) Specialized mapping for larger or complex locations
- (l) Unmanned Aerial Vehicles
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
- (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
- (d) Coordinate the actual operation.

609.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

Grandview Police Department will at minimum contact the LEAD Taskforce to deconflict with them. GPD will then ask LEAD to handle deconfliction through any databases they may deem appropriate.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

609.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
 - 1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)

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2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
 3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
 4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
 2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control Procedures policies.
- (k) Communications plan
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

609.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

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609.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
 - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
 - 1. It is the responsibility of the operations director to ensure that Dispatch is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
 - 2. If the radio channel needs to be monitored by Dispatch, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
 - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

609.8 SWAT PARTICIPATION

If the operations director determines that SWAT participation is appropriate, the director and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

609.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

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609.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

609.11 TRAINING

The Training Sergeant should ensure officers and SWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made in writing. The request should include an explanation of how the damage or loss occurred. The request should be submitted in writing or by email to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the Assistant Chief, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the City Administrator for review.

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The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the Assistant Chief.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs) wireless capable tablets and similar wireless two-way communications and/or portable internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the internet.

701.2 POLICY

The Grandview Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on- or off-duty for business-related purposes, or reasonably associated with work-related misconduct, will be subject to monitoring and inspection consistent with applicable law and this policy.

Additionally, the use of a PCD either on-duty or after duty hours for business-related purposes, or reasonably associated with work-related misconduct, may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location-detection capabilities. This includes records of all keystrokes or web-browsing history made on the PCD. 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 PCDs or networks (see the Information Technology Use Policy for additional guidance).

Members have no expectation of privacy regarding any communications while using a personally owned PCD for department-related business or when the use reasonably implicates work-related misconduct.

701.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Department-issued or funded PCDs may not be used for personal business either on- or off-

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duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications) or as otherwise authorized by department procedures.
 - 1. Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy the work-related data (e.g., for litigation purposes, public records retention and release obligations, internal investigations).
 - 2. Use of and data within a personally owned PCD may be discoverable in cases when there is reason to believe it is associated with work-related misconduct.
 - 3. Searches of a personally owned PCD by the Department should be limited to those matters reasonably associated with the work-related business or work-related misconduct.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings, and other public records created or received on a member's personally owned PCD should be transferred to the Grandview Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the

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member has prior express authorization from their supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate recordkeeping.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD should not be carried in a manner that allows it to be visible while in uniform unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means requires the express authorization of the Chief of Police or the authorized designee.
- (f) Members will not access social networking sites for any purpose that is not official department business. This restriction does not apply to a personally owned PCD used during authorized break times.
- (g) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and take prompt corrective action if a member is observed or reported to be improperly using a PCD.
 - 1. An investigation into improper conduct should be promptly initiated when circumstances warrant.

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2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles other than authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use and the use complies with RCW 46.61.672. Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance supervisor for repair. Standard procedures shall be followed to make sure the vehicle is taken to a repair facility in a timely manner.

If it appears, due to schedules or other conflicts, that there may be a delay in getting a vehicle repaired, an email should be sent to the Assistant Chief to notify him of the situation and enlist his assistance.

702.2.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable. If the damage is of a safety related nature it shall be removed from service immediately.

702.2.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, may be removed from service and sent for a safety inspection. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation. An officer believing a vehicle may have exceeded manufacturers parameters is authorized to arrange for a safety inspection as soon as practicable if he has any safety concerns based on the circumstances.

702.2.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service or repair.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- 10 Emergency road flares

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- 2 Sticks yellow crayon or chalk or spray marking paint
- 1 Roll red barricade tape
- 2 Rolls yellow barricade tape
- 1 First aid kit with AED
- 1 Biohazard kit
- 1 Fingerprint kit
- 1 evidence collection kit with measuring devices
- 1 Fire extinguisher

702.3.2 UNMARKED VEHICLES

An employee driving unmarked department vehicles shall ensure that the minimum following equipment is present in the vehicle:

- 10 Emergency road flares
- 2 Sticks yellow crayon or chalk or spray marking paint
- 1 Roll red barricade tape
- 2 Rolls yellow barricade tape
- 1 First aid kit with AED
- 1 Biohazard kit
- 1 Fingerprint kit
- 1 evidence collection kit with measuring devices
- 1 Fire extinguisher

702.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Whenever practicable, vehicles should be fully fueled when placed into service and refueled before the level falls below one-quarter tank.

Absent emergency conditions or supervisor approval, Officers parking vehicles at the end of shift should not leave them with less than one-quarter tank of fuel.

702.5 WASHING OF VEHICLES

All units should be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall notify dispatch before entering a drive-in car wash.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

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702.6 NON-SWORN EMPLOYEE USE

Non-sworn employees using marked vehicles shall ensure all weapons are removed from vehicles before going into service. Non-sworn employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Grandview to provide assigned take-home vehicles.

Additional guidelines for member responsibilities when transporting persons in custody may be found in the Transporting Persons in Custody Policy.

703.2 POLICY

The Grandview Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first get approval from a supervisor. An entry will be made in Spillman on the members radio history indicating the member's name, vehicle number and reason for use.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

703.3.2 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency

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lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.4 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty or off-duty or notify dispatch by radio. If the vehicle is not equipped with a working MDT, the member shall notify Dispatch. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.5 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Assistant Chief approval.

System data may be used in any department investigations (e.g., personnel complaints, internal affairs, etc.).

Supervisors should get prior permission to access data if they believe it will be used as the basis for formal discipline.

703.3.6 KEYS

Members who are assigned a specific vehicle should be issued keys for that vehicle.

The loss of a key shall be promptly reported in an email through the member's chain of command.

703.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

703.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

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703.3.9 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

703.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Assistant Chief or Chief of Police.

703.3.11 NON-SWORN MEMBER USE

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance of the Grandview City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's

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employment or appointment status. Residence in the City of Grandview is a prime consideration for assignment of a take-home vehicle.

Department members will be required to acknowledge reading and understanding the Vehicle Use policy.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Assistant Chief gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) Vehicles will not be used when off-duty except:
 - (a) In circumstances when a member has been placed on call by the Chief of Police or Assistant Chiefs and there is a high probability that the member will be called back to duty.
 - (b) When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 - (c) When the member has received permission from the Chief of Police or Assistant Chiefs.
 - (d) When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
 - (a) No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 - (b) All weapons shall be secured while the vehicle is unattended.
 - (c) All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact

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weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Grandview Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facilities approved by the department.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors may make, random inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

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703.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall obtain prior permission from or notify a supervisor..

703.6 DAMAGE, ABUSE, AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format, and forwarded to the Shift Sergeant. An investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 TOLL ROAD USAGE

Authorized on-duty emergency vehicles are exempt from incurring toll road charges. An authorized emergency vehicle is an on-duty vehicle of the Department which is equipped with emergency lights and siren and used to respond to emergency calls (WAC 468-270-030; WAC 468-270-085; WAC 468-270-105).

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

- (a) Members operating department vehicles that are not authorized emergency vehicles shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.
- (b) Members in unauthorized vehicles passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the Assistant Chief within five working days explaining the circumstances.

703.8 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

704.2 POLICY

It is the policy of the Grandview Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

704.3 PETTY CASH FUNDS

This agency does not use petty cash funds.

704.4 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Detective Unit supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies (See Policy 802 Property and Evidence).

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.5 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy (See Policy 802 Property and Evidence).

Cash in excess of \$10,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

Personal Protective Equipment

705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

705.2 POLICY

The Grandview Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to recommend new or improved PPE or additional needs for PPE.

705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in WAC 296-817-200.

705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in WAC 296-800-16050.

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705.6 RESPIRATORY PROTECTION

If any respiratory protection equipment is issued out, the Assistant Chief is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (WAC 296-842-12005):

- (a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.
- (b) Fit testing, including identification of members or contractors qualified to conduct fit testing.
- (c) Medical evaluations.
- (d) PPE inventory control.
- (e) PPE issuance and replacement.
- (f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.
- (g) Regularly reviewing the PPE plan.
- (h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

705.6.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

705.6.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (WAC 296-842-18005):

- (a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.
- (b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.
- (c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

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- (d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

705.6.3 RESPIRATOR FIT TESTING

No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (WAC 296-842-15005).

After initial testing, fit testing for respiratory PPE shall be repeated (WAC 296-842-15005):

- (a) At least once every 12 months.
- (b) Whenever there are changes in the type of SCBA or facepiece used.
- (c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).
- (d) Whenever there is an indication that the respirator fit is unacceptable.

All respirator fit testing shall be conducted in negative-pressure mode.

705.7 RECORDS

The Training Sergeant is responsible for maintaining records of all:

- (a) PPE training.
- (b) Initial fit testing for respiratory protection equipment.
- (c) Annual fit testing.
- (d) Respirator medical evaluation questionnaires and any subsequent physical examination results.
- (e) These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule and WAC 296-842-12010.

705.8 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (WAC 296-800-16025).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (WAC 296-842-16005).

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Electronic Traffic Information Processing (eTRIP) data

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

Dispatch

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Dispatch. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Grandview Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between Dispatch and department members in the field.

801.3 DISPATCH SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Dispatch, its members and its equipment must be a high priority. Special security procedures are documented in the Grandview Police Department Telecommunicator Procedure Manual.

Access to Dispatch shall be limited to Dispatch members, the Shift Sergeant, command staff and department members with a specific business-related purpose.

See GPD Telecommunicator Procedure Manual (To be created)

801.4 CALL HANDLING

This department provides members of the public with call handling services for inside the Grandview city limits or forwards calls to the 9-1-1 system for services outside Grandview's jurisdiction.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, if appropriate, he/she shall immediately initiate a connection to 9-1-1 for TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and

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a language-appropriate authorized interpreter is available in Dispatch, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

When a call for service is pending and there is no officer available to handle the call, the dispatcher will notify the shift sergeant of the pending call.

801.4.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Shift Sergeant shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

801.4.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

801.5 RESPONSIBILITIES

801.5.1 LEAD DISPATCHER

The Chief of Police shall appoint and delegate certain responsibilities to a Lead Dispatcher. The Lead Dispatcher is directly responsible to the Assistant Chief or the authorized designee.

The responsibilities of the Lead Dispatcher include, but are not limited to:

- (a) Overseeing the efficient and effective operation of Dispatch in coordination with other supervisors.
- (b) Scheduling and maintaining dispatcher time records.
- (c) Supervising, training and evaluating dispatchers.
- (d) Ensuring the radio and telephone recording system is operational.
 - 1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.
- (e) Processing requests for copies of Dispatch information for release.

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- (f) Maintaining Dispatch database systems.
- (g) Maintaining and updating Dispatch procedures manual.
 - 1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
 - 2. Ensuring dispatcher compliance with established policies and procedures.
- (h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.
- (i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

801.5.2 ADDITIONAL PROCEDURES

The Lead Dispatcher should establish procedures for:

- (a) Recording all telephone and radio communications and playback issues.
- (b) Storage and retention of recordings.
- (c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).
- (d) Availability of current information for dispatchers (e.g., Shift Sergeant contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).
- (e) Assignment of field members and safety check intervals.
- (f) Emergency Medical Dispatch (EMD) instructions.
- (g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).
- (h)
- (i)
- (j) Handling misdirected, silent and hang-up calls.
- (k)
- (l) Radio interoperability issues.

801.5.3 DISPATCHERS

Dispatchers report to the Lead Dispatcher or the assigned supervisor. The responsibilities of the dispatcher include, but are not limited to:

- (a) Receiving and handling all incoming and transmitted communications, including:
 - (a) Emergency 9-1-1 lines.
 - (b) Business telephone lines.

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- (c) Understanding how to connect to telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
- (d) Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
- (e) Other electronic sources of information (e.g., text messages, digital photographs, video).
- (b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).
- (c) Inquiry and entry of information through Dispatch, department and other law enforcement database systems (e.g., Department of Licensing (DOL) records, Washington Crime Information Center (WACIC), National Crime Information Center (NCIC).
- (d) Monitoring department video surveillance systems.
- (e) Maintaining the current status of members in the field, their locations and the nature of calls for service.
- (f) Notifying the Shift Sergeant or field supervisor of emergency activity, including, but not limited to:
 - 1. Vehicle pursuits.
 - 2. Foot pursuits.
 - 3. Assignment of emergency response.

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the dispatcher with their radio identification call signs and current location.
- (b) Dispatchers acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the dispatcher advised of their status and location.
- (d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Lead Dispatcher shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

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801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Grandview Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their radio call sign.

Dispatch shall periodically broadcast the Grandview Police Department FCC station callsign (i.e., KOK-456).

801.7 DOCUMENTATION

It shall be the responsibility of Dispatch to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Disposition or status of reported incident.

801.8 CONFIDENTIALITY

Information that becomes available through Dispatch may be confidential or sensitive in nature. All members of Dispatch shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as DOL records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel or in accordance with public information requests.

Property and Evidence

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

802.1.1 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Found Property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

802.2 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item.

802.2.1 PROPERTY BOOKING PROCEDURE

The employee who first comes into possession of any property must book the property and place the property under the control of the Evidence Room prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

- (a) Complete the property form describing each item of property separately, listing all serial numbers, owner's name, finder's name, and other identifying information or markings.
- (b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.
- (c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.
- (d) Place the case number in the upper right-hand corner of the bag.

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- (e) The original property form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.
- (f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.
- (g) Evidence and property shall be logged into the centralized tracking system the Spillman system as soon as possible.

802.2.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property tag.

Narcotics and dangerous drugs shall be weighed using a calibrated scale whenever a member enters or leaves the secured facility with the item unless the narcotics or dangerous drugs are being prepared for destruction.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker with a tag.

802.2.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Shift Sergeant. The Bomb Squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling, and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property and evidence technician is responsible for transporting to the Fire Department, for destruction, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

802.2.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.
- (b) License plates found not to be stolen or connected with a known crime, should be released directly to the property and evidence technician, or placed in the designated container for return to the Department of Motor Vehicles. No formal property booking process is required.
- (c) All bicycles and bicycle frames with an estimated value over \$50.00 require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician, or placed in a storage area until a property and evidence technician can log the property.

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- (d) All cash shall be counted in the presence of another officer or a supervisor and the envelope initialed by the booking officer and the witness. The Shift Sergeant shall be notified by email for cash in excess of \$5,000.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.2.5 PROPERTY SUBJECT TO FORFEITURE

Whenever property seized by the Department is subject to forfeiture, specific notification procedures must be followed. It shall be the responsibility of the assigned officer, detective, or the property and evidence technician to ensure that the following notifications are completed.

The owner of the property will be notified of the seizure and intended forfeiture of the seized property as soon as reasonable following the seizure. Notification includes any person having any known right or legal interest in the seized property, including any community property interest. The notice of the seizure may be made by any method authorized by law (RCW 10.105.010).

The notification will include the legal reason for the seizure and information regarding how to appeal the pending forfeiture.

Notification procedures for property seized under Asset Forfeiture (RCW 69.50.505) are detailed in the Asset Forfeiture Policy.

802.2.6 STORAGE OF SURRENDERED FIREARMS

Officers shall accept and store a firearm from any individual who has surrendered firearms under RCW 9.41.800 (Surrender of weapons), the Extreme Risk Protection Order Act, after being detained under RCW 71.05.150 or RCW 71.05.153, or after sentencing pursuant to RCW 10.99.100. The officer receiving the firearm shall:

- (a) Record the individual's name, address, and telephone number.
- (b) Record the firearm's serial number.
- (c) Record the date that the firearm was accepted for storage.
- (d) Prepare a property receipt form and provide a copy to the individual who surrendered the firearm.
 - 1. If the firearm was surrendered pursuant to the Extreme Risk Protection Order Act, the original receipt should be forwarded promptly to the Public Information Spokesperson for timely filing with the court (RCW 7.105.340).

The property and evidence technician shall handle and store firearms surrendered pursuant to a civil protection order to prevent damage or degradation in appearance or function and document the condition of the surrendered firearms including by taking a digital photograph (RCW 7.105.340).

802.2.7 FOUND PROPERTY

Found property surrendered to the Department shall be handled as required by RCW 63.21.050.

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802.3 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

- (a) Narcotics and dangerous drugs.
- (b) Firearms (ensure they are unloaded and booked separately from ammunition).
- (c) Property with more than one known owner.
- (d) Fireworks.
- (e) Contraband.

802.3.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs in a suitable container available for its size. Knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

802.3.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in an evidence locker, accompanied by an evidence tag.. If a presumptive test is conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size and sealed with evidence tape. The booking officer shall initial the sealed envelope over the evidence tape. Narcotics and dangerous drugs shall not be packaged with other property

A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded in the Spillman evidence system..

802.4 RECORDING OF PROPERTY

The property and evidence technician receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Grandview Police Department shall be noted in the property logbook.

802.5 PROPERTY CONTROL

Each time the property and evidence technician receives property or releases property to another person, he/she shall enter this information into the Spillman Evidence system. Officers desiring property for court shall contact the property and evidence technician as soon as possible prior to the court day.

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Property entered into evidence before the Spillman Evidence system was operational may continue to be processed by appropriate measures utilizing the cardstock evidence tag system.

802.5.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry in the Spillman Evidence System shall be completed to maintain the chain of possession. No property or evidence is to be released without first receiving authorization from a supervisor, detective or an authorized evidence custodian.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out any time after booking of the property or evidence.

802.5.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The employee transferring property will check the evidence out of property, indicating the date and time in the Spillman Evidence System and the request for laboratory analysis.

The property and evidence technician releasing the evidence must complete the required information in the Spillman Evidence System. The lab forms will be sent with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

802.5.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the Spillman Evidence System, stating the date, time, and to whom released.

The property and evidence technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the Spillman Evidence System, indicating date, time, and the person who returned the property. A Grandview Police Department receipt book shall be used to document the return and obtain a signature from the individual receiving the property.

802.5.4 AUTHORITY TO RELEASE PROPERTY

A property and evidence technicians shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

802.5.5 RELEASE OF PROPERTY

The Grandview Police Department shall make every effort to return personal property that is in the possession of this department when such property is not considered evidence of a crime or is no longer needed as evidence. In such cases, the property and evidence technician shall make

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a reasonable attempt to identify the lawful owner and provide written notice via US Mail within 15 days after the property is authorized to be released.

If the property remains unclaimed beyond sixty days after the initial written notice to the property owner, or, in the case of property held as evidence, sixty days from the date when the case has been finally adjudicated and the property has been released as evidence by order of the court, the Department may (RCW 63.32.010; RCW 63.40.010):

- (a) At any time thereafter sell the property at public auction to the highest and best bidder for cash. The disposition of all proceeds from such auctions shall be accounted for and recorded according to law (RCW 63.32.030; RCW 63.40.030).
- (b) Retain the property for the use of the Department subject to giving notice in the manner prescribed in RCW 63.32.020 or RCW 63.40.020 and the right of the owner, or the owner's legal representative, to reclaim the property within one year after receipt of notice, without compensation for ordinary wear and tear if, in the opinion of the Chief of Police, the property consists of firearms or other items specifically usable in law enforcement work, provided that at the end of each calendar year during which there has been such a retention, the Department shall provide the City's elected body and retain for public inspection a list of such retained items and an estimation of each item's replacement value. At the end of the one-year period any unclaimed firearm shall be disposed of pursuant to RCW 9.41.098(2).
- (c) Destroy an item of personal property at the discretion of the Chief of Police if the Chief of Police determines that all of the following circumstances have occurred:
 - 1. The property has no substantial commercial value, or the probable cost of sale exceeds the value of the property
 - 2. The item has been unclaimed by any person after notice procedures have been met, as prescribed in this section
 - 3. The Chief of Police has determined that the item is unsafe and unable to be made safe for use by any member of the general public.

If the item is not unsafe or illegal to possess or sell, it may, after satisfying the notice requirements as prescribed in RCW 63.32.020 or RCW 63.40.020, be offered by the Chief of Police to bona fide dealers, in trade for law enforcement equipment. Such equipment shall be treated as retained property for the purpose of annual listing requirements of the RCW. Such items may be destroyed at the discretion of the Chief of Police if the Chief of Police believes that it has been, or may be used in a manner that is illegal (RCW 63.32.010; RCW 63.40.010).

The property and evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released the property card will remain with the Evidence Room. Upon release, the proper entry shall be documented in the Property Log.

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802.5.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim.

802.5.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The evidence Unit will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department.

The property and evidence technician shall complete a visual inspection to detect possible tampering for any narcotic or dangerous drug prior to destruction. The inspection shall be witnessed by another member who does not have access to the evidence room.

802.5.8 PROPERTY DEPICTING A MINOR ENGAGED IN SEXUALLY EXPLICIT CONDUCT

No property or material that depicts a minor engaged in sexually explicit conduct shall be copied, photographed, or duplicated. Such material shall remain under the control of this department or the court and shall be made reasonably available for inspection by the parties to a criminal proceeding involving the material. The defendant may only view these materials while in the presence of his/her attorney or an individual appointed by the court either at this department or a neutral facility as approved by the court (RCW 9.68A.170). Any request for inspecting such material should be brought to the attention of the assigned investigator or an investigation supervisor.

802.5.9 DESTRUCTION OF NARCOTICS OR CONTRABAND

The Assistant Chief or the authorized designee shall establish procedures for the safe destruction of narcotics and dangerous drugs, contraband, and other illegal items. Documentation of destruction shall be maintained in accordance with the established records retention schedule.

802.6 DISPOSITION OF PROPERTY

All personal property, other than vehicles governed by Chapter 46.52 RCW, not held for evidence in a pending criminal investigation or proceeding, and held for 60 days or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property and evidence technician should request a disposition or status on all property which has been held in excess of 60 days, and for which no disposition has been received from a supervisor or detective (RCW 63.32.010; RCW 63.40.010).

802.6.1 BIOLOGICAL EVIDENCE

The property and evidence technician shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney

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- (c) The appropriate prosecutor and Attorney General
- (d) Any sexual assault victim
- (e) The Investigation Assistant Chief

Biological evidence shall be retained for a minimum period established by Washington law (RCW 5.70.010) or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Assistant Chief.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence from an unsolved crime shall not be disposed of prior to expiration of the statute of limitations (RCW 5.70.010). Even after expiration of the applicable statute of limitations, the Assistant Chief should be consulted.

802.6.2 RETURN OF FIREARMS

Prior to the return of a privately owned firearm, the property and evidence technician shall ensure confirmation of the following (RCW 9.41.345):

- (a) The individual to whom the firearm is to be returned is the individual from whom the firearm was obtained, an authorized representative of the individual, or other person identified by a court order
- (b) The individual is eligible to possess a firearm pursuant to RCW 9.41.080
- (c) The firearm is not required to be held in custody or prohibited from release
- (d) Five business days have elapsed from the time the firearm was obtained by law enforcement

If a firearm or dangerous weapon was surrendered or lawfully seized pursuant to a protection order issued under RCW 9.41.800 and is to be returned to a person other than the individual from whom the firearm or dangerous weapon was obtained, the property and evidence technician shall determine that the person is the lawful owner and obtain a written agreement, signed by the lawful owner under the penalty of perjury, that the firearm or dangerous weapon will be stored in a manner to prevent the individual from whom the firearm or dangerous weapon was obtained, from accessing, controlling, or possessing the firearm or dangerous weapon (RCW 9.41.801).

Upon confirmation that the individual is eligible to possess a firearm and any applicable notifications are complete, the firearm shall be released to the individual or authorized representative upon request without unnecessary delay.

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If a firearm cannot be returned because it is required to be held in custody or is otherwise prohibited from release, written notice shall be provided to the individual within five business days of the date the individual requested return of the firearm. The written notice shall include the reason the firearm must remain in custody.

802.6.3 RELEASE OF FIREARMS IN EXTREME RISK PROTECTION ORDER MATTERS

If an extreme risk protection order is terminated or expires without renewal, a firearm taken or surrendered pursuant to the order shall be returned to the person after (RCW 7.105.345):

- (a) Confirming through a background check that the person is currently eligible to possess the firearm under federal and state law.
- (b) Confirming with the court that the extreme risk protection order is no longer in effect.
- (c) Notice has been provided to a family or household member who requested notification.

If an individual other than the restrained person claims title to any firearms surrendered or taken into custody, and that individual is determined to be the lawful owner and a lawful possessor of the firearm, the firearm shall be returned to that individual provided that the individual agrees to store the firearm in a manner that prevents the restrained person from access (RCW 7.105.340).

802.6.4 SEXUAL ASSAULT KITS

Upon written request from the victim of a sexual assault, the Department shall (RCW 70.125.110):

- (a) Provide written notification at least 60 days prior to the destruction or disposal of a sexual assault kit.
- (b) Preserve a sexual assault kit or its contents without charge.

Unreported sexual assault kits shall be stored and preserved for 20 years from the date of collection (RCW 5.70.030).

802.6.5 RELEASE OF FIREARMS AFTER EMERGENCY DETENTION

Firearms surrendered pursuant to RCW 71.05.182 (surrender of firearms after emergency detention) shall be returned in compliance with the provisions of RCW 9.41.345 as long as the six-month suspension period has expired or the person's right to possess firearms has been restored, whichever is sooner (RCW 71.05.182).

802.6.6 NOTIFICATION FOR FIREARM RETURN

If notification has been requested or is required pursuant to RCW 9.41.340, it shall be made to the following individuals by established department protocols within one business day of verification that the firearm is eligible to be returned (RCW 9.41.340):

- (a) To a family or household member, or an intimate partner who has requested notification.
- (b) To any person identified in a no-contact order, restraining order, protection order, or any identified victim of the crime that resulted in the firearm surrender.

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Once notification is made, the firearm shall be held for five business days from the time notification has been provided or the information has been entered into the appropriate databases (RCW 9.41.345).

802.6.7 REPORT OF CLEARED PROPERTY

The property and evidence technician shall provide an annual written report to the Chief of Police on the number of items cleared (e.g., released, returned, disposed of, otherwise removed from the control of the Evidence Room) during the prior year.

802.6.8 DISPOSITION OF FIREARMS FROM BUYBACK PROGRAMS

The Investigation Assistant Chief should develop procedures for the department's handling of firearms obtained from a firearm buyback program, including, at a minimum (RCW 9.41.098):

- (a) Destroying firearms, except as limited by RCW 9.41.098.
- (b) Returning relinquished firearms that are verified to be stolen to the rightful owner.
- (c) Determining whether any relinquished firearms have been used in the commission of a crime and retaining and storing such firearms until no longer needed for investigation or evidence purposes.

802.8 EVIDENCE ROOM SECURITY

Access to the Evidence Room is restricted to authorized department personnel only. It shall be the responsibility of the property and evidence technician to control all access to the Evidence Room.

The property and evidence technician shall maintain a log of all persons entering the secured area of the Evidence Room. Personnel, other than those assigned to the Evidence Room, who have legitimate business in the secured area will be required to record their name, the date, time, and purpose for entry.

802.8.1 CONTROLS AND ALARMS

The Evidence Room permanent storage areas shall have controls to keep property protected from unauthorized entry, fire, moisture, extreme temperature, and pests. Alarms for unauthorized entry and fire shall be monitored at all times.

802.8 INSPECTIONS, INVENTORIES, AND AUDITS OF THE EVIDENCE ROOM

- (a) On an annual basis, the supervisor of the evidence custodian shall make an inspection of the property and evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.
- (b) An annual unannounced audit of property and evidence, including drugs, money, jewelry, and firearms, shall be conducted by the Assistant Chief.
- (c) Whenever a change is made in personnel who have access to the Evidence Room, a full inventory of sensitive items, including drugs, money, jewelry, and firearms, shall be made by an individual not associated with the Evidence Room or its function to ensure that records are correct and all property is accounted for.

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802.9 STATE CRIME LAB GUIDELINES

In addition to the content outlined in this policy, the Department shall follow the Washington State Patrol Crime Lab guidelines for the proper collection and identification of evidence and property.

802.10 POLICY

It is the policy of the Grandview Police Department to process and store all property in a manner that will protect it from loss, damage, or contamination, while maintaining documentation that tracks the chain of custody, the location of property, and its disposition.

Records Section

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Grandview Police Department Records Section. The policy addresses department file access and internal requests for case reports.

The Chief of Police will designate an employee to maintain the Department Records Section Procedures Manual to reflect the procedures being followed within the Records Section.

See Records Maintenance and Release Policy.

803.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically within the Records Section by Records Section personnel.

Reports are numbered commencing with the last two digits of the current year followed by the letter "V", followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 20-V00001 would be the first new case beginning January 1, 2020.

803.1.2 UNIFORM CRIME REPORTING

The Grandview Police Department participates in the Uniform Crime Reporting Program (UCR) and/or the National Incident Based Reporting System (NIBRS). The Public Information Spokesperson is responsible for ensuring that UCR/NIBRS reports are provided to the Washington Association of Sheriffs and Police Chiefs (WASPC) on a regular basis.

803.2 FILE ACCESS AND SECURITY

The security of files in the Records Section must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a police department case, including field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Section accessible only by authorized members of the Records Section. Access to case reports or files when Records Section staff is not available may be obtained through the Shift Sergeant.

The Records Section will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.2.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Section. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Public Information Spokesperson. All original case reports removed from the Records Section shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Section.

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803.2.2 RECORDS CONCERNING JUVENILES

The Public Information Spokesperson shall be responsible for the destruction of juvenile records in accordance with RCW 13.50.270, including the following circumstances:

- Upon receiving notification from the juvenile court that specific records should be destroyed.
- Upon receiving notification from the Office of the Governor that a specific juvenile has received a full and unconditional pardon, the Public Information Spokesperson shall ensure that all records pertaining to that juvenile are destroyed within 30 days.

803.3 USE OF A CENTRAL COMPUTERIZED ENFORCEMENT SERVICE SYSTEM (ACCESS)

ACCESS is a computer-controlled communications system located at the WSP Information Technology Division. ACCESS provides service to all the state and national information systems. The Chief of the WSP is vested with the authority to administer all operating phases of ACCESS and the Washington Crime Information Center (WACIC). There are specific requirements for agencies accessing the information in the group of computer systems in ACCESS.

803.3.1 ACCESS USE REQUIREMENTS

No member of the Grandview Police Department shall operate any of the ACCESS systems without first complying with the training requirements as listed in the ACCESS manual.

803.3.2 ACCESS REQUIREMENTS

As an authorized ACCESS user, the Grandview Police Department complies with all of the following ACCESS requirements:

- Warrant entry
- Receiving information from outside agencies
- Recording information
- Verifying information
- Canceling information
- Providing 24-hour access to agency warrants

It is the responsibility of the Public Information Spokesperson to ensure that all ACCESS computer and network security requirements are in place and operational.

803.4 OFFICER SAFETY ADVISORIES

A Violent Person File (VPF) database is maintained by the National Crime Information Center (NCIC) and is intended to provide protection to police, corrections, or other criminal justice officers. Individuals who represent a potential threat to officers may be entered into ACCESS when they have previously exhibited assaultive or threatening behavior during contacts by law enforcement.

To qualify for entry, one or more of the following conditions must be met (ACCESS Operations Manual Chapter 33-3 II, C):

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- (a) The offender has been convicted for assault or murder/homicide of a law enforcement officer, fleeing, resisting arrest, or any such statute that involves violence against law enforcement.
- (b) The offender has been convicted of a violent offense against a person to include homicide and attempted homicide.
- (c) The offender has been convicted of a violent offense against a person where a firearm or weapon was used.
- (d) A law enforcement agency, based on its official investigatory duties, reasonably believes that the individual has seriously expressed the intent to commit an act of unlawful violence against a member of the law enforcement or criminal justice community.

Officers who encounter a person who they believe is a threat to officer safety should submit a report detailing the circumstances of the contact and nature of the threat for entry as an Officer Safety Advisory.

All Officer Safety Advisories are subject to approval by the Chief of Police or the authorized designee.

Once approved, the Records Section is responsible for making the appropriate entry into ACCESS.

Whenever an Officer Safety Advisory is initiated by the Grandview Police Department, it is the responsibility of the Assistant Chief to ensure that a copy of the supporting documentation and the authorized statement signed by the Chief of Police are maintained in a separate file. Supporting documentation may include the crime report, officer's supplemental report, mental health report, or other similar documentation.

803.5 COURT ORDERS

The Assistant Chief shall oversee a system to confirm proper handling of Court Orders. It will be arranged that no-contact orders received from the court are entered into the WACIC or other applicable criminal intelligence information system for one year or until the expiration date specified on the order. Upon receipt of notice that an order has been terminated, that the order will be removed from the applicable system (RCW 9A.40.102; RCW 9A.40.104; RCW 9A.40.106).

The Assistant Chief should ensure that court orders for the surrender and prohibition of weapons and the revocation of any concealed pistol license are immediately entered into the appropriate databases (RCW 9.41.800).

803.6 POLICY

It is the policy of the Grandview Police Department to maintain department records securely, professionally, and efficiently.

803.7 CONFIDENTIALITY

Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view,

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or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.

803.8 RESPONSIBILITIES

803.8.1 RECORDS SECTION

The responsibilities of the Records Section include but are not limited to:

- (a) Maintaining a records management system for case reports.
 - 1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.
- (b) Entering case report information into the records management system.
 - 1. Modification of case reports shall only be made when authorized by a supervisor.
- (c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.
- (d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.
- (e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.
- (f) Identifying missing case reports and notifying the responsible member's supervisor.
- (g) Establishing a process for collecting and submitting data to appropriate federal data collection authorities (e.g., FBI National Use-of-Force Data Collection), as applicable, for the following types of occurrences:
 - 1. Officer suicides
 - 2. Officer misconduct
 - 3. Uses of force
 - 4. Officer deaths or assaults
 - 5. Crime incidents
 - 6. Deaths in custody
- (h) Providing UCR/NIBRS reports to the Washington Association of Sheriffs and Police Chiefs on a regular basis.
- (i) Entering the required information, to the extent known, in the National Crime Information Center (NCIC) database for any report of a lost or stolen firearm (Chapter 286, § 1, 2024 Laws).

803.8.2 ASSISTANT CHIEF

The Chief of Police shall delegate certain records responsibilities to the Assistant Chief . The responsibilities of the Assistant Chief include, but are not limited to:

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- (a) Overseeing the efficient and effective operation of the Records Section.
- (b) Scheduling and maintaining Records Section time records.
- (c) Supervising, training, and evaluating Records Section staff.
- (d) Maintaining and updating a Records Section procedure manual.
- (e) Ensuring compliance with established policies and procedures.
- (f) Supervising the access, use, and release of protected information (see the Protected Information Policy).
- (g) Establishing security and access protocols for case reports designated as sensitive where additional restrictions to access have been implemented. Sensitive reports may include, but are not limited to:
 - 1. Homicides
 - 2. Cases involving department members or public officials
 - 3. Any case where restricted access is prudent

Records Maintenance and Release

804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

804.2 POLICY

The Grandview Police Department is committed to providing public access to records in a manner that is consistent with the Washington Public Records Act (RCW 42.56.001 et seq.).

804.3 PUBLIC RECORDS OFFICER

The City of Grandview has a Public Records Officer position (RCW 42.56.580) designated at City Hall.

The Chief of Police shall designate the Assistant Chief to assist the Public Records Officer with locating, accessing and releasing police department records. The responsibilities of the Assistant Chief include but are not limited to:

- (a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.
- (b) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
 - 1. Rules and procedures for public inspection and copying shall be prominently displayed and made available to the public for inspection and copying (RCW 42.56.040).
- (c) Maintaining and making available for public inspection and copying an index of documents that provides identifying information of certain documents identified in RCW 42.56.070 that are maintained by the Department.
- (d) Maintaining and updating the department records retention schedule including:
 - 1. Identifying the minimum length of time the Department must keep records.
 - 2. Identifying the department division responsible for the original record.
- (e) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (f) Ensuring a current list containing every law that exempts or prohibits disclosure of specific information or records of the Department is available to the public (RCW 42.56.070).
- (g) Establishing rules regarding the processing of subpoenas for the production of records.
- (h) Ensuring the availability of a current schedule of fees for public records as allowed by law (RCW 42.56.070; RCW 42.56.120; RCW 42.56.130).

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- (i) Ensuring that the business hours for record inspection or copying are posted on the department's website and made known by other means designed to provide the public with notice (RCW 42.56.090).
- (j) Ensuring that the name and contact information of the Public Records Officer is visible to the public, including the department website and appropriate department publications (RCW 42.56.580).

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Assistant Chief or the authorized designee.

804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record, including notices of infraction and citations, is subject to the following:

- (a) The Department is not required to create records that do not exist.
- (b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 - (a) A copy of the redacted release should be maintained for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made to document the release and the reasons for the redacted portions.
- (c) Requests to inspect or copy records shall be responded to promptly. Within five business days of receiving the request, one of the following responses shall be made (RCW 42.56.520):
 - 1. Providing the record.
 - 2. Providing the internet address and link of the department website to the specific records requested.
 - (a) If the requester notifies the Department that access cannot be obtained through the internet, then copies of the record shall be provided or the requester may view the records on the department computer.
 - 3. Acknowledging the receipt of the request and providing a reasonable estimate of time the Department will require to respond to the request. Additional time may be required to respond based upon:
 - (a) The need to clarify the intent of the request.
 - (b) The need to locate and assemble the information requested.
 - (c) Notification to third persons or agencies affected by the request.
 - (d) Determination whether any of the information requested is exempt.

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4. Acknowledging the receipt of the request and asking the requester for clarification if the request is not clear and providing the requester a reasonable estimate of the time that will be needed to respond if the request is not clarified. If the requester does not respond, and the entire request is unclear, the Department need not respond. If only part of the request is unclear, the Department shall respond to those portions of the request that are clear.

804.4.2 DENIALS

- (a) The denial shall be accompanied by a written statement that includes the specific exemption and a brief explanation of how the exemption applies to the withheld record (RCW 42.56.210).
- (b) Requests that are denied are subject to judicial review and the burden of proof is on the Department to show that the records requested are exempt or prohibited in whole or part by statute (RCW 42.56.550).

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Personnel records that contain personal information to the extent that disclosure would violate privacy rights (RCW 42.56.230; RCW 42.56.250).
- (c) Specific intelligence and specific investigative records regarding the discipline of a member of any profession where nondisclosure is essential for effective law enforcement or for the protection of any person's right to privacy (RCW 42.56.240).
- (d) Victim and witness information revealing the identity of persons who file complaints if disclosure would endanger the person's life, physical safety, or property (RCW 42.56.240).
- (e) Child victim and witness identity information including name, address, recordings, and photographs (RCW 7.69A.030; RCW 42.56.240).
- (f) Concealed pistol license applications or information on the applications unless release is to law enforcement or corrections agencies under RCW 9.41.070.
- (g) Information revealing the specific descriptive details, identity, or contact information of a child victim of sexual assault or commercial sexual exploitation who is under age 18. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and usernames and passwords (RCW 10.97.130; RCW 42.56.240).

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- (h) Personal identifying information collected relating to local security alarm system programs and vacation crime watch programs (RCW 42.56.240).
- (i) Certain criminal history record information as restricted by the Criminal Records Privacy Act (RCW 10.97.040 et seq.).
- (j) Traffic collision reports except for what is authorized by RCW 46.52.080 and RCW 46.52.083.
- (k) Preliminary drafts, notes, recommendations, or intra-agency memorandums in which opinions are expressed, or policies formulated, or recommended (RCW 42.56.280).
- (l) Records that are relevant to a controversy (threatened, actual, or completed litigation) to which the Department is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts (RCW 42.56.290).
- (m) Security records including but not limited to records relating to preparing and responding to criminal terrorist acts; vulnerability assessments and emergency and escape plans of secured facilities; information regarding infrastructure and security of computer and telecommunications networks; system security and emergency preparedness plans; and as further defined in RCW 42.56.420.
- (n) Global positioning system data that indicates the location of a member's residence or of a public employee or volunteer (RCW 42.56.240; RCW 42.56.250).
- (o) Information contained in a local, regional, or statewide gang database (RCW 42.56.240).
- (p) Body worn camera recordings that violate a person's right to privacy (RCW 42.56.240)
- (q) Personal identifying information, or information regarding citizenship or immigration status, of any victim of criminal activity or trafficking who is requesting certification for a U or T visa, except where allowed by law (RCW 7.98.020).
- (r) Personal identifying information about an individual's religious beliefs, practices, or affiliation (RCW 42.56.235).
- (s) Investigative records compiled by the Department regarding possible unfair practices of discrimination under RCW 49.60.010 et seq. or possible violation of other federal, state, or local laws or Grandview Police Department internal policies during an active and ongoing investigation (RCW 42.56.250).
 - 1. Records may be released upon completion of the investigation as allowed under RCW 42.56.250.
- (t) Any other information that may be appropriately denied by Washington law.

804.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor or the Assistant Chief 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.

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Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecuting Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

804.7 RELEASED RECORDS

Any records released will be duplicated and archived at GPD and a log kept.

804.8 SECURITY BREACHES

Members who become aware that any Grandview Police Department system containing personal information may have been breached should notify the Assistant Chief as soon as practicable.

The Assistant Chief shall notify the Public Records Officer as soon as possible.

The Public Records Officer shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (RCW 42.56.590).

Notice shall be given as soon as reasonably practicable but may be delayed if notification will impede a criminal investigation.

For the purposes of the notice requirement, personal information includes:

- (a) An individual's first name or first initial and last name in combination with any one or more of the following:
 - 1. Social Security number or the last four digits of the Social Security number
 - 2. Driver license number or Washington identification card number
 - 3. Full account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
 - 4. Any data elements listed in RCW 42.56.590 (e.g., date of birth, health insurance policy number, biometric data, email address, password)
- (b) Any of the data elements listed above without the individual's first and last name if the data elements would enable a person to commit identity theft or if encryption, redaction, or other methods have not safeguarded the data element (RCW 42.56.590).

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Public Records Officer should promptly notify the Assistant Chief (see the Protected Information Policy).

804.9 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Lead Dispatcher. The Assistant Chief shall oversee the expungement such records as ordered by

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the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once a record is expunged, members shall respond to any inquiry as though the record did not exist.

804.10 TRAINING

The Assistant Chief shall complete a training program for Public Records Officers consistent with the Attorney General's model rules within 90 days of assuming responsibilities for public records and complete refresher training as required (RCW 42.56.152).

Protected Information

805.1 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 Grandview 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 Maintenance and Release Policy.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Grandview 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.

805.2 POLICY

Members of the Grandview 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.

805.3 RESPONSIBILITIES

The Assistant Chief shall 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, and the Washington Crime Information Center (WACIC).
- (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. See the Grandview Police Department CJIS Access, Maintenance, and Security Policy for additional guidance.
- (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.

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805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Grandview 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. See the CJIS Access, Maintenance, and Security Policy for additional guidance.

805.4.1 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.

805.5 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 the Lead Dispatcher or to the Assistant Chief 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 Records Section to ensure proper documentation of the release (see the Records Maintenance and Release 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.

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805.5.1 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.

805.6 RELIGIOUS AFFILIATION DISCLOSURE

Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any government program compiling data on individuals based on religious belief, practice, affiliation, national origin, or ethnicity (RCW 42.60.020).

805.7 SECURITY OF PROTECTED INFORMATION

The Assistant Chief will oversee the security of protected information.

The responsibilities of this position include but are not limited to (see the CJIS Access, Maintenance, and Security Policy for additional guidance):

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including computer attacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the Chief of Police and appropriate authorities (RCW 19.255.010; RCW 42.56.590).

805.7.1 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).

805.8 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

Animal Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

806.2 POLICY

It is the policy of the Grandview Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

806.3 ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of Animal Control and include the following:

- (a) Animal-related matters during periods when Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

Animal Control services are governed by the latest contract.

806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.
- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
 - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

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2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

806.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to cruelty to animals should be enforced, including but not limited to RCW 9.08.070 (cruelty to pets), RCW 16.52.117 (animal fighting), RCW 16.52.205 and RCW 16.52.207 (animal cruelty), and RCW 16.52.320 (cruelty to livestock).

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Any determination of abandonment of an animal must be based on probable cause (RCW 16.52.100).

806.5.1 REMOVAL OF ANIMALS

An officer who has probable cause to believe that an animal is subject to cruelty may obtain a warrant for removal of the animal.

If an animal is in imminent danger or has a serious physical injury or illness, a warrant need not be obtained before providing emergency aid to or seizing the animal (RCW 16.52.085). The officer shall take the seized animal to a licensed veterinarian for medical assessment and treatment, then transfer custody to Animal Control, animal foster care, or a nonprofit animal care facility (RCW 16.52.085).

When an animal is removed, written notice shall be provided to the owner within 72 hours of removal and shall include (RCW 16.52.085):

- (a) The contact information of the Grandview Police Department.
- (b) A description of the animal seized.
- (c) The authority and purpose for the seizure.
- (d) The time, place, and circumstances of the seizure.
- (e) A statement that the owner is responsible for the cost of care and will be required to post a bond with the county district court clerk within 14 calendar days of seizure or the animal will be deemed abandoned and forfeited.
- (f) The legal remedies available to the owner.

The notice shall be given by posting at the place of the seizure, by personal delivery to the last known or suspected owner or a person residing at the place of seizure, or by registered mail if the owner is known (RCW 16.52.085).

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806.5.2 ANIMALS EXPOSED TO EXCESSIVE HEAT OR COLD, LACK OF VENTILATION OR LACK OF NECESSARY WATER

Officers may, in exigent circumstances, enter a vehicle or enclosed space other than a residence to save the life of an animal suffering harm from exposure to excessive heat or cold or lack of necessary ventilation or water when there is no person present in the immediate area who has access to the vehicle or enclosed space and is willing to immediately remove the animal (RCW 16.52.340).

In all other cases, a court order should be obtained when necessary to enter a vehicle or structure to protect the life of an animal.

806.5.3 ANIMALS CONFINED WITHOUT FOOD AND WATER

Officers may enter a property, building, dwelling, or vehicle to provide a confined animal necessary food and water where it appears that the animal may be without necessary food or water for 24 consecutive hours if there is probable cause to believe the animal's health or life is in imminent danger. If an officer determines that it is extremely difficult to supply the confined animal with food and water, the animal may be removed to protective custody (RCW 16.52.100).

806.6 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

806.7 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a stray dog is taken into custody, it shall generally be turned over to the contracted animal control officer.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

806.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, they may take reasonable action as necessary. The involved officers should consider requesting the assistance of the contracted on-call animal control service. Officers should consider contacting an available supervisor to determine any additional resources that may be available.

806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality-of-life issues.

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806.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property may be removed, sealed in a plastic bag, and properly disposed of by the responding member.

During working hours, Public Works may be contacted to remove a dead animal if the size of the animal or circumstances dictate the need for special equipment.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

806.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, contact should be made with the Yakima Humane Society for further assistance..

806.12 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal should be euthanized with the approval of a supervisor if available. Whenever possible, an animal should be euthanized in consultation with a licensed veterinarian and the owner of the animal (RCW 16.52.210).

CJIS Access, Maintenance, and Security

807.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use, maintenance, and security of department systems that access, process, store, or transmit Criminal Justice Information.

807.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal Justice Information (CJI) - Data provided by FBI Criminal Justice Information Services (CJIS) that is necessary for law enforcement agencies to perform their mission and enforce the laws (e.g., biometric, identity history, person, organization, case/incident history data).

Security incident - Any incident that compromises the security of CJI or systems that access, process, store, or transmit CJI. Examples include but are not limited to unauthorized use of legitimate code or credentials within department systems, email communications that contain malicious code, data breaches, signaling to external systems, and unauthorized exporting of information.

807.2 POLICY

It is the policy of the Grandview Police Department to maintain the security, confidentiality, and integrity of its information systems that access CJI by collaborating with appropriate state and federal agencies to implement the applicable established protocols.

807.3 CJIS COORDINATOR

The Chief of Police shall appoint a CJIS coordinator, who shall be responsible for the Grandview Police Department's adherence to FBI CJIS Security Policy requirements.

The CJIS coordinator shall establish procedures necessary to govern the department's use, maintenance, and security of systems that access CJI as described in this policy.

807.3.1 CJIS COORDINATOR RESPONSIBILITIES

The responsibilities of the CJIS coordinator include but are not limited to:

- (a) Coordinating with others, such as the information technology or legal departments, as appropriate, to maintain department compliance with FBI CJIS Security Policy requirements and the Washington State Patrol Criminal Records Division.
- (b) Managing member accounts with access to CJI, including:
 - 1. Creating, enabling, modifying, disabling, and removing member accounts in accordance with this policy and the FBI CJIS Security Policy.
 - 2. Configuring member accounts in accordance with federal and state requirements (e.g., limiting unsuccessful attempts, validating new passwords against known compromised or commonly used passwords).
 - 3. Reviewing member accounts for compliance with legal and policy requirements at least annually.

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- (c) Overseeing the maintenance, repair, and replacement of CJI systems and system components in accordance with manufacturer or vendor specifications and/or department requirements, including:
 - 1. Maintaining a list of organizations and personnel approved by the Chief of Police to perform maintenance on CJI systems.
 - 2. Approving, scheduling, documenting, and monitoring all maintenance and diagnostic activities, whether performed on-site, remotely, or off-site, and maintaining records.
 - 3. Verifying that non-escorted personnel performing maintenance on any CJI system or terminal possess the required access authorizations, and designating members who have the required access authorizations and technical competence to supervise the maintenance activities of personnel who do not possess the required access authorizations.
 - 4. Maintaining records for all system maintenance and diagnostic activities.
- (d) Configuring remote access systems and devices only with the explicit authorization of the [agencyHead] or the authorized designee, including
 - 1. Routing through authorized and managed access control points (e.g., firewalls, secure gateways).
 - 2. Mandatory multi-factor authentication for users.
 - 3. Use of automated mechanisms to monitor and control remote access methods.
 - 4. Mandatory encryption (e.g., VPN, Transport Layer Security).
 - 5. Required logging of all remote access activity.
- (e) Monitoring department systems that have access to CJI to ensure compliance with applicable laws and this policy; developing processes to detect, identify, and correct flaws in software and firmware; and conducting security updates as necessary.
- (f) Providing for the security of hardware that includes provisions for the following:
 - 1. How hardware is to be brought into and taken out of department facilities
 - 2. Physical security of hardware within department facilities
 - 3. Physical security of areas containing network connections and transmission lines, including monitored access
- (g) Implementing and carrying out the department Incident Response Plan, including:
 - 1. Tracking and documenting all suspected or actual security incidents related to CJI in an appropriate manner.
 - 2. Directing annual testing of the department's information security incident response capabilities using tabletop or walk-through exercises, simulations, or other types of testing.
 - 3. Making the appropriate notifications outside of the Department (see the Records Maintenance and Release Policy for additional guidance).

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4. Providing information on security incidents to any third-party software developers or vendors as appropriate.
- (h) Protecting digital and non-digital media that contain CJI, including physical security, transportation, destruction/sanitization, and documentation requirements.
- (i) Developing and updating department information security and privacy literacy training and incident response training as required by policy.
- (j) Maintaining audit records in accordance with the established records retention schedule, but in no event for less than one year.
- (k) Managing the development, documentation, and dissemination of applicable policies and procedures for the following:
 1. Access control
 2. Awareness and training
 3. Auditing and accountability
 4. Assessment, authorization, and monitoring
 5. Configuration management
 6. Contingency planning
 7. Identification and authentication
 8. Incident response
 9. Maintenance
 10. Media protection
 11. Physical and environmental protection
 12. Planning
 13. Personnel security
 14. Risk assessment
 15. System and services acquisition
 16. Systems and communications protection
 17. System and information integrity
 18. Supply chain risk management
- (l) Reviewing this policy and related procedures as required by the FBI CJIS Security Policy and proposing updates as needed to the Chief of Police.

807.4 MEMBER RESPONSIBILITIES

All members of the Department shall be committed to detecting information security incidents and making the appropriate notifications.

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Any member who suspects that there may have been unauthorized access, disclosure, or other compromise of CJI shall report their suspicions in accordance with the Incident Response Plan within one hour of the discovery.

Personally owned devices or systems and publicly accessible systems shall not be used to access, process, store, or transmit CJI.

807.5 SUPERVISOR RESPONSIBILITIES

Supervisors shall notify the CJIS coordinator when the account access of a member they supervise needs to be modified, disabled, or removed for any reason, such as resignation, termination, or change of duties.

807.6 MEMBER ACCOUNTS

Department accounts used to access CJI shall only be created upon approval of the Chief of Police or the authorized designee.

Member accounts shall be disabled within one week of any of the following:

- (a) The account has expired.
- (b) The account is no longer associated with a member.
- (c) The account is found to be in violation of this policy.
- (d) The account has been inactive for 90 calendar days.

If any threat to the confidentiality, integrity, or availability of CJI related to a specific member account is detected, the CJIS coordinator or designated member shall disable the account within 30 minutes of the discovery.

807.6.1 ACCESS AUTHORIZATION

Access authorization for systems transmitting, receiving, using, or storing CJI shall be based on the principle of least privilege as follows:

- (a) Members shall only be granted access authorizations that are necessary to accomplish assigned department tasks.
- (b) Accounts with security privileges shall only be authorized for members with an operational need for the privileges. Privileged functions shall be logged as they are executed.
- (c) Non-privileged members shall not be allowed to execute privileged functions.

807.6.2 ACCOUNT REVIEW ACTIVITIES

At least annually, the CJIS coordinator shall review member accounts for compliance with policy and applicable laws. The CJIS coordinator shall validate account privileges and remove or reassign them as necessary to accurately reflect the department mission and law enforcement needs.

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CJIS Access, Maintenance, and Security

807.7 MEDIA PROTECTION

Access to media containing CJI shall be restricted to authorized members and stored within physically secured locations or controlled areas, in accordance with the FBI CJIS Security Policy.

Digital media (e.g., flash drives, external or removable hard disk drives, compact discs) containing CJI shall be encrypted. Personally owned digital media devices or digital media devices with no identifiable owner shall not be used on department systems that store, process, or transmit CJI.

Non-digital media (e.g., paper files, printed pages, microfilm) containing CJI should be enclosed in an opaque folder or container if they are to be transported outside of physically secure locations or controlled areas. Media containing CJI shall not be left unattended outside of a physically secure location.

Transportation and transfers of media containing CJI shall only be conducted by authorized members and shall be documented.

807.7.1 MEDIA DISPOSAL AND RELEASE

Digital media containing CJI shall be overwritten at least three times or degaussed (i.e., erased) prior to being disposed of, released from department control, or released for reuse. Inoperable digital media devices, such as hard drives or solid-state drives that cannot be accessed to overwrite the data, shall be physically destroyed. When non-digital media is no longer needed for investigative or security purposes, it shall be destroyed by crosscut shredding or incineration.

807.8 SYSTEM AND INFORMATION INTEGRITY

The integrity of department CJI systems shall be protected through the implementation of appropriate controls such as:

- (a) Flaw remediation.
- (b) System monitoring.
- (c) Security alerts, advisories, and directives.
- (d) Software, firmware, and information integrity controls.
- (e) Spam protection.

807.9 INCIDENT RESPONSE PLAN

[Insert your agency's Incident Response Plan consistent with CJIS 5.3 IR-4, IR-7, and IR-8 – see the Guide Sheet for additional guidance.]

807.10 SECURITY AWARENESS TRAINING

Members with physical or electronic access to CJI or CJI systems shall complete security awareness training appropriate to their assigned roles and responsibilities and shall certify their understanding by signing a formal Security Awareness Training Acknowledgement. Training shall include information security and privacy literacy training, security incident response training, and a review of this policy and related procedures.

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Security awareness training shall be completed prior to accessing any CJI data or system and at least annually thereafter. Additional training shall be completed as required following any changes to CJI systems and for any member involved in a security incident within 30 days of the event.

Individual training records shall be maintained in accordance with the established records retention schedule, but in no event for less than three years.

The department's CJIS training shall be reviewed for any necessary updates or changes annually and following any security incident or change in a CJI system or the FBI CJIS Security Policy.

807.11 SANCTIONS

Failure to adhere to policies and procedures pertaining to CJI shall result in disciplinary action, up to and including termination. Misuse of or failure to secure CJI may also result in temporary or permanent restrictions in the use of CJI. Intentional misuse of CJI may also be prosecutable under applicable laws.

Chapter 9 - Custody

Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Grandview Police Department for processing or testing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

Additional guidance for transferring persons in custody to another facility or court is provided in the Transporting Persons in Custody Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Grandview Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Grandview Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Grandview Police Department, but should be transported to a jail facility, a medical facility, or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision, or medication while in temporary custody.

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- (c) Any individual who is seriously injured.
- (d) Individuals who are a suspected suicide risk (see the Emergency Detentions Policy).
 - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance, or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify an on-duty supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.

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- (b) Emergency medical personnel when necessary.
- (c) Any other person authorized by the Shift Sergeant.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the appropriate jail or the appropriate mental health facility.

The officer should promptly notify an on-duty Shift Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

- (a) Advise the Shift Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
 - 1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
 - 2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):
 - (a) Continuous, direct sight and sound supervision.
 - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
 - 3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
 - 4. Ensure males and females are separated by sight and sound when in cells.

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- 5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
- (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
- (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Assistant Chief will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
 - 1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
 - (a) If the country is on the mandatory notification list, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
 - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
 - (c) Forward any communication from the individual to his/her consular officers without delay.
 - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
 - (b) If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
 - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone. [See attachment: Consular Notification and Access Reference Card.pdf](#)
 - (b) Forward any communication from the individual to his/her consular officers without delay. [See attachment: Consular notification form.pdf](#)

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900.4.3 NOTICE TO INDIVIDUALS

To ensure compliance with treaty obligations, including consular notification, and state and federal law, written notice shall be given to an individual being detained explaining that the individual has the right to refuse to disclose their nationality, or immigration or citizenship status, and that disclosure may result in civil or criminal immigration enforcement, including removal from the United States (RCW 10.93.160).

900.5 SAFETY, HEALTH, AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Grandview Police Department, the custody shall be promptly and properly documented in a custody log, including:

- (a) Identifying information about the individual, including their name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Grandview Police Department.

Members shall not inquire about any individual's immigration or citizenship status or place of birth unless the information is directly connected to an investigation into a violation of state or local law (RCW 10.93.160) For further guidance on immigration-related issues, see the Immigration Considerations Policy.

The Shift Sergeant should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Shift Sergeant should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted on the jail log.
- (b) Individuals in custody are informed that they will be monitored at all times.
 - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
 - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins.

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- (d) There is reasonable access to a drinking water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (h) Clean sheets and/or blankets are provided as reasonably necessary to ensure the comfort of an individual.
- (i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. Department members shall maintain current certification in basic first aid and CPR.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Grandview Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, an on-duty Shift Sergeant shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists. Any removal will be documented in a related case report or a new case number drawn for that purpose.

900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.

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1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
- (a) Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be audibly monitored, eavesdropped upon or any automatic recording of such be listened to.
- (d) The timing of when calls are allowed may be managed by Grandview Police Department members to most efficiently process temporary custody individuals (e.g., dui suspects).

Attorney/client conversations are guaranteed greater privacy than routine conversations. Due to technology constraints it is possible that an attorney/client conversation may be recorded in some manner during routine operations. If an employee accesses or listens to a privileged attorney/client conversation they must report the event to the Assistant Chief.

900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody (e.g., jail cells). They should be properly secured outside of the secure area. An exception may occur only during emergencies.

Doors to cells shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

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900.5.8 NONDISCRIMINATION

The Grandview Police Department shall not deny services, benefits, privileges, or opportunities to individuals in custody on the basis of national origin, or immigration or citizenship status, or on the basis of the existence of an immigration hold request, notification request, civil immigration warrant, administrative subpoena, or similar request by a person engaged or intending to engage in the enforcement of federal immigration laws, except as required by law (RCW 10.93.160; RCW 43.17.420; RCW 49.60.030).

900.5.9 EMERGENCY ALARMS

Members should have reasonable access to emergency alarms (i.e., duress/panic alarms), either as part of an installed system or as a function on members' portable radios. Members entering a secured area not equipped with an installed emergency alarm system shall carry portable radios when a person in temporary custody is present.

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Grandview Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in temporary custody should only be secured to a fixed object if the object is designed and intended for such use.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person or destroyed. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return. The Department shall maintain a copy of the property receipt.

The Shift Sergeant shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Sergeant shall attempt to prove or disprove the

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claim. Any allegations of shortage or discrepancy shall be documented in a related case report and a supervisor notified by e-mail.

900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

- (a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces, and jackets, shall be removed.
- (b) The individual shall have constant auditory access to department members.
- (c) The individual's initial placement into and removal from a locked enclosure shall be logged.
- (d) Safety checks by department members shall occur no less than every 30 minutes.
 - (a) All safety checks shall be logged.
 - (b) The safety check should involve questioning the individual as to his/her well-being.
 - (c) Individuals who are sleeping or apparently sleeping should be awakened.
 - (d) Requests or concerns of the individual should be logged.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Assistant Chief will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Grandview Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Sergeant, Chief of Police and Investigation Assistant Chief.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the Yakima Valley Special Investigations Unit..
- (e) Notification of the City Attorney.
- (f) Notification of the Coroner.
- (g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

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- (a) All proper reports, forms, and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband, or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Grandview Police Department unless escorted by a member of the Department.
- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if the individual is being sent to another facility.
- (h) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with the person's personal needs as reasonable.

900.11 IMPAIRED DRIVING TEMPORARY CUSTODY

For evidentiary reasons and the timelines involved in processing an impaired driver, some minor deviations from the Temporary Custody Policy are necessary

The following may be considered in processing an impaired driver;

1. A female who is obviously pregnant or claims to be pregnant, may be processed in the breath test room but then released or transported as soon as possible.
2. If no female employees are on-duty, an in-custody, female, impaired driving suspect may be brought into the breath test room to be processed but then be released or transported as soon as possible.

900.12 ASSIGNED ADMINISTRATOR

The Assistant Chief will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security
- (b) Key control
- (c) Sanitation and maintenance
- (d) Emergency medical treatment
- (e) Escapes
- (f) Evacuation plans
- (g) Fire and life-safety
- (h) Disaster plans

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- (i) Building and safety code compliance

900.13 TRAINING

Training for department members should include initial and periodic review, including but not limited to:

- (a) A review of this policy and any related procedures.
- (b) Appropriate training on procedures related to using processing/testing areas.
- (c) In-service training as required by the Department.

Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants, or weapons into the Grandview Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors, and the public.

Guidance for custody searches when transporting a person in custody may be found in the Transporting Persons in Custody Policy.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Grandview Police Department facilities. When reasonable, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member should be present during the search if one is available.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

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901.3.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Grandview Police Department identification number and any information regarding how and when the property may or may not be released.

Property taken from an individual may be destroyed at their request (e.g., contraband, lighters, dangerous items). Any items destroyed shall be documented in a related case report. A notation of destruction may be made on an individual's booking sheet and initialed by the individual.

901.3.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received if possible. If another department member is available they should double check the count. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate plastic cash bag and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in the bag with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials on the bag. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.4 STRIP SEARCHES

No individual in temporary custody at any Grandview Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband that constitutes a threat to the facility. Probable cause is required for a strip search when there is a belief the individual is concealing on his/her body evidence not constituting a threat to the facility (RCW 10.79.130).

Factors to be considered in determining reasonable suspicion or probable cause include, but are not limited to (RCW 10.79.140):

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

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- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
 - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).
- (f) The nature of the offense.

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.4.1 STRIP SEARCH PROCEDURES

Strip searches at Grandview Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from a Sergeant or above shall be obtained prior to the strip search.
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner (RCW 10.79.100).
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched. Incidental contact is allowed if necessary for the removal of any discovered contraband.
- (f) The primary member conducting the search shall prepare a written report to include (RCW 10.79.150):
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The written authorization for the search, obtained from the Shift Sergeant.
 - 4. The name of the individual who was searched.

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5. The name, badge number of the officer and sex of the members who conducted the search.
 6. The name, sex and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, that were recovered.
 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
 11. Any health condition discovered.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.
- (h) Except at the request of the individual, no person, other than those who are participating in the search, shall be present or able to observe the search (RCW 10.79.150).
- (i) A copy of the written authorization shall be maintained in the related case file of the individual who was searched (RCW 10.79.150).

See Strip Search Form [See attachment: strip search approval form.pdf](#)

901.4.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Sergeant authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Shift Sergeant authorization does not need to be in writing.

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901.4.3 RESTRICTIONS

Strip searches should be limited to those situations where such searches are necessary. Reasonable efforts to use less intrusive methods, such as pat-downs, electronic metal detector or clothing searches shall be made prior to any strip search (RCW 10.79.060; RCW 10.79.140).

901.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Sergeant and only upon a search warrant. Authorization may be obtained electronically (RCW 10.79.080). A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a qualified physician, registered nurse or physician's assistant may conduct a physical body cavity search (RCW 10.79.100).
- (c) Except for the qualified physician, registered nurse or physician's assistant conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including (RCW 10.79.080):
 - 1. The facts that led to the decision to perform a physical body cavity search of the individual.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.
 - 3. The Shift Sergeant's approval.
 - 4. A copy of the search warrant.
 - 5. The time, date, location, and description of the search.
 - 6. The medical personnel present.
 - 7. The names, sex, and roles of any department members present.
 - 8. A statement of the results of the search and a list of any contraband or weapons discovered by the search.
- (f) A copy of the written authorization shall be retained and made available to the individual who was searched or other authorized representative upon request.
- (g) Before any physical body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, as appropriate, must be used. No physical body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the Department (RCW 10.79.080).

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- (h) The Shift Sergeant may allow the individual to have a readily available witness, of the individual's choosing, present at the time the search is conducted. The person chosen shall not be currently in custody or present an unreasonable security risk (RCW 10.79.100).

901.6 TRAINING

The Training Sergeant shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs. The search must be conducted by a physician, registered nurse, or physician's assistant.

901.7 GENDER IDENTITY OR EXPRESSION CONSIDERATIONS

If an individual who is subject to a strip search or physical body cavity search has a gender identity or expression that differs from their sex assigned at birth, the search should be conducted by members of the same gender identity or expression as the individual, unless the individual requests otherwise.

901.8 JUVENILES

No juvenile should be subjected to a strip search or a physical body cavity search at the Department.

If a juvenile who is suspected of concealing a weapon or contraband, experiences a medical issue related to such concealment, they should be evaluated by medical personnel prior to any transport by officers.

Juveniles should be transported to a local hospital (Prosser or Sunnyside) or the Yakima County Juvenile Detention facility for a strip or body cavity search.

If transporting a juvenile who is suspected of concealing a weapon or contraband to a medical facility or juvenile detention facility, officers should keep the juvenile suspected of concealing a weapon under constant and direct supervision until custody is transferred to the receiving facility.

Nothing in this section is intended to prevent an officer from rendering medical aid to a juvenile in emergency circumstances (see the Medical Aid and Response Policy for additional guidance).

Biological Samples

902.1 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 and from offenders required to register, for example, as sex offenders. This policy does not apply to biological samples collected at a crime scene or taken from an individual in conjunction with a criminal investigation.

902.2 POLICY

The Grandview Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

Collection of biological samples will generally fall to the jail facilities where prisoners are housed. GPD will consider assisting if requested.

902.3 OFFENDERS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following offenders must submit a biological sample (RCW 43.43.754):

- (a) An offender convicted of any felony offense.
- (b) An offender convicted of assault in the fourth degree where domestic violence as defined in RCW 9.94A.030 was pleaded and proven (RCW 9A.36.041).
- (c) An offender convicted of assault in the fourth degree with sexual motivation (RCW 9A.36.041; RCW 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.44.040 et seq.).
- (g) An offender convicted of harassment (RCW 9A.46.020).
- (h) An offender convicted of patronizing a prostitute (RCW 9A.88.110).
- (i) An offender convicted of sexual misconduct with a minor in the second degree (RCW 9A.44.096).
- (j) An offender convicted of stalking (RCW 9A.46.110).
- (k) An offender who violates a sexual assault protection order granted under RCW 7.105.050 et seq. (Civil Protection Orders).
- (l) An offender convicted of indecent exposure (RCW 9A.88.010).
- (m) An offender convicted of a sex or kidnapping offense and required to register under RCW 9A.44.130.

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902.3.1 OPTIONAL SUBMISSION OF BIOLOGICAL SAMPLES

The Department may submit biological samples to the forensic laboratory services of the Washington State Patrol (WSP) of an offender who is deceased and who was previously convicted of a qualifying offense regardless of the date of conviction (RCW 43.43.754).

902.4 PROCEDURE

When an offender is required to provide a biological sample, a trained member shall attempt to obtain the sample in accordance with this policy.

902.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the offender is required to provide a sample pursuant to RCW 43.43.754.
- (b) Verify that a biological sample has not been previously collected from the offender by querying the person's WSP Crime Lab. There is no need to obtain a biological sample if one has been previously obtained (RCW 43.43.754).
- (c) Use the designated collection kit provided by the WSP to perform the collection and take steps to avoid cross contamination.

902.5 USE OF FORCE TO OBTAIN SAMPLES

If an offender refuses to cooperate with the sample collection process, members should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order or approval of legal counsel, and only with the approval of a supervisor.

Methods to consider when seeking voluntary compliance include contacting:

- (a) The individual's parole or probation officer, when applicable.
- (b) The prosecuting attorney to seek additional charges against the individual for failure to comply or to otherwise bring the refusal before a judge (RCW 43.43.754(11)).
- (c) The judge at the individual's next court appearance.
- (d) The individual's attorney.
- (e) Another custody facility with additional resources, where the individual can be transferred to better facilitate sample collection.
- (f) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available. The supervisor shall review and approve any plan to use force and be present to document the process.

The supervisor shall review and approve any plan to use force and be present to document the process.

902.5.1 VIDEO RECORDING

A video recording should be made any time force is used to obtain a biological sample. The recording should document all persons participating in the process, in addition to the methods and

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all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the established records retention schedule.

902.6 LEGAL MANDATES AND RELEVANT LAWS

Washington law provides for the following:

902.6.1 AVAILABLE INFORMATION AND TRAINING

The patrol supervisor should maintain relevant informational material from the WSP in the evidence packaging room of the Grandview Police Department for training and guidance purposes. This should include the WSP protocols for the collection, preservation, and shipment of biological samples (WAC 446-75-060).

Prison Rape Elimination

903.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against prisoners in the Grandview Police Department Temporary Holding Facilities (28 CFR 115.111).

903.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the prisoner does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the prisoner or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a prisoner or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

903.2 POLICY

The Grandview Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Grandview Police Department will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

903.3 PREA COORDINATOR

The Chief of Police appoints the Assistant Chief to develop, implement and oversee department efforts to comply with PREA standards in the Grandview Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of Grandview Police Department prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of prisoners (28 CFR 115.151).
- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).

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- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
 - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 - 3. A process to document all referrals to other law enforcement agencies.
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 - 5. In accordance with security needs, provisions to permit, to the extent available, prisoner access to victim advocacy services if the prisoner is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
 - 1. The agency shall not rely on other prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the department's website:
 - 1. Information on how to report sexual abuse and sexual harassment on behalf of a prisoner (28 CFR 115.154).
 - 2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
 - 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence,

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conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.

2. The data shall be aggregated at least annually.

- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house prisoners overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

903.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Prisoners may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

903.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from prisoners and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Shift Sergeant any knowledge, suspicion or information regarding:

- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against prisoners or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

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903.4.2 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Shift Sergeant shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the Shift Sergeant shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Shift Sergeant shall document such notification (28 CFR 115.163).

If an alleged prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

903.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

903.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.
- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

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903.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a prisoner or a member of the Grandview Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the prosecuting attorney for possible prosecution, including any time there is probable cause to believe a prisoner sexually abused another prisoner in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

903.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

903.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

Prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

903.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Administrator. The Chief of Police or City Administrator shall review the investigation and determine whether any allegations of sexual abuse

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or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with prisoners by a contractor or volunteer.

903.6 RETALIATION PROHIBITED

All prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Shift Sergeant or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Shift Sergeant or the authorized designee shall identify a staff member to monitor the conduct and treatment of prisoners or members who have reported sexual abuse and of prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of prisoners, such monitoring shall also include periodic status checks.

903.7 REVIEWS AND AUDITS

903.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.

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- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

903.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the department's progress in addressing sexual abuse.

The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Grandview Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

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903.8 RECORDS

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

903.9 TRAINING

All employees, volunteers and contractors who may have contact with prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Sergeant shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and prisoners' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which prisoners are most vulnerable.
- The right of prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.
- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Sergeant shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with prisoners shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher

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information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the sworn and non-sworn selection process. This policy supplements the rules that govern employment practices for the Grandview Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Grandview Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

Recruitment, testing and selection will be handled in conjunction with the City of Grandview's Human Resource Department.

1000.3 RECRUITMENT

The Department should, in consultation with the City of Grandview Human Resources Department, strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department shall employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Personal and professional reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

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- (e) Information obtained from public internet sites
 - 1. This review should include the identification of any activity that promotes or supports unlawful violence or unlawful bias against persons based on protected characteristics (e.g., race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, disability).
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer examination (when legally permissible) (RCW 43.101.095; WAC 139-07-040)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
 - 1. The medical examination shall include a drug screening and be conducted by a licensed physician.
- (j) Review board or selection committee assessment
- (k) Relevant national and state decertification records, if available, including the National Decertification Index

1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference percentages as required (RCW 41.04.010).

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify their personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Grandview Police Department (RCW 43.101.095; WAC 139-07-020).

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Assistant Chief shall not require candidates to provide passwords, account information or access to password-protected social media accounts (RCW 49.44.200).

The Administration Assistant Chief should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.

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- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administration Assistant Chief should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file. These files shall be stored in a secured manner and made available only to those who are authorized to participate in the selection process.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.5.5 BACKGROUND CERTIFICATION

Upon completion of the background investigation of a candidate who has received a conditional offer of employment with the Grandview Police Department, the background investigator shall certify to the Criminal Justice Training Commission (CJTC) that the background check has been completed and there was no information found that would disqualify the candidate from certification, and that the candidate is suitable for employment as an officer (RCW 43.101.095).

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

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A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (RCW 43.101.095; RCW 43.101.200). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the following minimum standards established by the CJTC (RCW 43.101.095):

- (a) Be eligible for CJTC certification
- (b) Submit to a psychological evaluation conducted by a licensed psychologist or psychiatrist
- (c) Submit to a polygraph examination conducted by a qualified technician
- (d) Submit to a criminal history check
- (e) Not been convicted of a felony offense
- (f) Be eligible to work under federal law as a U.S. citizen, lawful permanent resident, or Deferred Action for Childhood Arrivals (DACA) recipient

1000.8 PROBATIONARY PERIODS

The Assistant Chief should coordinate with the Grandview Department of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Grandview Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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1001.3.1 RESERVE OFFICER EVALUATIONS

Reserve officer evaluations are covered under the Reserve Officers Policy.

1001.4 FULL TIME PROBATIONARY PERSONNEL

Non-sworn personnel are on probation for the times listed in the CBA before being eligible for certification as permanent employees. Probationary non-sworn personnel shall be evaluated twice during the probationary period. Once midway through the probationary period and again at the completion of the probationary period.

Sworn personnel are on probation for the times listed in the CBA before being eligible for certification as permanent employees. Probationary officers shall be evaluated twice during the probationary period. Once midway through the probationary period and again at the completion of the probationary period.

1001.5 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.).

1001.5.1 RATINGS CRITERIA

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

ABOVE STANDARD

5 - Superior: The employee exceeds all of the behaviors indicated for the acceptable standard of performance.

4 - Exceeds Standards: The employee exhibits all of the behaviors indicated for the acceptable standard of performance and the majority of the behavioral standards for the outstanding performance.

ACCEPTABLE

3 - Acceptable: The employee exhibits all of the behaviors indicated for the acceptable standard of performance.

BELOW STANDARD

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2 - Needs Improvement: The employee exhibits most of the behaviors indicated for the acceptable standard of performance but needs improvement in some areas of performance or behavior.

1 - Unacceptable: The employee does not exhibit the behaviors indicated for the acceptable standard of performance.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1001.6 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the Employee Comments section of the performance evaluation report.

1001.7 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Assistant Chief). The Assistant Chief shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Assistant Chief shall evaluate the supervisor on the quality of ratings given.

1001.8 EVALUATION DISTRIBUTION

A copy of the performance evaluation shall be maintained temporarily in the employee's personnel file in the office of the Chief of Police. A copy will be given to the employee and the original will be forwarded to City Department of Human Resources to be retained for the tenure of the employee's employment.

1001.9 REMEDIAL TRAINING

When an employee fails to perform a job function at the level prescribed in this policy manual, remedial training may be necessary to ensure that employee has the knowledge and skills necessary to perform at an acceptable level.

Whenever an employee receives an evaluation rating of needs improvement or unacceptable, receives a Special Evaluation to document a performance deficiency or is receiving discipline for a performance deficiency, the supervisor should consider whether remedial training would be appropriate to assist the employee in improving their performance.

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- (a) If remedial training is deemed to be appropriate, the supervisor shall document the following items in a Personnel Improvement Plan (PIP):
 - 1. The remedial training being provided.
 - 2. The timeline for providing the training.
 - 3. The timeline for evaluating the employee's subsequent performance.
 - 4. The consequences if the employee fails to perform.
 - 5. The desired outcome if the remediation is successful.
- (b) Prior to implementing the remedial training, the supervisor shall present the PIP to the employee who shall then be provided with ten days to respond with any objections or other comments.
- (c) If the employee fails to provide a timely written response or expresses no desire to respond, the employee's date and signature shall be affixed to the PIP as agreement to its terms.
- (d) If the employee provides a timely written response, any objections shall be noted and passed to the Chief of Police for review.

The remedial training process is for use with all employees. It is not limited to use with probationary employees.

Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Grandview Police Department.

1002.2 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any civil service promotional process are available at the Grandview Department of Human Resources.

1002.3 POLICY

The Grandview Police Department determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1002.4 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Special Weapons and Tactics Team member
- (b) Detective
- (c) LEAD Detective
- (d) Field Training Officer
- (e) Training Officer
- (f) School Resource Officer officer
- (g) Officer-in-Charge
- (h) Yakima Valley Special Investigations Unit
- (i) Instructor (Various disciplines)
- (j) Drone Operator
- (k) Evidence Officer
- (l) Deputy Coroner
- (m) K9 Officer
- (n) TAC Officer

1002.4.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Amount of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by CJTC or law

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- (d) Exceptional skills, experience, or abilities related to the special assignment
- (e) Yearly evaluation ratings

1002.4.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance.
- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expresses an interest in the assignment.
- (d) Demonstrates the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership skills
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to department goals and objectives in a positive manner
 - 9. Time management skills and abilities

1002.4.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate may be asked to submit a recommendation.
 - 1. The supervisor recommendations will be submitted to the Assistant Chief.
- (b) Assistant Chief interview - The Assistant Chief will schedule interviews with each candidate.
 - 1. Based on supervisor recommendations and those of the Assistant Chief after the interview, the Assistant Chief will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

Some special assignments (SWAT, LEAD, SIU, etc.) may have individual testing requirements or minimum standards. The selected candidate must still meet the necessary requirements before being accepted.

Grievance Procedure

1003.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

Nothing in this policy is intended to conflict with the controlling City Of Grandview Personnel Manual or any Collective Bargaining Agreement.

1003.1.1 GRIEVANCE DEFINED

Grievance - Is any dispute involving the interpretation or application of any of the following documents by the person affected:

- The employee bargaining agreement (Memorandum of Understanding).
- City rules and regulations covering personnel practices or working conditions.

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy or federal, state, or local law set forth in the Personnel Complaints Policy.

1003.2 PROCEDURE

The agency's grievance process is spelled out in the collective bargaining agreement.

[See attachment: 2019 -21 Police Collective Bargaining Agreement.pdf](#)

1003.3 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Administration for transfer to Human Resources.

1003.4 GRIEVANCE AUDITS

The Training Sergeant shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Training Sergeant shall record these findings in a confidential and generic memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Training Sergeant should promptly notify the Chief of Police.

Anti-Retaliation

1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance, or collective bargaining agreement or memorandum of understanding.

This policy may be effected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

See attachment: Police Collective Bargaining Agreement.pdf

See attachment: City of Grandview PERSONNEL POLICY MANUAL.pdf

1004.2 POLICY

The Grandview Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.

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- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

1004.3.1 RETALIATION PROHIBITED FOR INTERVENING OR REPORTING

An officer shall not be retaliated against in any way for intervening or reporting in good faith any wrongdoing by another law enforcement officer. Wrongdoing means conduct that is contrary to law or policies of this department (RCW 10.93.190).

1004.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City Director of Human Services.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1004.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

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- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

1004.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1004.7 WHISTLE-BLOWING

Washington law protects employees who make good faith reports of improper government actions. Improper government actions include violations of Washington law, abuse of authority, gross waste of funds, and substantial and specific danger to the public health or safety (RCW 42.40.010 et seq.; RCW 49.60.210; RCW 42.41.010 et seq.).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Assistant Chief for investigation pursuant to the Personnel Complaints Policy.

1004.7.1 DISPLAY OF REPORTING PROCEDURES

The Department shall display the City policy to employees regarding their rights and the procedures for reporting information of an alleged improper government action. A copy of the policy shall be made available to employees upon request (RCW 42.41.030).

1004.8 RECORDS RETENTION AND RELEASE

The Lead Dispatcher shall ensure that internally generated documentation of investigations is maintained in accordance with the established records retention schedules.

1004.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions, and Court Orders

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions, and court orders restrict their ability to perform the official duties and responsibilities of the Grandview Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction, or court order disqualifies them from possessing a firearm (RCW 43.101.135).

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Washington and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; RCW 9.41.040; RCW 9.41.801).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.3 REPORTING

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal detention, arrest, charge, plea, or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Sergeant or the Chief of Police) in writing if they become the subject of a domestic violence-related order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of applicable Criminal Justice Training Commission (CJTC) certification.

Any member whose criminal arrest, conviction, or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes but is not limited to being placed on administrative leave, reassignment, and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

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Retired officers may have their identification cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

1005.3.1 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION

The Administration Assistant Chief shall ensure that notification has been made to CJTC within 15 days of learning that an officer has been charged with a crime (RCW 43.101.135).

1005.4 POLICY

The Grandview Police Department requires disclosure of member arrests, convictions, and certain court orders to maintain the high standards, ethics, and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department

1005.5 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

Washington law prohibits the possession of a firearm under the provisions of RCW 9.41.040 (unlawful possession of firearms).

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust, and shall be reported as provided in this policy.

Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

1006.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance, or collective bargaining agreement for any covered member.

[See attachment: 2019 -21 Police Collective Bargaining Agreement.pdf](#) (See appropriate section for Substance Abuse Policy and Testing Procedure)

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public.

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Sergeant or appropriate supervisor as soon as the member is aware that the member will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, the member shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1006.3.1 USE OF MEDICATIONS

Members should not use any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to the member's immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair the member's abilities, without a written release from the member's physician.

1006.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-duty is prohibited and may lead to disciplinary action (RCW 69.51A.060).

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1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from unauthorized purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1006.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1006.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1006.7 REQUESTING SCREENING TESTS

A supervisor may require an employee to submit to a screening test under the following circumstance:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

1006.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

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- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1006.7.2 DISCIPLINE

An employee may be subject to disciplinary action if the employee:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that the employee took the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.
- (c) Violates any provisions of this policy.

1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1006.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

1006.10 VOLUNTARY SCREENING TEST

A supervisor may offer an employee an opportunity to voluntarily obtain a screening test under any of the following circumstances:

- (a) The employee discharges a firearm, other than by accident, in the performance of his/her duties (excluding pre-authorized events such as training, euthanizing an animal, etc.).
- (b) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in substantial bodily injury to him/herself or another person, or substantial damage to property.

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable labor agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) or the Washington Paid Family and Medical Leave program (PFML) (29 USC § 2601 et seq.; RCW 50A.05.005 et seq.).

1007.2 POLICY

It is the policy of the Grandview Police Department to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences (RCW 49.46.210). Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both (WAC 296-128-750).

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1007.3.1 NOTIFICATION

All members should notify the Shift Sergeant or appropriate supervisor as soon as they are aware that they will not be able to report to work and within one hour before the start of their scheduled shifts, unless it is not practicable to do so. If it is impracticable and a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (WAC 296-128-650).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 10 days' notice of the impending absence (WAC 296-128-650).

Upon return to work, members 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.

1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish verification supporting the need to be absent and/or the ability to return to work (RCW 49.46.210;

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WAC 296-128-660). Members on an extended absence shall, if possible, contact their supervisors at specified intervals to provide an update on their absence and expected date of return.

1007.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Department of Human Resources as appropriate.
- (c) When appropriate, counseling members regarding inappropriate use of sick leave.
- (d) Referring eligible members to an available employee assistance program when appropriate.

1007.6 PERSONNEL AGENCY

The Director of Human Services shall ensure:

- (a) Written or electronic notice is provided to each employee regarding applicable paid sick leave provisions as required by WAC 296-128-755.
- (b) This Sick Leave Policy is readily available to all employees.
- (c) Employee records are retained and preserved regarding paid sick leave information and data as required by WAC 296-128-010.

1007.7 RETALIATION

No employee shall be retaliated against for using qualifying sick leave (WAC 296-128-770).

Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Grandview Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Grandview Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes (WAC 296-823-100 et seq.): [See attachment: Grandview Police Department Exposure Control Plan.pdf](#)

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members shall be provided with appropriate personal protective equipment (PPE), including latex gloves or equivalent, face masks, eye protection, protective shoe covers, and pocket masks for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 - 1. Bloodborne pathogen mandates including but not limited to (WAC 296-823-110 et seq.):

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- (a) The identification of positions with the potential for exposure.
 - (b) Measures to eliminate or minimize occupational exposure and how members will be informed of those measures.
 - (c) A plan for the distribution and use of PPE related to communicable diseases.
 - (d) Directions for appropriate labeling of contaminated items.
 - (e) Rules regarding worksite maintenance.
 - (f) Rules regarding waste.
 - (g) Confidentiality requirements and medical protocols.
 - (h) Maintenance of training and medical records.
- 2. The Washington Industrial Safety and Health Act (RCW 49.17.010 et seq.; WAC 296-800-110 et seq.).
 - 3. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

The ECO should also act as the liaison with the Washington Division of Occupational Safety and Health (DOSH) and may request voluntary compliance inspections. The ECO should annually review and update the exposure control plan and review implementation of the plan (WAC 296-823-11010).

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

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- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 - 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.
 - 1. Sharps will be placed into appropriate containers.
 - 2. Clothing or material excessively stained or covered in biohazardous materials will be placed in appropriately labeled containers.
 - 3. If these items are not needed as evidence, they will be turned over to the Fire Department for proper destruction.

1008.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (WAC 296-823-130).

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

1008.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (WAC 296-823-16005):

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident

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- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (WAC 296-823-16005).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (WAC 296-823-16005).

1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO (WAC 296-823-16010). If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) In the event that consent cannot be obtained, by contacting the local health authority who may pursue testing of the source individual for HIV or other communicable diseases (RCW 70.24.340; WAC 246-100-205).

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Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training shall include the mandates provided in WAC 296-823-12005 et seq. and:

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Shall provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Grandview Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

This policy is affected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

[See attachment: Police Collective Bargaining Agreement.pdf](#)

[See attachment: City of Grandview PERSONNEL POLICY MANUAL.pdf](#)

1009.2 POLICY

The Grandview Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (RCW 70.160.030).

1009.3 ADDITIONAL PROHIBITIONS

No person shall smoke tobacco products within 25 feet of a main entrance, exit or operable window of any building (RCW 70.160.075).

1009.3.1 NOTICE

The Chief of Police or the authorized designee shall ensure that proper signage prohibiting smoking is conspicuously posted at each entrance to the department facilities (RCW 70.160.050).

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Grandview 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.

1010.2 POLICY

The Grandview Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any memorandum of understanding or collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department. Inquiries about conduct or performance that, if true, would violate department policy or federal, state or local law, policy or rule may be handled formally by the internal affairs function.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Shift Sergeant is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Assistant Chief, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Assistant Chief, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the City of Grandview website. Forms may also be available at other City facilities or online.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

[See attachment: Police-Department-Complaint Form.pdf](#)

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

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1010.6 ADMINISTRATIVE INVESTIGATIONS

The Grandview Police Department shall investigate all complaints of misconduct or illegal behavior against the agency or its members. Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Shift Sergeant of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Assistant Chief or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - (a) Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint if possible.
 - (b) If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Sergeant.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Assistant Chief and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Department of Human Resources and the Shift Sergeant for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Assistant Chief, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.

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- (h) Investigating a complaint as follows:
 - 1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 - 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or the Assistant Chief, the following applies to employees:

- (a) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee shall be at the Grandview Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
 - 1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
 - 2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview.

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- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.
- (l) An employee covered by civil service shall be provided a written statement of all accusations with a duplicate statement filed with the civil service commission (RCW 41.12.090; RCW 41.14.120).

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

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Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

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A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Grandview Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1010.10.1 ASSISTANT CHIEF RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Assistant Chief shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Assistant Chief may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Assistant Chief may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Assistant Chief shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Assistant Chief for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
 - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

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2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee shall ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline (RCW 43.101.135).

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to

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appeal using the procedures established by any collective bargaining agreement, memorandum of understanding and/or personnel rules.

In the event of punitive action against an employee covered by civil service, the appeal process shall be in compliance with RCW 41.12.090 and RCW 41.14.120.

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1010.16 NOTIFICATION TO CRIMINAL JUSTICE TRAINING COMMISSION (CJTC) CERTIFICATION BOARD

Upon separation of a peace officer for any reason, the Department shall, within 15 days of the separation, notify the CJTC on a personnel action report form provided by the commission. When a resignation or retirement is accepted in lieu of termination, the reasons and rationale shall be included in the information provided to the CJTC, including the findings from any internal or external investigations into alleged misconduct (RCW 43.101.135).

The CJTC shall be notified within 15 days of an initial disciplinary decision made by the Department for alleged behavior or conduct by an officer that is noncriminal and may result in revocation of certification (RCW 43.101.135).

The CJTC shall also be notified regarding any decision to discipline an officer for failure to intervene or for failure to report an incident of excessive force or any wrongdoing by another peace officer for determination of suspension or revocation of certification (RCW 10.93.190).

The Department shall provide timely updates on an internal investigation reported to the CJTC and provide a summary of findings to the CJTC within 15 days of concluding the investigation (WAC 139-06-020).

The Department shall, upon request of the CJTC, provide such additional documentation or information as the commission deems necessary to determine whether the separation or event provides grounds for suspension or revocation of the peace officer's certification (RCW 43.101.135).

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1010.17 ANNUAL REVIEW AND ANALYSIS

The Assistant Chief shall prepare an annual review and analysis report on internal investigations. The report should not contain any identifying information about any specific complaint, citizen, or officer and should address:

- (a) Policy and procedure issues identified during the review process, if any.
- (b) Training issues identified during the review process, if any.
- (c) Personnel issues identified during the review process, if any.

The report shall be submitted to and reviewed and approved by the Chief of Police.

Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

Guidance for transporting persons in custody may be found in the Transporting Persons in Custody and Handcuffing and Restraints policies.

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213 and RCW 46.61.687(6).

1011.2 POLICY

It is the policy of the Grandview Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained (RCW 46.61.688; RCW 46.61.687).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1011.4 TRANSPORTING CHILDREN

A child restraint system shall be used for all children of an age, height or weight for which such restraints are required by law (RCW 46.61.687).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side air bag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

Exceptions to the requirement to use child restraint systems may be made only in exceptional situations where, due to unusual circumstances, the use of child restraint systems would endanger

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the department member or the public. Members must be prepared to justify any deviation from this requirement.

1011.5 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1011.7 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Grandview Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

The Assistant Chief shall ensure that body armor is issued to all officers when the officer begins service at the Grandview Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Assistant Chief shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) 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.
- (d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.
- (e) 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.

1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and may conduct inspections as needed.

1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

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Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.4 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department-approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

This policy may be effected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

[See attachment: Police Collective Bargaining Agreement.pdf](#)

[See attachment: City of Grandview PERSONNEL POLICY MANUAL.pdf](#)

1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Washington.

1013.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
 - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment..
 - 2. Any member response shall be attached to and retained with the original adverse comment.
 - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.

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- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

1013.4 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1013.5 TRAINING FILE

An individual training file shall be maintained by the Training Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the member's training file.

1013.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Assistant Chief in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Assistant Chief supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

1013.7 MEDICAL FILE

Medical files will maintained Human Resources. Medical documents will generally only be held temporarily at GPD until they can be transferred to Human Resources.

1013.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

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Nothing in this policy is intended to preclude review of personnel records by the City Administrator, City Attorney or other attorneys or representatives of the City in connection with official business.

1013.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Public Records Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1013.8.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

1013.8.3 NOTICE TO MEMBER

Upon receipt of a request for information located exclusively in a member's personnel record, the Public Records Officer is responsible for providing notice to the member, the union representing the member, and to the requestor, that includes the following information (RCW 42.56.250):

- (a) The date of the request
- (b) The nature of the requested record relating to the member
- (c) That information in the record will be released if not exempt from disclosure at least 10 days from the date the notice is made
- (d) That the member may seek to enjoin release of the records under RCW 42.56.540 (court protection of public records).

1013.9 MEMBER ACCESS TO THEIR OWN PERSONNEL RECORDS

Any member may request access to their own personnel records annually during the normal business hours of those responsible for maintaining such files. The Department shall provide a copy of the record to the member no later than 21 calendar days after the request (RCW 49.12.240; RCW 49.12.250).

A member may annually request that all information contained in their personnel file subject to disclosure be reviewed by the Department for any irrelevant or erroneous information. Any member seeking the removal of any item from their personnel records shall file a written request to

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the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record (RCW 49.12.250).

Members may be restricted from accessing the following:

- (a) Records of an employee relating to the investigation of a possible criminal offense (RCW 49.12.260)
- (b) Records of an employee compiled in preparation for an impending lawsuit which would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts (RCW 49.12.260)
- (c) Records relating to an ongoing internal affairs investigation or disciplinary action to the extent that release could jeopardize or compromise the investigation or action pending final disposition (RCW 49.12.240(2))

1013.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

Request for Change of Assignment

1014.1 PURPOSE AND SCOPE

It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1014.2 REQUEST FOR CHANGE OF ASSIGNMENT

Personnel wishing a change of assignment are to document the request to their supervisor in a memo form via email. The request should then be forwarded through the chain of command to their Assistant Chief.

1014.2.1 PURPOSE OF MEMO

In completing the memo, the employee should list their qualifications for specific assignments. All relevant experience, education and training should be included. The memo should provide any facts the employee wishes to be considered.

1014.3 SUPERVISOR'S COMMENTARY

The officer's immediate supervisor shall make appropriate comments or recommendations on the memo before forwarding it to the Assistant Chief.

Commendations and Awards

1015.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Grandview Police Department and individuals from the community.

Parts of this policy may be affected by the current City Personnel Manual.

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

1015.2 POLICY

It is the policy of the Grandview Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1015.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1015.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1015.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
 - (a) For members of the Department - name, date and time of the meritorious or commendable act
 - (b) For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

1015.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:

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1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
 2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the person submitting the documentation.

1015.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the Assistant Chief for his/her review. The Assistant Chief should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Assistant Chief. The documentation will be signed by the Assistant Chief and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file.

1015.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards may include:

- Award of Merit.
- Award of Valor.
- Lifesaving Award.
- Meritorious Conduct.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.

Fitness for Duty

1016.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

Sections of this policy may be affected or superseded by the City of Grandview Personnel Manual or CBA.

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

[See attachment: 2019 -21 Police Collective Bargaining Agreement.pdf](#)

1016.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the essential duties of their job position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.3 SUPERVISOR RESPONSIBILITIES

- (a) 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.
- (b) 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.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric 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.
- (d) In conjunction with the Shift Sergeant or the Assistant Chief, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.

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- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1016.4 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.

1016.5 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Department of Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining health care provider will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties. The scope of the requested fitness for duty report shall be confined to the physical or psychological condition that prompted the need for the examination. If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding.
- (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) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

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- (f) In the event an employee is required to submit to a “fitness for duty” examination as a condition of returning from medical leave required under the Family Medical Leave Act (FMLA), contact Human Resources for direction regarding how to proceed.
- (g) Once an employee has been deemed fit for duty by the examining health care provider, the employee will be notified to resume his/her duties.

1016.6 LIMITATION ON HOURS WORKED

Absent emergency operations, or without supervisory approval, members should not work more than:

- 16 hours in one day (24 hour) period,

Except in limited circumstances members should have a minimum of 8 hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

1016.7 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty exam shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE

Policy regarding meals and breaks, insofar as possible shall conform to the City Personnel Policy Manual and current Collective Bargaining Agreement.

See attachment: [City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

Lactation Breaks

1018.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding reasonable accommodations for lactating members.

1018.2 POLICY

It is the policy of the Grandview Police Department to provide, in compliance with federal and state law, reasonable accommodations for lactating members. This includes break time and appropriate facilities to accommodate any member desiring to express breast milk for the member's nursing child for up to two years after the child's birth (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; RCW 43.10.005).

1018.3 LACTATION BREAK TIME

A rest period should be permitted each time the member requires a lactation break (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; RCW 43.10.005). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the member's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Members desiring to take a lactation break shall notify the dispatcher or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view, free from intrusion from coworkers and the public, and otherwise satisfy the requirements of federal and state law (29 USC § 218d; 42 USC § 2000gg-1; 29 CFR 1636.3; RCW 43.10.005).

Members occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other members should avoid interrupting a member during an authorized break, except to announce an emergency or other urgent circumstance.

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Authorized lactation breaks for members assigned to the field may be taken at the nearest appropriate private area.

1018.5 STORAGE OF EXPRESSED MILK

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the member's shift ends.

Payroll Records

1019.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1019.2 POLICY

The Grandview Police Department maintains timely and accurate payroll records.

1019.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

1019.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the City payroll procedures.

1019.5 RECORDS

The Assistant Chief shall ensure that accurate and timely payroll records are forwarded to the Grandview City Clerk and maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation Requests

1020.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime as agreed upon and in effect through the current Collective Bargaining Agreement,

This policy may be effected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

[See attachment: 2019 -21 Police Collective Bargaining Agreement.pdf](#)

[See attachment: City of Grandview PERSONNEL POLICY MANUAL.pdf](#)

1020.1.1 DEPARTMENT POLICY

Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

Outside Employment

1021.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest, or an interference with official performance for department employees engaging in outside employment, all employees should obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval or denial of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

Sections of this policy may be affected or superseded by the City of Grandview Personnel Manual or CBA.

[See attachment: City of Grandview PERSONNEL POLICY MANUAL 2015.pdf](#)

[See attachment: 2019 -21 Police Collective Bargaining Agreement.pdf](#) (21.6 Outside Employment)

1021.1.1 DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1021.2 OBTAINING APPROVAL

For purposes of this section, prior notice or approval is not necessary if:

- (a) The amount of wages or compensation is reasonably expected to be less than \$10,000.00
- (b) The outside employer is a family member or family business.

No member of this department should engage in any outside employment without first obtaining approval of the Chief of Police. Engaging in outside employment prohibited by this policy may lead to disciplinary action. Obtaining approval for outside employment allows for pre-review of any actual or perceived conflicts of interest, or a possible interference with official performance before it becomes an issue. Such pre-review will provide the employee with clear expectations of what would be considered as interference with official performance.

In order to obtain approval for outside employment, the employee should email the Chief of Police. If approved, the employee will be notified by email.

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Outside Employment

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial at the time of the denial.

1021.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment request is denied by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

1021.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment approval 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 his/her discretion, revoke any previously approved outside employment. That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment.
- (b) Suspension or revocation of a previously approved outside employment may be included as a term or condition of sustained discipline.
- (c) If, at any time during the term of an approved outside employment, an employee's conduct or outside employment conflicts with the provisions of department policy, permission may be suspended or revoked.
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment may be subjected to similar restrictions as those applicable to the employee's regularly assigned duties until the employee has been cleared to return to full duty status.

1021.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any Outside Employment request submitted by an employee seeking to engage in any activity which, in its view, would:

- (a) Involve the employee's use of department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involve the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involve the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involve time demands that would render performance of the employee's duties for this department less efficient or render the employee unavailable for reasonably

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Outside Employment

anticipated overtime assignments and other job-related demands that occur outside regular working hours.

1021.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Because it would further create a potential conflict of interest, no member of this Department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position within the city limits of Grandview.

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.

- (a) The applicant will be required to enter into an indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) Should such a request be approved, any employees working outside overtime shall be subject to the following conditions:
 - 1. The officer(s) shall wear the department uniform/identification.
 - 2. The officer(s) shall be subject to the rules and regulations of this department.
 - 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
 - 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
 - 5. Outside security services shall not be subject to the collective bargaining process.
 - 6. 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.

1021.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. 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.

1021.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Assistant Chief, 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.

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Outside Employment

1021.4 DEPARTMENT RESOURCES

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. 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.

1021.4.1 REVIEW OF FINANCIAL RECORDS

If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records, including timesheets and payment records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work approval may be revoked pursuant to REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS.

1021.5 MATERIAL CHANGES OR TERMINATION OF OUTSIDE EMPLOYMENT

If an employee terminates his/her outside employment, the employee should submit written notification of such termination to the Chief of Police by email..

Employees are also required to disclose substantial material changes in outside employment that occur after approval of outside 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 outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1021.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform the Assistant Chief in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The Assistant Chief shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

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Outside Employment

When the disabled member returns to full duty with the Grandview Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

Occupational Disease and Work-Related Injury Reporting

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, post-traumatic stress disorder (PTSD), and work-related injuries.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease, PTSD, or infection while acting in the course of employment (RCW 51.08.013; RCW 51.08.100; RCW 51.08.140; RCW 51.08.142).

1022.2 POLICY

The Grandview Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (RCW 51.28.010 et seq.).

This policy is affected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

[See attachment: Police Collective Bargaining Agreement.pdf](#) (Specifically Appendix "E" Post Incident Trauma Response To The Employee)

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1022.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall notify the Assistant Chief if they believe the Major Incident Notification and the Accident, Illness and Injury Prevention policies apply and take additional action as required.

[See attachment: Employee Supervisor Report of Injury-Illness-Exposure.pdf](#)

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Occupational Disease and Work-Related Injury Reporting

1022.3.3 ASSISTANT CHIEF RESPONSIBILITIES

The Assistant Chief who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, and the City's risk management entity, to ensure any required Department of Labor and Industries reporting is made as required in the accident, illness and injury prevention plan identified in the Accident, Illness and Injury Prevention Policy.

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report will generally not be held by the Grandview Police Department. Any copies of the report and related documents retained by the Department shall be filed in a confidential medical file.

1022.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Assistant Chief through the chain of command and a copy sent to the Administration Assistant Chief.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

All injuries in connection with an event where a case number has been drawn shall be documented in the officer's narrative for that case.

1022.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1022.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1023.1 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.

1023.2 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 Chief of Police has granted exception.

1023.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

1023.2.2 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.3 FACIAL HAIR

Facial hair may be worn, if neatly groomed and maintained such that it is not a safety issue.

1023.2.4 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, officer's fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1023.2.5 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Sworn road officers shall not wear earrings while on duty.
- (c) Support employees may wear small single pair earrings in or on the earlobe.
- (d) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member

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Personal Appearance Standards

or others during a physical altercation, if the member is assigned to a position where that may occur.

- (e) A medical alert bracelet may be worn on one arm.
- (f) Wristwatches shall be conservative and present a professional image.
- (g) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1023.3 TATTOOS

At no time while the member is on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

1023.3.1 ALLOWED

Tattoos that are not visible or are kept out of view are not regulated by this policy.

1023.3.2 NOT ALLOWED

Tattoos are not allowed if:

- (a) visible above the collar of either a uniform or polo style shirt (e.g., neck, face)
- (b) visible below the length of a long sleeve shirt (e.g., finger, hand)

Members are encouraged to request any clarification of, or possible variation to this policy, before obtaining what may be a visible tattoo, piercing or other body art.

1023.3.3 VARIATIONS

If a visible tattoo is determined by the Chief of Police to be unacceptable, the employer will require the employee to cover it while on duty. Coverage may include wearing long sleeves or covering it with a flesh colored tape.

A variation of this policy can be requested from the Chief of Police. The request should be made by email. The Chief of Police will answer the request by email.

1023.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth.
- (d) Branding or scarification.

Uniform Regulations

1024.1 PURPOSE AND SCOPE

The uniform policy of the Grandview Police Department is established to ensure that uniformed officers will be reasonably identifiable to the public through the proper use and wearing of department uniforms (RCW 10.116.050).

Employees should also refer to the following associated policies:

- Department-Owned and Personal Property
- Body Armor
- Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or the authorized designee. That manual should be consulted regarding authorized equipment and uniform specifications.

1024.1.1 DEFINITIONS

Reasonably identifiable – The officer's uniform clearly displays the officer's name or other information that members of the public can see and the department can use to identify the officer (RCW 10.116.050).

1024.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and the parts so designed shall appear pressed and absent from excessive wrinkling.
- All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- Personnel shall wear only the uniform specified for their rank and assignment.
- The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications that are maintained separately from this policy.
- Supervisors may perform periodic inspections of their personnel to ensure conformance to these regulations.
-
- Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.
- If the uniform is worn while in transit, an outer garment is recommended to be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty, for their safety

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- (i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
- (j) Mirrored sunglasses will not be worn with any Department uniform.
- (k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or his/her designee.
 - 1. Wrist watch.
 - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 - 3. Medical alert bracelet.

1024.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department-issued identification card at all times while on duty.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department-issued identification in a courteous manner to any person upon request and as soon as practical (RCW 46.61.020).
- (b) Officers working specialized assignments may be excused from the possession and display requirements when authorized by the Assistant Chief.

See also: [Grandview Police Department Policy Manual: 306.3.6 AUTHORIZED OFF-DUTY FIREARMS](#)

1024.3 UNIFORM CLASSES

1024.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

- (a) Long sleeve shirt with tie.
- (b) Polished shoes.

Boots with pointed toes are not permitted.

1024.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
- (b) A navy blue or black crew neck t-shirt, turtle neck, or mock-turtle neck must be worn with the uniform.

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- (c) When out in public, all shirt buttons should remain buttoned except for the last button at the neck.
- (d) When out in public, any visible base layer neck zippers should be fully zipped up.
- (e) Shoes for the Class B uniform may be as described in the Class A uniform.
- (f) Approved all black unpolished shoes may be worn.
- (g) Boots with pointed toes are not permitted.

1024.3.3 CLASS C UNIFORM

The Class C uniform is established to allow field personnel cooler clothing during the summer months, warmer clothing options during the winter months, or special duty. The Chief of Police will establish the regulations and conditions for wearing the Class C Uniform and the specifications for the Class C Uniform. These regulations shall be listed in the Uniform and Equipment Specifications manual.

1024.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as, SWAT, Bicycle Patrol, and other specialized assignments.

1024.3.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications manual lists the authorized uniform jacket and rain gear.

1024.4 INSIGNIA AND PATCHES

- (a) **Shoulder Patches** - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- (b) **Service stripes, stars, etc.** - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- (c) **The regulation nameplate, or an authorized sewn on cloth nameplate,** shall be worn at all times while in uniform. The nameplate shall at minimum display the employee's last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) **When a jacket is worn, if it is designed to accommodate a nameplate or tag,** such shall be affixed.
- (e) **Assignment Insignias** - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.

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- (f) Badge - The department-issued badge, or an authorized cloth replica, must be worn and visible at all times while in uniform.
- (g) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1024.4.1 MOURNING BADGE

Uniformed employees should wear a black mourning band across the uniform badge whenever a Washington State law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from anywhere in the state - From the time of death until midnight on the day of the funeral.
- (c) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (d) As directed by the Chief of Police.

1024.5 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear clothing that is moderate in style.
- (c) The following items shall not be worn on duty:
 - 1. T-shirt alone.
 - 2. Open toed sandals or thongs.
 - 3. Swimsuit, tube tops, or halter-tops.
 - 4. Spandex type pants or see-through clothing.
 - 5. Distasteful printed slogans, buttons or pins.
- (d) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (e) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Grandview Police Department or the morale of the employees.

Undercover officers may dress as needed to meet mission or operational objectives. They do not need specific permission for any variations from this policy but should attempt to meet any of the particular requirements that will not create a safety risk to themselves.

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1024.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Grandview Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Grandview Police Department, to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast or any website.

1024.7 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department-issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 - 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (See the Department-Owned and Personal Property Policy).

1024.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Grandview Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Grandview Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

1024.9 POLICY

The Grandview Police Department will provide uniforms for all employees who are required to wear them in the manner, quantity, and frequency agreed upon in the respective employee group's

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collective bargaining agreement. The Department may provide other department members with uniforms at the direction of the Chief of Police.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

Police Explorers

1025.1 PURPOSE AND SCOPE

Explorers work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

Grandview Police Department encourages Explorer candidates that live in Grandview to become a part of the Sunnyside Police Department Explorer Post. GPD will assist Sunnyside PD in the Explorer program as resources allow.

1025.2 RIDE-ALONG PROCEDURES

Explorers are authorized to participate in the Grandview PD Ride-Along Program on their own time and as approved by their immediate supervisor and the appropriate Shift Sergeant. Applicable waivers must be signed in advance of the ride-along. Explorers shall wear their uniform while participating on a ride-along.

Nepotism and Conflicting Relationships

1026.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination, or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

This policy may be effected or superseded by language found in the current Collective Bargaining Agreement and/or City Of Grandview Personnel Policy Manual.

[See attachment: Police Collective Bargaining Agreement.pdf](#)

[See attachment: City of Grandview PERSONNEL POLICY MANUAL.pdf](#)

1026.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than \$1,000.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee who is vested with authority by law, rule or regulation, or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1026.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department does not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply:

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Nepotism and Conflicting Relationships

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, or registered sex offender, or who engages in serious violations of state or federal laws.

1026.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

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1026.2.2 SUPERVISORS RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations, whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations through the chain of command.

Domestic Violence Involving Law Enforcement Employees

1027.1 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).

1027.1.1 DEFINITIONS

Agency - Means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

Employee - Means any person currently employed with an agency.

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.

1027.2 DEPARTMENT RESPONSIBILITIES

The Grandview Police Department has the following obligations (RCW 10.99.030; RCW 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 has been subject to protective order.
- (b) Maintain ongoing and meaningful relationships with victim advocacy groups and other domestic violence professionals in the community.
- (c) Provide education to Grandview Police Department employees on the dynamics of interpersonal violence.
- (d) In response to observed behavior or at the request of the employee, the Grandview Police Department may offer or recommend intervention services to employees. If domestic violence is suspected, the referral should be to a domestic violence specialist.
- (e) Any employee who becomes aware of domestic violence committed by a sworn employee must immediately report that allegation to the employee's supervisor.
- (f) 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.
- (g) Provide information to employing law enforcement agencies within 24 hours of a domestic violence or domestic dispute report involving a sworn officer.
- (h) Provide information on this domestic violence policy and programs under RCW 43.20A.735 to employees and make it available to employee families and the public.

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Domestic Violence Involving Law Enforcement Employees

- (i) Provide victims of domestic violence by Grandview Police Department employees a department point of contact to assist the victim through the investigative process. Consideration should be given to selecting a point of contact at least one rank higher than the perpetrator, and would ideally be someone other than the investigator.
- (j) Provide victims of domestic violence by Grandview 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.
- (k) Respond to Grandview Police Department employees who are alleged victims of violence at the hands of sworn employees of the Grandview Police Department. Safety concerns and domestic violence services information will be reviewed with the victim employee.
- (l) Provide for an impartial administrative investigation and appropriate criminal investigation of all acts of domestic violence allegedly committed by a 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 Grandview Police Department or through agreements with other law enforcement agencies.
- (m) Consider whether to relieve a sworn employee of Department-issued weapons and suspend law enforcement powers pending resolution of an investigation.

1027.2.1 SUPERVISOR RESPONSIBILITIES

Supervisors are required to:

- (a) Be aware of behaviors in their subordinates that could be indicative of domestic violence and properly process observations of such behavior.
- (b) Ensure that domestic violence incidents are properly recorded and processed according to this policy.

1027.2.2 COMMAND DUTY OFFICER RESPONSIBILITIES

A command duty officer notified of an incident covered by this policy shall notify the Chief of Police promptly of such incident and:

- (a) If a Grandview Police Department employee is involved, the command duty officer shall:
 - 1. Determine if the involved employee's law enforcement powers shall be suspended and if a duty weapon and other department-owned equipment shall be removed pending investigation outcome and possible prosecutorial charging decision.
 - 2. Issue an administrative order prohibiting contact with the victim if appropriate.
 - 3. Forwarded information on the incident to the Assistant Chief and/or the Chief of Police for review and further action.
 - 4. Respond or designate a command officer to respond to a scene if the involved employee is a sergeant or above or if the situation dictates command presence.

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Domestic Violence Involving Law Enforcement Employees

- (b) If an employee of another law enforcement agency is involved, the command duty officer shall:
 - 1. Verify command notification of the employing agency.
 - 2. Verify the supervisor has offered assistance with removing weapons, police powers, or other applicable issues.
 - 3. Ensure that the Grandview Police Department provides appropriate reports and any other requested documentation to the employing agency.

1027.2.3 DOMESTIC VIOLENCE SPECIALIST RESPONSIBILITIES

A Domestic Violence Specialist will be appointed by the Chief of Police. Unless there is a conflict of interest the Specialist will be the Assistant Chief.

- (a) In all instances of law enforcement domestic violence, the Domestic Violence Specialist or the Domestic Violence Unit Supervisor shall:
 - 1. Review the report and assign the criminal investigation or coordinate with the agency of jurisdiction.
 - 2. Coordinate with the appropriate prosecutor's office regarding charging and prosecution.
 - 3. Coordinate with the appropriate domestic violence advocacy organization to assist with victim safety concerns. Victim notification of each step of the administrative process is critical to victim safety.
- (b) All completed investigations of domestic violence that reveal probable cause of a crime committed by any agency sworn employees or the agency head shall be promptly forwarded to the appropriate prosecuting authority for a charging decision.
- (c) For all situations involving an employee of this department, the Domestic Violence Specialist or Domestic Violence Unit Supervisor shall:
 - 1. Contact the victim.
 - 2. Introduce the point of contact.
 - 3. Provide an update regarding the administrative process.

1027.3 EMPLOYEE ACTIONS

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 counselors, chaplains, or psychological professionals, however, in situations where family violence is indicated a referral to a domestic violence specialist is critical.
- (b) Employees with knowledge or information about any sworn employee in violation of this policy must report in writing to their supervisor or the Assistant Chief as soon as possible, but no later than 24 hours. Failure to report may subject the employee to disciplinary action.

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- (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 Assistant Chief within 24 hours.
- (e) Employees are expected to fully cooperate with the investigation of allegations under this policy but only as requested by a supervisor, the Assistant Chief, or by court subpoena.
- (f) When a law enforcement agency responds to a call in which a sworn 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 the employee's supervisor. A written report must follow within 24 hours, subject to the agency's internal investigatory process.
- (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 an order of protection under RCW 7.105.100 et seq. or any equivalent order issued by another state or tribal court, that employee must immediately report the fact to the employee's supervisor. A written report must follow within 24 hours to include a copy of any order and any notices of court dates, appearances, and proceedings received by the employee.

1027.4 INCIDENT RESPONSE

Any notification of any incident of domestic violence involving any law enforcement officer requires a prompt response, full investigation, and a complete written report by this department (RCW 10.99.030). These incidents additionally require:

- (a) On-scene supervisory presence.
- (b) Notification through the chain of command to the Chief of Police of this department; and if the incident involves employees of another agency, notification of the agency head of the employing agency.
- (c) The Chief of Police may delegate responsibility for receiving such reports to a specialized unit and/or specific person. Anyone so designated the Domestic Violence Specialist or Domestic Violence Unit should have specialized training regarding the dynamics of violent relationships, victim safety and the role of advocacy. The point of contact or 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.

1027.4.1 RADIO RESPONSE

Employees of Dispatch will ensure the following actions are taken:

- (a) Enter a call for service.

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- (b) Notify the Shift Sergeant or appropriate supervisor. If no supervisor is available to respond to the scene, communications will notify an administrator. If no supervisors or administrators are available a supervisor will be requested from the Yakima County Sheriff's Office to respond.
- (c) Prepare and preserve documentation of the facts of the call, including the 9-1-1 tape or any in-house recordings.

1027.4.2 PATROL RESPONSE

A patrol officer responding to an incident described as domestic violence involving a law enforcement officer should, whenever possible, request a supervisory response.

- (a) The primary unit will conduct a thorough investigation, including, but not limited to:
 - 1. Photographs of the crime scene and any injuries identified.
 - 2. Statements from all witnesses, including children, if any.
 - 3. Statements from any children, if appropriate considering their ages and maturity levels.
 - 4. The Domestic Violence Supplemental Report Form.
 - 5. Seizure of any weapons used or referred to in the crime.
 - 6. Signed medical releases.
 - 7. Copies of dispatch (CAD) records.
 - 8. 9-1-1 call recording preserved.
 - 9. Statement of the victim; statement of the suspect.
 - 10. Determine if the victim requests any guns or specific weapons be removed for safekeeping and accommodate removal or explain the process for seeking a court order for removal.
 - 11. Complete the report as soon as possible, but prior to the completion of their shift.
- (b) Patrol units responding to suspicious circumstances, compelling third party accounts of incidents, unexplained property damage, etc. or other troubling event involving law enforcement officers will complete written reports of the incident.
- (c) A copy of all reports of the incident should be forwarded to the Domestic Violence Specialist. Access to the report should then be restricted to some form of "read only" version.

A patrol officer who is unable to contact a supervisor or administrator shall have dispatch request a supervisor from the Yakima County Sheriff's Office to respond. If a Sheriff's Office response is not possible, the Washington State Patrol should be contacted to request supervisory contact.

1027.4.3 PATROL SUPERVISOR RESPONSE

A patrol supervisor shall:

- (a) Respond whenever practical to the scene of any domestic violence incident involving sworn employees of this department regardless of jurisdiction. Supervisors will

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coordinate information and offer assistance to the agency of jurisdiction to provide a complete investigation.

- (b) Respond to the scene of all domestic violence incidents within the jurisdiction of the Grandview Police Department involving any law enforcement officer.
- (c) Coordinate the investigation, applying appropriate resources and special units such as forensics, photography, domestic violence specialists, advocates and ensuring command notification.
- (d) Write a report on all incidents, whether deemed criminal or not and route it through the chain of command.
- (e) In the event of the arrest of a sworn employee of the Grandview Police Department, contact the Chief of Police who will order the surrender of the officer's Department-issued weapons and identification. Consideration should be given to other agency equipment and inquiries made about voluntary surrender of personal weapons that may be secured for safekeeping.
- (f) 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.
- (g) Endeavor to make a good faith effort to locate the suspect if there is probable cause for an arrest.
- (h) Explain the process to the victim, including the opportunity for applicable emergency protection orders, administrative no-contact orders, and confidentiality statutes and policies.
- (i) Provide the victim with a copy of this policy and GPD contact information, acting as the point of contact until another assignment is made.

1027.5 VICTIM SAFETY ASSISTANCE AND NOTIFICATION

The Grandview 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 the victim's 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 provide by law.

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- (f) The Grandview Police Department will coordinate victim notification regarding criminal and administrative investigative processes through the designated agency liaison in order to assist with victim safety.

Department Badges

1028.1 PURPOSE AND SCOPE

The Grandview Police Department badge and uniform patch as well as the likeness of these items and the name of the Grandview Police Department are the property of the Department and their use shall be restricted as set forth in this policy.

1028.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1028.2.1 NON-SWORN PERSONNEL

Badges and department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

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.

1028.3 UNAUTHORIZED USE

Department badges are issued to all sworn employees and non-sworn uniformed 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 or duplicated.

Temporary Modified-Duty Assignments

1029.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, or current collective bargaining agreements or memorandums of understanding. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability or limitation that is protected under federal or state law.

1029.2 POLICY

Subject to operational considerations, the Grandview Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1029.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Washington Law Against Discrimination shall be treated equally, without regard to any preference for a work-related injury.

No position in the Grandview Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1029.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Assistant Chiefs or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

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Temporary Modified-Duty Assignments

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Assistant Chief will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

1029.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Assistant Chief.

1029.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Assistant Chief that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1029.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but are not limited to:

- (a) Periodically apprising the Assistant Chief of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Assistant Chief and ensuring that the required documentation facilitating a return to full duty is received from the employee.

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- (c) Ensuring that employees returning to full duty have completed any required training and certification.

1029.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy. See Policy 1016 Fitness for Duty

1029.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

If notified by an employee or the employee's representative regarding limitations related to pregnancy, childbirth, or related medical conditions, the Department should make reasonable efforts to provide an accommodation for the employee in accordance with federal and state law. The accommodation should be provided without unnecessary delay, as appropriate (42 USC § 2000gg-1; 29 CFR 1636.3; 29 CFR 1636.4; RCW 43.10.005.).

1029.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1029.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

1029.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Performance History Audits

1030.1 PURPOSE AND SCOPE

This policy provides guidance for the use of performance history audits. Performance history audits can help identify commendable performance as well as provide early recognition of training needs and other potential issues (e.g., problematic conduct). This policy addresses the responsibilities, performance indicators, and components of the audit; handling of collected data; and conducting appropriate interventions, when necessary.

A performance history audit is an annual management review and analysis of high liability incidents.

Sections of this policy may be controlled or superseded by the City of Grandview Personnel Policy Manual or CBA.

1030.2 POLICY

The Grandview Police Department collects data to assist supervisors with evaluating the performance of their employees, including identifying problematic conduct and providing for appropriate interventions. While it is understood that the statistical compilation of data may be helpful to supervisors, the Department recognizes that it cannot account for, and must carefully balance such data with, the many variables in law enforcement, such as:

- Ability to detect crime.
- Work ethic.
- Assignment and shift.
- Physical abilities (ability to perform the job-related physical tasks).
- Randomness of events.

1030.3 RESPONSIBILITIES

The Assistant Chief is responsible for collecting performance indicators and other relevant data. The data may be used to generate performance history audit reports that will be provided to the Chief of Police. The Assistant Chief will utilize confidential methods to compile and track information regarding performance indicators for each officer in order to prepare the report.

1030.4 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance history audits should include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

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Performance History Audits

1030.4.1 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police has determined may be relevant data for the generation and analysis of performance history audits. These indicators may include, but are not limited to, the frequency and/or number of:

- (a) Use of force incidents.
- (b) Involvement and conduct during vehicle pursuits.
- (c) Personnel complaints, including the findings.
- (d) Commendations, compliments, and awards from the Department and the public.
- (e) Claims and civil suits related to the employee's actions or alleged actions.
- (f) Canine bite incidents.
- (g) Personnel investigations.
- (h) Prosecuting attorney case rejections and the reasons.
- (i) Intentional or unintentional firearm discharges (regardless of injury).
- (j) Vehicle collisions.
- (k) Missed court appearances.
- (l) Documented counseling.

1030.4.2 DATA ANALYSIS

The Assistant Chief will review each performance history audit report and determine whether it should be provided to the officer's immediate supervisor for further consideration.

1030.4.3 EMPLOYEE REVIEW

Upon receipt of a performance history audit report, the supervisor will carefully review the report with the officer to assess any potential trends or other issues that may warrant intervention to improve officer performance and avoid unnecessary uses of force. These interventions could include informal counseling, additional training, or a recommendation for other action, including discipline. The officer shall date and sign the report and should be provided with a copy of the report upon request.

If a supervisor determines that an officer's performance warrants action beyond informal counseling, the supervisor shall advise the Assistant Chief of such recommendation. If the Assistant Chief concurs with the recommendation of the supervisor, the supervisor shall take steps to initiate the appropriate action.

If discipline or other adverse action is initiated against an officer as a result of a performance history audit, the officer shall be entitled to all rights and processes set forth in the Personnel Complaints Policy.

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1030.4.4 FOLLOW-UP MONITORING

Depending upon the results of each performance history audit, a determination should be made by the Assistant Chief, after discussion with the officer's immediate supervisor, about the need, type and duration of any follow-up. Performance indicators and data analysis will generally provide the basis upon which such decisions should be made.

1030.5 RETENTION

Performance history audit reports and associated records shall be retained in accordance with the established records retention schedule.

Speech, Expression, and Social Networking

1031.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Grandview Police Department.

This policy applies to all forms of communication including but not limited to digital media, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected 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 a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1031.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Grandview Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members 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 Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1031.3 SAFETY

Members should carefully consider 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 Grandview Police Department members, such as posting personal information in a public forum or posting a photograph taken with a Global Positioning System (GPS)-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member'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 department member.

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- Otherwise disclosing where another officer can be located off-duty.

1031.4 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

To meet the safety, performance, and public-trust needs of the Grandview Police Department, the following are prohibited unless the speech is otherwise protected (e.g., a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, 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 Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation, or professionalism of the Department or its members. Examples may include:
 - 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 - 2. Expression that demonstrates support for criminal activity.
 - 3. Participation 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 member as a witness. For example, posting to a website statements or expressions 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 members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing members by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, digital media, or other recording obtained or accessible as a result of employment or appointment 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.
- (g) Posting, transmitting, or disseminating any photographs, digital media or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the Grandview Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

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Speech, Expression, and Social Networking

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1031.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Grandview Police Department or identify themselves in any way that could be reasonably perceived as representing the 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, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that a member, acting in their individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Grandview Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another member to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

1031.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site, including social media, that is accessed, transmitted, received, or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

The Department shall not require a member to disclose a personal username or password or open a personal social website unless otherwise allowed under Washington law (RCW 49.44.200).

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1031.6 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 the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of their 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.

1031.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression, and use of social networking to all members of the Department.

Accident, Illness and Injury Prevention

1032.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Grandview Police Department, in accordance with the requirements of an Accident, Illness and Injury Prevention Program (AIIPP) (WAC 296-800-140 et seq.).

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1032.2 POLICY

The Grandview Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related accidents, illness and injuries. The Department will establish and maintain an AIIPP and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1032.3 ACCIDENT, ILLNESS AND INJURY PREVENTION PLAN

The Administration Assistant Chief is responsible for developing an accident, illness and injury prevention plan that shall include (WAC 296-800-14005):

- (a) A description of the entire accident, illness and injury plan, including workplace safety and health training programs.
- (b) A safety orientation that covers all components of the AIIPP.
- (c) Regularly scheduled safety meetings.
- (d) Posted or distributed safety information (WAC 296-800-19005; WAC 296-800-20005).
- (e) A system for members to anonymously inform management about workplace hazards.
- (f) Establishing a process to ensure workplace accidents involving a fatality or in-patient hospitalization of any member are reported as required to the Washington Department of Labor and Industries (WAC 296-27-031).
- (g) On-the-job review and training of the practices necessary to perform the initial job assignments in a safe manner and how to properly address hazards.
- (h) Instruction on reporting injuries and location of first-aid facilities.
- (i) The use and care of required personal protective equipment (PPE).
- (j) The proper actions to take during emergencies, including the routes for exiting work areas.
- (k) Identification of the hazardous gases, chemicals or materials, along with the instructions on their safe use and emergency action following accidental exposure.

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Accident, Illness and Injury Prevention

- (l) The development, supervision, implementation and enforcement of training programs to improve the skill, awareness and competency of all members regarding occupational safety and health (WAC 296-800-14020).

1032.3.1 SAFETY MEETING

The Grandview Police Department maintains a safety meeting system to communicate and evaluate safety and health issues that may affect members and to promote a safe and healthy work environment. The safety committee should meet once a month (WAC 296-800-13025).

The safety meetings will:

- (a) Review safety and health inspection reports to help correct safety standards.
- (b) Evaluate accident investigations conducted since the last meeting to determine if the causes of the unsafe situation were identified and corrected.
- (c) Evaluate the AIIPP and discuss recommendations for improvement, if needed.
- (d) Document attendance.
- (e) Write down the subject discussed.
- (f) Prepare minutes of each meeting that shall be made available for review by safety and health consultation personnel of the Washington Department of Labor and Industries.

1032.4 ADMINISTRATION ASSISTANT CHIEF RESPONSIBILITIES

The responsibilities of the Administration Assistant Chief include but are not limited to:

- (a) Managing, implementing, and enforcing a plan to reduce the incidence of member accident, illness, and injury (WAC 296-800-14025).
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the accident, illness, and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing members of the accident, illness, and injury prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Communicable diseases (WAC 296-823-100 et seq.)

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- (b) PPE (WAC 296-800-160 et seq.)
- (c) Respiratory protection (WAC 296-800-160)
- (d) First aid (WAC 296-800-150 et seq.)
- (e) Safe workplace (WAC 296-800-110 et seq.)
- (f) Emergency Action Plan and Fire Prevention Plan (WAC 296-24-567)
- (g) Walking-working surfaces (WAC 296-24-735 et seq.; WAC 296-24-740 et seq.).
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

1032.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with accident, illness and injury prevention guidelines and answering questions from members about this policy.
- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to accident, illness and injury prevention; such forms and reports shall be submitted to the Assistant Chief.
- (e) Notifying the Assistant Chief when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational accidents, illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

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1032.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Assistant Chief via the chain of command.

The Assistant Chief will take appropriate action to ensure the accident, illness and injury prevention plan addresses potential hazards upon such notification.

1032.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Assistant Chief shall ensure that the appropriate documentation is completed for each inspection.

1032.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete a Vehicle Repair Form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors and make arrangements to send the vehicle for repairs.

1032.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.

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- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1032.9 TRAINING

The Assistant Chief shall work with the Training Sergeant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices (WAC 296-800-14020). Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1032.9.1 TRAINING TOPICS

The Training Sergeant shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

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- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

1032.10 RECORDS

Records and training documentation relating to accident, illness and injury prevention will be maintained in accordance with the established records retention schedule.

Safety committee records shall be retained for a minimum of one year (WAC 296-800-13020).

Line-of-Duty Deaths

1033.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Grandview Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy for a non-line-of-duty member death, or in situations where members are injured in the line of duty and the injuries are life-threatening.

1033.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of an officer during the course of performing law enforcement-related functions while on- or off-duty, or a non-sworn member during the course of performing assigned duties.

For an officer, a line-of-duty death includes death that is the direct and proximate result of a personal injury sustained in the line of duty (34 USC § 10281).

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin, or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1033.2 POLICY

It is the policy of the Grandview Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

It is also the policy of this Department to attempt to work with the Behind The Badge Foundation to coordinate after a Line-of-duty death.

1033.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Sergeant and Dispatch.
 - 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Spokesperson section of this policy).
- (b) The Shift Sergeant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

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- (c) If the member has been transported to the hospital, the Shift Sergeant or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1033.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Sergeant, or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity, and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities, and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

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- (g) Offer to call other survivors, friends, or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting child care or other immediate needs.
- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes, and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivors' names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Grandview Police Department members may be apprised that survivor notifications are complete.

1033.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police or City Administrator.

1033.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shifts. Members reporting for duty from their residences should be instructed to contact their supervisors as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

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Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

1033.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Wellness Support Liaison.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed. The Department should consider seeking assistance from surrounding law enforcement agencies to fill liaison and coordinator positions, as appropriate.

1033.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Assistant Chief or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System.
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

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- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-staff.
- (g) Reminding department members of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.
- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1033.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Establish a command post or incident command system, as appropriate, to facilitate management of the situation and its impact on hospital operations (e.g., influx of people, parking).
- (b) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (c) Ensure, as practicable, that any suspects who are in the hospital and their families or friends are not in proximity to the member's survivors or Grandview Police Department members (except for members who may be guarding a suspect).
- (d) Arrange for survivors to receive timely updates regarding the member before information is released to others.
- (e) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (f) Stay with survivors and provide them with other assistance as needed at the hospital.
- (g) If applicable, explain to the survivors why an autopsy may be needed.
- (h) Make arrangements for hospital bills to be directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment, and that the member's residence address, insurance information, and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include but are not limited to:

- Arranging transportation for the survivors back to their residence.

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- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting their actions at the conclusion of duties.

1033.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Assistant Chief. The following should be considered when selecting the Survivor Support Liaison:

- The liaison should be an individual the survivors know and with whom they are comfortable working.
- The selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes, and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
 1. Items should not be delivered to the survivors until they are ready to receive the items.
 2. Items not retained as evidence should be delivered in a clean, unmarked box.
 3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
 4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

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1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the Wellness Support Liaison for survivors to have access to available counseling services.
- (h) Coordinating with the department's Public Information Spokesperson (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Spokesperson section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal, and administrative investigations.
- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel, and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services (e.g., as applicable, the Annual Candlelight Vigil at the National Law Enforcement Officers Memorial), or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1033.6.4 WELLNESS SUPPORT LIAISON

The Wellness Support Liaison should work with the department wellness coordinator or the authorized designee and other liaisons and coordinators to make wellness support and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the Wellness Support Liaison include but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for wellness support and counseling services, including:
 1. Members involved in the incident.
 2. Members who witnessed the incident.

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3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Making arrangements for members who were involved in or witnessed the incident to be relieved of department responsibilities until they can receive wellness support.
- (c) Making wellness support and counseling resources (e.g., peer support, Critical Incident Stress Debriefing) available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to inform survivors of available wellness support and counseling services and assisting with arrangements as needed.
- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional wellness support or counseling services are needed.

1033.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison, and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.
- (g) Addressing event-related logistical matters (e.g., parking, visitor overflow, public assembly areas).

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1033.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Grandview Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform duties in accordance with the Outside Agency Assistance Policy.

Where practicable, the [agencyHead] should appoint a mutual aid coordinator to identify external resources in advance of any need (e.g., regional honor guard teams, county- or state-wide resources).

1033.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the following:
 - 1. Public Safety Officers' Benefits Program, including financial assistance available through the Public Safety Officers' Educational Assistance (PSOEA) Program, as applicable (34 USC § 10281 et seq.).
 - 2. Social Security Administration.
 - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 - 1. Death benefit (RCW 41.26.510)
 - 2. Education benefit (RCW 28B.10.567; RCW 28B.15.380; RCW 28B.15.520)
 - 3. Retirement benefits (RCW 41.04.393)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 - 1. Private foundation survivor benefits programs.
 - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

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- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1033.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1033.7 PUBLIC INFORMATION SPOKESPERSON

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Instruct department members to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 - 1. Coordinate with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Disseminate important public information, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.

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- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies, and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media have obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should notify media when survivor notifications have been made.

1033.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. Chaplain duties may include but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support, or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1033.9 INVESTIGATION OF THE INCIDENT

The Chief of Police should make necessary assignments to conduct thorough investigations of any line-of-duty death and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends, or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1033.10 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty. Care will be taken not to gift public resources to private individuals.

Wellness Program

1034.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on establishing and maintaining a proactive wellness program for department members.

The wellness program is intended to be a holistic approach to a member's well-being and encompasses aspects such as physical fitness, mental health, and overall wellness.

Additional information on member wellness is provided in the:

- Chaplains Policy.
- Line-of-Duty Deaths Policy.
- Drug- and Alcohol-Free Workplace Policy.

1034.1.1 DEFINITIONS

Definitions related to this policy include:

Critical incident – An event or situation that may cause a strong emotional, cognitive, or physical reaction that has the potential to interfere with daily life.

Critical Incident Stress Debriefing (CISD) – A standardized approach using a discussion format to provide education, support, and emotional release opportunities for members involved in work-related critical incidents.

Peer support – Mental and emotional wellness support provided by peers trained to help members cope with critical incidents and certain personal or professional problems.

Peer supporter – A member or retired member of the Grandview Police Department who has received training to provide emotional support, moral support, and counseling to a member who needs those services resulting from an incident in an official capacity or to deal with other stress that is impacting the member's performance of official duties. It also includes a nonemployee counselor who has been designated by the Grandview Police Department to provide those same services (RCW 5.60.060).

1034.2 POLICY

It is the policy of the Grandview Police Department to prioritize member wellness to foster fitness for duty and support a healthy quality of life for department members. The Department will maintain a wellness program that supports its members with proactive wellness resources, critical incident response, and follow-up support.

1034.3 WELLNESS COORDINATOR

The Chief of Police should appoint a trained wellness coordinator. The coordinator should report directly to the Chief of Police or the authorized designee and should collaborate with advisers (e.g., Department of Human Resources, legal counsel, licensed psychotherapist, qualified health

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professionals), as appropriate, to fulfill the responsibilities of the position, including but not limited to:

- (a) Identifying wellness support providers (e.g., licensed psychotherapists, external peer support providers, physical therapists, dietitians, physical fitness trainers holding accredited certifications).
 - 1. As appropriate, selected providers should be trained and experienced in providing mental wellness support and counseling to public safety personnel.
 - 2. When practicable, the Department should not use the same licensed psychotherapist for both member wellness support and fitness for duty evaluations.
- (b) Developing management and operational procedures for department peer support members, such as:
 - 1. Peer support member selection and retention.
 - 2. Training and applicable certification requirements.
 - 3. Deployment.
 - 4. Managing potential conflicts between peer support members and those seeking service.
 - 5. Monitoring and mitigating peer support member emotional fatigue (i.e., compassion fatigue) associated with providing peer support.
 - 6. Using qualified peer support personnel from other public safety agencies or outside organizations for department peer support, as appropriate.
- (c) Verifying members have reasonable access to peer support or licensed psychotherapist support.
- (d) Establishing procedures for CISDs, including:
 - 1. Defining the types of incidents that may initiate debriefings.
 - 2. Steps for organizing debriefings.
- (e) Facilitating the delivery of wellness information, training, and support through various methods appropriate for the situation (e.g., phone hotlines, electronic applications).
- (f) Verifying a confidential, appropriate, and timely Employee Assistance Program (EAP) is available for members. This also includes:
 - 1. Obtaining a written description of the program services.
 - 2. Providing for the methods to obtain program services.
 - 3. Providing referrals to the EAP for appropriate diagnosis, treatment, and follow-up resources.
 - 4. Obtaining written procedures and guidelines for referrals to, or mandatory participation in, the program.

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5. Obtaining training for supervisors in their role and responsibilities, and identification of member behaviors that would indicate the existence of member concerns, problems, or issues that could impact member job performance.
- (g) Assisting members who have become disabled with application for federal government benefits such as those offered through the Public Safety Officers' Benefits Program (34 USC § 10281 et seq.).
 1. The coordinator should work with appropriate Department liaisons to assist qualified members and survivors with benefits, wellness support, and counseling services, as applicable, when there has been a member death (see the Line-of-Duty Deaths Policy for additional guidance).

1034.4 DEPARTMENT PEER SUPPORT

1034.4.1 PEER SUPPORT MEMBER SELECTION CRITERIA

The selection of a department peer support member will be at the discretion of the coordinator. Selection should be based on the member's:

- Desire to be a peer support member.
- Experience or tenure.
- Demonstrated ability as a positive role model.
- Ability to communicate and interact effectively.
- Evaluation by supervisors and any current peer support members.

1034.4.2 PEER SUPPORT MEMBER RESPONSIBILITIES

The responsibilities of department peer support members include:

- (a) Providing pre- and post-critical incident support.
- (b) Referrals should be made to department-designated resources in situations that are beyond the scope of the peer support member's training.

1034.4.3 PEER SUPPORT MEMBER TRAINING

A department peer support member should complete department-approved training prior to being assigned.

1034.5 CRITICAL INCIDENT STRESS DEBRIEFINGS

A Critical Incident Stress Debriefing should occur as soon as practicable following a critical incident. The coordinator is responsible for organizing the debriefing. Notes and recorded statements shall not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a critical incident.

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.

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Attendance at the debriefing should only include peer support members and/or peer supporters, and those directly involved in the incident.

1034.6 PEER SUPPORT COMMUNICATIONS

Although the Department will honor the sensitivity of communications with peer support members, such communications are not confidential, except:

- Communications between a qualified peer supporter and a member are considered to be privileged except where allowed by law (RCW 5.60.060).
- Communications to crisis referral services by members and all records related to the communications shall be confidential except as allowed by RCW 43.101.425.

1034.7 TRAINING

The coordinator should collaborate with the Training Sergeant to provide all members with education and training on topics related to member physical and mental health and wellness.

Attachments

YVSIU 6.1.pdf

Yakima Valley Special Investigations Unit



YVSIU

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SECTION 1. STATEMENT OF PURPOSE

The Mission and Purpose of the Yakima Valley Special Investigations Unit (“YVSIU”) is to thoroughly investigate officer involved incidents which involve great bodily harm or death, in-custody deaths, or other high profile incidents where there may be an appearance of a conflict of interest. The YVSIU will operate primarily within Yakima County or outside the county upon the request of a Chief or Sheriff. The YVSIU will conduct a criminal investigation to develop relevant information to allow a determination of the presence or absence of criminal culpability on the part of those involved in the incident, specifically:

- To determine whether the nature and the quality of the involved conduct is prohibited by statutes which provide for criminal penalties upon conviction, and
- If criminal conduct does exist, determine the identity of the person(s) responsible, and
- If criminal conduct does exist, determine the degree of crime(s), and the existence of any factual or legal defenses to that crime.

Once a case has been completed and submitted to the prosecutor, it shall be made available to the Venue and Employer agencies for their internal use.

Criminal investigations shall follow the rules of law established by the State and federal constitutions, statutory and case law which apply to criminal investigations. The investigation shall be performed in a manner that provides both the appearance and the reality of a thorough, fair, complete and professional investigation.

Our Goals: To provide quality investigative assistance to all participating law enforcement agencies, especially those departments that may lack the resources to complete objective, thorough and comprehensive investigation. Additionally, we endeavor to:

- Promote public trust by conducting professional multi-jurisdictional investigations of major incidents, primarily law enforcement involved incidents which involve great bodily harm or death.
- Maximize the availability and sharing of the latest technological equipment and techniques.

- Consolidate and utilize the skills of experienced investigators and supervisors.
- Conduct quality investigations in a timely manner.

SECTION 2. MEMBER AGENCIES

Grandview Police Department
 Selah Police Department
 Sunnyside Police Department
 Toppenish Police Department
 Union Gap Police Department
 Washington State Patrol
 Yakima County Sheriff's Office
 Yakima Police Department

SECTION 3. DEFINITIONS

Employer Agency: The agency which employs the officer(s) who use lethal force, or which employs the primary officer(s) involved in the incident.

Venue Agency: The agency having jurisdiction of the incident.

Member Agency: Signatories to the agreement who have personnel assigned to the YVSIU.

SECTION 4. EXECUTIVE BOARD

The Executive Board of the Yakima Valley Special Investigation Unit shall consist of the Sheriff and Police/WSP Chief(s), or their designee, of each Member Agency. Representatives of the Prosecutor's Office and the Coroner's Office will be invited to all Board meetings and their input may be solicited. For voting purposes and for decision making for administrative purposes in administering this agreement, it will be the majority rule of the Executive Board.

The Chairman of the Executive Board will rotate between the Yakima County Sheriff, designated upper valley Police Chief and designated lower valley Police Chief every two years. The Chairman of the Executive Board shall schedule a meeting of the Executive Board in January of each year. The purpose of the meeting will be to receive a comprehensive report from the YVSIU Commander concerning activities of the Unit over the past year, address issues pertaining to the operation and support of the Unit, and address changes to the YVSIU protocol. Special meetings may be called at any time by a member of the Executive Board. Special meetings may also be requested by the YVSIU Commander.

SECTION 5. YVSIU COMMANDER

The YVSIU Commanders will be the rank of lieutenant or higher. The YVSIU Commander shall have the responsibility to develop a unit Standard Operating Procedure / Guidelines (SOP/G) and manage and coordinate the readiness and training of the Unit. Candidates for the YVSIU Commander position will be nominated by a member agency and selected by the Executive Board. The YVSIU Commander will report to the Executive Board. The YVSIU Commander will serve two years, but the term may be extended or terminated at the discretion of the Executive Board. A Commander must have strong tact and leadership skills, with experience in criminal investigations and strong working knowledge of the Incident Command System (ICS) to include completion of ICS 300 and ICS 400 level training.

SECTION 6. OPERATIONS CHIEF(S)

The Operations Chief(s) will be a qualified senior supervisor with experience in criminal investigations and knowledge of the ICS. The Operations Chief(s) will be nominated by a member agency and selected by the YVSIU Executive Board. The Operations Chief(s) must have strong leadership and organizational skills. The Operation Chief(s) should have a working knowledge of the Incident Command System (ICS) to include completion of ICS 300 and ICS 400 level training and be prepared to assume command in the absence of the YVSIU Commander. The Operations Chief(s) will assist the YVSIU in the development of the SOP/G, oversee investigations and assign YVSIU resources as needed.

SECTION 7. PUBLIC INFORMATION OFFICER

The Public Information Officer(s) ("PIO(s)") will be selected from a list of qualified personnel who have attended the basic and advanced PIO training. They should have strong verbal and written communications skills. The PIO(s) will be chosen by the YVSIU Executive Board.

SECTION 8. TEAM LEADER

A Team Leader will be an investigative supervisor. The Team Leader must have good leadership and communication skills; as they will be leading a team of investigators from multiple jurisdictions. The Team Leader(s) will be selected by the YVSIU Commander with the permission of their agency's chief executive or designee.

SECTION 9. INVESTIGATOR

Investigators will be experienced officers with a background in criminal investigations. They must be adept at working with multiple agencies. The Investigators will be selected by the YVSIU Commander with the permission of the investigators agency's chief executive or designee.

SECTION 10. TRAINING

The member agencies will strive to ensure that the Team Leaders and Investigators assigned to YVSIU have classes in the following core areas:

Criminal Investigations

Crime Scene Investigations

Basic Homicide Investigations

Interview and Interrogation

Officer Involved Shooting Investigations

In Custody Death Investigations

Criminal Jurisdiction in Indian County

Team Leaders and Investigators must have completed six of the seven core classes in order to be considered for assignment to the YVSIU. Investigators must complete all the core classes within two years of being assigned. In addition, member agencies are expected to provide their investigators with advanced training courses. These courses may include advanced homicide investigation, blood spatter analysis, crime scene photography/videography, and other classes relevant to their assignment with the YVSIU.

SECTION 11. ACTIVATION

1. Automatic and Immediate: Upon the occurrence of an officer-involved use of force resulting in great bodily harm or death, or in-custody death. The invocation of this Protocol is automatically and immediately in effect, upon the request of the Venue Agency.
 - A Chief of Police, Sheriff, or WSP Commander, or their designee, shall make the request for the YVSIU to the Yakima County Sheriff's Office Communication Center.
 - Dispatch shall contact the YVSIU Commander through standard call-out procedures identified on the YVSIU phone tree or contact list.
 - The YVSIU Commander shall assign the Operations Chief and Team Leader. The Operations Chief shall be responsible for determining how many investigators will be needed during the initial response.
 - In cases of an officer-involved fatality, the Team Leader shall not be from the employing agency (excluding the WSP).

2. Other Incidents: This Protocol may also be invoked for other significant incidents, as approved by the YVSIU Commander.
3. Non-Member Agencies: The request for investigative assistance in an officer-involved critical incident shall be made by the chief executive of the non-member venue agency to the YVSIU Commander. The YVSIU Commander will decide if the unit is to be activated.
4. Invocation When Not Required:
 - Each member agency of this agreement may invoke this Protocol upon the occurrence of any critical event involving a law enforcement employee which may have possible criminal liability attached. Upon this invocation, the matter will be investigated under the provisions of this Protocol. Member agencies may elect to not participate in the investigation based upon their internal policies and procedures.
 - In lieu of invoking this Protocol, the venue agency may investigate the matter by itself or seek aid from other agencies outside of the Protocol's requirements.

SECTION 12. RESPONSIBILITIES

- The venue agency shall make the initial request to activate the YVSIU.
- The venue agency shall provide a command-level liaison.
- Both the employer agency and venue agency shall make appropriate department personnel available to the YVSIU.
- The venue agency shall make available facilities and equipment as needed by the YVSIU.

SECTION 13. AUTHORITY

Once the YVSIU has agreed to investigate an incident as requested by the venue agency's chief executive, the YVSIU shall have sole and exclusive authority concerning the investigation of the incident. The YVSIU Commander or designee will provide appropriate case updates to the employer agency's chief executive, or their designee, throughout the course of the investigation.

Washington State Patrol policy directs that the WSP will investigate use of lethal force by its personnel, and that the WSP will not attempt to prevent a concurrent investigation by other agencies with jurisdiction. The YVSIU and the WSP may work jointly to criminally investigate the incident if the involved officer is a WSP commissioned employee.

SECTION 14. COSTS

Each member agency shall be responsible for their employees' wages and associated personnel costs. The venue agency shall be responsible for all reasonable investigative expenditures. The venue agency shall be advised of all extraordinary costs associated with the investigation.

SECTION 15. INTERLOCAL COOPERATION ACT PROVISIONS

No special budget or funds are anticipated, nor shall be created. It is not intended that a separate legal entity be established to conduct this cooperative undertaking, nor is the acquiring, holding, or disposing of real or personal property intended other than may be specifically provided within the terms of this Agreement. The section of this Agreement on "Executive Board" indicates who are the Co-Administrators of this Agreement.

SECTION 16. EVIDENCE

- Evidence Storage: All evidence shall be stored under the control of the Yakima County Sheriff's Property Room or, in the event of a conflict, it shall be stored at a non-employer agency as designated by the YVSIU Commander. The YVSIU Commander shall coordinate with the member agency's chief executive or designee to ensure compliance with that agency's policies and procedures. The venue agency shall be responsible for storage and handling costs of extraordinary items such as vehicles, HAZMAT, etc.
- Evidence Retention: No evidence shall be released or destroyed without consent or agreement of the other agencies involved in the investigation including the Yakima County Prosecuting Attorney's Office. Once the criminal prosecution is completed all property owned by private citizens will be released in accordance with State Law and the involved agency's policies and procedures.

SECTION 17. CASE FILES

- All original reports, statements and other documentation of venue agency employees should be filed and maintained by the Venue Agency or the Yakima County Sheriff's Office. Copies of those reports, statements and other documentation shall be submitted to the YVSIU Commander in a timely manner. Reports filed in Spillman will be segregated.
- Copies of all case files should be made available to the employer agency.
- The complete investigation will be sent to the Yakima County Prosecuting Attorney's Office or the Prosecuting Attorney's Office with jurisdiction.

SECTION 18. INVESTIGATIVE PRIORITY

The Criminal Investigation has investigative priority over the Administrative Investigation and it begins immediately after an incident has occurred.

SECTION 19. INVESTIGATIVE GOALS

The goal of the investigation is to develop all available relevant information about the incident. When the investigation is completed, including all forensic testing, toxicology report and autopsy reports, the case will be submitted to the County Prosecutor. The County Prosecutor will make a final determination on the presence or absence of criminal culpability on the part of those involved in the incident.

In addition, the investigation may incidentally provide factual information to the employer agency's management for its internal use. While the Criminal Investigators do not direct their investigative attention to administrative concerns, it is recognized that the Criminal Investigation's results are of proper interest to agency management for its internal use, and those results are fully available for that purpose.

SECTION 20. RESPONSE BY YVSIU

Once the YVSIU activation has been authorized, the YVSIU Commander will direct resources to the investigation. The initial YVSIU response will consist of the Operations Chief, Team Leader and an adequate number of Investigators to handle the investigation. If additional resources are needed as the investigation evolves, that will be at the discretion and direction of the Operations Chief. When possible the Team Leader(s) should not be from the employer agency (excluding the WSP).

SECTION 21. INVESTIGATIVE REQUIREMENTS

The investigation is required to follow the rules of law, which apply to all criminal proceedings; these include constitutional, statutory and case law. Detectives will maintain the integrity of the investigation by following the rules of evidence throughout the investigation.

The investigation will be performed in a manner that provides a thorough, fair, complete and professional investigation, free of conflicts of interest.

SECTION 22. VEHICLE INCIDENTS

When requested, the YVSIU will investigate officer involved incidents when the use of a vehicle is an intentional use of force by a police officer that causes great bodily harm or death. In these investigations, the YVSIU will utilize experienced Collision Reconstructionists and appropriate resources.

This section is not to imply that the YVSIU will be activated in a police involved collision causing great bodily harm or death where the collision was not a result of an intentional use of force.

SECTION 23. INVESTIGATORS' MEETING

After the initial scene has been processed, the Team Leader may conduct a briefing with the Investigators to determine what has been accomplished and what still needs to be accomplished to complete the investigation. Attendees to this meeting will consist of the Operations Chief, Team Leader and key Investigators involved in the investigation.

SECTION 24. COMMAND STAFF BRIEFING

The purpose of this briefing is to advise the Command Staff from the employer agency the status of the incident and to determine what information is appropriate for the media releases. In addition to the Command Staff from the employer agency, the attendees to this meeting typically will consist of the YVSIU Commander, the Operations Chief, investigative Team Leader and PIO.

SECTION 25. SCENE SECURITY

The venue agency will have the responsibility for immediately securing crime scene(s) within its jurisdiction. This responsibility includes preservation of the integrity of the scene(s) and its/their contents, controlling access to the scene(s), and the identification and separation of witnesses. Use of allied agency resources may be necessary to accomplish this task.

SECTION 26. PHYSICAL EVIDENCE COLLECTION, PRESERVATION, AND ANALYSIS

Member agencies having the capability to assist YVSIU Investigators in the documentation of the scene(s) and to assist in the collection, preservation, and analysis of physical evidence may do so providing they possess the requisite training and experience.

Prior to final relinquishment of the scene, the Team Leader, crime scene Investigators/professionals, and YVSIU Command Staff will confer to determine if the collection of evidence is complete.

SECTION 27. EMPLOYEE RIGHTS

Law enforcement employees have the same rights and privileges regarding YVSIU interviews that any other citizen would have, including the right to remain silent, the right to consult with an attorney prior to an interview, and the right to have an attorney present during the interview.

SECTION 28. PUBLIC SAFETY STATEMENT

Public Safety Statements should be taken with consideration of the Employer Agency's policies, procedures and documents.

SECTION 29. REPORT WRITING

1. All individuals participating in the criminal investigation will write reports documenting their participation.
2. The Investigators within each investigative team will allocate and divide among themselves the responsibility for documenting interviews and observations.
3. Prompt completion and distribution of reports is essential. All involved agencies and investigators will strive for report completion and distribution within 7 days of any investigative activity. The Coroner's report may be delayed beyond 30 days pending results of some scientific tests.

SECTION 30. MEDIA RELATIONS

1. YVSIU: Once the YVSIU has initiated an investigation, all YVSIU media releases related to the investigation shall be made by the YVSIU Public Information Officer (PIO) or other official designee with the approval of the YVSIU Commander after consultation with the employer agency chief executive or designee. The YVSIU may release information typically on the day of the incident, an intermediate news release, and then a release when the complete investigation is sent to the Prosecutor.
2. THE EMPLOYER AGENCY: The employer agency's Public Information Officer ("PIO"), or other official designee, will release information in coordination with YVSIU supervisors. It shall be the responsibility of the employer agency to determine when the involved officer's name will be released to the public, pursuant to their policies and procedures.

SECTION 31. SANCTIONS/REMOVAL OF MEMBER AGENCY

Willful violations of the protocol agreement will be brought to the attention of the Executive Board by the YVSIU Commander, Operations Chief or Team Leaders. The Executive Board, by majority vote, may elect to immediately stop the investigation and turn the investigation over to the venue agency. A member agency failing to abide by this agreement may also be removed from the YVSIU by a majority vote of the Executive Board.

SECTION 32. TERM OF AGREEMENT

This Agreement shall become effective on the date it is executed by all signing parties, and shall remain in full force and effect and is intended to be indefinite.

SECTION 33. TERMINATION

A party may terminate this Agreement or, alternatively, withdraw its participation in the YVSIU by providing written notice to the chief law enforcement officer for each member agency of its intent to terminate or withdraw from this agreement. A notice of termination or withdrawal shall become effective upon the latter of: a) 30 days after service of the notice on the chief law enforcement officers for all member agencies; or b) at the conclusion of any YVSIU investigation that is pending on the date of the written notice of intent to terminate or withdraw from this Agreement.

SECTION 34. STATUS OF OFFICERS ASSIGNED TO YVSIU

- Pursuant to RCW 10.93.050, each officer assigned to the YVSIU remains the employee of the party who hired the officer, and is not an employee of any other member agency.
- Member agencies shall not allow officers who have been disciplined for dishonesty, bias or improper use of force subject to the provisions in *Brady V. Maryland* to be assigned to the YVSIU.

SECTION 35. LIABILITY, HOLD HARMLESS AND INDEMNIFICATION

- Pursuant to RCW 10.93.040, it is understood and agreed that each member agency, its agents, employees, and insureds do not, by virtue of these Protocols, assume any responsibility or liability for the actions of another agency's officers.
- Each party hereto shall be responsible and assume liability for its own wrongful or negligent acts or omissions, or those of its officers to the fullest extent required by law, and shall save, indemnify, defend and hold harmless all other parties from such liability. In the case of negligence of more than one party to this Agreement, any damages shall be in proportion to the percentage of negligence attributed to each party, and each party shall have the right to contribution from the other party in proportion to the percentage of negligence attributed to the other party. Nothing contained in this section of this Agreement shall be construed to create a liability or a right of indemnification in any third party. The provisions of this section shall survive the termination or expiration of this Agreement.

SECTION 36. DISPUTE RESOLUTION

For the purpose of this Agreement, time is of the essence. Should any dispute arise concerning the enforcement, breach or interpretation of this Agreement, the parties shall first meet in a good faith attempt to resolve the dispute.

SECTION 37. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference to this Agreement shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement. To this end, the provisions of this Agreement are declared to be severable.

SECTION 38. MISCELLANEOUS

Any provision of this Agreement that imposes an obligation that continues after termination or expiration of this Agreement shall survive the term or expiration of the Agreement and shall be binding on the parties to this Agreement. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

SECTION 39. MUNICIPAL AUTHORIZATIONS AND APPROVAL BY LEGISLATIVE AUTHORITY

By signing below, the signor certifies that he or she has the authority to sign this Agreement on behalf of the party, and the party agrees to the terms of this Agreement. The signor also certifies that the legislative authority of his or her respective employer (the City Council for cities or the County Commissioners for counties) has approved the Agreement by Resolution. This is to comply with the Washington Interlocal Cooperation Act, RCW 39.34.030(2) which states in part: “(2) Any two or more public agencies may enter into agreements with one another for joint or cooperative action pursuant to the provisions of this chapter....Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force.”

SECTION 40. EXECUTION OF AGREEMENT

This Agreement may be signed in counterparts by the parties. If the Agreement is signed by the parties in counterparts, it will be considered a fully executed Agreement.

SECTION 41. FILING

Pursuant to RCW 39.34.040 regarding methods of filing agreements pursuant to the Interlocal Cooperation Act, a copy of this Agreement shall be filed with the Yakima County Auditor, or, alternatively, listed by subject on the public agency’s website or other electronically retrievable public source.

THIS AGREEMENT is executed by the persons signing below, who warrant that they have the authority to execute this Agreement.

YAKIMA POLICE DEPARTMENT

Chief Dominic Rizzi

Date: _____

Cliff Moore, City Manager

Date: _____

ATTEST:

Sonya Claar Tee, City Clerk

City of Yakima Contract No. 2017-_____
Resolution No. R-2017-_____

YAKIMA COUNTY SHERIFF'S OFFICE

Sheriff Brian Winter

Date: _____

Michael D. Leita, Chairman

J. Rand Elliott, Commissioner

Ron Anderson, Commissioner
Constituting the Board of County Commissioners
for Yakima County, Washington

Approved as to form for Yakima County:

Stefanie J. Weigand
Senior Deputy Prosecuting Attorney

ATTEST:

Tiera Girard, Clerk of the Board of County
Commissioners

UNION GAP POLICE DEPARTMENT

Gregory Cobb, Chief of Police

Date: _____

Arlene Fisher, City Manager

Date: _____

GRANDVIEW POLICE DEPARTMENT

Kal Fuller, Chief of Police

Date: _____

Cus Arteaga, City Manager

Date: _____

SELAH POLICE DEPARTMENT

Rich Hayes, Chief of Police

Date: _____

Don Wyman, City Administrator

Date: _____

TOPPENISH POLICE DEPARTMENT

Curt Ruggles, Chief of Police

Date: _____

Lance Hoyt, City Manager

Date: _____

SUNNYSIDE POLICE DEPARTMENT

Albert Escalera, Chief of Police

Date: _____

Donald Day, City Manager

Date: _____

WASHINGTON STATE PATROL

Print Name: _____

Title: _____

Date: _____

Use of Force policy submission.pdf

Kal Fuller

From: 1310policy@atg.wa.gov
Sent: Wednesday, November 30, 2022 11:15 AM
To: Kal Fuller
Cc: 1310policy@atg.wa.gov
Subject: Law Enforcement Use of Force and De-Escalation
Attachments: Use_of_Force.pdf

The following message has been submitted.

Your responses on this form will be publicly available on the Attorney General's Office (AGO) website at:
<https://www.atg.wa.gov/law-enforcement-use-force-and-de-escalation>.

By December 1, 2022, Washington law requires all law enforcement agencies to either:

- A. Adopt a use-of-force policy that is consistent with the AGO model policy, and submit that policy to the AGO; or
- B. Submit the agency's inconsistent use-of-force policy to the AGO along with:
 - 1. The reasons for departing from the AGO model policy, and
 - 2. An explanation for how the agency's policy is consistent with RCW 10.120.020.

Information Submitted:

Section 1: Who is submitting this form?

Agency Name:	Grandview Police Department
First Name:	Kal
Middle Name:	
Last Name:	Fuller
Title/Position:	Chief
Contact phone:	5098822000
Email Address:	kal.fuller@grandviewpd.us

Section 2: Agency Declaration

I attest that my agency's use-of-force policy is consistent with the AGO model policy.	Yes
If Yes, Declared this date:	11/30/2022
If No, why does your agency's use-of force policy depart from the AGO model policy?	N/A
If No, how is your agency's use-of-force policy consistent with RCW 10.120.020?	N/A

Section 3: Agency Policy

Is your agency policy posted on your website, or do you need to provide it as an attachment?	Upload Attachment

If Website, Url Address:

N/A

Date policy last updated:

11/29/2022

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

Coroner Call Sheet.pdf



YAKIMA COUNTY CORONER'S CALL SHEET

NATURAL – SUICIDE – HOMICIDE – MVF – TOXICOLOGY – ACCIDENT

Reported By: _____ Case #: _____

Date & Time Reported: _____

Deceased Name: _____

DOB: _____ Age: _____ Sex: _____

Address: _____

Date and Time of Death: _____

Died at: _____

Stricken Date and Time: _____

Stricken at: _____

Relative: _____ Phone #: _____

Medical History: _____

Medication: _____

Details: _____

Investigation Agency: _____

Funeral Home: _____

Rotational

Chosen

Supervisor Notification CHECK LIST.pdf



SUPERVISOR NOTIFICATION CHECK LIST

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

- ☐ The application caused a visible injury.
- ☐ The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- ☐ The individual subjected to the force complained of injury or continuing pain.
- ☐ The individual indicates intent to pursue litigation.
- ☐ Any application of the Conducted Energy Device (CED) or control device.
- ☐ Use off restraint device other than handcuffs, shackles or belly chains.
- ☐ The individual subjected to the force was rendered unconscious.
- ☐ An individual was struck or kicked.
- ☐ An individual alleges that unreasonable force was used or that any of the above has occurred.

SEE POLICY 300.5.1

NOTIFICATION TO SUPERVISORS

Supervisor Responsibilities CHECK LIST.pdf



SUPERVISOR RESPONSIBILITIES CHECK LIST

If there is a visible injury or there has been a reported application of force, the supervisor is expected to:

- ☐ Obtain the basic facts from the involved officers.
- ☐ Ensure that any injured parties are examined and treated appropriately.
- ☐ Ensure that photographs have been taken.
- ☐ Identify any witnesses not already contacted.
- ☐ Determine if there is any indication that the individual may pursue civil litigation.
- ☐ Initiate an administrative investigation if there is a question of policy noncompliance or if further investigation is necessary.
- ☐ When possible, separately obtain a recorded administrative interview with the individual upon whom force was applied.
- ☐ Review and approve all related reports.

SEE POLICY 300.7

SUPERVISORS RESPONSIBILITIES

Pursuit After Action Report.pdf

GRANDVIEW POLICE DEPARTMENT PURSUIT REPORT

CASE # _____

DATE OF PURSUIT ____/____/____

PURSUIT START LOCATION _____

TIME OF PURSUIT _____

PURSUIT TERMINATION LOCATION _____

OFFICER(S) TO COMPLETE THIS FORM IN DETAIL

COPY OF COMPLETED **INCIDENT REPORT** IS TO BE ATTACHED

ORIGINAL (W/ATTACHMENTS) WILL BE FORWARDED **TO THE ASSISTANT CHIEF'S OFFICE**, VIA CHAIN OF COMMAND

PURSUIT AFTER-ACTION REPORT

PRIMARY OFFICER	SECONDARY OFFICER	SUPERVISOR

REASON FOR PURSUIT

VIOLENT FELONY ☐ OTHER SERIOUS CRIME ☐ IDENTIFY VIOLENT FELONY/SERIOUS CRIME	RECKLESS DRIVING PRE-PURSUIT ☐ DUI ☐ DESCRIBE RECKLESS DRIVING/SUSPICION OF DUI

INTER-JURISDICTIONAL

☐ Agency(s) Pursuing Into this Jurisdiction:
☐ Pursuit initiated by this jurisdiction entered:

ENVIRONMENTAL FACTORS

Traffic ☐ Light ☐ Moderate ☐ Heavy ☐ Pedestrians ☐ Road Construction	Road Type ☐ Freeway ☐ County Road ☐ Business Zone ☐ Residential ☐ School Zone
Weather ☐ Clear ☐ Rain ☐ Snow ☐ Fog ☐ Dry ☐ Wet ☐ Ice	Lighting Condition ☐ Daylight ☐ Dusk ☐ Night ☐ Well-Lit ☐ Night-No Lighting
Suspect Vehicle	Condition: Good ☐ Moderate ☐ Poor ☐ Type: Car ☐ Truck ☐ SUV ☐ Motorcycle ☐

CONTROL TECHNIQUE USED TO TERMINATE (CHECK ALL THAT APPLY)					
☐ Lights ☐ Siren ☐ Spike Strips ☐ Stationary Roadblock ☐ Firearms ☐ PIT Tactic Authorized By: _____					
DISTANCE/DURATION					
MILES _____ DURATION _____ MINUTES					
TERMINATION					
☐ Terminated by Primary Officer ☐ Terminated by Supervisor ☐ Suspect Escaped ☐ Suspect Crash without Use of Force ☐ Suspect Voluntarily Stopped ☐ Suspect Apprehended					
WERE INJURIES SUSTAINED IN A COLLISION? YES ☐ NO ☐ IF YES CHECK APPROPRIATE BOXES					
Officer	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Officer 2	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Suspect	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Suspect (Passenger)	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Suspect (Passenger)	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Third Party	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Third Party (Passenger)	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
Other	Complaint ☐	Visible ☐	Medical Required ☐	Serious ☐	Fatal ☐
VIDEO/AUDIO REVIEW					
☐ Video Available ☐ Dispatch Tapes Available					
☐ Video Reviewed by: _____ ☐ Dispatch Tapes Reviewed By _____					
☐ Video Preserved ☐ Dispatch Tapes Preserved					
REVIEWED BY / SIGNATURE					

Supervisor: _____

☐ On Duty

☐ By Phone

Date: _____

Assistant Chief: _____

☐ On Duty

☐ By Phone

Date: _____

Ride Along Application and Waiver.pdf

GRANDVIEW POLICE DEPARTMENT

207 W 2nd Street Grandview WA 98930
Telephone: (509) 882-2000



Chief
Kal Fuller
Telephone: 509-882-2000

Citizen Ride Along Application

Persons wishing to participate in the Ride Along Program must read, complete and sign this form in its entirety, including the liability waiver, prior to being considered for permission to ride.

405.1.1 ELIGIBILITY

The Grandview Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause. The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 18 years of age.
- Prior case related contacts with Grandview Police Department • Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor. The School Resource Officer may conduct job shadow ride-alongs to assist students under the age of 18. The SRO shall have the student fill out a Ride-Along Form and make sure a parent's signature is obtained.

405.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in conservative attire generally acceptable in an office or school environment. Clothing with printed sayings or large logos will not be acceptable. The Shift Sergeant or assigned officer may refuse a ride along to anyone not properly dressed.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.
- (c) The officer may terminate the ride-along at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.

GRANDVIEW POLICE DEPARTMENT

207 W 2nd Street Grandview WA 98930
Telephone: (509) 882-2000



Chief
Kal Fuller
Telephone: 509-882-2000

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

Program Regulations

1. If a situation develops in which the officer believes that the rider will be placed at an unacceptable risk of harm, the officer may at his/her own discretion drop off the rider. Where practical, the rider will be dropped off near a pay phone, and may be picked up again by the host officer as soon as possible. The host officer will inform dispatch operations of the location of the dropped of rider. If a rider is dropped off, the rider may call the Department for further instructions on getting picked up again.

2. If a rider fails to adhere to the conditions of the Ride Along Program, or if the host officer thinks that the rider's presence or actions are impeding the performance of the assigned duties, the host officer has the duty and authority to terminate the ride along, and return the guest rider to the police department.

The undersigned attests that s/he has read completely and understands the Grandview Police Department Citizen Ride Along Policy and Application, and agrees to abide fully by all the regulations described therein.

Dated this _____ day of _____, 20_____

Signed: _____

Printed Full Name: _____ Date of Birth: _____

Address: _____

City: _____ State: _____ Zip Code: _____ Telephone #: _____

Previous Observer: YES NO Date of Previous Ride Along: _____

Reason for Request: _____

GRANDVIEW POLICE DEPARTMENT

207 W 2nd Street Grandview WA 98930
Telephone: (509) 882-2000



Chief
Kal Fuller
Telephone: 509-882-2000

Request for permission, Assumption of Risks and Waiver

I request permission to ride as a guest of the Grandview Police Department to permit my observation of Police work. I further understand that should permission be granted; I will be observing police work totally at my own risk and I am willing to assume all risks involved including the risk of death or serious injury. I also understand that I may be directed to exit the vehicle - regardless of time of day or location, and I am willing to assume all responsibility for my transportation back to the Grandview Police Department or to my residence and for any and all harm that may befall me once I exit from the police vehicle.

In consideration for granting my request to ride and observe, and being fully aware of the risks involved, I hereby waive any and all legal rights I have or may have in the future to bring any claim or lawsuit against the City of Grandview and its police department, individual officers or any other employees, officers, or agents of the City arising out of or connected with observing the activities of the police department.

Signed: _____ Date: _____

Parent/Guardian: _____ Date: _____

Witnessed: _____ Date: _____

DEPARTMENT USE ONLY

Records/Warrant Check: ☐ WACIC ☐ NCIC ☐ PRMS ☐ DOL
☐ DOC

Clear (Y/N): _____

Comments: _____

Check Performed by: _____

Approved: ☐ Denied: ☐

Approved/Denied by: _____

Forwarded to: _____

Date Assigned: _____ Time assigned: _____ -- _____

Officer Assigned: _____

Employee Supervisor Report of Injury-Illness-Exposure.pdf



CITY OF GRANDVIEW
EMPLOYEE AND SUPERVISOR REPORT OF INJURY/ILLNESS/EXPOSURE

**SUBMIT THIS REPORT TO YOUR SUPERVISOR
THE SAME DAY OF INJURY/EXPOSURE**

EMPLOYEE'S SECTION: Complete this form for any on-the-job incident, illness, injury, accident or exposure (i.e. bloodborne or airborne pathogens), whether or not you take any time off work or see a doctor.

Employee Name _____ Department _____

Your work schedule _____ Start time _____ Hours per day _____ Days per week _____

Date & time of accident _____ am/pm Date & time reported _____ am / pm

Location of accident _____

Supervisor's Name _____

OR, Name of person to whom you reported the accident (if not your supervisor): _____

Names of witness(es) _____

a) Describe what happened: _____

b) What were you doing at the time? _____

c) What do you think caused it? _____

d) Description of the injury:

Nature of injury:

Body location of injury (check all that apply):

Injury Involved:

☐ slip/fall	☐ right	☐ left	☐ upper	☐ lower	☐ tools (manual/power)
☐ sprain/strain	☐ eye	☐ ear	☐ face	☐ respiratory	☐ equipment _____
☐ laceration (cut)	☐ head	☐ neck	☐ shoulder	☐ elbow	☐ toxic/hazardous materials
☐ burn	☐ hand	☐ finger(s)	☐ wrist	☐ arm	☐ fumes
☐ contusion (bruise)	☐ chest	☐ trunk	☐ back	☐ hips	☐ vehicle accident
☐ puncture	☐ leg	☐ knee	☐ ankle	☐ foot/toe	☐ other _____
☐ fracture	☐ other _____				

☐ other (explain): _____

e) Is this an aggravation of an earlier injury? ☐ YES ☐ NO ☐ Don't know

If Yes, provide approximate date: _____

f) What happened next ?

Received first aid ☐ YES ☐ NO Continued to work ☐ YES ☐ NO Relieved of duty ☐ YES ☐ NO

If Yes, were you: ☐ Sent/taken home ☐ Sent/taken to doctor/hospital by ☐ City vehicle ☐ ambulance ☐ other

Will you miss work time? ☐ YES ☐ NO If Yes, expected date of return to work _____

What do you think could have prevented this accident? _____

g) If a vehicle was involved, which vehicle was it? _____

Did you file a vehicle or facility maintenance report? ☐ YES ☐ NO

h) If this was an exposure, what was the substance?

☐ Blood ☐ Tears ☐ Feces ☐ Urine ☐ Saliva ☐ Vomitus ☐ Sputum ☐ Sweat ☐ Other _____

Did you have any open cuts, sores, or rashes that came into contact with the above exposure substance? ☐ YES ☐ NO

If yes, please identify _____

Is Exposure a known risk? ☐ YES ☐ NO

Will testing be conducted? ☐ YES ☐ NO

i) What PPE were you wearing at the time of the accident? _____

j) In your opinion, did someone not employed at the City cause the accident in any way? ☐ YES ☐ NO

If Yes, provide name, address, and phone # of the person: _____

Print Name _____

Department _____

Your Signature _____

Date _____

SUPERVISOR'S SECTION:

a) Do you agree with the employee's version of the incident and the information provided above? ☐ YES ☐ NO

If NO, add your comments below or on additional paper.

b) What do you believe was the primary cause of the accident? (Check only one box.)

☐ Environmental: (Such as: inadequate lighting, ventilation, unsafe design, inadequately guarded, weather conditions, distraction, or the action of other people.)

☐ Physical Req'mts: (Such as: working in an awkward position, performing repetitive tasks, etc.)

☐ Equipment: (Such as: hard to operate, defective, failure, or unsafe clothing or shoes.)

☐ Procedural: (Such as: missing or unclear procedures, unaware of procedures, or insufficient instruction or training.)

☐ Behavioral: (Such as: inattention, misjudging the situation, misstep, overexertion, did not evaluate risk, or took known risk i.e., no personal protective equipment.)

☐ Other: _____

Please explain choice: _____

c) Do you classify this injury as: ☐ non-preventable (Employee did everything reasonable to prevent injury.)

☐ preventable

Why or why not? _____

d) Do you have reason to question the validity of this claim? ☐ YES ☐ NO If Yes, why? _____

e) Was the employee wearing the proper PPE? _____

f) What steps will be taken to prevent a reoccurrence of this type of accident? _____

Date these steps will be completed? _____

Follow-up on vehicle or facility maintenance report, if filed: _____

If accident involved, fatality, inpatient hospitalization, amputation or loss of an eye, the incident has been reported to L&I by calling 1-800-4BE-SAFE (1-800-423-7233) as required by WAC 296-27-031. Yes date and time by _____ (person), n/a (within 8 hours if fatality or inpatient hospitalization, within 24 hours if amputation or loss of an eye)

Signature (if not supervisor) _____

Date _____

Supervisor's Signature _____

Date _____

PLEASE ATTACH COMPLETED INCIDENT REPORTS, WITNESS STATEMENTS AND ANY ACCUMULATED MEDICAL BILLS AND INFORMATION. ADDITIONAL COMMENTS MAY BE NOTED ON THE REVERSE OF THIS PAGE.

HR Tasks:

 Notified AWC via RiskConsole

 Evaluated for FMLA

 RTW paperwork needed?

RISK ANALYSIS FOR PLANNED OPS.pdf

YAKIMA VALLEY REGIONAL CRU

RISK ANALYSIS FOR PLANNED OPERATIONS

TYPE OF OPERATION

SEARCH WARRANT _____
 PLANNED ARREST _____
 OTHER _____

CASE # _____

DATE _____

I. SUSPECT ASSESSMENT

	YES	NO	UNK
1 NAME OF PRIMARY SUSPECT(S) (a) _____ (INCLUDE D.O.B) (b) _____ (c) _____			
2 KNOWN OR SUSPECTED RECORD _____ HOMICIDE x6 _____ ARMED ASSAULT x6 OF VIOLENCE: _____ ASSAULT x2 _____ ROBBERY x2 _____ ARMED ROBBERY x6 _____ MAJOR VUCSA x2 _____ ARMED MAJOR VUCSA x6 Other (i.e.Resisting, Assault on Police): _____ x2			
3 Is Suspect on Parole _____ Probation _____			
4 Drug/Alcohol Abuser _____ if yes, What: _____			
5 Mentally Unstable _____ if yes, What type of problem: _____ _____			
6 Military/Police Background _____ If yes, what type of background _____ x2 _____			
7 Associates/Organizations with known or suspected violent criminal activity: _____ If yes, Who: _____ *a. Para-military _____ *b. Terrorist _____ *c. Religious Extremists: _____ *d. Armed Gang Member: _____			

II. WEAPON ASSESSMENT

	YES	NO	UNK
Known or Suspected to Possess			
Rifle _____ Type _____ *auto _____			
Shotgun _____ Type _____ *sawed off _____			
Handgun _____ Type _____			
*Explosives _____ Type _____			
Knives _____ Type _____			
Animals _____ Type _____			
Other _____ Type _____			

III. SITE ASSESSMENT

		Yes	No	Unk
Urban	_____			
Rural	_____			
Time of Service: Daylight	_____			
Dark	_____			
1	Residential _____ Add/Desc _____			
Probable hours of Occupation: _____				
Commercial	_____ Add/Desc _____			
Type of Business/Hours:	_____			
	Other _____ Location/Desc: _____			
2	Geographic Barriers (open ground, water, thick brush etc.) if yes, what type: _____			
3	Is site Fortified* if yes describe: _____			
4	Is Site Boobytrapped* If yes describe: _____			
5	Counter Surveillance/Monitoring (scanners, radios) if yes describe: x2			
6	Possible Armed Counter Surveillance * If yes describe: _____			
7	Friends/Relatives/Others in or around ground site. If yes, Who: _____			

IV. TIME ASSESSMENT

Analysiss should consider the time factor. The general rule is that the less time available for planning, the higher the risk

v. INFORMATION ASSESSMENT

Information obtained from: Confidential Informant _____			
Concerned Citizen _____			
Other _____			
Reliability Factor: _____			
0-25% _____ 25%-50% _____ 50%-75% _____ 75%-100% _____			
YES TO ANY * QUESTION IS AN AUTOMATIC TACTICALTEAM CALLOUT	SUBTOTAL		
		X2	X0
	TOTAL		X1

Optional Callout	1-24 points
(suggested Tac Ldr Consultation)	18-24points
Required Callout	25+ points

Tactical Team Callout YES _____
NO _____

Case Officer(s) _____
Unit Supervisor _____
Watch Commander _____

Investigative Fund Audit Log Form.pdf



602.6.3

AUDIT OF PAYMENTS

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

Request for Authorization all other weapons.pdf

GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000
FAX (509) 882-1232



KAL FULLER
Chief of Police

Request for Authorization All Other Weapons

Requesting Officer: _____

Date: _____

Requested approval for: _____

Reason for request: _____

Approved: ☐

Denied: ☐

Requesting Officer

Date: _____

Assistant Chief

Date: _____

Chemical Agent Notification.pdf

GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000
FAX (509) 882-1232



KAL FULLER
Chief of Police

NOTICE OF CHEMICAL AGENT USE

This notice is to inform the homeowner or resident that chemical agents have been used in the listed home. OC or CS gas was the chemical agent used. This agent can cause tearing of the eyes and irritation of the respiratory tract and mucous membranes. Asthma can be aggravated by exposure to this agent. Treatment for exposure to this agent is removal from the area, fresh air, and the use of copious amounts of water to flush the agent from the eyes and skin. Remove and wash affected clothing. Cleaning of the interior of a home can be accomplished with similar recommendations or you may choose to use a professional cleaning company. Attached are the MSDS sheets (Material Safety Data Sheets) regarding the chemical agent. Please contact the Grandview Police Department at the Grandview Police Department (509) 882-2000 if you have any further questions.

Date Chemical Agent / Irritant used: _____

Address / Location of use: _____

Chemical Agent / Irritant Info:

Type: _____ *Manufacturer:* _____

Model #: _____

Type: _____ *Manufacturer:* _____

Model #: _____

Type: _____ *Manufacturer:* _____

Model #: _____

Officer Posting Notice: _____

Chemical Agent Warning Label.pdf

GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000
FAX (509) 882-1232



KAL FULLER
Chief of Police

*****WARNING*****

Chemical irritants have been disbursed within this property. Please follow decontamination procedures on the provided Material Safety Data Sheets, for cleanup of all property contained inside.

If you have any questions regarding the process, call:

509-882-2000

Grandview Police Department

Ask for the Assistant Chief.

*****WARNING*****

Consular Notification and Access Reference Card.pdf



CONSULAR NOTIFICATION AND ACCESS REFERENCE CARD

Instructions for Arrests and Detentions of Foreign Nationals

This card summarizes for law enforcement officials the basic consular notification procedures to follow upon the arrest or detention of a foreign national. For more detailed instructions and legal material, see the Department of State publication Consular Notification and Access. The complete publication is available at travel.state.gov/CNA

QUESTIONS MAY ALSO BE ADDRESSED TO:

**U.S. DEPARTMENT OF STATE
CA/P, SA-17, 12TH FLOOR
WASHINGTON, DC 20522-1712**

Telephone: (202) 485-7703 Email: consnot@state.gov

STEPS TO FOLLOW WHEN A FOREIGN NATIONAL IS ARRESTED OR DETAINED¹

1. Determine the foreign national's country of nationality. In the absence of other information, assume this is the country on whose passport or other travel document the foreign national is traveling.
2. If the foreign national's country is **NOT** on the list of "mandatory notification" ("list") countries and jurisdictions:
 - Use Statement 1 on the back of this card to inform the national, without delay, that he or she may have his or her consular officers notified and may communicate with them.
 - If the foreign national requests that his or her consular officers be notified, notify the nearest embassy or consulate of the foreign national's country without delay.
 - Forward any communication from the foreign national to his or her consular officers without delay.
3. If the foreign national's country is on the list of "mandatory notification" ("list") countries:
 - Notify that country's nearest embassy or consulate, without delay, of the arrest or detention.
 - Use Statement 2 on the back of this card to tell the national, without delay, that you are making this notification and that he or she may communicate with the consulate.
 - Forward any communication from the foreign national to his or her consular officers without delay.
4. Keep a written record of:
 - What information you provided to the foreign national and when.
 - The foreign national's requests, if any.
 - Whether you notified consular officers and, if so, the date and time and the means used to notify them (e.g., fax, email or phone.) If you used fax or email to notify the consular officers, you should keep the fax confirmation sheet or sent email in your records.
 - Any other relevant actions taken.

¹These steps should be followed for all foreign nationals, regardless of their immigration status.

MANDATORY NOTIFICATION "LIST" COUNTRIES

Albania	Malta
Algeria	Mauritius
Antigua and Barbuda	Moldova
Armenia	Nigeria
Azerbaijan	Philippines
Bahamas	Poland ²
Barbados	Romania
Belarus	Russia
Belize	Saint Kitts and Nevis
Brunei	Saint Lucia
Bulgaria	Saint Vincent and the Grenadines
China (including Macao and Hong Kong) ¹	Seychelles
Costa Rica	Sierra Leone
Cyprus	Singapore
Czech Republic	Slovakia
Dominica	Tajikistan
Fiji	Tanzania
Gambia	Tonga
Georgia	Trinidad and Tobago
Ghana	Tunisia
Grenada	Turkmenistan
Guyana	Tuvalu
Hungary	Ukraine
Jamaica	United Kingdom ³
Kazakhstan	Uzbekistan
Kiribati	Zambia
Kuwait	Zimbabwe
Kyrgyzstan	
Malaysia	

¹ Does not include Republic of China (Taiwan) passport holders.

² Mandatory for non-permanent only.

³ U.K. includes Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands. Residents' passports bear the name of their territory and may also bear the name "United Kingdom."



SUGGESTED STATEMENTS TO ARRESTED OR DETAINED FOREIGN NATIONALS

STATEMENT 1:

For All Foreign Nationals Except Those from "Mandatory Notification" Countries

As a non-U.S. citizen who is being arrested or detained, you may request that we notify your country's consular officers here in the United States of your situation. You may also communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?

STATEMENT 2:

For Foreign Nationals from "Mandatory Notification" Countries

Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you may communicate with your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. Please sign to show that you have received this information.

Suggested Fax Sheet for Notifying Consular Officers of Arrests or Detentions

Date: _____
Time: _____

To: Embassy/Consulate of _____ in _____, _____
(Country) (City) (State)

Subject: NOTIFICATION OF ARREST/DETENTION OF A NATIONAL OF YOUR COUNTRY

From:

Name: _____
Office: _____
Street Address: _____
City: _____
State: _____
ZIP Code: _____
Telephone: (____) _____
Fax: (____) _____

We arrested/detained the following foreign national, whom we understand to be a national of your country,
on _____, _____.

Mr./Mrs./Ms: _____
Date of Birth: _____
Place of Birth: _____
Passport Number: _____
Date of Passport Issuance: _____
Place of Passport Issuance: _____

To arrange for consular access, please call _____ between the hours of
_____ and _____. Please refer to case number _____ when you call.

Comments:

Part Six: Foreign Embassies and Consulates in the United States (as of January 2003)

The following information provides the short-form name of the country, followed by telephone and fax numbers as available to the Department of State in January 2003. Consular notification should be made to the listed location nearest to the place of arrest or detention. Washington, DC information is generally for embassies to the United States; numbers for other locations are for consular offices outside of Washington or, in the case of some countries without embassies or consular offices in the United States, for the country's mission to the United Nations in New York. Corrections to the listed numbers may be provided to the Department of State's Bureau of Consular Affairs, Office of Public Affairs and Policy Coordination, telephone 202-647-4415; facsimile 202-736-7559.

In a few instances an entity that is not recognized as a country is listed because aliens may be traveling in the United States on travel documents issued by that entity. In addition, some aliens may still be traveling in the United States on documents issued by the former Union of Soviet Socialist Republics (U.S.S.R.), the former Socialist Federal Republic of Yugoslavia, and the former Socialist Federal Republic of Czechoslovakia. The successor states or entities of these three former countries are as follows:

Former U.S.S.R:

- Armenia
- Azerbaijan
- Belarus
- Georgia
- Kazakhstan
- Kyrgyzstan
- Moldova
- Russia
- Tajikistan
- Turkmenistan
- Ukraine
- Uzbekistan

Former Yugoslavia:

- Bosnia and Herzegovina
- Croatia
- Macedonia, the Former Yugoslav Republic of
- Slovenia
- Yugoslavia (Serbia and Montenegro)

Former Czechoslovakia:

- Czech Republic
- Slovak Republic

AFGHANISTAN

Washington, DC (202) 416-1620; fax (202) 416-1630
New York, NY (212) 972-2277; fax (212) 972-9046

ALBANIA

Washington, DC (202) 223-4942; fax (202) 628-7342

ALGERIA

Washington, DC (202) 265-2800; fax (202) 213-5134

ANDORRA

New York, NY (212) 750-8064; fax (212) 750-6630

ANGOLA

Washington, DC (202) 785-1156; fax (202) 785-1258
Houston, TX (713) 212-3840; fax (713) 212-3841
New York, NY (212) 861-5656

ANTIGUA AND BARBUDA

Washington, DC (202) 362-5211; fax (202) 362-5225

ARGENTINA

Washington, DC (202) 238-6460; fax (202) 332-3171
Atlanta, GA (404) 880-0805; fax (404) 880-0806
Chicago, IL (312) 819-2620; fax (312) 819-2626
Houston, TX (713) 871-8935; fax (713) 871-0639
Los Angeles, CA (323) 954-9155; fax (323) 954-9155
Miami, FL (305) 373-1889; (305) 371-7108
New York, NY (212) 603-0400; fax (212) 541-7746

ARMENIA

Washington, DC (202) 319-1976; fax (202) 319-2982
Beverly Hills, CA (310) 657-6102; fax (310) 657-7419

AUSTRALIA

Washington, DC (202) 797-3000; fax (202) 797-3168
Atlanta, GA (404) 760-3400; fax (404) 760-3401
Chicago, IL (312) 419-1480; fax (312) 419-1499
Honolulu, HI (808) 524-5050; fax (808) 531-5142
Kolonias, Micronesia (691) 320-5448
Los Angeles, CA (310) 229-4800; fax (310) 277-2258
New York, NY (212) 421-6910
San Francisco, CA (415) 536-1970; fax (415) 536-1982

AUSTRIA

Washington, DC (202) 895-6767; fax (202) 895-6750
Chicago, IL (312) 222-1515; fax (312) 222-4113
Los Angeles, CA (310) 444-9310; fax (310) 477-9897
New York, NY (212) 737-6400; fax (212) 772-8926

AZERBAIJAN

Washington, DC (202) 337-3500; fax (202) 337-5911

BAHAMAS

Washington, D.C. (202) 319-2660; fax (202) 319-2668
Miami, FL (305) 373-6295; fax (305) 373-6312

New York, NY (212) 421-6420/22; fax (212) 759-2135

BAHRAIN

Washington, DC (202) 342-0741; fax (202) 362-2192
New York, NY (212) 223-6200; fax (212) 319-0687

BANGLADESH

Washington, DC (202) 244-0183; fax (202) 244-5366
Los Angeles, CA (310) 441-9399; fax (310) 441-4458
New York, NY (212) 599-6767; fax (212) 682-9211

BARBADOS

Washington, DC (202) 939-9200; fax (202) 332-7467
Los Angeles, CA (213) 380-2198; fax (213) 384-2763
Miami, FL (212) 867-8435; fax (305) 567-2844
New York, NY (212) 867-8435; fax (212) 986-1030

BELARUS

Washington, DC (202) 986-1604; fax (202) 986-1805
New York, NY (212) 682-5392; fax (212) 682-5491

BELGIUM

Washington, DC (202) 333-6900; fax (202) 333-3079
Atlanta, GA (404) 659-2150; fax (404) 659-8474
Chicago, IL (312) 263-6624; fax (312) 263-4805
Los Angeles, CA (213) 857-1244; fax (213) 936-2564
New York, NY (212) 586-5110; fax (212) 582-9657

BELIZE

Washington, DC (202) 332-9636; fax (202) 332-6888
Los Angeles, CA (323) 469-7343; fax (323) 469-7346

BENIN

Washington, DC (202) 232-6656; fax (202) 265-1996

BHUTAN

New York, NY (212) 826-1919; fax (212) 826-2998

BOLIVIA

Washington, DC (202) 232-4828; fax (202) 232-8017
Miami, FL (305) 670-0709; fax (305) 670-2548
New York, NY (212) 687-0530; fax (212) 687-0532
San Francisco, CA (415) 495-5173; fax (415) 399-8958
St. Louis, MO (314) 725-9466; fax (314) 725-9103

BOSNIA AND HERZEGOVINA

Washington, DC (202) 337-1500; fax (202) 337-1502
New York (212) 751-9018; fax (212) 751-9135

BOTSWANA

Washington, DC (202) 244-4990; fax (202) 244-4164

BRAZIL

Washington, DC (202) 238-2700; fax (202) 238-2827
Chicago, IL (312) 464-0244; fax (312) 464-0299
Houston, TX (713) 961-3063; fax (713) 961-3070

Los Angeles, CA (213) 651-2664; fax (213) 651-1274
Miami, FL (305) 285-6200; fax (305) 285-6229
New York, NY (212) 757-3080; fax (212) 956-3794
San Francisco, CA (415) 981-8170; fax (415) 981-3628

BRUNEI

Washington, DC (202) 237-1838; fax (202) 885-0560

BULGARIA

Washington, DC (202) 387-7969; fax (202) 234-7973

BURKINO FASO

Washington, DC (202) 332-5577; fax (202) 667-1882

BURMA (formerly MYANMAR)

Washington, DC (202) 332-9044/45; fax (202) 332-9046
New York, NY (212) 535-1310; fax (212) 737-2421

BURUNDI

Washington, DC (202) 342-2574; fax (202) 342-2578

CAMBODIA

Washington, DC (202) 726-7742; fax (202) 726-8381

CAMEROON

Washington, DC (202) 265-8790; fax (202) 387-3826

CANADA

Washington, DC (202) 682-1740; fax (202) 682-7726
Atlanta, GA (404) 532-2000; fax (404) 532-2050
Boston, MA (617) 262-3760; fax (617) 262-3415
Buffalo, NY (716) 858-9500; fax (716) 852-4340
Chicago, IL (312) 616-1860; fax (312) 616-1877
Dallas, TX (214) 922-9806; fax (214) 922-9815
Detroit, MI (313) 567-2340; fax (313) 567-2164
Los Angeles, CA (213) 346-2700; fax (213) 620-8827
Miami, FL (305) 579-1600; fax (305) 374-6774
Minneapolis, MN (612) 332-7486; fax (612) 332-4061
New York, NY (212) 596-1600; fax (212) 596-1793
San Francisco, CA (415) 834-3180; fax (415) 834-3189
San Jose, CA (408) 289-1157; fax (408) 289-1168
Seattle, WA (206) 443-1777; fax (206) 443-9662/443-9735

CAPE VERDE

Washington, DC (202) 965-6820; fax (202) 965-1207
Boston, MA (617) 353-0014; fax (617) 859-9798

CENTRAL AFRICAN REPUBLIC

Washington, D. C. (202) 483-7800; fax: (202) 332-9893

CHAD

Washington, DC (202) 462-4009; fax (202) 265-1937

CHILE

Washington, DC (202) 785-1746; fax (202) 887-5579
Chicago, IL (312) 654-8780; fax (312) 654-8948

Houston, TX (713) 963-9066; fax (713) 961-3910
Los Angeles, CA (310) 785-0113; fax (310) 785-0132
Miami, FL (305) 371-3219; fax (305) 374-4270
New York, NY (212) 355-0612; fax (212) 688-5879
Philadelphia, PA (215) 829-9520; fax (215) 829-0594
San Francisco, CA (415) 982-7662; fax (415) 982-2384
San Juan, PR (809) 725-6365; (809) 725-7295

CHINA

Washington, DC (202) 328-2500/02; fax (202) 328-2582
Chicago, IL (312) 803-0095; fax (312) 803-0105
Houston, TX (713) 524-0780; fax (713) 524-8466
Los Angeles, CA (213) 807-8088; fax (213) 380-1961
New York, NY (212) 868-7752; fax (212) 629-2698
San Francisco, CA (415) 563-4885

COLOMBIA

Washington, DC (202) 387-8338; fax (202) 232-8643
Atlanta, GA (770) 668-0451; fax (770) 668-0763
Beverly Hills, CA (323) 653-9863; fax (323) 653-2964
Boston, MA (617) 536-6222; fax (617) 536-9372
Chicago, IL (312) 923-1196; fax (312) 923-1197
Houston, TX (713) 527-8919; fax (713) 529-3395
Los Angeles, CA (213) 282-1137; fax (213) 383-2785
Miami, FL (305) 448-5558; fax (305) 441-9537
New Orleans, LA (504) 525-5580; fax (504) 525-4903
New York, NY (212) 949-9898; fax (212) 972-1725
San Francisco, CA (415) 795-7195; fax (415) 777-3731
San Juan, PR (809) 754-6885; fax (809) 754-1675

COMOROS

New York, NY (212) 972-8010; fax (212) 983-4712

CONGO, REPUBLIC OF (Brazzaville)

Washington, D. C. (202) 726-5500; fax (202) 726-1860

CONGO, DEMOCRATIC REPUBLIC OF (Kinshasa)

Washington, DC (202) 234-7690; fax (202) 234-2609

COSTA RICA

Washington, DC (202) 328-6628; fax (202) 265-4795
Atlanta, GA (770) 951-7025; fax (770) 951-7073
Chicago, IL (312) 263-2772; fax (312) 263-5807
Houston, TX (713) 266-0484; fax (713) 266-1527
Los Angeles, CA (213) 380-7915; fax (213) 380-5639
Miami, FL (305) 871-7485/87; fax (305) 871-0860
New Orleans, LA (504) 581-6800; fax (504) 581-6850
New York, NY (212) 509-3066; fax (212) 509-3068
San Francisco, CA (415) 392-8488; fax (415) 392-3745
San Juan, PR (787) 723-6227; fax (787) 723-6226
Tampa, FL (813) 248-6741; fax (813) 248-6741

COTE D'IVOIRE (IVORY COAST)

Washington, DC (202) 797-0300; fax (202) 462-9444

CROATIA

Washington, DC (202) 588-5899; fax (202) 588-8936
Los Angeles, CA (310) 477-1009; fax (310) 477-1866

CUBA

Washington, DC (202) 797-8518; fax (202) 797-8521

CYPRUS

Washington, DC (202) 462-5772; fax (202) 483-6710
New York, NY (212) 686-6016

CZECH REPUBLIC

Washington, DC (202) 274-9100; fax (202) 966-8540
Los Angeles, CA (310) 473-0889; fax (310) 473-9813
New York, NY (212) 717-5643; fax (212) 717-5064

DENMARK

Washington, DC (202) 234-4300; fax (202) 328-1470
Chicago, IL (312) 787-8780; fax (312) 787-8744
Los Angeles, CA (310) 443-2090; fax (310) 443-2099
New York, NY (212) 223-4545; fax (212) 754-1904

DJIBOUTI

Washington, DC (202) 331-0270; fax (202) 331-0302

DOMINICA

Washington, DC (202) 364-6781; fax (202) 364-6791
New York, NY (212) 599-8478; fax (212) 661-0979

DOMINICAN REPUBLIC

Washington, DC (202) 332-6280; fax (202) 265-8057
Boston, MA (617) 482-8121; fax (617) 482-8133
Chicago, IL (847) 441-1831; fax (847) 441-1833
Jacksonville, FL (904) 346-0909; fax (904) 346-0919
Miami, FL (305) 358-3220/21; fax (305) 358-2318
Mobile, AL (334) 433-8894
New Orleans, LA (504) 522-1843; fax (504) 522-1007
New York, NY (212) 768-2480; fax (212) 768-2677
Philadelphia, PA (215) 923-3006; fax (215) 923-3007
San Francisco, CA (415) 982-5144; fax (415) 982-0237
San Juan, PR (809) 725-9550; fax (809) 721-7820

EAST TIMOR

Washington, DC (202) 721-1555; fax (301) 608-3567
New York, NY (212) 759-3675; fax (212) 759-4196

ECUADOR

Washington, DC (202) 234-7166; fax (202) 667-3482
Beverly Hills, CA (323) 658-6020/5146; fax (323) 658-1934
Chicago, IL (312) 329-0266; fax (312) 329-0359
Houston, TX (713) 622-1787; fax (713) 622-8105
Miami, FL (305) 539-8214/15; fax (305) 539-8313
New Orleans, LA (504) 523-3229; fax (504) 523-3229
New York, NY (212) 808-0170/71; fax (212) 808-0188
Newark, NJ (201) 985-1300
Philadelphia, PA (215) 925-9060; fax (215) 867-0894
San Francisco, CA (415) 957-5921/22; fax (415) 957-5923

EGYPT

Washington, DC (202) 966-6342; fax (202) 244-4319
Chicago, IL (312) 828-9162; fax (312) 828-9167
Houston, TX (713) 961-4915; fax (713) 961-3868
New York, NY (212) 759-7120; fax (212) 308-7643
San Francisco, CA (415) 346-3422; fax (415) 346-9480

EL SALVADOR

Washington, DC (202) 331-4032; fax (202) 331-4036
Chicago, IL (312) 332-1393/578-5390; fax (312) 332-4446
Dallas, TX (214) 637-1018/0732; fax (214) 637-1106
Houston, TX (713) 270-6239/6270; fax (713) 270-9683
Los Angeles, CA (213) 383-8580; fax (213) 383-8599
Miami, FL (305) 371-8850; fax (305) 371-7820
New York, NY (212) 889-3608; (212) 679-2835
San Francisco, CA (415) 781-7924; fax (415) 781-1136

EQUATORIAL GUINEA

Washington, DC (202) 518-5700; fax (202) 518-5252

ERITREA

Washington, DC (202) 319-1991; fax (202) 319-1304
Oakland, CA (510) 986-1991

ESTONIA

Washington, DC (202) 588-0101; fax (202) 588-0108
New York, NY (212) 883-0636; fax (212) 883-0648

ETHIOPIA

Washington, DC (202) 274-4555; fax (202) 686-9621

FIJI

Washington, DC (202) 337-8320; fax (202) 337-1996
New York, NY (212) 687-4130; fax (212) 687-3963

FINLAND

Washington, DC (202) 298-5800; fax (202) 298-6030
Los Angeles, CA (310) 203-9903; fax (310) 203-9186
New York, NY (212) 750-4400; fax (212) 750-4418

FRANCE

Washington, DC (202) 944-6000; fax (202) 944-6166
Atlanta, GA (404) 522-4226; fax (404) 495-1661
Boston, MA (617) 542-7376; fax (617) 542-8054
Chicago, IL (312) 787-5359; fax (312) 664-4196
Houston, TX (713) 528-2181; fax (713) 528-1933
Los Angeles, CA, (310) 235-3200; fax (310) 479-4813
Miami, FL (305) 372-9799; fax (305) 372-9549
New Orleans, LA (504) 523-5772; fax (504) 523-5725
New York, NY (212) 606-3689; fax (212) 606-3620/3614
San Francisco, CA (415) 397-4330; fax (415) 433-8357

GABON

Washington, DC (202) 797-1000; fax (202) 332-0668

GAMBIA, THE

Washington, DC (202) 785-1399; fax (202) 785-1430

GEORGIA

Washington, DC (202) 387-2390; fax (202) 393-6060

GERMANY

Washington, DC (202) 298-8140; fax (202) 298-4249
Atlanta, GA (404) 659-4760-62; fax (404) 659-1280
Boston, MA (617) 536-4414; fax (617) 536-8573
Chicago, IL (312) 580-1199; fax (312) 580-0099
Detroit, MI (313) 962-6526; fax (313) 962-7345
Houston, TX (713) 627-7770; fax (713) 627-0506
Los Angeles, CA (323) 930-2703; fax (323) 930-2805
Miami, FL (305) 358-0290/91; fax (305) 358-0307
New York, NY (212) 308-8700; fax (212) 308-3422
San Francisco, CA (415) 775-1061; fax (415) 775-0187
Seattle, WA (206) 682-4312; fax (206) 682-3724

GHANA

Washington, DC (202) 686-4520; fax (202) 686-4527
New York, NY (212) 832-1300; fax (212) 751-6743

GREECE

Washington, DC (202) 232-8222; fax (202) 939-5824
Atlanta, GA (404) 261-3391/3313; fax (404) 262-2798
Boston, MA (617) 523-0100; fax (617) 523-0511
Chicago, IL (312) 335-3915; fax (312) 335-3958
Houston, TX (713) 840-7522; fax (713) 840-0614
Los Angeles, CA (310) 826-5555; fax (310) 826-8670
New Orleans, LA (504) 523-1167; fax (504) 524-3610
New York, NY (212) 988-5500; fax (212) 734-8492
San Francisco, CA (415) 775-2103; fax (415) 776-6815

GRENADA

Washington, DC (202) 265-2561; fax (202) 265-2468
New York, NY (212) 599-0301; fax (212) 599-1540

GUATEMALA

Washington, DC (202) 745-4952; fax (202) 745-1908
Chicago, IL (312) 332-1587/3170; fax (312) 332-4256
Miami, FL (305) 679-9945; fax (305) 443-4830
Houston, TX (713) 953-9531; fax (713) 953-9383
Los Angeles, CA (213) 365-9251/52; fax (213) 365-9245
New York, NY (212) 686-3837; fax (212) 447-6947
San Francisco, CA (415) 788-5651; fax (415) 788-5653

GUINEA

Washington, DC (202) 483-9420; fax (202) 483-8688

GUINEA-BISSAU

Washington, DC (301) 947-3958; fax (301) 947-3958
New York, NY (212) 338-9380 or 94; fax (212) 573-6094

GUYANA

Washington, DC (202) 265-6900/01; fax (202) 232-1297
New York, NY (212) 527-3215; fax (212) 527-3229

HAITI

Washington, DC (202) 332-4090/92; fax (202) 745-7215
Boston, MA (617) 266-3660; fax (617) 266-4060
Chicago, IL (312) 922-4004; fax (312) 922-7122
Miami, FL (305) 859-2003/06; fax (305) 223-1641
New York, NY (212) 697-9767; fax (212) 949-7966
San Juan, PR (809) 764-1392; fax (809) 764-3109

HOLY SEE

Washington, D. C. (202) 333-7121; fax (202) 337-4036

HONDURAS

Washington, DC (202) 737-2972; fax (202) 737-2907
Chicago, IL (773) 342-8289; fax (773) 342-8293
Houston, TX (713) 622-7911; fax (713) 622-6540
Los Angeles, CA (213) 383-9244/9317; fax (213) 383-9306
Miami, FL (305) 447-6948/6375; fax (305) 447-9036
New Orleans, LA (504) 522-3118; fax (504) 523-0544
New York, NY (212) 269-3611-12; fax (212) 509-8391
San Francisco, CA (415) 392-0076; fax (415) 292-6726

HONG KONG (See CHINA)**HUNGARY**

Washington, DC (202) 362-6730; fax (202) 966-8135
Los Angeles, CA (310) 473-9344; fax (310) 479-6443
New York, NY (212) 752-0669; fax (212) 755-5986

ICELAND*

Washington, DC (202) 265-6653; fax (202) 265-6656
New York, NY (212) 593-2700; fax (212) 593-6269
*Note: Call the New York number for foreign nationals that are arrested/detained in New York, New Jersey, Connecticut, and Rhode Island; all others call the Washington, DC number.

INDIA

Washington, DC (202) 939-7000; fax (202) 483-3972
Chicago, IL (312) 595-0405/1410; fax (312) 595-0416/17
Houston, TX (713) 626-2148/49; fax (713) 626-2450
New York, NY (212) 879-7800; fax (212) 988-6423
San Francisco, CA (415) 668-0682/83; fax (415) 668-2073/7968

INDONESIA

Washington, DC (202) 775-5200; fax (202) 775-5365
Chicago, IL (312) 595-1777; fax (312) 595-9952
Houston, TX (713) 785-1691; fax (713) 708-9644
Los Angeles, CA (213) 383-5126; fax (213) 487-3971
New York, NY (212) 879-0600; fax (212) 570-6206
San Francisco, CA (415) 474-9571; fax (415) 441-4320

IRAN

Washington, DC (202) 965-4990

IRAQ

Washington, DC (202) 483-7500; fax (202) 462-5066

IRELAND

Washington, DC (202) 462-3939; fax (202) 232-5993
Boston, MA (617) 267-9330; fax (617) 267-6375
Chicago, IL (312) 337-1868; fax (312) 337-1954
New York, NY (212) 319-2555; fax (212) 980-9475
San Francisco, CA (415) 392-4214; fax (415) 392-0885

ISRAEL

Washington, D. C. (202) 364-5500; fax (202) 364-3607
Atlanta, GA (404) 487-6500; fax (404) 874-5364
Boston, MA (617) 542-0041; fax (617) 338-4995
Chicago, IL (312) 565-3300; fax (312) 565-3871
Houston, TX (713) 627-3780; fax (713) 627-0149
Los Angeles, CA (213) 852-5500; fax (213) 852-5555
Miami, FL (305) 358-8111; fax (305) 371-5034
New York, NY (212) 499-5301; fax (212) 499-5355
Philadelphia, PA (215) 546-5556; fax (215) 545-3986
San Francisco, CA (415) 398-8885; fax (415) 398-8589

ITALY

Washington, DC (202) 612-4400; fax (202) 518-2151
Boston, MA (617) 542-0483/4; fax (617) 542-3998
Chicago, IL (312) 467-1550/51; fax (312) 467-1335
Houston, TX (713) 850-7520/1; fax (713) 850-9113
Los Angeles, CA (310) 826-5998/3832; fax (310) 820-0727
Miami, FL (305) 374-6322; fax (305) 374-7945
New York, NY (212) 737-9100; fax (212) 249-4945
Philadelphia, PA (215) 592-7329; fax (215) 592-9808
San Francisco, CA (415) 931-4924/292-9210; fax (415) 931-7205

JAMAICA

Washington, DC (202) 452-0660; fax (202) 452-0081
Miami, FL (305) 374-8431; fax (305) 577-4970
New York, NY (212) 935-9000; fax (212) 832-0411

JAPAN

Washington, DC (202) 238-6700; fax (202) 328-2187
Agana, Guam (671) 646-1290; fax (671) 649-2620
Anchorage, Alaska (907) 279-8428; fax (907) 279-9271
Atlanta, GA (404) 240-4300; fax (404) 240-4311
Boston, MA (617) 973-9772; fax (617) 542-1329
Chicago, IL (312) 280-0400; fax (312) 280-9568
Denver, CO (303) 534-1151; fax (303) 534-3393
Detroit, MI (313) 567-0120; fax (313) 567-0274
Honolulu, HI (808) 536-2226; fax (808) 537-3276
Houston, TX (713) 652-2977; fax (713) 651-7822
Kansas City, MO (816) 471-0111; fax (816) 472-4248
Los Angeles, CA (213) 617-6700; fax (213) 617-6727
Miami, FL (305) 530-9090; fax (305) 530-0950
New Orleans, LA (504) 529-2101; fax (504) 568-9847
New York, NY (212) 371-8222; fax (212) 319-6357
Portland, OR (503) 221-1811; fax (503) 224-8936
Saipan (670) 234-7201; fax (670) 234-8764
San Francisco, CA (415) 777-3533; fax (415) 974-3660
Seattle, WA (206) 682-9107; fax (206) 624-9097

JORDAN

Washington, DC (202) 966-2664; fax (202) 966-3110

KAZAKHSTAN

Washington, DC (202) 232-5488; fax (202) 232-5845
New York, NY (212) 888-3024; fax (212) 888-3025

KENYA

Washington, DC (202) 387-6101; fax (202) 462-3829
Los Angeles, CA (310) 274-6635
New York, NY (212) 486-1300; fax (212) 688-0911

KIRIBATI

Honolulu, HI (808) 521-7703; fax (808) 542-5159 (honorary consul)

KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF (NORTH KOREA)

New York, NY (212) 972-3105; fax (212) 972-3154 (U.N. Mission)

KOREA, REPUBLIC OF (SOUTH KOREA)

Washington, DC (202) 939-5634; fax (202) 342-1597
Agana, Guam (671) 647-6488; fax (671) 649-1336
Anchorage, Alaska (907) 561-5488; fax (907) 563-0313
Atlanta, GA (404) 522-1611; fax (404) 521-3169
Boston, MA (617) 641-2830; fax (617) 641-2831
Chicago, IL (312) 822-9485; fax (312) 822-9849
Honolulu, HI (808) 595-6109; fax (808) 595-3046
Houston, TX (713) 961-0186; fax (713) 961-3340
Los Angeles, CA (213) 385-9300; fax (213) 385-1849
New York, NY (646) 674-6001; fax (646) 674-6023
San Francisco, CA (415) 921-2251; fax (415) 921-5946
Seattle, WA (206) 441-1011; fax (206) 441-7912

KUWAIT

Washington, DC (202) 966-0702; fax (202) 966-0517

KYRGYZSTAN

Washington, DC (202) 338-5141/42; fax (202) 338-5139

LAOS

Washington, DC (202) 332-6416/17; fax (202) 332-4923

LATVIA

Washington, DC (202) 726-8213; fax (202) 726-6785

LEBANON

Washington, DC (202) 939-6300; (202) 939-6324
Detroit, MI (313) 393-5874
Los Angeles, CA (213) 467-1253; fax (213) 467-2935
New York, NY (212) 744-7905

LESOTHO

Washington, DC (202) 797-5533; fax (202) 234-6815

LIBERIA

Washington, DC (202) 723-0437; fax (202) 723-0436
New York, NY (212) 687-1025

LIBYA

New York, NY (212) 752-5775; fax (212) 593-4787

LIECHTENSTEIN

New York, NY (212) 599-0220; fax (212) 599-0064

LITHUANIA

Washington, DC (202) 234-5860; fax (202) 328-0466

Chicago, IL (312) 397-0382; fax (312) 397-0885

New York, NY (212) 354-7849; fax (212) 354-7911

LUXEMBOURG

Washington, DC (202) 265-4171; fax (202) 328-8270

New York, NY (212) 888-6664; fax (212) 888-6116

San Francisco, CA (415) 788-0816; fax (415) 788-0985

**MACEDONIA, THE FORMER YUGOSLAV
REPUBLIC OF**

Washington, DC (202) 337-3063; fax (202) 337-3093

New York, NY (212) 317-1727; fax (212) 317-1484

MADAGASCAR

Washington, DC (202) 265-5525; fax (202) 265-3034

New York, NY (212) 986-9491

MALAWI

Washington, DC (202) 797-1007; fax (202) 265-0976

MALAYSIA

Washington, DC (202) 572-9755; fax (202) 572-9786

Los Angeles, CA (213) 892-1238; fax (213) 892-9031

New York, NY (212) 682-0232; fax (212) 983-1987

MALDIVES

New York, NY (212) 599-6195; fax (212) 972-3970 (UN Mission)

MALI

Washington, DC (202) 332-2249; fax (202) 332-6603

MALTA

Washington, DC (202) 462-3611/12; fax (202) 387-5470

New York, NY (212) 725-2345; fax (212) 779-7097

MARSHALL ISLANDS

Washington, DC (202) 234-5414; fax (202) 232-3236

MAURITANIA

Washington, DC (202) 232-5700; fax (202) 319-2623

MAURITIUS

Washington, DC (202) 244-1491/92; fax (202) 966-0983

MEXICO

Washington, DC (202) 736-1000; fax (202) 234-4498

Albuquerque, NM (505) 247-2147; fax (505) 842-9490

Atlanta, GA (404) 688-3258; fax (404) 266-2309

Austin, TX (512) 478-2866; fax (512) 478-8008

Boston, MA (617) 426-4181; fax (617) 695-1957

Brownsville, TX (210) 542-2051; fax (210) 542-7267

Calexico, CA (760) 357-3863; fax (760) 357-6284

Chicago, IL (312) 855-1380; fax (312) 855-9257

Corpus Christi, TX (512) 882-3375; fax (512) 882-9324

Dallas TX (214) 630-7341; fax (214) 630-3511

Del Rio, TX (512) 755-2352; fax (512) 775-9451

Denver, CO (303) 331-1110; (303) 830-2655

Detroit, MI (313) 964-4515; fax (313) 964-4522

Eagle Pass, TX (830) 773-9255; fax (830) 773-9397

El Paso, TX (915) 533-3644; fax (915) 532-7163

Fresno, CA (559) 233-9770; fax (559) 233-6156

Houston, TX (713) 271-6800; fax (713) 271-3201

Laredo, TX (956) 723-6369; fax (956) 723-1741

Los Angeles, CA (213) 351-6800; fax (213) 383-4927

McAllen, TX (956) 686-0243/44; fax (956) 686-4901

Miami, FL (305) 716-4977; fax (305) 593-2758

Midland, TX (915) 687-2334; fax (915) 687-3952

New Orleans, LA (504) 522-3596; fax (504) 525-2332

New York, NY (212) 217-6400; fax (212) 545-8197

Nogales, AZ (520) 287-2521; fax (602) 287-3175

Orlando, FL (407) 422-0514; fax (407) 733-4123

Oxnard, CA (805) 483-4684

Philadelphia, PA (215) 922-4262; fax (215) 923-7281

Phoenix, AZ (602) 242-7398; fax (602) 242-2957

Portland, OR (503) 274-1442; fax (503) 274-1540

Presidio, TX (915) 229-2788; fax (915) 229-2792

Raleigh, NC (919) 754-0046

Saint Louis, (314) 436-3065; (314) 436-2695

Sacramento, CA (916) 441-3287; fax (916) 441-3176

Salt Lake City, UT (801) 521-8502 fax (801) 521-0534

San Antonio, TX (210) 227-1085; fax (210) 227-1817

San Bernadino, CA (714) 889-9836; fax (714) 889-8285

San Diego, CA (619) 231-8414 fax (619) 231-4802

San Francisco, CA (415) 392-5554; fax (415) 392-3233

San Jose, CA (408) 294-3414; fax (408) 294-4506

San Juan, PR (787) 764-0258; fax (787) 250-0042

Santa Ana, CA (714) 835-3069; fax (714) 835-3472

Seattle, WA (206) 448-3526; fax (206) 448-4771

St. Louis, MO (314) 436-3233; fax (314) 436-2695

Tucson, AZ (602) 882-5595; fax (602) 882-8959

MICRONESIA, FEDERATED STATES OF

Washington, DC (202) 223-4383; fax 202-223-4391

MOLDOVA

Washington, DC (202) 667-1130; fax (202) 667-1204

MONACO

New York, NY (212) 286-0500; fax (212) 286-1574

MONGOLIA

Washington, DC (202) 333-7117; fax (202) 298-9227

MOROCCO

Washington, DC (202) 462-7982; fax (202) 265-0161

New York, NY (212) 758-2625

MOZAMBIQUE

Washington, DC (202) 293-7146; fax (202) 835-0245

NAMIBIA

Washington, DC (202) 986-0540; fax (202) 986-0443

NAURU

Honolulu, HI (808) 532-7821

NEPAL

Washington, DC (202) 667-4550; fax (202) 667-5534
New York, NY (212) 370-4188; fax (212) 953-2038

NETHERLANDS

Washington, DC (202) 244-5300; fax (202) 362-3430
Chicago, IL (312) 856-0110; fax (312) 856-9218
Houston, TX (713) 622-8000; fax (713) 622-3581
Los Angeles, CA (310) 268-1598; fax (310) 312-0989
Miami, FL (305) 350-5650
New York, NY (212) 246-1429; fax (212) 333-3603

NEW ZEALAND

Washington, D. C. (202) 328-4800; fax (202) 667-5227
Los Angeles, CA (310) 207-1605; fax (310) 207-3605
New York, NY (212) 832-4038; fax (212) 832-7602

NICARAGUA

Washington, DC (202) 939-6570; fax (202) 939-6545
Houston, TX (713) 789-2762; fax (713) 789-3164
Los Angeles, CA (213) 252-1170; fax (213) 252-1177
Miami, FL (305) 220-6900; fax (305) 220-8794
New Orleans, LA (504) 523-1507; fax (504) 523-2359
New York, NY (212) 983-1981; fax (212) 983-2646

NIGER

Washington, DC (202) 483-4224-27; fax (202) 483-3169
New York, NY (212) 421-3260; fax (212) 483-3169

NIGERIA

Washington, DC (202) 986-8400; fax (202) 822-1562
Atlanta, GA (770) 394-6261
New York, NY (212) 850-2228; fax (212) 687-1476

NORWAY

Washington, DC (202) 944-8939; fax (202) 337-0870
Houston, TX (713) 521-2900; fax (713) 521-9473
Miami, FL (305) 358-4386; fax (305) 374-4369
Minneapolis, MN (612) 332-3338; fax (612) 332-1386
New York, NY (212) 421-7333; fax (212) 754-0583
San Francisco, CA (415) 986-0766-8; fax (415) 986-3318

OMAN

Washington, DC (202) 387-1980; fax (202) 745-4933

PAKISTAN

Washington, DC (202) 939-6209; fax (202) 232-4142
Los Angeles, CA (310) 441-5114; fax (310) 441-9256
New York, NY (212) 879-5800

PALAU

Washington, DC (202) 452-6814; fax (202) 452-6281

PALESTINIAN AUTHORITY MISSION

Washington, DC (202) 255-3332

PANAMA

Washington, DC (202) 483-1407; fax (202) 483-8416
Atlanta, GA (404) 522-4114; fax (404) 522-4120
Houston, TX (713) 622-4451; fax (713) 622-4468
Miami, FL (305) 447-3700; fax (305) 447-4142
New Orleans, LA (504) 525-3458; fax (504) 424-8960
New York, NY (212) 840-2450; fax (212) 840-2469
Philadelphia, PA (215) 574-2994; fax (215) 625-4876
San Francisco, CA (415) 391-4268; fax (415) 391-4269
Tampa (813) 251-0316; (813) 831-6685

PAPUA NEW GUINEA

Washington, DC (202) 745-3680; fax (202) 745-3679

PARAGUAY

Washington, DC (202) 483-6960-62; fax (202) 234-4508
Kansas City, KS (913) 281-5252
Los Angeles, CA (818) 907-1959
Miami, FL (305) 374-9090
New Orleans, LA (504) 522-7424
New York, NY (212) 432-0733

PERU

Washington, DC (202) 833-9868; fax (202) 659-8124
Chicago, IL (312) 853-6173; fax (312) 704-6969
Houston, TX (713) 355-9571; fax (713) 781-1739
Los Angeles, CA (213) 252-5910; fax (213) 252-8130
Miami, FL (305) 374-1305; fax (305) 381-6027
New York, NY (212) 481-7410; fax (212) 481-8606
Patterson, NJ (201) 278-2221; fax (201) 278-0254
San Francisco, CA (415) 362-7136; fax (415) 362-2836
San Juan, PR (787) 250-0391; fax (787) 250-0319

PHILIPPINES

Washington, DC (202) 467-9300; fax (202) 328-7614
Chicago, IL (312) 332-6458; fax (312) 332-3657
Honolulu, HI (808) 595-6316; fax (808) 595-2581
Los Angeles, CA (213) 639-0980; fax (213) 639-0990
New York, NY (212) 764-1330; fax (212) 382-1146
Saipan (670) 234-1848
San Francisco, CA (415) 433-6666; fax (415) 421-2641
Tamuning, Guam (671) 646-4620; (671) 649-1868

POLAND

Washington, DC (202) 232-4517; fax (202) 328-2152
Chicago, IL (312) 337-8166; fax (312) 337-7841

Los Angeles, CA (310) 442-8500; fax (310) 442-8515
New York, NY (646) 237-2100; fax (646) 237-2105

PORTUGAL

Washington, DC (202) 232-7632; fax (202) 462-3726
Boston, MA (617) 536-8740
New York, NY (212) 246-4580; fax (212) 459-0190
Newark, NJ (201) 622-7300
San Francisco, CA (415) 346-3400

QATAR

Washington, DC (202) 274-1600; fax (202) 237-0061
Houston, TX (713) 355-8221; fax (713) 355-8184

ROMANIA

Washington, DC (202) 232-4747; fax (202) 232-4748
Los Angeles, CA (310) 444-0043; fax (310) 445-0043
New York, NY (212) 682-9120; fax (212) 972-8463

RUSSIA

Washington, DC (202) 939-8907; fax 202-939-8917
New York, NY (212) 348-0926; fax (212) 831-9162
San Francisco, CA (415) 928-6878, fax (415) 929-0306
Seattle, WA (206) 728-1910; fax (206) 728-1871

RWANDA

Washington, DC (202) 232-2882; fax (202) 232-4544

SAINT KITTS AND NEVIS

Washington, DC (202) 686-2636; fax (202) 686-5740

SAINT LUCIA

Washington, DC (202) 364-6792; fax (202) 364-6723
New York, NY (212) 697-9360

SAINT VINCENT AND THE GRENADINES

Washington, DC (202) 364-6730; fax (202) 364-6736
New York, NY (212) 687-4490

SAMOA

New York, NY (212) 599-6196; fax (212) 599-0797

SAN MARINO

New York, NY (212) 465-1012 (UN Mission)

SAO TOME AND PRINCIPE

New York, NY (212) 697-4211; fax (212) 687-8389 (UN Mission)

SAUDI ARABIA

Washington, DC (202) 342-3800; fax (202) 944-3113
Houston, TX (713) 785-5577; fax (713) 785-1163
Los Angeles, CA (310) 479-6000; fax (310) 479-2752
New York, NY (212) 752-2740; fax (212) 688-2719

SENEGAL

Washington, DC (202) 234-0540; fax (202) 332-6315

SEYCHELLES

New York, NY (212) 972-1785; fax (212) 972-1786

SIERRA LEONE

Washington, DC (202) 939-9261 fax (202) 483-1793

SINGAPORE

Washington, DC (202) 537-3100; fax (202) 537-0876
San Francisco, CA (415) 543-4775; fax (415) 543-4788

SLOVAK REPUBLIC

Washington, DC (202) 965-5160; fax (202) 965-5166

SLOVENIA

Washington, DC (202) 332-9332; fax (202) 667-4563
Cleveland, OH (216) 589-9220
New York, NY (212) 370-3006; fax (212) 370-3581

SOLOMON ISLANDS

New York, NY (212) 599-6192; fax (212) 661-8925 (UN Mission)

SOMALIA

Since May 8, 1991, there have been no accredited Somali diplomats or consular officers in the United States. Although the United States and Somalia have not broken consular relations, consular notification cannot effectively be made at this time. This situation, however, is subject to change. You should check the State Department's website for the current status whenever you have custody of a Somali national

SOUTH AFRICA

Washington, DC (202) 232-4400; fax (202) 232-3402
Chicago, IL (312) 939-7929; fax (312) 939-2588
Los Angeles, CA (323) 651-5902; fax (323) 651-5969
New York, NY (212) 213-4880; fax (212) 213-0102

SPAIN

Washington, DC (202) 728-2330; fax (202) 728-2302
Boston, MA (617) 536-2506; fax (617) 536-8512
Chicago, IL (312) 782-4588; fax (312) 782-1635
Houston, TX (713) 783-6200; fax (713) 783-6166
Los Angeles, CA (213) 938-0158; fax (213) 938-2502
Miami, FL (305) 446-5511; fax (305) 446-0585
New Orleans, LA (504) 525-4951; fax (504) 525-4955
New York, NY (212) 355-4080; fax (212) 644-3751
San Francisco, CA (415) 922-2995; fax (415) 931-9706
San Juan, PR (787) 758-6090; fax (787) 763-0190

SRI LANKA

Washington, DC (202) 483-4025/4028; fax (202) 232-7181
Los Angeles, CA (323) 634-0479; fax (323) 634-1095

SUDAN

Washington, DC (202) 338-8565; fax (202) 667-2406
New York, NY (212) 421-2680

SURINAME

Washington, D. C. (202) 244-7488; fax (202) 244-5878
Miami, FL (305) 593-2163; fax (305) 599-1034

SWAZILAND

Washington, DC (202) 234-5002; fax (202) 234-8254

SWEDEN

Washington, DC (202) 467-2600; fax (202) 467-2699
Los Angeles, CA (310) 445-4008; fax (310) 473-2229
New York, NY (212) 583-2550; fax (212) 755-2732

SWITZERLAND

Washington, DC (202) 745-7900; fax (202) 387-2564
Atlanta, GA (404) 870-2000; fax (404) 870-2011
Chicago, IL (312) 915-0061; fax (312) 915-0388
Houston, TX (713) 650-0000; fax (713) 650-1321
Los Angeles, CA (310) 575-1145; fax (310) 575-1982
New York, NY (212) 599-5700; fax (212) 599-4266
San Francisco, CA (415) 788-2272; fax (415) 788-1402

SYRIA

Washington, DC (202) 232-6313; fax (202) 234-9548

TAIWAN--Taipei Economic and Cultural Representative Office (TECRO)

Washington, DC (202) 895-1800; fax (202) 363-0999
Agana, Guam (671) 472-5865; fax (671) 472-5869
Atlanta, GA (404) 872-1234; fax (404) 873-3474
Boston, MA (617) 737-2050; fax (617) 737-1684
Chicago, IL (312) 616-0100; fax (312) 616-1490
Honolulu, HI (808) 595-6347; fax (808) 595-6542
Houston, TX (713) 626-7445; fax (713) 626-1202
Kansas City, MO (816) 531-1298; fax (816) 531-3066
Los Angeles, CA (213) 389-1215; fax (212) 383-3245
Miami, FL (305) 443-8917; fax (305) 444-4796
New York, NY (212) 317-7300; fax (212) 754-1549
San Francisco, CA (415) 362-7680; fax (415) 362-5382
Seattle, WA (206) 441-4586; fax (206) 441-4320

TAJIKISTAN

New York, NY (212) 472-7645/744-2196

TANZANIA

Washington, DC (202) 939-6125; fax (202) 797-7408

THAILAND

Washington, DC (202) 944-3600; fax (202) 944-3611
Chicago, IL (312) 664-3129; fax (312) 664-3230
Los Angeles, CA (323) 962-9574; fax (323) 962-2128
New York, NY (212) 745-1770; fax (212) 754-1907

TOGO

Washington, DC (202) 234-4212; fax (202) 232-3190

TONGA

San Francisco, CA (415) 781-0365; fax (415) 781-3964
New York, NY (917) 369-1025; fax (917) 369-1024

TRINIDAD AND TOBAGO

Washington, DC (202) 467-6490; fax (202) 785-3130
Miami, FL (305) 374-2199; fax (305) 374-3199
New York, NY (212) 682-7272; fax (212) 986-2146

TUNISIA

Washington, DC (202) 862-1850; fax (202) 862-1858

TURKEY

Washington, DC (202) 612-6700; fax (202) 612-6744
Chicago, IL (312) 263-0644; fax (312) 263-1449
Houston, TX (713) 622-5849; fax (713) 623-6639
Los Angeles, CA (213) 937-0118; fax (213) 932-0061
New York, NY (212) 949-0160; fax (212) 983-1293

TURKMENISTAN

Washington, DC (202) 588-1500; fax (202) 588-0697

TUVALU (See UNITED KINGDOM)**UGANDA**

Washington, DC (202) 726-7100/02

UKRAINE

Washington, DC (202) 333-0606; fax (202) 333-0817
Chicago, IL (312) 642-4388; fax (312) 642-4385
New York, NY (212) 371-5690; fax (212) 371-5547

UNITED ARAB EMIRATES

Washington, DC (202) 243-2400; fax (202) 243-2432

UNITED KINGDOM

Washington, DC (202) 588-6500; fax (202) 588-7870
Atlanta, GA (404) 954-7700; fax (404) 954-7702
Boston, MA (617) 248-9555; fax (617) 621-0220
Chicago, IL (312) 346-1810
Cleveland, OH (216) 621-7674
Houston, TX (713) 659-6270; fax (713) 659-7094
Los Angeles, CA (310) 481-0031; fax (310) 481-2960
New York, NY (212) 752-8400; fax (212) 754-3062
San Francisco, CA (415) 981-3030; fax (415) 434-2018

URUGUAY

Washington, DC (202) 331-1313/16; fax (202) 331-8142
Chicago, IL (312) 642-3430; fax (312) 642-3470
Coral Gables, FL (305) 443-9764; fax (305) 443-7802
New York, NY (212) 753-8581; fax (212) 753-1603
Santa Monica, CA (310) 394-5777; fax (310) 394-5140

UZBEKISTAN

Washington, DC (202) 887-5300; fax (202) 293-6804
New York, NY (212) 754-6178; fax (212) 486-7998

VANUATU

New York, NY (212) 593-0144; fax (212) 593-0219 (UN Mission)

VENEZUELA

Washington, DC (202) 342-2214; fax (202) 342-6820
Boston, MA (617) 266-9355
Chicago, IL (312) 236-9655
Houston, TX (713) 961-5141
Miami, FL (305) 577-4301; fax (305) 372-5167
New Orleans, LA (504) 522-3284
New York, NY (212) 826-1660
San Francisco, CA (415) 955-1982
San Juan, PR (787) 766-4250

VIETNAM

Washington, DC (202) 861-0737; fax (202) 861-0917
San Francisco, CA (415) 922-1577; fax (415) 922-1848

YEMEN

Washington, D. C. (202) 965-4760; fax (202) 337-2017

YUGOSLAVIA, FEDERAL REPUBLIC OF

Washington, DC (202) 332-0333; fax (202) 332-3933

ZAMBIA

Washington, DC (202) 265-9717/19; fax (202) 332-0826

ZIMBABWE

Washington, DC (202) 332-7100; fax (202) 483-9326

Consular notification form.pdf

FAX Sheet for Notifying Consular Officers of Arrests or Detentions

To: : Embassy of _____, Washington D.C.
(country)

OR

: Consulate of _____
(country) (city) (state)

From : Name _____
(officer)

**Grandview Police Department
207 West Second Street
Grandview, WA 98930
Phone – (509) 882-2000
FAX – (509) 882-1232**

Subject: Notification of Arrest/Detention of a National of Your Country

We arrested/detained the following foreign national, whom we understand to be a national of your country, on _____
(date)

Name: _____ DOB: _____

Address: _____ City: _____

State: _____ Zip: _____

Place of Birth: _____

Passport #: _____ Date of Issuance: _____
Place of Issuance: _____

Charges:

To arrange for consular access, please call (509) 882-2000 between the hours of 8:00 am and 5:00 pm. Please refer to case number _____ when you call.

Comments:

**Grandview Police Department
Exposure Control Plan.pdf**

Grandview Police Department

Exposure Control Plan

Exposure Control Plan

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I. INTENT OF EXPOSURE CONTROL PLAN

This exposure control plan for the **Grandview Police Department (GPD)** is intended to follow WISHA Bloodborne Standard Standard 296-62-08001, WAC 296-823 and Washington Regional Directives (WRD) and any applicable laws or rules in order to eliminate or minimize the occupational exposure of employees of the employer to exposure to and possible subsequent infection with bloodborne diseases.

II. APPLICATION OF EXPOSURE CONTROL PLAN

Grandview Police Department will apply all safety regulations as outlined in the standard and the Washington Regional Directive to the workplace practices of his/her employees. This exposure control plan applies to all employees, who in the course of their assigned duty have "reasonably anticipated potential for exposure to blood and/or other potentially infectious materials."

III. DEFINITIONS

Blood. Human blood, human blood components and products made from human blood. Also included are medications derived from blood, such as immune globulins, albumin, and factors 8 and 9.

Bloodborne pathogens. Pathogenic microorganisms that are present in human blood and can cause disease in humans. Examples of these pathogens include:

- (a) Human immunodeficiency virus (HIV);
- (b) Hepatitis B virus (HBV);
- (c) Hepatitis C virus, malaria;
- (d) Syphilis;
- (e) Babesiosis;
- (f) Brucellosis;
- (g) Leptospirosis;
- (h) Arboviral infections;
- (i) Relapsing fever;
- (j) Creutzfeld-Jakob Disease;
- (k) Human T-lymphotrophic virus Type I;

- (l) Viral Hemorrhagic Fever.

Clinical laboratory. A workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials (OPIM).

Contaminated. The presence or the reasonably anticipated presence of blood or other potentially infectious materials (OPIM) on an item or surface.

Contaminated laundry. Laundry that has been soiled with blood or other potentially infectious materials (OPIM) or may contain contaminated sharps.

Contaminated sharps. Any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Decontamination. The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

Exposure incident. A specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials (OPIM) that results from the performance of an employee's duties. Examples of non-intact skin include skin with dermatitis, hangnails, cuts, abrasions, chafing, or acne.

Handwashing facilities. A facility providing an adequate supply of running potable water, soap and single-use towels or air drying machines.

Licensed health care professional. A person whose legally permitted scope of practice allows him or her to independently perform the activities required by this rule.

Needleless systems. A device that does not use needles for any of the following:

- (a) The collection of bodily fluids or withdrawal of body fluids after initial venous or arterial access is established;
- (b) The administration of medication or fluids;
- (c) Any other procedure involving the potential for occupational exposure to bloodborne pathogens due to percutaneous injuries from contaminated sharps.

Occupational exposure. Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM that may result from the performance of an employee's duties.

Other potentially infectious materials (OPIM). Includes all of the following:

- (a) Human body fluids: Semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

- (b) Any unfixed tissue or organ (other than intact skin) from a human (living or dead).
- (c) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.
- (d) Blood and tissues of experimental animals infected with bloodborne pathogens.

Parenteral contact. When mucous membranes or skin is pierced by needle sticks, human bites, cuts, or abrasions.

Personal protective equipment (PPE). Specialized clothing or equipment worn by an employee for protection against a hazard. General work clothes (for example, uniforms, pants, shirts, or blouses) not intended to function as protection against a hazard are not considered to be PPE.

Production facility. A facility engaged in industrial-scale, large-volume or high-concentration production of HIV or HBV.

Regulated waste. Regulated waste is any of the following:

- (a) Liquid or semiliquid blood or other potentially infectious materials (OPIM);
- (b) Contaminated items that would release blood or OPIM in a liquid or semiliquid state, if compressed;
- (c) Items that are caked with dried blood or OPIM and are capable of releasing these materials during handling;
- (d) Contaminated sharps;
- (e) Pathological and microbiological wastes containing blood or OPIM.

Research laboratory. A laboratory producing or using research-laboratory-scale amounts of HIV or HBV. Research laboratories may produce high concentrations of HIV or HBV but not in the volume found in production facilities.

Safer medical devices. Medical devices that have been engineered to reduce the risk of needle sticks and other contaminated sharps injuries. These include not only sharps with engineered sharps injury protections and needleless systems but also other medical devices designed to reduce the risk of sharps injury exposures to bloodborne pathogens. Examples include blunt suture needles and plastic or Mylar-wrapped glass capillary tubes.

Secondary duty. Any job expectation outside the primary job duties assigned to that position.

Sharps with engineered sharps injury protections (SESIP). A non-needle sharp or a needle device used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, with a built-in safety feature or mechanism that effectively reduces the risk of an exposure incident.

Source person. A person, living or dead, whose blood or other potentially infectious materials may be a source (OPIM) of occupational exposure to the employee. Examples include:

- (a) Hospital and clinic patients;

- (b) Clients in institutions for the developmentally disabled;
- (c) Trauma victims;
- (d) Clients of drug and alcohol treatment facilities;
- (e) Residents of hospices and nursing homes;
- (f) Human remains;
- (g) Individuals who donate or sell blood or blood components.

Standard microbiological practices. Standard microbiological practices refer to procedures comparable to those outlined in the current edition of the Center for Disease Control “*Biosafety in Microbiological and Biomedical Laboratories.*”

Sterilize. The use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Universal precautions. An approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

Work Practice Controls. Controls that reduce the likelihood of exposure by altering the manner in which a task is performed (e.g., prohibiting recapping of needles by a two-handed technique).

IV. CONTENT OF EXPOSURE CONTROL PLAN

Grandview Police Department exposure control plan contains the following elements:

- (A) The exposure determination for occupational risk.
- (B) The schedule and method for implementation for:
 - Methods of Compliance;
 - Hepatitis B Vaccination and Post-Exposure Evaluation and Follow-up;
 - Communication of Hazards to Employees/Volunteers, and
 - Recordkeeping, of requirements in the exposure control plan, the standard and WRD.
- (C) The procedure for the evaluation of circumstances surrounding exposure incidents.

V. ENSURANCE OF EXPOSURE CONTROL PLAN

(A) Grandview Police Department will ensure that a copy of the exposure control plan, the standard and the WRD is accessible to employees.

(B) Grandview Police Department will ensure the compliance with all components of the exposure control plan.

(C) The exposure control plan will be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee/volunteer positions with occupational exposure.

(D) The exposure control plan will be made available to WISHA Inspectors upon request for examination and inspection.

VI. IMPLEMENTATION OF EXPOSURE CONTROL PLAN

Exposure Determination for Occupational Risk

1. Assessment

Grandview Police Department will assess all employees for "reasonably anticipated potential for exposure" and will prepare an exposure determination. This exposure determination will contain the following:

(A) A list of all job classifications in which all employees in those job classifications have occupational exposure;

(B) A list of job classifications in which some employees have occupational exposure, and

(C) A list of all tasks and procedures or groups of closely related task and procedures in which occupational exposure occurs and that are performed by employees.

This exposure determination will be made without regard to the use of personal protective equipment.

2. Application

Any employee, who in the course of assigned duties has the "reasonably anticipated potential for

exposure to blood/and or bloodborne pathogen", will be included in the application of the Grandview Police Department exposure control plan.

3. Criteria for Occupational Exposure

Grandview Police Department will apply the following definitions as criteria in the assessment of occupation risk:

"Bloodborne Pathogens" means pathogenic microorganisms that are pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

"Other Potentially Infectious Materials" means

(1) The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids;

(2) Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and

(3) HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

"Occupational Exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

VII. METHODS FOR IMPLEMENTATION

Methods of Compliance

1. General

Universal precautions will be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

2. Engineering and Work Practice Controls

- (i) Engineering and work practice controls will be used to eliminate or minimize employee exposure. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be used.
- (ii) Engineering controls will be examined and maintained or replaced on a regular schedule to ensure their effectiveness.
- (iii) The employer will provide handwashing facilities which are readily accessible to employees.
- (iv) When provision of handwashing facilities is not feasible, the employer will provide either an appropriate antiseptic hand cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes. When antiseptic hand cleansers or towelettes are used, hands will be washed with soap and running water as soon as feasible. Antiseptic hand cleaners and towelettes will be kept in each patrol car and in Grandview Police Department supply areas.
- (v) The employer requires that employees wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment.
- (vi) The employer requires that employees wash hands and any other skin with soap and water, or flush mucous membranes with water immediately, or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.
- (vii) Contaminated needles and other contaminated sharps will not be bent, recapped, or removed except as noted below. Shearing or breaking of contaminated needles is prohibited.
- (A) Contaminated needles and other contaminated sharps will not be recapped or removed unless the employer has demonstrated, that no alternative is feasible or that such action is required by a specific medical procedure.

- (B) Such recapping or needle removal must be accomplished through the use of a mechanical device or a one-handed technique.
- (viii) Immediately or as soon as possible after use, contaminated reusable sharps will be placed in appropriate containers until properly reprocessed. These containers shall be:
 - (A) puncture resistant;
 - (B) labeled or color-coded in accordance with the standard;
 - (C) leakproof on the sides and bottom;
 - (D) in accordance with the requirements set forth in this exposure control plan, this standard and WRD, for reusable sharps;
 - (E) stored in the supply area at Grandview Police Department.
- (ix) Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is reasonable likelihood of occupational exposure.
- (x) Food and drink will not be kept in refrigerators, freezers, shelves, cabinets or on countertops or benchtops where blood or other potentially infectious materials are present.
- (xi) All procedures involving blood or other potentially infectious materials will be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances.
- (xii) Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.
- (xiii) Specimens of blood or other potentially infectious materials will be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.
 - (A) The container for storage, transport, or shipping will be labeled or color coded in accordance with the employer's exposure control plan, the standard and WRD, and closed prior to being stored, transported, or shipped.
 - (B) If outside contamination of the primary container occurs, the primary container will be placed within a second container which prevents leakage during handling, processing, storage, transport, or shipping and

is labeled or color-coded according to the requirements of this standard.

- (C) If the specimen could puncture the primary container, the primary container will be placed within a secondary container which is puncture-resistant in addition to the above characteristics.
- (xiv) Equipment which may become contaminated with blood or other potentially infectious materials will be examined prior to servicing or shipping and will be decontaminated as necessary, unless decontamination of such equipment or portions of such equipment is not feasible.
- (A) A readily observable label in accordance with the exposure control plan, the standard and WRD, will be attached to the equipment stating which portions remain contaminated.
- (B) The employer will ensure that this information is conveyed to all affected employees, the servicing representative, and/or the manufacturer, as appropriate, prior to handling, servicing, or shipping so that appropriate precautions will be taken.

3. Personal Protective Equipment

- (i) Provision When there is occupational exposure, the employer will provide, at no cost to the employee, appropriate personal protective equipment such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, resuscitation bags, pocket masks, or other ventilation devices.

Personal protective equipment will be considered "appropriate" only if it does not permit blood or other potentially infectious materials to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time which the protective equipment will be used.

The Assistant Chief of Police will be responsible for the choice, ordering and stocking of protective equipment.

The practicality of the equipment and changes needed will be considered during annual review sessions.

- (ii) Use The employer will ensure that the employee uses appropriate personal protective equipment unless the employer can show that the employee temporarily and briefly declined to use personal protective equipment when, under rare and extraordinary circumstances, it was the employee's professional judgement that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-

worker.

When the employee makes this judgement, the circumstances will be investigated and documented in order to determine whether changes can be instituted to prevent such occurrences in the future.

A Grandview Police Department Exposure Incident Report Form will be completed by an employee with a possible exposure incident. This form will be turned in to an immediate supervisor or directly to the Exposure Control Officer. (See attachment for copy of form)

The Exposure Control Officer will investigate the incident and forward documentation to the Chief of Police.

(iii) Accessibility The employer will ensure that appropriate personal protective equipment in the appropriate sizes is readily accessible at the worksite or is issued to employees. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives will be readily accessible to those employees who are allergic to the gloves normally provided.

(iv) Cleaning, Laundering, and Disposal The employer will clean, launder, and dispose of personal protective equipment required by the exposure control plan the standard and WRD, at no cost to the employee.

(v) Repair and Replacement The employer will repair or replace personal protective equipment as needed to maintain its effectiveness, at no cost to the employee.

(vi) If a garment(s) is penetrated by blood or other potentially infectious materials, the garment(s) shall be removed immediately or as soon as feasible.

(vii) All personal protective equipment shall be removed prior to leaving the work area.

(viii) When personal protective equipment is removed it shall be placed in an appropriately designated area or container for storage, washing, decontamination, or disposal.

Disposable equipment will be placed in the red bio-hazard container in the Grandview Fire Department area.

(ix) Gloves Gloves will be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin; when performing vascular access procedures except as specified in the exposure control plan, the standard and WRD, and when handling or touching contaminated items or surfaces.

(A) Disposable (single use) gloves such as surgical or examination gloves, will be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised.

- (B) Disposable (single use) gloves shall not be washed or decontaminated for re-use.
- (C) Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised. However, they must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.
- (x) Masks, Eye Protection, and Face Shields Masks in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin-length face shields, shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated.
- (xi) Gowns, Aprons, and Other Protective Body Clothing Appropriate protective clothing such as, but not limited to, gowns, aprons, lab coats, clinic jackets, or similar outer garments will be worn in occupational exposure situations. The type and characteristics will depend upon the task and degree of exposure anticipated.
- (xii) Surgical caps or hoods and/or shoe covers or boots will be worn in instances when gross contamination can reasonably be anticipated.

4. Housekeeping

- (i) General The employer will ensure that the worksite is maintained in a clean and sanitary condition. The employer will determine and implement an appropriate written schedule for cleaning and method of decontamination based upon the location within the facility, type of surface to be cleaned, type of soil present, and tasks or procedures being performed in the area. This written schedule will be posted at the worksite and will be followed by all employees. (See Attachment for written cleaning schedule)

All routine cleaning and soil removal for GPD will be done on a contract basis.

Each employee will be responsible for cleaning and decontamination of any possible exposure to blood or OPIM that they witness. The on duty supervisor will be responsible for making sure the area is cleaned thoroughly. Supplies are kept in the GPD supply area.

The Occupational Exposure Officer will maintain an inventory of protective equipment and where it is located. This will be forwarded to the Assistant Chief of Police for ordering and stocking.

- (ii) Cleaning/Decontamination All equipment and environmental and working surfaces will be cleaned and decontaminated after contact with blood or other potentially infectious materials.

- (A) Contaminated work surfaces will be decontaminated with an appropriate disinfectant after completion of procedures; immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials; and at the end of the work shift if the surface may have become contaminated since the last cleaning.
- (B) Protective coverings, such as plastic wrap, aluminum foil, or imperviously-backed absorbent paper used to cover equipment and environmental surfaces, will be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the work shift if they may have become contaminated during the shift.
- (C) All bins, pails, cans, and similar receptacles intended for reuse which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious materials will be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.
- (D) Broken glassware which may be contaminated will not be picked up directly with the hands. It will be cleaned up using mechanical means, such as a brush and dust pan, tongs, or forceps.
- (E) Reusable sharps that are contaminated with blood or other potentially infectious materials will not be stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.

(iii) Regulated Waste

(A) Contaminated Sharps Discarding and Containment

- (1) Contaminated sharps will be discarded immediately or as soon as feasible in containers that are:
 - (a) Closable;
 - (b) Puncture resistant;
 - (c) Leakproof on sides and bottom; and
 - (d) Labeled or color-codedthese containers will be located in the GPD supply area.
- (2) During use, containers for contaminated sharps shall be:
 - (a) Easily accessible to personnel/volunteers and located as close as is feasible to the immediate area where sharps are used or can be reasonably anticipated to be found (e.g., laundries);
 - (b) Maintained upright throughout use; and
 - (c) Replaced routinely and not be allowed to overfill.

- (3) When moving containers of contaminated sharps from the area of use, the containers will be:
 - (a) Closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping;
 - (b) Placed in a secondary container if leakage is possible. The second container will be:
 - (i) Closable;
 - (ii) Constructed to contain all contents and prevent leakage during handling, storage, transport, or shipping; and
 - (iii) Labeled or color-coded.
- (4) Reusable containers will not be opened, emptied, or cleaned manually or in any other manner which would expose employees/volunteers to the risk of percutaneous injury.
- (5) Other Regulated Waste Containment
 - (1) Regulated waste will be placed in containers which are:
 - (a) Closable
 - (b) Constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping;
 - (c) Labeled or color-coded.
 - (d) Closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
 - (6) If outside contamination of the regulated waste container occurs, it will be placed in a second container. The second container will be:
 - (a) Closable;
 - (b) Constructed to contain all contents and prevent leakage of fluids during handling, storage, transport, or shipping;
 - (c) Labeled or color-coded in accordance;
 - (d) Closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
- (F) Disposal of all regulated waste will be in accordance with applicable regulations of the county and the State of Washington.
Disposable waste shall be placed in the bio-hazard container in the Grandview Fire Department area.
- (iv) Laundry

- (A) Contaminated laundry will be handled as little as possible with a minimum of agitation.
- (1) Contaminated laundry will be bagged or containerized at the location where it was used and will not be sorted or rinsed in the location of use.
 - (2) Contaminated laundry will be placed and transported in bags or containers labeled or color-coded. When a facility utilizes Universal Precautions in the handling of **all** soiled laundry, alternative labeling or color-coding is sufficient if it permits all employees to recognize the containers as requiring compliance with Universal Precautions.
 - (3) Whenever contaminated laundry is wet and presents a reasonable likelihood of soak-through or leakage from the bag or container, the laundry will be placed and transported in bags or containers which prevent soak-through and/or leakage of fluids to the exterior.
 - (4) Contaminated laundry will be placed in red bio-hazard bags. These bags will be placed at the laundry pick-up site for removal by laundry personnel. On duty supervisors will be responsible to make sure these procedures are followed.
- (B) The employer will ensure that employees who have contact with contaminated laundry wear protective gloves and other appropriate personal protective equipment.
- (C) When the employer ships contaminated laundry off-site to a second facility which does not utilize Universal Precautions in the handling of all laundry, the facility generating the contaminated laundry must place such laundry in bags or containers which are labeled or color-coded in accordance with the exposure control, the standard and WRD.

HEPATITIS B VACCINATION

POST-EXPOSURE EVALUATION

AND FOLLOW-UP

1. General

- (i) The employer will make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, and post-exposure evaluation and follow-up to all employees who have had an exposure incident.
- (ii) The employer will ensure that all medical evaluations and procedures including the hepatitis B vaccine and vaccination series and post-exposure evaluation and follow-up, including prophylaxis are:
 - (A) Made available at no cost to the employee/volunteers;
 - (B) Made available to the employee at a reasonable time and place.
 - (C) Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed healthcare professional.
 - (D) Provided according to recommendations of the U.S. Public Health Service current at the time these evaluations and procedures take place.
- (iii) The employer will ensure that all laboratory tests are conducted by an accredited laboratory at no cost to the employee.

2. Hepatitis B Vaccination

- (i) Hepatitis B vaccination will be made available after the employee has received the training required in the exposure control plan, the standard and WRD and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons.
- (ii) The employer will not make participation in a prescreening program a prerequisite for receiving hepatitis B vaccination.
- (iii) If the employee initially declines hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the employer will

make available hepatitis B vaccination at that time.

- (iv) The employer will assure that employees who decline to accept hepatitis B vaccination offered by the employer sign the statement attached to the exposure control plan.
- (v) If a routine booster dose(s) of hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster dose(s) will be made available.

3. Post-exposure Evaluation and Follow-up

Following a report of an exposure incident, the employer will make immediately available to the exposed employee a confidential medical evaluation and follow-up, including at least the following elements:

- (i) Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
- (ii) Confidential identification and confidential documentation of the source individual, in accordance with WAC 246-100.
 - (A) The source individual's blood shall be tested in accordance with WAC 246-100 in order to determine HBV and HIV infectivity.
 - (B) Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable confidentiality laws and regulations (WAC 246-100) concerning disclosure of the identity and infectious status of the source individual.
- (iii) Collection and testing of blood for HBV and HIV serological status;
 - (A) The exposed employee blood will be collected as soon as feasible and tested after consent is obtained in accordance with WAC 246-100.
 - (B) If the employee consents to baseline blood collection, but does not give consent at that time for HIV serologic testing, the sample will be preserved for at least 90 days. If, within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing will be done as soon as feasible.
- (iv) Post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service;
- (v) Counseling; and
- (vi) Evaluation of reported illnesses.

4. Information Provided to the Healthcare Professional

- (i) The employer will ensure that the healthcare professional responsible for the employee hepatitis B vaccination is provided a copy of the exposure control plan, the standard and WRD.
- (ii) The employer will ensure that the healthcare professional evaluating an employee after an exposure incident is provided the following information:
 - (A) A copy of the standard and WRD;
 - (B) A description of the exposed employees duties as they relate to the exposure incident;
 - (C) Documentation of the route(s) of exposure and circumstances under which exposure occurred;
 - (D) Results of the source individual's blood testing, if available; and in accordance with WAC 246-100.
 - (E) All medical records relevant to the appropriate treatment of the employee including vaccination status which are the employer responsibility to maintain.

5. Healthcare Professional's Written Opinion

The employer will obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within 15 days of the completion of the evaluation.

- (i) The healthcare professional's written opinion for hepatitis B vaccination will be limited to whether hepatitis B vaccination is indicated for an employee, and if the employee has received such vaccination.
- (ii) The healthcare professional's written opinion for post-exposure evaluation and follow-up will be limited to the following information:
 - (A) That the employee has been informed of the results of the evaluation;
and
 - (B) That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

- (iii) All other findings or diagnoses will remain confidential and will not be included in the written report.

6. Medical Recordkeeping

Medical records required by the exposure control plan, the standard and WRD shall be maintained by the employer must keep confidentiality for duration of employment plus thirty years.

COMMUNICATION OF HAZARDS TO EMPLOYEES

1. Labels and Signs

(i) Labels:

- (A) Warning labels will be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material; and other containers used to store, transport or ship blood or other potentially infectious materials.
- (B) Labels required by this section will include the following legend:

Place Symbol Here:

BIOHAZARD

- (C) These labels will be fluorescent orange or orange-red or predominantly so, with lettering or symbols in a contrasting color.
- (D) Labels required by the standard and WRD will either be an integral part of the container or will be affixed as close as feasible to the container by string, wire, adhesive, or other method that prevents their loss or unintentional removal.
- (E) Red bags or Red containers may be substituted for labels.
- (F) Containers of blood, blood components, or blood products that are labeled as to their contents and have been released for transfusion or other clinical use are exempted from the labeling requirements.
- (G) Individual containers of blood or other potentially infectious materials that are placed in a labeled container during storage, transport, shipment or disposal are exempted from the labeling requirement.
- (H) Labels required for contaminated equipment will be in accordance with this paragraph and shall also state which portions of the equipment remain contaminated.
- (I) Regulated waste that has been decontaminated need not be labeled or

color-coded.

INFORMATION AND TRAINING

- (i) The employer will ensure that all employees with occupational exposure participate in a training program which must be provided at no cost to the employee and during working hours.
- (ii) Training will be provided as follows:
 - (A) At the time of initial assignment to tasks where occupational exposure may take place;
 - (B) Within 90 days after the effective date of the standard; and
 - (C) At least annually thereafter.
- (iii) For employees who have received training on bloodborne pathogens in the year preceding the effective date of the standard, only training with respect to the provisions of the standard which were not included need be provided.
- (iv) Annual training for all employees will be provided within one year of their previous training.
- (v) The employer will provide additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affect the employee's occupational exposure. The additional training may be limited to addressing the new exposures created.
- (vi) Material appropriate in content and vocabulary to educational level, literacy, and language of employees will be used.
- (vii) The training program will contain at a minimum the following elements:
 - (A) An accessible copy of the regulatory text of this standard and an explanation of its contents;
 - (B) A general explanation of the epidemiology and symptoms of bloodborne diseases;
 - (C) An explanation of the modes of transmission of bloodborne pathogens;
 - (D) An explanation of the employer's exposure control plan and the means by which the employee can obtain a copy of the written plan;

- (E) An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials;
 - (F) An explanation of the use and limitations of methods that will prevent or reduce exposure including appropriate engineering controls, work practices, and personal protective equipment;
 - (G) Information on the types, proper use, location, removal, handling, decontamination and disposal of personal protective equipment;
 - (H) An explanation of the basis for selection of personal protective equipment;
 - (I) Information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge;
 - (J) Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials;
 - (K) An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available;
 - (L) Information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident;
 - (M) An explanation of the signs and labels and/or color coding required the exposure control plan, the standard and WRD;
 - (N) An opportunity for interactive questions and answers with the person conducting the training session.
- (viii) The person conducting the training will be knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the workplace that the training will address.

RECORDKEEPING

1. Medical Records

(i) The employer will establish and maintain an accurate record for each employee with occupational exposure, in accordance with the exposure control plan, the standard and WRD.

(ii) This record will include:

- (A) The name and social security number of the employee;
- (B) A copy of the employee's hepatitis B vaccination status including the dates of all the hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination as required by the exposure control plan, the standard and WRD;
- (C) A copy of all results of examinations, medical testing, and follow-up procedures as required by the exposure control plan, the standard and WRD; and
- (D) The employer's copy of the healthcare professional's written opinion as required by the exposure control plan, the standard and WRD; and
- (E) A copy of the information provided to the healthcare professional as required by the exposure control plan, the standard and WRD.

(iii) Confidentiality.

The employer will ensure that employee medical records required the exposure control plan, the standard and WRD, are:

- (A) Kept confidential.
 - (B) Are not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by the exposure control plan, the standard, WRD or as may be required by law.
- (iv) The employer will maintain the records required by the exposure control plan, the standard and WRD for at least the duration of employment plus 30 years in accordance with OSHA/WISHA standards.

2. Training Records

- (i) Training records will include the following information:
 - (A) The dates of the training sessions;
 - (B) The contents or a summary of the training sessions;
 - (C) The names and qualifications of persons conducting the training; and
 - (D) The names and job titles of all persons attending the training sessions.
- (ii) Training records will be maintained for 3 years from the date on which the training occurred.

3. Availability

- (i) The employer will ensure that all records required to be maintained by the exposure control plan, the standard and WRD will be made available upon request to the WISHA inspector.
- (ii) Employee/volunteer training records required by the standard and WRD will be made available upon request to the WISHA inspector.
- (iii) Employee/volunteer medical records required by this paragraph shall be provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee, to the WISHA inspector.

4. Transfer of Records

- (i) The employer will comply with the requirements involving transfer of records set forth in the exposure control plan, the standard and WRD.
- (ii) If the employer ceases to do business and there is no successor employer to receive and retain the records for the prescribed period, the employer will notify WISHA, at least three months prior to their disposal and transmit them to WISHA, if required by WISHA to do so, within that three month period.

ATTACHMENTS

- A. JOB CLASSIFICATIONS WITH EXPOSURE
- B. JOB CLASSIFICATIONS WITH SOME EXPOSURE
- C. WORK ACTIVITIES INVOLVING POTENTIAL EXPOSURE TO BLOODBORNE PATHOGENS
- D. HEALTHCARE PROFESSIONALS WRITTEN OPINION
- E. EXPOSURE INCIDENT REPORT FORM – EMPLOYEE
- F. EXPOSURE INCIDENT REPORT FORM – PD COPY
- G. INFECTION CONTROL INVENTORY CHECKLIST
- H. POST-EXPOSURE EVALUATION AND FOLLOW-UP CHECKLIST
- I. HEPATITIS B VACCINATION CONSENT/REFUSAL FORM

J. **ATTACHMENT A**
VI.1.A

JOB CLASSIFICATIONS WITH EXPOSURE

Below are listed the job classifications in which all employees may have occupational exposure to bloodborne pathogens:

Chief
Assistant Chief
Sergeant
Patrol Officer
Detective

ATTACHMENT B

VI.1.B

JOB CLASSIFICATIONS WITH SOME EXPOSURE

Below is a list of job classifications in which some employees have occupational exposure to bloodborne pathogens:

Dispatcher

Animal Control Officer

ATTACHMENT C**VI.1.C****WORK ACTIVITIES INVOLVING POTENTIAL EXPOSURE
TO BLOODBORNE PATHOGENS**

Listed below, but not limited to, are the general tasks and procedures in our agency, in which human blood and other potentially infectious materials are encountered, which may result in exposure to bloodborne pathogens.

TASK

Emergency & rescue activity involving provision of first-aid or CPR.

Patient care activities involving contact with blood or body fluids or with materials that have been contaminated with these.

Housekeeping, laundry, maintenance activities involving the handling of medical waste or the cleaning or decontamination of surfaces or equipment contaminated with blood or other potentially infectious materials.

Handling of blood, body fluids, tissues, or organs

Searching subjects with possible open sores, wounds or sharps on their person.

Handling of evidence contaminated with blood and/or body fluids.

Dealing with subjects who are injured.

Searching of building, residences, vehicles and/or crime scenes which may be infected with blood, body fluids or sharps.

ATTACHMENT B

**HEPATITIS B VACCINATION CONSENT/REFUSAL
FORM****REFUSE:**

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection.

I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease.

If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Name

Date

ACCEPT:

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection.

I request that I be vaccinated with the Hepatitis B vaccine.

I request that the vaccine be ordered and a schedule set up for vaccination, at no charge to me.

Name

Date

strip search approval form.pdf

STRIP SEARCH
AUTHORIZATION FORM

___ STRIP SEARCH

___ BODY CAVITY SEARCH (Requires a search warrant and is done by qualified medical personnel)

GVPD Case: _____Charges: _____Date: _____

Subject to be searched: _____

Reasons for: _____

Results of search: _____

_____ # Date/Time: _____

Requesting Officer

_____ # Date/Time: _____

Approving Supervisor

_____ # Date/Time: _____

Contact Officer

_____ # Date/Time: _____

Cover Officer

Notice of Seizure and Intended Forfeiture English-Spanish.pdf

GRANDVIEW POLICE DEPARTMENT

207 W 2nd Street Grandview WA 98930
Telephone: (509) 882-2000



Chief
Kal Fuller
Telephone: 509-882-2000

NOTICE OF SEIZURE AND INTENDED FORFEITURE

Signature of Served Party: _____

Full Name: _____

Date of Birth: _____ Phone Number: _____

Address: _____

Items Seized:

☐ US Currency: \$ _____

☐ Vehicle Color: _____ Year: _____ Make: _____ Model: _____

License: _____ VIN: _____

☐ Property: _____

☐ Property: _____

Notice of the seizure and intended forfeiture of the item(s) more particularly described above is hereby given to the above-named party, and to any person(s) having a known interest therein. Such seizure was accomplished by law enforcement officers of the above agency. Seizure was based on probable cause to believe the item(s) was/were used or intended for use in connection with, or was/were derived from, offenses involving controlled substances or other contraband as described in RCW 69.50.505; and/or proceeds traceable to or derived from a specified unlawful activity described in RCW 9A.83.030; and/or the item has been or was actually employed as an instrumentality in the, or abetting in commission of, or in aiding the commission of any felony, or which was furnished or was intended to be furnished by any person in the commission of, as a result of, or as compensation for the commission of any felony, or which was acquired in whole or in part with proceeds traceable to the commission of a felony, according to RCW 10.105.010.

Should you intend to contest the forfeiture, you must notify this office, in writing at the address shown, of a claim of ownership or right to possession of the item(s) within 45 days of the date of service of notice. Upon receipt of a claim letter, you shall be afforded a reasonable opportunity to be heard as to the claim or right, via the civil administrative hearing process. Notice of claim must be sent to the address listed above. If written notice is not received within 45 days of the date of service of this notice, the item(s) seized and described above shall be deemed forfeited.

CERTIFICATE OF SERVICE

Date Served: _____

Method of Service: _____

Officer Signature: _____

GRANDVIEW POLICE DEPARTMENT

207 W 2nd Street Grandview WA 98930
Telephone: (509) 882-2000



Chief
Kal Fuller
Telephone: 509-882-2000

AVISO DE CONFISCACION E INTENCION DE DECOMISO

Signature of Served Party: _____

Full Name: _____

Date of Birth: _____ Phone Number: _____

Address: _____

Articulos confiscados:

☐ US Currency: \$ _____

☐ Vehicle Make: _____ Model: _____ Color: _____ VIN: _____

☐ Property: _____

☐ Property: _____

Por este medio se le avisa de la confiscación e intención de decomiso de los artículos descritos en mayor detalle arriba a la persona cuyo nombre se indica arriba, y a cualquier persona o personas con un interés expresado en ello. Esa confiscación fue realizada por los oficiales de las fuerzas de seguridad de la agencia arriba mencionada. La confiscación se hizo a base de la justa creencia de que se usó el artículo o artículos o se tenía la intención de usarlos en conexión con, o fueron derivados de, infracciones que implicaron sustancias reguladas u otro contrabando según se describe en el Código Revisado de Washington RCW 69.50.505; y/o beneficios imputables a o derivados de una actividad ilícita especificada que se describe en el Código Revisado de Washington RCW 9A.83.030; y/o el artículo ha sido o fue realmente empleado como instrumento en, o para incitar en la comisión de o ayudar en la comisión de algún delito grave, o que fue provisto o que se intentaba proveer por alguna persona en la comisión de, como resultado de, o como compensación por la comisión de algún delito grave, o que fue adquirido en total o en parte con beneficios imputables a la comisión de un delito grave, en conformidad con el Código Revisado de Washington RCW 10.105.010.

Si su intención es disputar el decomiso, usted tiene que enviar notificación por escrito a la dirección indicada de esta oficina, de una demanda de propiedad o derecho de posesión que usted tiene al artículo o artículos dentro de 45 días de la fecha de entrega del aviso. Cuando se reciba una carta de reclamo, se le permitirá una oportunidad razonable para que presente el reclamo o su derecho mediante el proceso de audiencias administrativas civiles. El aviso de la reclamación debe ser enviado a la dirección arriba indicada. Si no se recibe aviso por escrito dentro de 45 días de la fecha en que se le entregó esta notificación, el artículo o artículos que se confiscaron y que se describen arriba se les juzgará decomisados.

CERTIFICATE OF SERVICE

Numero de Caso: _____

Fecha de la notification: _____

Metodo de notificatcion: _____

Officer Signature: _____

Video Surveillance System Log.pdf

[illegible]

2014-41 Resolution and 2014 CEMP.pdf

RESOLUTION NO. 2014-41

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
ADOPTING THE 2014 COMPREHENSIVE EMERGENCY MANAGEMENT
PROGRAM AS THE OFFICIAL EMERGENCY RESPONSE PLAN
FOR THE CITY OF GRANDVIEW**

WHEREAS, the 2014 Yakima County Comprehensive Emergency Management Program (CEMP) meets state requirements for an emergency management program, and is the parent plan for response to emergencies in Yakima County; and

WHEREAS, the City is required by RCW 38.52.070 to establish a local organization or be a member of a joint local organization for emergency management in accordance with the state comprehensive management plan and program; and

WHEREAS, the Yakima County CEMP meets the criteria of a joint local organization under RCW 38.52.070 and provides, with other supporting documents and plans, a basis for coordinating emergency operations throughout every level of government in the Yakima Valley; and

WHEREAS, the adoption of the Yakima County CEMP satisfies the City's obligations under Ch. 38.52 RCW, and will promote the general health, safety and welfare of the residents of the City of Grandview.

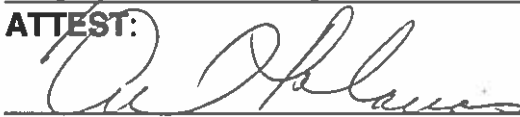
NOW, THEREFORE, BE IT RESOLVED that this 2014 Yakima County Comprehensive Emergency Management Program is hereby adopted as the official emergency response plan for the City of Grandview.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on August 12, 2014.

MAYOR



ATTEST:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY



Yakima County, Washington

Member Jurisdictions

GRANDVIEW, GRANGER, HARRAH, MABTON,
MOXEE, NACHES, SELAH, SUNNYSIDE, TIETON,
TOPPENISH, UNION GAP, WAPATO, YAKIMA,
YAKIMA COUNTY, ZILLAH

CITY OF GRANDVIEW

Comprehensive Emergency Management Program (CEMP) 2014

... an integrated system establishing a
uniform set of processes, protocols
and procedures for the conduct
of emergency response and coordination
operations ...

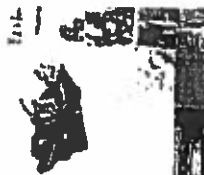




Yakima County, Washington

Multi-Jurisdictional Comprehensive Emergency Management Program (CEMP) 2014

... an orderly means to prevent or minimize (mitigation strategies), prepare for, respond to and recover from emergencies or disasters that threaten life, property, economy, and the environment ...



Executive Summary



Yakima County, Washington

Executive Summary

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Preface

It is the mission of government jurisdictions of Yakima County in order to protect lives, property, and the environment and in cooperation with other elements of the community, to endeavor to mitigate, prepare for, respond to and recover from natural and technological emergencies and disasters.

To carry out this mission, government jurisdictions' goals are to develop citizen awareness and self-sufficiency, have procedures in an emergency or disaster, and create an atmosphere of interagency cooperation in emergency and disaster operations.

FEMA Administrator. . .

"We need to move away from the mindset that Federal and State governments are always in the lead, and build upon the strengths of our local communities and, more importantly, our citizens. We must treat individuals and communities as key assets rather than liabilities."

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Overview

The Plan, *Yakima County Comprehensive Emergency Management Program*, provides strategic emergency planning guidance for jurisdictions consisting of the fourteen cities and towns within the county, unincorporated areas of the county, as well as special districts and private organizations. The Program is subdivided into a Basic Plan and Sections 1-6 (Continuity of Operations, Mitigation, Preparedness, Response, Recovery, and Special Subjects), furthering defining strategic guidance.

Maintaining an approved CEMP is required for the cities/towns and the county by the Revised Code of Washington (RCW) 38.52 and 39.34 and the Washington Administrative Codes 118.04, 118.30, and 296-62-3112.

The municipalities are required to formally adopt the CEMP.

The Office of Emergency Management encourages special districts and private organizations to participate and adopt the CEMP.

Developing the capability for jurisdictions to accomplish their emergency responsibilities

This is a generic, strategic program, organized by "emergency support functions." The Basic Plan section provides a generic overview and summary of the purpose, responsibilities and operational concepts. The schedule of Emergency Support Functions contains functions that may be activated and performed during emergencies and

disasters. While the concept of operations should always remain the same, the functions activated will be dependent on the emergency/disaster type and scope.

The Yakima Valley Office of Emergency Management (YVOEM) ensures that necessary changes and revisions to the plan are prepared, coordinated, published and distributed.

The OEM will review and exercise elements of the CEMP annually and submit an updated plan to Washington State Emergency Management Division (EMD) every four years.



Municipalities and County Unincorporated

Grandview, Granger, Harrah, Mabton, Moxee, Naches, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima, Yakima County, Zillah

Special Districts

Fire Protection Districts

Highland, Selah, Naches, East Valley, Lower Valley, Gleed, Glade, Naches Heights, West Valley, Nile/Cliffdell

School Districts

East Valley, Grandview, Granger, Highland, Mabton, Mt. Adams, Naches Valley, Selah, Sunnyside, Toppenish, Union Gap, Wapato, West Valley, Yakima, Zillah,

Irrigation Districts

Ahtanum; Selah-Moxee; Yakima-Tieton; Sunnyside Valley; Union Gap; South Naches

Private/Non-Government Organizations and Federal/State

Central Washington Mental Health; WIN211; Hospitals; Yakima Valley Chapter of the American Red Cross; Ambulance Services; Amateur Radio; WSDOT; WSP; DSHS; Yakima Training Center; Yakama Nation; Higher Education Institutions

Executive Summary

I. Purpose

- A. This plan describes basic strategies, assumptions and mechanisms through which departments/agencies within government jurisdictions will mobilize resources and conduct activities to guide and support local emergency management efforts through response and recovery. To facilitate effective intergovernmental operations, this plan adopts a functional approach that groups the type of assistance to be provided under Emergency Support Functions. These functions serve as the primary mechanism through which assistance is managed in an effective area.
- B. This plan provides for an orderly means to prevent or minimize (mitigation strategies), prepare for, respond to and recover from emergencies or disasters that threaten life, property, economy, and the environment within Yakima County boundaries by:
 - 1. Identifying major natural and technological hazard threats to life, property, economy, and/or the environment that are known or thought to exist.
 - 2. Assigning emergency management responsibilities and tasks.
 - 3. Describing predetermined actions (responsibilities, tasks) to be taken by department/agencies, cities and towns, and other cooperating organizations and institutions, to eliminate or mitigate the effects of these threats and to respond effectively and recover from an emergency or disaster.
 - 4. Providing for effective assignment and utilization of government employees.
 - 5. Documenting the current capabilities and existing resources of departments/agencies, cities and towns, and other cooperating organizations and institutions which must be maintained to enable accomplishment of those predetermined actions.
 - 6. Providing for the continuity of government during and after an emergency or disaster.
 - 7. Enhance cooperation (mutual aid agreements and memorandums of understanding) and coordination with cooperating community agencies, neighboring jurisdictions, state and federal agencies.
 - 8. Providing for an emergency planning team comprised of representatives from all departments as identified and utilized through this plan development for: continuing review and revision

Executive Summary

of the plan; exercise planning and evaluation; reviewing and offering recommendations on emergency management initiatives.

- C. In further carrying out the mission, the purpose of the Yakima County Comprehensive Emergency Management Program (CEMP) is to provide government, associated agencies and volunteer organizations guidance for the following:

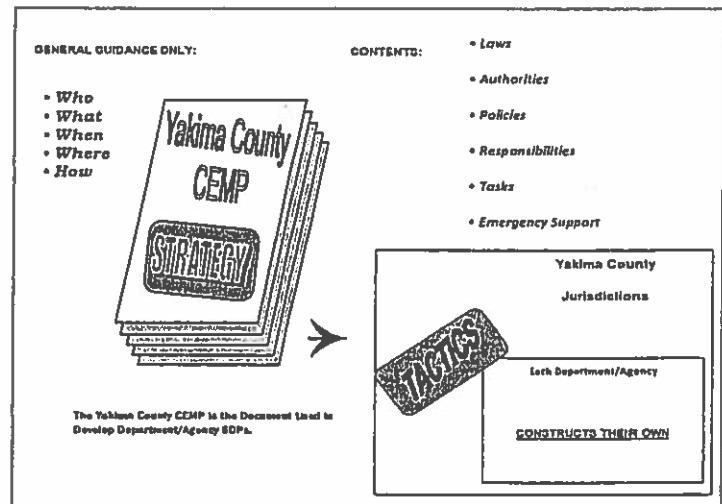
1. Mitigation, preparedness, response and recovery policy and procedures.
2. Disaster and emergency responsibilities.
3. Emergency management training and public education activities.

- D. This plan is strategic and "responsibility oriented", and addresses:

1. Coordinated county-wide evacuation, shelter, and post-disaster response and recovery.

2. Rapid deployment and pre-deployment of resources.

3. Communication and warning systems.
4. Annual exercises to determine the ability to respond to emergencies.
5. Clearly defined responsibilities for departments/agencies, cities and towns, associated agencies and volunteer organizations through a "functional" approach to planning and operations.



II. Goals

- A. Develop citizen self-sufficiency.

Executive Summary

- B. Develop first responder capabilities.
- C. To have a plan (framework, strategy) that will guide organizational behavior (response) during emergency(ies) or disaster(s).

III. Definitions

- A. The term "emergency" as used in this plan means a set of circumstances which demand immediate action to protect life, preserve public safety, health and essential services, or protect property and the environment.
- C. "Disaster" means the situation requires all available local government resources and/or augmentation, and is beyond the capabilities of the county or city(ies). A state of "emergency" can be proclaimed by a chief elected official.

IV. Authorities, Guidance Documents, Agreements and Understandings

A. Authorities

1. Federal

- a) Public Law (P.L.) 93-288, Disaster Relief Act of 1974, as amended by P.L.100-707 (The Stafford Act).
- b) Emergency Management and Assistance, 44 U.S. Code 2.1 (October 1, 1980) P.L. 81-920, Federal Civil Defense Act of 1950, as amended.
- c) P.L. 99-499, Title III, Emergency Planning and Community Right-to-Know (EPCRA), October 17, 1986.

2. State

- a) Revised Code of Washington (RCW) 38.52 and 39.34.
- b) Washington Administrative Codes 118.04, 118.30, and 296-62-3112.

3. Local

- a) Agreement for Yakima County Department of Emergency Services, April 3, 1984, as amended, 2000.
- b) Amendment to Agreement for Yakima County Department of Emergency Services, March 12, 1987 and effective,

Executive Summary

January 1, 1988. Changes name to Yakima Valley Office of Emergency Management

B. Guidance Documents

1. National Response Framework, January, 2008
2. WA State Supplement to Comprehensive Preparedness Guide (CPG) 101 v.2, March, 2009.

C. Agreements and Understandings

Intrastate Mutual Aid for Emergencies and Disasters in Yakima County

V. Situations

A. Hazard Analysis

1. The Yakima County Threat and Hazard Identification (published separately) provides details on local hazards to include type, affects, risk, capabilities, and other related data.
2. Yakima County is vulnerable to approximately thirty-eight hazard agents. They range from natural to technological to human caused events. From the list of hazards, Yakima County has determined that floods, landslides, wildfires, severe winter storms, wind storms, earthquakes, volcanic eruptions, and hazardous materials represent the greatest threat to its citizens.

A list of facilities that use, produce, store extremely hazardous substances and hazardous materials are on file at the Yakima Valley Office of Emergency Management.

3. Disaster response efforts are often hampered by equipment and facility damage, communication failures, inclement weather, responder injury and death, and many other limiting factors. In the event of an emergency or disaster that exceeds the available resources, the public should expect and be prepared for a minimum 72 hour delay for emergency response services.

Executive Summary

Natural	Technological Human-Caused
Resulting from acts of nature	Involves accidents or the failure of systems and structures caused by the intentional actions of an adversary
1. Avalanche 2. Drought 3. Dust storms 4. Epidemic, animal 5. Epidemic, human 6. Dam/levee failure 7. Earthquake 8. Fire, rural/urban 9. Flood, flash 10. Flood, riverine/stream 11. Flood, urban 12. Heat, extreme 13. Landslide 14. Thunderstorm 15. Tornado 16. Volcano 17. Water shortage 18. Wildfire, forest 19. Wildfire, range 20. Wind 21. Winter storms	22. Air pollution 23. Business interruption 24. Critical infrastructure (building/structure) collapse 25. Critical infrastructure (building/structure) fire/explosion 26. Cyber attack 27. Ecological terrorism 28. Economic emergency 29. Energy emergency 30. Fuel shortage 31. HM accident, fixed facility 32. HM accident, transportation 33. Power outage 34. Radiological, Columbia Generating Station 35. Riot/demonstrations/violent protest/illegal assembly 36. Transportation accident, aircraft 37. Weapons of Mass Destruction: CBRNE/aircraft 38. Workplace violence: business/industry and schools

B. Situations Requiring the Activation of the CEMP:

1. CGS (Fixed Nuclear Facility) emergencies
2. Bureau of Reclamation dam failures
3. Earthquake magnitude of 6.0 or greater in the Yakima Valley
4. Volcanic eruption
5. Weather-related events i.e., major flood, major winter storms
6. Major fires as defined in Yakima County Fire Plan
7. HM Incidents that require coordination of multiple departments/agencies/organizations

VI. Assumptions

- A. Governmental officials within the county recognize their responsibilities regarding the safety and well-being of the public and they will assume their responsibilities when the Comprehensive Emergency Management Program is implemented.
- B. General Conditions. When a community experiences an emergency or disaster, its surviving citizens fall into three broad categories:
 - 1. those directly affected through personal or family injury or property damage;
 - 2. those indirectly affected by an interruption of the supply of basic needs; and
 - 3. those that are not personally impacted. These guidelines were designed to promote citizen self-confidence and independence in the face of an emergency or disaster
- C. Following these guidelines will allow the emergency organization within the county to concentrate first on helping those citizens directly affected by an event.
- D. It is expected that each individual or head of a household will develop a family disaster plan and maintain the essential supplies to be self-sufficient for a minimum of 72 hours.
- E. Businesses are expected to develop internal disaster plans that will integrate and be compatible with local government resources and this plan.

NOTE: This plan is not intended to limit or restrict initiative, judgment, or independent action required to provide appropriate and effective emergency and disaster mitigation, preparation, response and recovery.

VII. Limitations

- A. It is the policy of Yakima County government jurisdictions that no guarantee is implied by this plan of a perfect response system. As government assets and systems may be overwhelmed, jurisdictions can only endeavor to make every reasonable effort to respond based on the situation, and information and resources available at the time.
- B. Adequate funding is needed to support this plan and its programs. The performance of the assigned tasks and responsibilities will be dependent on appropriations and funding to support this plan. Lack of funding may degrade the services envisioned under this plan.

Executive Summary

NOTE: The inability of departments/agencies, cities and towns to carry out their responsibilities as indicated in both Basic Plan and Emergency Support Services due to lack of staff and funding may lower the "emergency declaration threshold."

VIII. Policies

- A. General Policy. It is the policy of Yakima County government jurisdictions to cooperate with and support each other in disaster and emergency mitigation, preparedness, response and recovery efforts.
- B. Citizen Preparedness Policy. Because of the nature of an emergency or disaster, government may be limited in its response capabilities. It is the policy of Yakima County government jurisdictions that citizens are encouraged to be self-sufficient for at least three days should an emergency or disaster occur.
- C. Nondiscrimination. It is the policy of Yakima County government jurisdictions that no services will be denied on the basis of race, color, national origin, religion, sex, age or disability and no special treatment will be extended to any person or group in an emergency or disaster over and above what normally would be expected in the way of county services. Local activities pursuant to the Federal/State Agreement for Major Disaster Recovery will be carried out in accordance with Title 44, CFR, Section 205.16.-- Nondiscrimination. Federal Disaster Assistance is conditional on full compliance with this rule.

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IX. WAC 118-09-030 EMA funds eligibility criteria.

- A. Local emergency services organizations in the state of Washington will be eligible for EMA funds if the following criteria are met prior to the beginning of the one-year period for which the funds are sought:
- B. The local emergency services organization for which EMA funds are sought shall have a current comprehensive emergency operations plan or schedule for plan development or maintenance approved by the state director.
- C. The director/coordinator of the emergency services organization for which EMA funds are sought shall be a full-time or part-time employee of the organization.
- D. The emergency services organization shall have an approved program paper in accordance with WAC 118-08-060.
- E. Local emergency services organization personnel must be hired and appointed in accordance with local merit system rules and regulations that are commensurate with federal guidelines.
- F. If a local emergency services organization receiving EMA funds fails to meet the requirements of subsections (1) through (4) of this section, the state director shall withhold from the recipient any EMA funds for the balance of the federal fiscal year. The funds thus withheld shall be reallocated on a percentage basis to those emergency services organizations that have met the requirements of subsections (A) through (D) of this section.

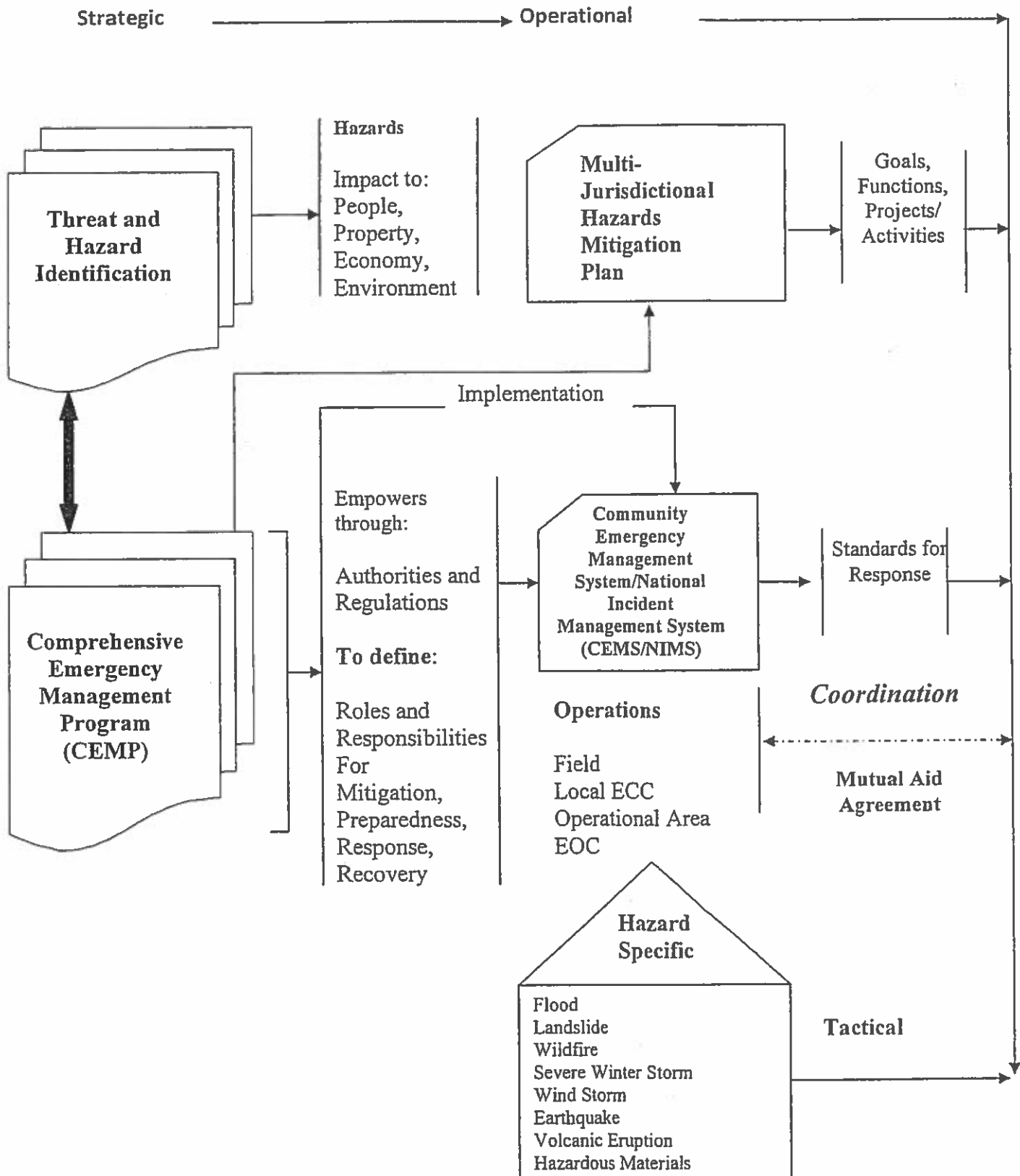
X. 2014 CEMP Plan Maintenance

- A. The Yakima Valley Office of Emergency Management (YVOEM) will review/revise the 2014 CEMP on an annual basis to determine the effectiveness of plan elements.
- B. The YVOEM will be responsible for contacting the participating jurisdiction and organizing the plan revision.
- C. The 2014 CEMP should undergo revision whenever:
 - 1. It fails during emergency.
 - 2. Exercises, drills reveal deficiencies or "shortfall (s)".
 - 3. Local government structure changes.
 - 4. Community situations change.
 - 5. RCW 38.52; WAC 118-30-060; and Federal requirements e.g., the National Response Framework, change.

Executive Summary

- D. The YVOEM ensures that necessary changes and revisions to the plan are prepared, coordinated, published and distributed.
- E. The YVOEM will exercise elements of the 2014 CEMP annually. HSEEP methodology will be used.
- F. The YVOEM will submit an updated plan to Washington State Emergency Management Division (EMD) every four years.
- G. The YVOEM will maintain a list of individuals and organizations which have controlled copies of the plan. Only those with controlled copies will automatically be provided updates and revisions. Plan holders are expected to post and record these changes. Revised copies will be dated and marked to show where changes have been made.
- H. The 2014 CEMP will be posted on the YVOEM website. Public comment will be encouraged.

Yakima County Emergency Management Program Elements



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HH



Yakima County, Washington

Introduction

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Developing the Capability for Jurisdictions to Accomplish Their Emergency Responsibilities

The objectives of the Yakima County Comprehensive Emergency Management Program are to protect public health and safety and prevent loss of life; to preserve property and the environment; to assure continuity of government and government operations; to restore the community to normal; to mitigate/prevent the causes of damage; and prepare the community in advance of an emergency. Specifically, county jurisdictions endeavor to:

... strategic emergency planning guidance for jurisdictions consisting of the fourteen cities and towns within the county, unincorporated areas of the county, as well as special districts and private organizations. . .

(1) Protect Public Health and Safety and Prevent Loss of Life	This primary objective includes undertaking efforts to save human life; rescue endangered people; treat the injured; warn the public to avoid further casualties; evacuate people from impacted area; direct people to shelter and mass care; ensure provision of necessary medications and vaccinations; monitor and regulate sources of food and water; and, save animals.
(2) Preserve Property and the Environment	This secondary objective includes measures to save property from destruction; prevent further loss; provide security for property, especially in evacuated areas; and, prevent contamination to the environment.
(3) Assure Continuity of Government and Government Operations	This objective provides for lines of succession for elected and appointed officials; and, assures that critical functions of government can be reconstituted and conducted with minimal interruption.
(4) Restore the Community to Normal	This objective aims to restore essential infrastructure, including utilities; as well as the economic basis of the community.
(5) Mitigate/Prevent the Causes of Damage	This objective aims to prevent damage from a similar emergency that may occur in the future.
(6) Prepare the jurisdictions in Advance of an Emergency	This objective includes developing action plans on how to respond to and recover from emergencies, training staff on how to perform the duties and responsibilities, exercising the plans and modifying the plans based on the experiences.

The Program, *Yakima County Comprehensive Emergency Management Program*, provides strategic emergency planning guidance for jurisdictions consisting of the fourteen cities and towns within the county, unincorporated areas of the county, as well as special districts and private organizations. The Comprehensive Emergency Management Program
2014

Introduction

Program is subdivided into a Basic Plan and Sections 1-6 (Continuity of Operations, Mitigation, Preparedness, Response, Recovery, and Special Subjects), furthering defining strategic guidance. Jurisdictional partners include:

Municipalities and County Unincorporated

Grandview, Granger, Harrah, Mabton, Moxee, Naches, Selah, Sunnyside, Tieton, Toppenish, Union Gap, Wapato, Yakima, Yakima County, Zillah

Special Districts

Fire Protection Districts

Highland, Selah, Naches, East Valley, Lower Valley, Glead, Glade, Naches Heights, West Valley, Nile/Cliffdell

School Districts

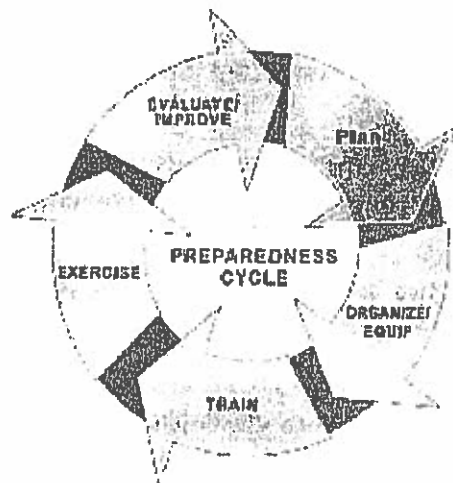
East Valley, Grandview, Granger, Highland, Mabton, Mt. Adams, Naches Valley, Selah, Sunnyside, Toppenish, Union Gap, Wapato, West Valley, Yakima, Zillah,

Irrigation Districts

Ahtanum; Selah-Moxee; Yakima-Tieton; Sunnyside Valley; Union Gap; South Naches

Private/Non-Government Organizations and Federal/State

Central Washington Mental Health; WIN211; Hospitals; Yakima Valley Chapter of the American Red Cross; Ambulance Services; Amateur Radio; WSDOT; WSP; DSHS; Yakima Training Center; Yakama Nation; Higher Education Institutions



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Disaster Response Community Framework

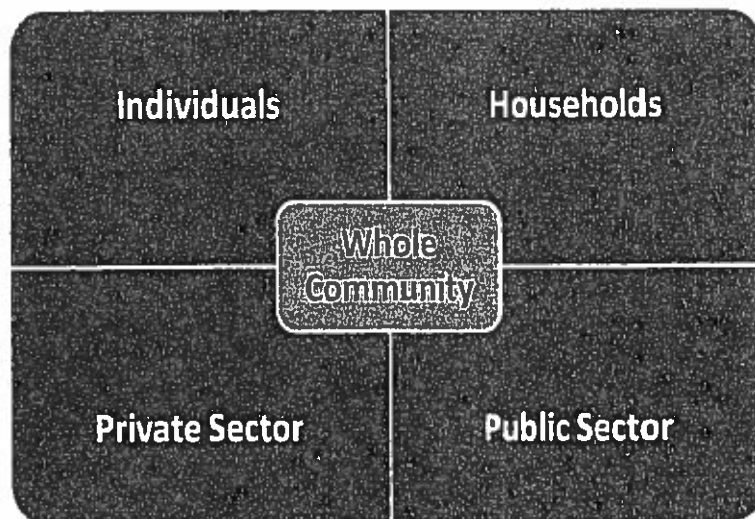
"We need to move away from the mindset that Federal and State governments are always in the lead, and build upon the strengths of our local communities and, more importantly, our citizens. We must treat individuals and communities as key assets rather than liabilities."

"Family members, friends, co-workers and neighbors need to help with evacuations, search and rescue, food, water, shelter, and medical care, and undertake many other critical response functions well before emergency responders arrive."

...FEMA Administrator

Community Principles

1. Saving and sustaining lives is our number one priority, no matter the scale and magnitude of the crisis. We must stabilize the event within the first 72 hours. Our focus must shift from incidents to individuals and from processes to products.
2. A disaster event requires that we are prepared to respond in non-traditional ways, well beyond current local planning.
3. Time is our biggest enemy, and our approach must focus on preparing and fully empowering impacted communities, survivors, and all of society-NGOs, social & fraternal organizations.
4. Our citizens are force multipliers. Individuals and communities are the most critical response and recovery assets present during the initial hours and days following an event. We need greater inclusion paths designed into our participatory planning & preparedness activities.



Introduction

Forward

I. AUTHORITY

This Comprehensive Emergency Management Program is published under the authority of the following local and state statutes and regulations:

- A. Agreement for Yakima Valley Office of Emergency Management, as adopted April 4, 1984; as amended, January 1, 1987; and re-authorized, October 18, 2000;
- B. Revised Code of Washington, RCW 38.52, Emergency Services; and,
- C. Washington Administrative Code, WAC Chapter 118-30.

II. SCOPE

This Program supercedes previous versions of the Yakima County Comprehensive Emergency Operations Program dated June, 2010, and Special Subjects included since that date.

III. SPECIAL SUBJECTS

To provide more detailed guidance relating to the various responsibilities placed on jurisdictions and personnel, separate plans and implementing procedures have been developed under separate cover. In no respect are these supporting documents intended to replace any part of, or substitute for, the *Yakima County Comprehensive Emergency Management Program*; instead, they are considered to be supplementary to the Program.

Acknowledgments

The development of the *Yakima County Comprehensive Emergency Management Program, 2014*, was made possible through the support of the following jurisdictions.

City of Grandview
City of Granger
Town of Harrah
City of Mabton
City of Moxee
Town of Naches
City of Selah

City of Sunnyside
City of Tieton
City of Toppenish
City of Union Gap
City of Wapato
City of Yakima
City of Zillah

Board of County Commissioners

Introduction

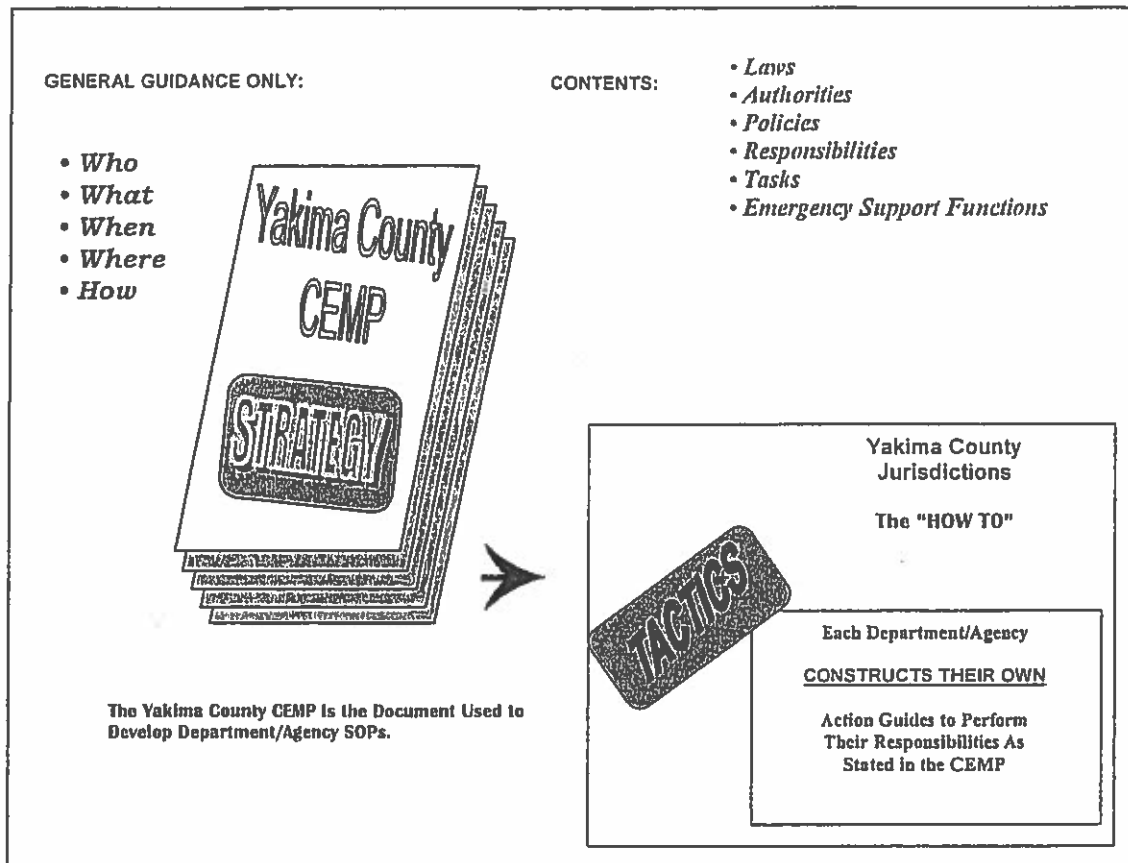
How to Use this Program

Note: This is a generic, strategic program, organized by "emergency support functions." The Basic Plan section provides a generic overview and summary of the purpose, responsibilities and operational concepts. The schedule of Emergency Support Functions contains functions that may be activated and performed during emergencies and disasters. While the concept of operations should always remain the same, the functions activated will be dependent on the emergency/disaster type and scope.

1. Read the **Basic Plan**. Take note of your department/agency/organization general responsibilities contained within the **Basic Plan**.
2. Look at the **Primary/Support Matrices** appended to the Basic Plan (Attachment A). Find the name of your department/agency/organization. Note which Emergency Support Function column your department/agency/ organization appears. Within each Emergency Support Function that your department/agency/organization is a part of, you will find additional specific responsibilities.
 - **PRIMARY AGENCY** - An agency assigned primary responsibility to manage and coordinate a specific ESF. Primary agencies are designated on the basis of who has the most authorities, resources, capabilities or expertise relative to accomplishment of the specific Emergency Support Function (ESF) with assistance, if requested, from the Emergency Coordination Center (ECC) or Operational Area Emergency Operations Center (OAEOC).
 - **SUPPORT AGENCY** - An agency designated to assist a specific primary or joint primary agency with available resources, capabilities or expertise in support of Emergency Support Function (ESF) activities under the coordination of the primary or joint primary, agency.
3. Your department/agency/organization should develop and maintain "standard operating procedures" in such detail as necessary that will result in successful activation and completion of your responsibilities as stated. Refer to **Basic Plan, II, Organization and Responsibilities** for additional information and guidance.

Helpful Hint: Make a list of your general responsibilities (found in II, Organization and Responsibilities) and specific responsibilities (found in each ESF that your department/agency/organization is involved). This responsibilities listing is the basis for internal, tactical SOPs and personnel action guides.

Introduction



Introduction

Record of Changes

The Yakima Valley Office of Emergency Management (YVOEM) ensures that necessary changes and revisions to the plan are prepared, coordinated, published and distributed.

The OEM review and exercise elements of the CEMP annually and submit an updated plan to Washington State Emergency Management Division (EMD) every four years.

The plan should undergo revision whenever:

- It fails during emergency.
- Exercises, drills reveal deficiencies or "shortfall (s)".
- Local government structure changes.
- Community situations change.
- RCW 38.52; WAC 118-30-060; and Federal requirements e.g., the National Response Framework, change.

The YVOEM maintains a list of individuals and organizations which have controlled copies of the plan. Only those with controlled copies will automatically be provided updates and revisions. Plan holders are expected to post and record these changes. Revised copies will be dated and marked to show where changes have been made.

Record of Changes

NOTE: Recipients of the 2014 Yakima County CEMP will be asked to insert additions and/or modifications of this Plan into their copy. The Yakima Valley Office of Emergency Management is the approving authority for revisions to this Plan.

Nature of Change	Nature of Change	Page(s) Affected	Changes Made By

GPD Force Response Report.pdf

GRANDVIEW POLICE DEPARTMENT

DAVID R. CHARVET, CHIEF

201 WEST 2ND STREET • GRANDVIEW, WA 98930 • PHONE (509) 882-2000 • FAX (509) 882-1232**USE OF FORCE REPORT**

Case #: 		Date: 	Time: _____	Firearm Deployment Only ☐																		
Reporting Officer: 		Officer Number: _____																				
Incident Classification: _____		Charges: _____																				
Incident Location: _____		☐ Indoor ☐ Outdoor ☐ Jail	Geo Code: _____																			
Weather: _____		Topography: _____		Lighting: _____																		
Type of Force Used (Check all that apply): ☐ Physical ☐ O.C. Spray ☐ TASER ☐ Less-Lethal ☐ Lethal																						
Suspect: _____ Booked: ☐ Yes ☐ No																						
Age: _____		Gender: _____	Race: _____	Height: _____ Weight: _____ Build: _____																		
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REACTIVE CONTROL TACTICS

☐ BODY WEAPONS

- ☐ Open hand strike
- ☐ Closed hand strike
- ☐ Elbow
- ☐ Kick

- ☐ Knee
- ☐ Forearm
- ☐ Head-butt
- ☐ Other

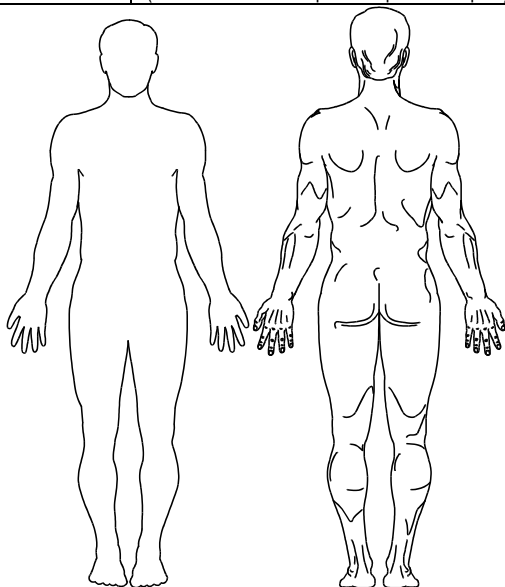
☐ IMPACT WEAPONS

- ☐ ASP/Expandable baton
- ☐ Straight stick
- ☐ PR-24/Side handle baton
- ☐ Flashlight
- ☐ Other

APPLICATION
AREAS

Points of Contact
(Place "X"s" where probes hit suspect)
(Place "O"s" where Impact weapon hit suspect)

SYNOPSIS:



Report Completed by:

Supervisor:

Date:

Washington State Patrol Missing Persons Packet.pdf



MISSING PERSONS PACKET



MUPU CASE NUMBER

NAME (Last, First, Middle)

ALIAS/NICKNAMES

SEX
☐ M ☐ F

RACE

☐ WHITE
☐ BLACK

☐ NATIVE AMERICAN
☐ ASIAN OR PACIFIC ISLANDER

☐ HISPANIC
☐ NON-HISPANIC

DATE OF BIRTH

AGE

MO/DAY/YEAR

HEIGHT

WEIGHT

EYE

☐ BLACK
☐ BROWN

☐ BLUE
☐ GRAY

☐ GREEN
☐ HAZEL

☐ MAROON
☐ PINK

☐ MULTI-COLORED
☐ UNKNOWN

HAIR COLOR

☐ BLACK
☐ WHITE
☐ BLOND/STRAWBERRY

☐ BLOND
☐ RED/AUBURN
☐ BROWN

☐ ORANGE
☐ PURPLE
☐ PINK

☐ BLUE
☐ GREEN
☐ SANDY

☐ GRAY/PARTIALLY GRAY
☐ UNKNOWN OR COMPLETELY
BALD

SCARS, MARKS, DEFORMITIES (Describe and indicate location on body, including tattoos)

SOCIAL SECURITY NUMBER

DRIVER'S LICENSE NUMBER

OPERATOR'S LICENSE STATE

HAS THE MISSING PERSON EVER BEEN FINGERPRINTED?

☐ NO

☐ YES IF YES, BY WHOM?

DATE AND TIME LAST SEEN

LOCATION LAST SEEN (City, State)

POSSIBLE DIRECTION OF TRAVEL (City, State)

MO/DAY/YR

TIME

AM ☐
PM ☐

LAST SEEN WEARING (Hat, Shirt, Glasses, Pants, Shoes and Shoe Size, etc.)

ASSOCIATES

PRESENT MENTAL STATE

☐ DEPRESSED
☐ SUICIDAL

☐ AMNESIA
☐ OTHER _____

MISSING PERSON'S OCCUPATION

MEDICATION
REQUIRED

☐ YES
☐ NO

REASON

TYPE

VEHICLE MAKE

MODEL

STYLE

YEAR

LICENSE NUMBER

LICENSE STATE

COLOR

OTHER IDENTIFYING CHARACTERISTICS OF VEHICLE (Vehicle Identification Number, license plate type, decals, damage, etc.)

BACKGROUND INFORMATION

SOCIAL MEDIA

TRAFFICKING INFORMATION OR CONCERNS

PLEASE INCLUDE ANY PERTINENT INFORMATION REGARDING THE MISSING PERSON NOT ADDRESSED ELSEWHERE ON THIS FORM.

IF POSSIBLE, ENCLOSE A WALLET-SIZE, CURRENT PHOTOGRAPH OF EACH MISSING PERSON AND THE ABDUCTOR.



MISSING PERSONS PACKET



MEDICAL/DENTAL INFORMATION

NAME OF DENTIST	TELEPHONE NUMBER ()
STREET ADDRESS	CITY, STATE, ZIP
NAME OF PERSONAL PHYSICIAN	TELEPHONE NUMBER ()
STREET ADDRESS	CITY, STATE, ZIP

THE FOLLOWING DENTAL INFORMATION SHOULD BE SUBMITTED TO THE INVESTIGATING AGENCY:

- **ORIGINAL** X-RAYS (*old and most recent*)
- COPY OF TREATMENT RECORD
- INTRAORAL PHOTOGRAPHS
- DENTAL CASTS

DENTAL RECORDS AVAILABLE	☐ YES ☐ NO	DOCTOR'S RECORDS (x-rays, etc.) AVAILABLE	☐ YES ☐ NO	MISSING ORGANS	BLOOD TYPE
UNUSUAL DENTAL CHARACTERISTICS					DNA AVAILABLE? ☐ YES ☐ NO

AUTHORIZATION TO RELEASE DENTAL AND MEDICAL INFORMATION

I am a family member or next of kin of the missing person reported on this form. I hereby authorize the release of all medical and dental records to assist law enforcement agencies in locating the missing person.

SIGNATURE OF FAMILY MEMBER OR NEXT OF KIN		DATE
RELATIONSHIP	STREET ADDRESS	CITY, STATE, ZIP

**PLEASE NOTIFY THE WSP MISSING AND UNIDENTIFIED PERSONS UNIT
AS SOON AS POSSIBLE AFTER LOCATION OF PERSON HAS BEEN DETERMINED.**

IF THE MISSING PERSON IS A VICTIM OF CUSTODIAN INTERFERENCE, PLEASE INCLUDE CUSTODY DOCUMENT(S).

SEND COMPLETED FORM AND CUSTODY PAPERS TO:

WASHINGTON STATE PATROL
MISSING AND UNIDENTIFIED PERSONS UNIT
PO BOX 42634
OLYMPIA WA 98504-2634
1-800-543-5678 (KID-LOST)
FAX (360) 704-2971



MISSING PERSONS PACKET



PUBLICATION REQUEST AND AGREEMENT

Regarding: _____ (missing person)

I request that the Washington State Patrol publish in a law enforcement bulletin the name, age, description, photograph, and circumstances surrounding the status of the Missing Person. Any information supplied by me shall be truthful. I understand that the information I provide may be published in more than 1,000 reports, made available to law enforcement, hospitals, medical examiners, children's shelters, social services, other agencies or organizations involved with missing children and, ultimately, the news media and the public.

In exchange for the distribution of this information, I agree to hold the Washington State Patrol and other law enforcement or state agencies harmless for any liability occasioned by the distribution of the information referenced above, including any liability or defense costs in an action that may be subsequently prosecuted by the subject child.

SIGNED

PRINT NAME

RELATIONSHIP TO MISSING PERSON

STREET ADDRESS

CITY, STATE, ZIP

HOME TELEPHONE NUMBER

CELL TELEPHONE NUMBER

()

()

DATE

REPORTING AGENCY

AGENCY CASE #

WAC #

NIC#

INVESTIGATING OFFICER

PHONE

()

Police-Department-Complaint Form.pdf

GRANDVIEW POLICE DEPARTMENT

ADMINISTRATIVE COMPLAINT FORM

FOR OFFICE USE ONLY

DATE REPORTED: _____ **TIME REPORTED:** _____ **RECEIVED BY:** _____

NAME: _____ DATE: _____

DATE OF INCIDENT: _____ TIME OF INCIDENT: _____

LOCATION OF INCIDENT: _____

OTHER PERSONS PRESENT: _____

WARNINGS AND INFORMATION

Washington State Law provides in RCW 9A.72.040 that:

- 1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law.
- 2) False swearing is a gross misdemeanor punishable by a \$5,000 fine and/or a maximum of one year imprisonment.

I UNDERSTAND THAT KNOWINGLY MAKING A MATERIALLY FALSE OR UNTRUE STATEMENT DURING THE COURSE OF THIS COMPLAINT PROCEDURE MAY SUBJECT ME TO CRIMINAL OR CIVIL LAW LIABILITY.

I realize that it may become necessary during the investigation of this complaint, for me to meet with a member(s) of the Police Department to discuss this complaint, either in the presence or absence of the accused member(s), at the discretion of the department. I hereby accept and agree that if any action is initiated through a court or administrative hearing as a result of my complaint, my testimony before these hearings may be required. I hereby agree to make myself available to the aforementioned court or administrative hearing when requested to do so.

I HAVE READ THE ABOVE WARNINGS AND INFORMATION, OR HAVE HAD IT READ TO ME. I UNDERSTAND IT AND DO HEREBY MAKE THE ATTACHED PERSONAL STATEMENT VOLUNTARILY AND OF MY OWN FREE WILL.

Signature of Complainant

Witness Signature

COMPLAINT FORM

CASE # (if known) _____

EMPLOYEE'S NAME(S): _____

Person(s) complaint is against _____

COMPLAINANT:

LAST NAME: _____ FIRST: _____ MI: ____ DOB: _____

ADDRESS: _____ PHONE (H): _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYER (OPTIONAL): _____ PHONE (W): _____

WITNESSES/OTHER COMPLAINANTS (PLEASE IDENTIFY)(USE REVERSE SIDE IF NEEDED)

1) LAST NAME: _____ FIRST: _____ MI: ____ DOB: _____

ADDRESS: _____ PHONE (H): _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYER (OPTIONAL): _____ PHONE (W): _____

2) LAST NAME: _____ FIRST: _____ MI: ____ DOB: _____

ADDRESS: _____ PHONE (H): _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYER (OPTIONAL): _____ PHONE (W): _____

3) LAST NAME: _____ FIRST: _____ MI: ____ DOB: _____

ADDRESS: _____ PHONE (H): _____

CITY: _____ STATE: _____ ZIP CODE: _____

EMPLOYER (OPTIONAL): _____ PHONE (W): _____

COMPLAINT (TOPIC OF COMPLAINT)

COMPLAINT FORM

Details of the complaint, YOUR SWORN STATEMENT. Be as specific as possible.

I HAVE READ THE ATTACHED STATEMENT MADE BY ME, OR HAVE HAD IT READ TO ME, AND HAVE HAD AN OPPORTUNITY TO MAKE CORRECTIONS TO IT. IT IS A TRUE AND CORRECT STATEMENT.

Name of Person Assisting (if applicable) and the reason assistance was needed

2019 -21 Police Collective Bargaining Agreement.pdf

ORIGINAL

By and Between

**THE CITY OF GRANDVIEW
POLICE DEPARTMENT AGREEMENT
SERGEANTS – PATROL**

And

TEAMSTERS LOCAL No. 760

JANUARY 1, 2019, THROUGH DECEMBER 31, 2021

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ARTICLE 1 - PURPOSE OF AGREEMENT

- 1.1 This Agreement is made by and between the CITY OF GRANDVIEW, WASHINGTON, a Municipal Corporation, hereinafter referred to as the "Employer," and TEAMSTERS LOCAL NO. 760, hereinafter referred to as the "Union," for the purpose of fixing the scale of wages, schedule of hours, and the general working conditions affecting the employees.

ARTICLE 2 – RECOGNITION

- 2.1 The Employer recognizes the Union as the certified collective bargaining representative for all regular full-time and regular part-time uniformed police personnel of the City's Police Department, with the exception of the Police Chief and Assistant Police Chief.

ARTICLE 3 - UNION SECURITY AND DUES CHECK-OFF

- 3.1 Joining the Union: All employees in this bargaining unit have the right to voluntarily join the Union. The Union as the Exclusive Bargaining Representative agrees to carry out its responsibilities under RCW 41.56.080.
- 3.2 Questions About Union Membership: If an employee has questions about Union membership, the Employer will remain neutral and direct the employee to discuss this topic with a Union Staff Representative. The Union's Staff Representative shall address the employee's inquiry as soon as possible.
- 3.3 New Employee Orientation: These provisions shall be carried out in conformity with RCW 41.56.037. The Employer agrees to notify the Union Representative in writing of any new employee orientation date within a reasonable period of time. The Employer shall provide the name of the employee, corresponding job title, and Department. A Union official shall be granted up to thirty minutes to provide each new employee a basic overview of the employees' rights and responsibilities regarding Union membership and dues authorizations.
- 3.4 Signed Dues Deduction Authorization: Current union members and those who choose to pay monthly dues via a signed payroll deduction authorization will have their dues deducted once each month from their pay by the Employer. The signed payroll deduction authorization may be submitted electronically or by paper writing and must be presented to the Employer's Human Resources/Clerk position. The deduction will begin in the payroll period after submission of the due's deduction authorization card or as soon as administratively possible if not submitted with enough time to make the next payroll period. If the employee chooses to discontinue union membership and payment of dues, said employee must provide notification to the Union and the Employer. Such discontinuance shall be effective in the next payroll period after notification. The Employer is not a party to the authorization for payroll deduction as that is between the employee and the Union.
- 3.5 Amounts Deducted: The amounts to be deducted shall be certified to the Employer by Teamsters Local 760 and the aggregate deductions shall be remitted to Teamsters Local 760 together with an itemized statement including the employee name, department, hours

worked, monthly base wage and the amount of union dues deducted, after such deductions are made. If an employee terminates his/her employment on or before the 15th of the month, dues will not be deducted for that month; if the termination is after the 15th, dues will be deducted.

- 3.6 **Hold Harmless and Indemnification:** The Union agrees to defend and hold harmless the Employer from all claims, demands, lawsuits, orders, or judgments, etc., brought or issued which may arise from the Employer making a good faith effort to administer the provisions of this Article.

ARTICLE 4 - RIGHTS OF PARTIES

- 4.1 **Management Rights:** The Union recognizes and agrees that the Employer has core management rights to manage and direct the affairs of the Employer without bargaining about the decisions in all its various aspects, including, but not limited to, the right to manage, direct, and supervise all operations of the work force; to assign overtime; to plan, direct, control, and determine all the operations and services of the Employer; to determine the means, methods, organization, and number of personnel by which operations and services are to be conducted; to establish the qualifications for employment; to hire, assign, transfer, and promote employees; to demote, suspend without pay, discipline, or discharge employees for just cause (Probationary Employees without just cause); lay off employees due to lack of work, lack of funds, or reorganization; to make and enforce reasonable rules and regulations for the Department; to change and/or eliminate existing methods, equipment, and/or facilities; to make any and all decisions pertaining to budgetary and fiscal matters; and to take whatever action is necessary in the event of an emergency.
- 4.2 **Union Rights:** Except as indicated in Section 4.1 above, the Union does not waive any right the Union has under applicable State Laws including, but not limited to, the right to require the Employer to bargain collectively concerning any subject matter held by State Laws to be mandatory which is not otherwise covered by this Agreement.
- 4.3 **Employee Rights:** All employees shall be entitled to and afforded the rights common to any citizen, regardless of occupational position and as set forth by State law and any constitutional amendment against self-incrimination. These rights shall include, but are not limited to, the opportunity to contact and consult with an attorney of his or her own choosing, or with a representative of the Union, before and/or during any interrogation which could lead to disciplinary action.

ARTICLE 5 - DEFINITIONS OF EMPLOYEES

- 5.1 **Regular Part-Time Employee:** A regular part-time employee is one who has successfully completed his or her probationary period for a duration of the months necessary to obtain the appropriate certifications to perform the work of the classification, and who may work less than eight (8) hours per day or forty (40) hours per week. Such employee(s) shall be paid hourly in accordance with the applicable job classification. A regular part-time employee shall be entitled to a pro-rata share of sick leave, vacation and holiday benefits.

For each month a regular part-time employee works or is compensated for at least eighty-five (85) hours, said employee will receive pro-rata sick leave and vacation benefits in ratio to that of a regular full-time employee. Regular part-time employees are entitled to medical benefits pursuant to Article 15. Employees who are hired as regular full-time employees while serving in a regular part-time employee capacity shall receive credit for all time served as a regular part-time employee towards satisfying the necessary probationary period.

5.2 Regular Full-time Employees: A regular full-time employee is one who has successfully completed his probationary period and is employed on a full-time basis of forty (40) hours per workweek. Nothing in this section shall guarantee a forty (40) hour work week. A regular full-time employee is entitled to accrue the full benefits of the conditions of this Agreement and shall be paid in accordance with the salary schedule of this Agreement.

5.3 Probationary Employee: A probationary employee shall be defined as any new hire (including lateral transfer) that has never been employed by the Employer during the previous twelve (12) calendar months, and has not completed twelve (12) calendar months of service with the Employer since the first day of employment; or eight (8) months of service since receipt of Peace Officer Certification, whichever is later. Probationary employees shall work under the provisions of this Agreement but shall be only on a trial basis, during which period said employee may be discharged without just cause and without recourse. The probation period may be, by mutual agreement between the Employer and the Union, extended up to an additional one hundred eighty (180) calendar days if the employee's performance warrants such action. The extended probation period may also be waived by mutual agreement between the Employer and the Union.

5.3.1 In cases of extreme emergency (sudden serious illness or injury to employee or a family emergency) a probationary employee may use sick leave with approval of the Police Chief or his designee. If the employee fails to pass probation, he or she will have such sick leave used deducted from his or her final paycheck.

5.4 Employer: Wherever the term Employer is used in this Agreement, it shall mean the City Administrator and the Chief or his designee.

ARTICLE 6 - SENIORITY

6.1 No employee shall acquire seniority until he or she has become a regular employee under this Agreement. Said regular employee is one who has successfully completed his or her probationary period as referenced in Article 5, Section 5.3.

6.2 The lists of employees arranged by classification in order of seniority within the classification shall be provided to the Union annually upon request by the Union. If a sergeant served as a police officer, then the years of service as a police officer will be listed separately as well, but the years of service as a police officer shall not count towards sergeant classification seniority. Should more than one employee have the same seniority classification date, the individuals involved will determine seniority by use of their Civil

Service examination ranking. If there is a dispute about the seniority listing, said dispute shall be addressed through the grievance procedure.

- 6.3 Classification seniority shall be determined by Civil Service classification and shall be in accordance with the Rules and Regulations of the Grandview Civil Service Commission.
- 6.4 The seniority of an employee shall be considered broken, all rights forfeited, and there is no obligation under this Agreement to rehire when the employee:
 - 6.4.1 Voluntarily leaves the service of the Employer.
 - 6.4.2 Is discharged for just cause.
 - 6.4.3 Is laid off for a period in excess of twelve (12) consecutive calendar months.
 - 6.4.4 Is absent from work because of an illness or injury not to exceed twelve (12) consecutive calendar months, unless extended by the Employer or as provided by LEOFF.
 - 6.4.5 Fails to return to work upon recall from a layoff within seven (7) calendar days after receipt of written notice from the Employer at his or her last known address appearing on the Employer's records.
- 6.5 There shall be no deduction from continuous service from any time lost which does not constitute a break in service as set forth herein, except as provided in Article 7.10, Leaves of Absence.
- 6.6 **Layoff and Recall:** The Employer has the sole discretion to determine when a layoff is necessary. The Employer has the right to determine which particular classification (police officer or sergeant) will be affected by the layoff. When the Employer makes the determination that a layoff is necessary and has determined which particular classification will be the subject of the layoff, the Employer will lay off the least senior employee in that classification. If the classification chosen by the Employer is the sergeant classification, then the least senior sergeant shall be laid off in that classification provided; however, if the least senior sergeant was a police officer with the Grandview Police Department, then the sergeant could bump down into the police officer classification and dovetail into the police officer seniority list, where applicable, and the least senior officer would be laid off. The Employer (City Administrator and Police Chief) will communicate and coordinate with the Union representative to address the bumping process. Layoffs shall not be subject to the grievance procedures.
 - 6.6.1 In the event of a layoff, the Employer agrees to give the employees a minimum of seven (7) calendar days' notice, and each employee shall give the Employer at least seven (7) calendar days' notice prior to leaving City employment. This shall not apply to dismissals carried out under Article 16.

- 6.6.2 Should either party fail to give the seven (7) calendar days' notice, that party shall be subject to the penalty of wages at the contract rate for each day not so notified to the maximum of seven (7) calendar days, holidays excepted.

ARTICLE 7 - DEFINED LEAVES

- 7.1 **Sick Leave:** Employees shall accrue one (1) working day of sick leave for each month of continuous employment and may accumulate to a limit of one hundred eighty (180) working days. Regular full-time employees hired prior to January 1, 2007, shall receive fifty percent (50%); employees hired after January 1, 2007, shall receive twenty-five percent (25%) of their accrued sick leave paid out in hours upon death, retirement, or upon leaving employment under good terms after twenty (20) years of service with the City of Grandview provided they have a minimum of 360 hours in said bank.
- 7.1.1 **Accrual:** Employees earn one (1) day of sick leave, commensurate with his or her scheduled shift, for their first month of employment if they are placed on the payroll on or before the fifteenth (15th) of the month and actually work continuously through the rest of that month. Terminating employees do not receive leave credits for the month in which they terminate unless they actually work continuously through the fifteenth (15th) of the month.
- 7.1.2 Regular part-time employees as defined in Article 5, Section 5.1, shall accumulate sick leave on the basis of forty-six thousandths (.046) times the regular hours worked per month (exclusive of overtime), not to exceed ninety-six (96) hours annually. Sick leave for regular part-time employees may accumulate to a limit of three hundred sixty (360) hours.
- 7.2 A deduction of the number of sick leave hours equivalent to the length of the shift shall be made for each full day's absence due to the following reasons: non-occupational personal illness or physical disability or quarantine of an employee by a physician for non-occupational related disability. Deduction for the use of sick leave shall be the equivalent of the length of the shift to which an employee is assigned. For example, if an employee is assigned to an 8-hour shift, then 8 hours will be deducted; if assigned to a 10-hour shift, then 10 hours will be deducted; and/or if assigned to a 12-hours shift, then 12 hours will be deducted. The rate of sick leave pay shall be the same per day as that paid the employee per working day. Should an eligible employee use less than ONE (1) FULL shift of sick leave, such sick leave will be deducted for the actual time away from the job on an hour-for-hour basis.

- 7.3 If unable to report to work because of illness or injury, the employee shall report his reason for absence to his or her immediate supervisor or the dispatcher on duty at least one (1) hour prior to his or her scheduled work shift, unless the exigency of the circumstances dictate otherwise. Failure to provide proper notification may constitute abandonment of duties. After three (3) days of sick leave usage per calendar year, the Police Chief or his designee may require a doctor's statement from the employee verifying the employee's condition which prevented him or her from working. Said doctor's statement if required shall be paid for by the Employer unless fully covered by medical insurance.
- 7.3.1 Any employee found to have abused the provisions of a defined leave privilege by falsification or misrepresentation shall be subject to disciplinary action.
- 7.4 **Emergency Family Leave:** When a regular full-time or regular part-time employee suffers a serious illness/injury of a member of his immediate family, he or she may, with the approval of his or her Department Head, be absent from duty not more than five (5) consecutive working days on any one (1) occasion. Serious illness/injury shall be defined as that requiring immediate emergency treatment, or which is potentially incapacitating or life threatening, including injury/accident or comparable illness. Such absence shall be withdrawn from the employee's emergency/sick leave bank. Immediate family shall be defined as spouse, child, parent, brother, sister, father-in-law, mother-in-law, or other relative living in the employee's household.
- 7.5 **Bereavement Leave:** Bereavement leave may be granted up to forty (40) work hours per occurrence for immediate family members of the employee. (The following is the definition for immediate family of the employee or spouse of the employee: parent, child, spouse, brother, sister, son-in-law, daughter-in-law, grandparent, grandchild, and equivalent step relatives); up to 24 work hours per occurrence for other extended family members, *i.e.*, aunts, uncles, nieces, nephews, or cousins, where out of town that includes overnight travel is required; up to four (4) hours per occurrence for close friends and acquaintances that may have resided within the normal commute area of the employee's residence. Employees may make written request to their respective department directors asking for exceptions to these guidelines which describe the justification for a request to deviate from the bereavement time off.
- 7.5.1 When an employee is an actual participant in a funeral ceremony, he or she may be granted a reasonable time off to perform such duty. Time not worked because of such absence shall not affect vacation or sick leave accrued.
- 7.6 **Childbirth Leave:** A regular full-time or regular part-time employee may be absent for the birth of a child by the employee's spouse. Under normal circumstances, the absence will be limited to not more than three (3) consecutive days, with Department Head approval, and shall be withdrawn from the employee's emergency/sick leave bank.
- 7.7 **Maternity Leave:** Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery therefrom, shall apply equally to married and unmarried women; and are for all job-related purposes to be considered temporary disabilities. Accrued sick leave

may be used for childbearing or related circumstances as set forth above. If the period of disability because of childbirth or related circumstances extends beyond the employee's accrued sick leave, then she may request a leave of absence as per Article 7, Section 7.10. To be eligible for sick leave because of childbearing or related circumstances, a female employee shall give her Employer two (2) weeks' notice, if possible, of her anticipated date of departure and intention to return. For purposes of this policy, a four (4) week period of recovery after childbirth or related circumstances shall be considered as reasonable in the absence of extenuating circumstances. Female employees cannot categorically be denied the opportunity to work during the entire period of pregnancy but may continue working as long as the individual and her physician concur in her ability to work, and the demands of the job are satisfied. A doctor's certificate of release may be required upon her return to work. The employee's return to work shall be governed by R.C.W 49.60 and W.A.C. 162-30-020.

- 7.8 **Worker's Compensation:** All employees of the bargaining unit will be covered by State Worker's Compensation or some program with equal or better benefits. Any employee who is eligible for time off because of an on-the-job injury shall be paid sick leave. Any State Industrial benefit received by the employee shall be endorsed to the Employer. Upon receipt of this compensation by the Employer, the employee shall be credited with sick leave on a pro-rata basis of the State Industrial benefit to the original amount of sick leave taken. Sick leave benefits shall be limited to that amount which the employee has accumulated.
- 7.9 **Military Leave:** A regular employee who is an active member of any organized reserve of the Armed Forces of the United States shall be entitled to and granted a military leave of absence from his or her employment for a period not exceeding twenty one (21) days during each year, beginning October 1 and ending the following September 30. Such leave shall be granted in order that the employee shall be able to participate in his or her mandatory active training duty. Such military leave shall be in addition to any vacation or sick leave to which the employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. Verification of military orders may be required. The employee shall, in advance, provide an official copy of his or her military orders, if available.
- 7.10 **Leaves of Absence:** A leave of absence is an approved absence, including medical leave of absence, from employment without pay and without loss of seniority. The Employer may grant a leave of absence for a period of up to twelve (12) calendar months. Such leaves shall be in writing with a copy to the Union. Requests for leave renewal will be granted at the discretion of the Employer. The request must be in writing and must be submitted sixty (60) calendar days prior to the effective date. Employees granted a leave of absence in accordance with this provision shall suffer an adjustment in seniority equal to the length of leave. Exception: Where the leave is for thirty (30) calendar days or less, no adjustment in seniority shall occur.

- 7.11 The parties jointly and separately agree to follow the mandatory features of the State Family Care and Family Leave Acts and the Federal Family Leave Act. The parties specifically understand and agree that permissive aspects of the State Family Care and Family Leave Acts as well as the Federal Family Leave Act shall not be enforceable, nor shall the Employer be obliged to conform to such permissive provisions, except as has been the practice or as otherwise mutually agreed.

ARTICLE 8 - COMPENSATION FOR WITNESS OR JURY DUTY

- 8.1 When a regular employee covered by this Agreement is summoned for Jury Duty or is subpoenaed as a witness in any matter during or arising out of his employment in any municipal, county, state, or federal court, he or she shall advise the Employer upon receipt of such call or subpoena; and, if taken from his or her work for such service, shall be reimbursed as provided herein for any loss of wages while actually performing such service. The employee will sign over to the Employer his or her jury duty pay excluding those monies for travel and meal allowances. An employee who is suing the Employer or who is party to such a suit shall not receive compensation as mentioned above but shall instead do so entirely on his or her own.
- 8.1.1 Should an employee report for such service and be excused for the balance of that day, he or she shall report as soon as possible to his Employer for the purpose of working the balance of his or her special (jury duty or subpoenaed witness) shift. This special shift shall be consistent with the court-appointed time.
- 8.2 **Voting Leave:** When an employee's work schedule is such that he or she would not be able to vote prior to or after his or her normally scheduled working hours, he or she shall be granted a reasonable time off duty to vote without loss of pay, accrued vacation, or sick leave.

ARTICLE 9 - VACATIONS

- 9.1 Effective in the pay period immediately following ratification and signing by all parties, all eligible employees shall accrue and be granted the following vacation benefits.

VACATION SCHEDULE:

Upon hire.....	6.67 hours per month
Seventy-two (72) months of service.....	10 hours per month
One hundred thirty-two (132) months of service...	13.33 hours per month

A five (5) day, eight (8) hour employee shall receive eight (8) hours additional vacation for each year over twenty (20) years, and a four (4) day, ten (10) hour employee shall receive ten (10) hours additional vacation for each year over twenty (20) years.

- 9.2 Accrued vacation shall be paid to all employees at their regular rate of pay pursuant to the above schedule, when the employee is discharged, is laid off, quits, or retires.

- 9.3 The vacation period of each qualified employee shall be set with due regard to the desire, seniority, and preference of employees, consistent with the efficient operation of the Department, as determined by the Police Chief. Further, the employee's vacation year will be the same as his or her employment year.
- 9.4 Vacation leave may be used as accumulated. As of December 31st of each year no employee shall be permitted to have an accumulated amount of accrued vacation leave in excess of two hundred forty (240) hours. Vacation not taken will be forfeited, unless it is deferred at the employee's request and approved by the City or deferred at the City's request. On a voluntary basis an employee may request and receive cash in lieu of up to eighty (80) hours of vacation in each calendar year with the approval of the Police Chief.

ARTICLE 10 - HOLIDAYS

- 10.1 Legal paid holidays to be observed by the City are:

New Year's Day	January 1
M. L. King, Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day following Thanksgiving	Fourth Friday in November
Christmas Day	December 25
Floating Holiday (1)	At employee's choice

- 10.1.1 In addition, all other holidays recognized by the City will be paid for and observed as those listed above.
- 10.2 The "floating" day shall be chosen by mutual agreement of the employee and the Department Head. If any such holiday falls on a Saturday, it shall be observed on the preceding Friday. If any such holiday falls on a Sunday, it shall be observed on the following Monday.
- 10.3 If any of the above holidays are specified State legal holidays and are also Federal legal holidays but observed on different dates, only the State legal holidays shall be recognized as a paid legal holiday.
- 10.4 Holidays which occur during vacation or sick leave shall not be charged against such leave.
- 10.5 Regular full-time employees shall be credited with eleven (11) shifts of holiday time with pay effective January 1st annually. Said time must be taken during the calendar year earned or the leave time will lapse December 31st. If an employee leaves employment for any reason prior to the occurrence of any of the holidays referenced in Section 10.1 above, the

employee shall not be paid for the holidays yet to occur. If the employee has taken holidays prior to their occurrence and leaves employment for any reason, the appropriate amount shall be deducted from the employee's last paycheck. Likewise, the employee will be paid for all holidays which occur but are not taken prior to leaving.

- 10.6 All worked performed on one of the above-mentioned holidays shall be compensated at one and one half (1 ½) times the employees regular hourly rate excluding the floating holiday.

ARTICLE 11 – EMPLOYEES’ RIGHTS

- 11.1 This article does not apply to Probationary Employees.

No employee shall, by reason of his employment, be deprived of any rights or freedoms which are afforded to other citizens of the United States by the United States Constitution, subject to Policies and Procedures of the Grandview Police Department. In addition, the Department shall inform the employee of, and provide the employee with, the protection afforded him or her under the doctrines set forth in *Garrity v. New Jersey*, 386 U.S. 993 (1967), *Gardner v. Broderick*, 392 U.S. 273 (1968), and their progeny, should this report (statement) be sued for other than disciplinary purposes.

The employee will be required to answer any questions involving non-criminal matters under investigation. Prior to any questioning, the employee will be notified in writing and acknowledge receipt of the following:

“You are about to be questioned as part of an internal investigation being conducted by the Grandview Police Department. Today’s date is Current Time is Location of interview. You are hereby ordered to answer the questions which are put to you which relate to your conduct and/or job performance and to cooperate with this investigation. Your failure to cooperate with this investigation can be the subject of disciplinary action in and of itself, including dismissal. The statements you make, or evidence gained as a result of this required cooperation may be used for administrative disciplinary purposes but will not be used or introduced into evidence in a criminal proceeding.”

Section 1 – Bill of Rights. All employees within the bargaining unit shall be entitled to the protection of what shall hereafter be termed as the “Police Officers Bill of Rights.” The wide-ranging powers and duties given to the Department and its members involve them in all manner of contacts and relationships with the public. Of these contacts come many questions concerning the actions of members of the force. These questions often require an immediate investigation by superior officers designated by the Police Chief. In an effort to ensure that these investigations are conducted in a manner which is conducive to good order and discipline, the following guidelines are promulgated.

(a) Notification of formal internal investigation.

1. Within forty-eight (48) hours of the Department starting a formal internal investigation, said employee who is the subject of the complaint shall be informed in writing of the nature of the investigation, and advised of his or her rights, unless notification may prejudice the integrity of the investigation.
2. Any employee who is the subject of the complaint shall be informed in writing of the nature of the investigation and advised of his or her rights at least forty-eight (48) hours before any interview of the employee begins.
3. The affected employee may waive the requirement to wait forty-eight (48) hours. Written notice shall include sufficient information necessary to reasonably apprise the employee of the allegations of such complaint.
4. No employee will be interviewed over a subject that the Employer knows or should know will result in an economic sanction without providing the notice required by this subsection.
5. This does not preclude the Employer from asking the employee general questions to see if there is a need for a formal internal investigation.

(b) Recording Interviews. The Union stipulates that the interview of an employee during an investigation may be audio-recorded and, if so, a copy shall be provided to each party. Upon mutual agreement between the City and the Union representative, including agreement on the placement of the audio-visual equipment, the interview of an employee may be audio-visually recorded. The City will provide a copy of the audio-visual recording to the Union representative immediately or within twelve (12) hours following the completion of the interview.

1. Any interview of an employee shall be at a reasonable hour, preferably when the employee is on duty, unless the exigencies of the investigation dictate otherwise. Where practicable, interviews shall be scheduled for the daytime.
2. The interview shall take place at the Police Station facility, except where impractical. The employee shall be afforded the opportunity and facilities to contact and consult privately with an attorney of the employee's own choosing and/or a representative of the Union. Said employee's attorney and/or Union representative and/or Union attorney may be present during the interview but shall not participate in the interrogation except to counsel the employee, provided that the Union representative, employee attorney, or Union attorney may participate to the extent permitted by the law.
3. The questioning shall not be overly long, and the employee shall be entitled reasonable intermissions as the employee shall request for personal necessities, meals, telephone calls, and rest periods.

4. Prior to the disclosure of investigation made in subsection (c) of this section, the employee shall not be subjected to any offensive language, nor shall the employee be threatened with dismissal, transfer, or other disciplinary punishment as a guise to obtain the resignation of the employee, nor shall the employee be intimidated in any manner. No promises or reward shall be made as an inducement to answer questions. This does not preclude allowing us, as an Employer, to suggest resignation as an option should circumstances dictate.
 5. It shall be unlawful for the City to require any employee covered by this agreement to take or be subjected to any polygraph or any polygraph type of examination as the condition of continued or continuous employment or to avoid any threatened disciplinary action. By mutual agreement, the parties may stipulate to a polygraph examination.
- (c) Disclosure of Investigation. An employee who is the subject of an investigation shall be provided written notice if the investigation is not concluded within sixty (60) calendar days. The notice shall include a projected completion date and a brief and informative explanation of the delay. If it is determined that the investigation will take longer than an additional sixty (60) calendar days, the Chief or his designee shall notify the Union. The preceding requirement does not apply to criminal investigations. No later than five (5) business days (Monday through Friday) prior to a pre-disciplinary meeting (Loudermill), the employee shall be advised of the results of the investigation and the recommended disposition and shall be furnished a complete copy of the investigation report, provided that the Employer is not required to release statements made by persons requesting confidentiality where the request was initiated by such persons, and provided further, such confidential statements may not be relied upon to form the basis of discipline. The employee and his or her representative shall be allowed up to fourteen (14) calendar days to perform an independent investigation prior to the pre-disciplinary meeting (Loudermill), with additional time for good cause, as determined by the Police Chief or his designee. The employee and any representative of the employee are prohibited from contacting any witnesses or complainants in the investigation until such time as the disclosure of investigation described in this subsection occurs.
- (d) Use of Deadly Force Situations. When an employee, whether on or off duty, uses deadly force which results in the injury or death of a person, or discharges a firearm in which no injury occurs, the employee shall not be required to make a written or recorded statement for forty-eight (48) hours after the incident except that immediately following the incident the employee shall verbally report to a superior a brief summary of the incident and any information necessary to secure evidence, identify witnesses, or apprehend suspects. The affected employee may waive the requirement to wait forty-eight (48) hours.

- (e) Psychological or Medical Evaluations. When the Chief or his designee believes that an employee is psychologically or medically unfit to perform his or her duties, the Employer may require the employee to undergo a psychological or medical examination in accordance with current standards established by the Washington Association of Sheriffs and Police Chiefs, the International Association Chiefs of Police, the American with Disabilities Act, and other applicable State or Federal laws. Consultations with the City's Employee Assistance Program are not considered psychological or medical examinations. If the first psychological and/or medical examination by the Employer's medical provider results in a finding of unfit for duty, the Employer has the right to immediately place the employee on administrative leave pending further proceedings. If the Union and/or employee desire that a second psychological and/or medical examination be conducted by a medical provider who is qualified to conduct such examinations, then the Union and employee shall notify the Employer within five (5) calendar days of release of the results of the first examination and shall arrange for the second examination to be conducted and concluded within ten (10) calendar days of release of the first examination results. The second examination shall be at the expense of the Union and/or employee. If the second examination disagrees with the results of the first examination (one indicates unfit and the other fit for duty), then a third examination will be performed by a medical provider who is qualified to conduct such examinations and who is selected by mutual agreement between the Employer and the Union. The expenses of such third examination shall be shared equally by the Employer and the Union. The third examination shall be conducted and concluded within ten (10) calendar days of the release of the second examination results. The outcome of the third examination concurring with either the first examination results or the second examination results shall be final and binding on the Employer, the Union, and the employee. The examinations' process and the results shall not be subject to the grievance procedures. If the employee is found to be unfit for duty, then the employee shall be terminated unless treatment can rehabilitate the employee to fit for duty status within six (6) months of the last examination results, except where such treatment timing (6 months) would create an undue hardship on the City in which case the employee shall be terminated.

ARTICLE 12 - HOURS OF WORK - OVERTIME

- 12.1 The work week shall consist of the number of shifts during the applicable work period as determined, from time to time, by the Chief or his designee based on the following options:
- 12.1.1 Eight (8) consecutive hours for five (5) consecutive shifts for a total of forty (40) hours in a 7-day work period.
 - 12.1.2 Ten (10) consecutive hours for four (4) consecutive shifts for a total of forty (40) hours in a seven (7) day work period.
 - 12.1.3 Ten (10) hour and forty (40) minute shifts based on a twenty-eight (28) day work period averaging no more than 160.05 hours. This schedule will consist of working five (5) shifts/days followed by four (4) shifts/days off of work, followed by

another five on/four off, and then five shifts on and then five consecutive days off. Following these last five days off, the shifts will go back through the same cycle as mentioned above.

- 12.1.4 Work shifts shall be scheduled consecutively taking into consideration the type of schedule (e.g., all work shifts cannot be consecutive if 14- or 28-day work period is used) with the exception of emergencies and shift rotations.
- 12.1.5 The Police Chief or his designee has the right to modify the shifts and work periods referenced in 12.1.1, 12.1.2, 12.1.3 and 12.1.4 based on the Chief's assessment of the needs as it relates to public police services.
- 12.2 Each work shift shall include a thirty (30) minute meal period as near to the middle of the shift as possible and two (2) fifteen (15) minute rest periods, to be taken at the employee's discretion so as not to interfere with the normal business of the Department.
- 12.3 The shifts to which employees are assigned on a regular rotating basis shall be stated on the Department schedule as determined by the Chief from time to time. Should it be necessary in the interest of efficient operations to establish shifts departing from the assigned shift, the Police Chief will give notice of such change to the individual as far in advance as is reasonably practical. Employees may exchange shifts when unforeseen circumstances arise, provided they first request and receive approval in writing from the Police Chief or his designee. Such exchange in shifts shall not by itself constitute a basis for entitlement to overtime compensation.
- 12.4 **Overtime:** Employees covered by this Agreement shall be paid one and one-half (1½) times their regular applicable hourly rate for all hours worked outside their normally scheduled shift(s), providing that their scheduled hours are either worked or compensated for through either sick leave, vacation leave, or other acceptable compensatory means.
 - 12.4.1 All overtime shall be paid for in increments of one-half (1/2) hour, with the major portion of one-half (1/2) hour being paid as one-half (1/2) hour.
 - 12.4.2 There shall be no pyramiding of overtime.
- 12.5 **Callback:** An employee who is required to return to work less than two (2) hours prior to the beginning of a regularly assigned shift shall receive one and one-half (1 ½) times his regular straight-time hourly rate of pay for such actual time as occurs prior to his regular shift. Off-duty employees who are called to appear at any scheduled court trials in the Grandview Municipal Court or at any other court proceedings or Department of Motor Vehicle's proceedings to which the off-duty employee has been subpoenaed in his or her official capacity shall be compensated at regular time and one-half (1 ½) for a minimum of two (2) hours. Overtime work performed continuous with the end of an employee's regularly assigned work schedule shall not be subject to the two (2) hour minimum.

12.5.1 **Callout:** An employee who is required to return to work after having completed his or her regular shift, and having left the premises, shall be paid a minimum of two (2) hours of pay at the overtime rate.

12.6 **Compensatory Time:** Upon approval of by the Chief or his designee, an employee may choose to receive compensatory time at one and one-half hours for each hour worked in excess of forty hours (40) per week. The maximum accrual of compensatory time shall not exceed 40 hours, except for the School Resource Officer where the maximum accrual shall be 80 hours at any given time. The accumulation and use of compensatory time by an employee is documented on the employee's time sheet.

ARTICLE 13 - CLASSIFICATIONS - WAGE RATES - OTHER PROVISIONS

13.1 See attached **Appendix A** – Sergeant and Patrol Employees

- Effective January 1, 2019, employees will receive a three percent (3%) wage increase;
- Effective January 1, 2020, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2021, employees will receive a three percent (3%) wage increase.

13.2 See attached **Appendix B** - Educational Incentive Pay

13.3 See attached **Appendix C** - Longevity Pay

13.4 See attached **Appendix D** - Substance Abuse Policy & Testing Procedure

13.5 See attached **Appendix E** - Post Incident Trauma Response to the Employee

(The above-mentioned Appendices are attached hereto and incorporated by this reference.)

ARTICLE 14 - PAY ARRANGEMENTS

14.1 All employees shall be paid all monies earned by the end of their regular shift no later than the last working day prior to the first (1st) and sixteenth (16th) of each month for the preceding semi-monthly payroll period. There shall be no deductions other than required by law or authorized in writing by the Employee.

14.2 Each employee shall be entitled to an itemized statement of earnings and deductions, specifying hours paid and other compensation payable, as well as any and all deductions from gross wages for the pay period.

14.3 Upon separation from employment for any reason, all monies due and owing to the employee shall be paid on the next pay day following the pay period in which the separation occurs.

- 14.4 Upon thirty (30) days' written notice to the Union, the City retains the right to alter the above schedule of pay days.

ARTICLE 15 - HEALTH CARE BENEFIT PROGRAMS

- 15.1 On behalf of each employee, the Employer shall pay each month into the following employee health and welfare benefit plans:

- 15.1.1 Effective January 1, 2019, and through the term of this Agreement, employees shall be covered by the Washington Teamsters Welfare Trust (WTWT) Health and Welfare Medical Plan A, or negotiated alternative for medical insurance if Teamsters Plan A becomes a "Cadillac" plan then the parties agree to reopen on health insurance. The Employer will pay ninety percent (90%) of the premium and employees will pay ten percent (10%) of the premium by payroll deduction. Employee payroll deduction shall be from pre-tax wages.
- 15.1.2 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay towards Group Dental Plan (AWC Dental Plan E), including the City's employee's and dependents' orthodontia coverage in an amount sufficient to pay the premiums for the employee's and his or her dependents' coverage for the current plan.
- 15.1.3 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay towards Group Vision Plan (AWC Vision Service Plan) in an amount sufficient to pay the premiums for the employee's and dependents' coverage for the current plan.
- 15.1.4 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay the premium towards the current Group Life Insurance Plan in the amount of Twenty-Five Thousand Dollars (\$25,000.00) per employee.
- 15.1.5 After the completion of six (6) months of service and satisfaction of the eighty-five (85) hour per month requirement, non-consecutively, a regular part-time employee will be eligible for employee only, medical only, insurance, in accordance with AWC eligibility requirements.
- 15.1.6 Qualification for WTWT Medical Plan A, AWC Dental Plan E, AWC Vision Service Plan, and Group Life Insurance Plan for full-time and regular part-time employees shall be subject to the eligibility requirements of the relevant providers.
 - (a) Eligibility threshold for WTWT medical insurance requiring an Employer contribution shall be for each regular full-time employee who has eighty (80) compensable hours in the previous month. Compensable hours include, but are not limited to regular hours, overtime, vacation, sick, holiday, and severance pay.

- (b) Regular part-time employees satisfying the eighty (80) compensable hours eligibility threshold for WTWT medical insurance in the previous month shall be eligible for medical insurance coverage contributions only.

Part-time employees must satisfy the eighty (80) hour requirement in a given month to have the above-mentioned coverage the following month.

- 15.1.7 Regular part-time employees who meet the eligibility requirements for medical coverage pursuant to Section 15.1.8 or 15.1.19 may elect to purchase dental and/or vision (employee only) coverage pursuant to AWC Trust rules. If such election is made by the employee(s), the premium(s) for the coverage will be deducted on a monthly basis from the employee's wages.
- 15.2 Each employee has been provided a copy of this Labor Agreement and a current copy of the benefit booklet for each health care coverage named above. It is the responsibility of the employee to read these health care booklets, to determine when he or she will become eligible for each benefit. If an employee misplaces any of the booklets, he or she should contact the City Clerk's office for a replacement copy.

ARTICLE 16 – DISCIPLINE - DISCHARGE-SUSPENSION-WRITTEN WARNING NOTICE-LOUDERMILL

- 16.1 The Employer may discipline an employee subject to just cause. Examples of just cause for discipline are as follows:
 - (a) Consuming intoxicants on duty; illegal use or possession of a controlled substance at any time; using prescribed medication on duty which affects the employee's ability to perform his or her duties. Reporting for duty with the presence of alcohol, controlled substances, and/or prescribed medication in the officer's bodily system (blood, breath and/or urine) which affects the officer's ability to perform his or her duties.
 - (b) Disobedience to a lawful order given by a superior officer.
 - (c) Incompetence.
 - (d) Deliberate destruction of the Police Department's or another employee's property.
 - (e) Neglect of duty.
 - (f) Refusal to comply with any lawful departmental rule, provided that such rule shall be posted in each department where it may be read by all employees.
 - (g) Sleeping on duty excluding pre-approved "stand-down time." Form/memo of such is to be forwarded to the Police Chief.

- (h) Dishonesty.
- (i) Giving or taking of bribes.
- (j) Failure to report for duty without authorization from his or her immediate supervisor.
- (k) Excessive absenteeism which has no lawful reason and/or which is not subject to protected status leave. Abuse of sick leave by falsification and/or misrepresentation.
- (l) Borrowing or taking tools, equipment, or other property of the Police Department for private or personal use;
- (m) Criminal conviction or alternative disposition as a result of a criminal case involving moral turpitude (bearing upon credibility and/or integrity) or affecting qualifications to perform duties.
- (n) Those items included in the Grandview Civil Service rules and regulations and the Grandview Police Department Policies and Procedures Manual.

16.2 Disciplinary action or measures shall include only the following:

- (a) Written counseling / coaching statement;
- (b) Verbal reprimand, which may be documented in writing;
- (c) Written reprimand;
- (d) Suspension without pay;
- (e) Demotion (where applicable);
- (f) Discharge (termination).

The Employer has the right to administer a combination of the above disciplinary action(s) such as: a suspension without pay and PIP; or demotion and PIP; or demotion, PIP and last chance agreement, etc.

- 16.3 The parties agree that progressive and escalating levels of discipline are preferable for minor violations of work rules in order to allow an employee notice of misconduct and to allow the Employer to document prior disciplinary matters. The parties agree that for serious violations, progressive and escalating levels of discipline are not necessary, and the Employer can proceed directly to the higher levels of disciplinary action up to and including discharge, regardless of whether the employee has any prior disciplinary actions in his or her file. When progressive and escalating levels of discipline for minor violations are being considered, the level or degree of discipline imposed may be appropriately based on an employee's prior record of service, length of service, severity of offenses, and prior record of

discipline; the order in which these criteria appear is not indicative of their priority. Subject to the tenets of just cause, all previous disciplinary actions in an employee's file may be evaluated and considered in a disciplinary action.

- 16.4 **Administrative Leave.** When the Police Chief has reasonable belief that circumstances are such that retention of the employee will likely result in disruption of Employer services, damage to or loss of Employer property, or be injurious to the employee, fellow employees, or the services provided by the Employer, the Police Chief has the right to place the employee on administrative leave with pay immediately, pending an internal affairs investigation and potential discipline. In such cases, the suspected reasons shall be made available to the employee and the Union, in writing, by the Police Chief when the employee is placed on administrative leave with pay.
- 16.5 The employee shall have the right to inspect his or her personnel file. The employee shall have the right to add their written comments to materials added to the personnel file.
- 16.6 Any written reprimand in an employee personnel file will be removed from the file after three (3) years if there has been no recurrence of the type or kind of conduct giving rise to the reprimand. If there is a recurrence, the written reprimand will remain in the file for three (3) years from the date of the recurrence. Suspensions without pay, demotions, last chance agreements, yearly evaluations, and discharge shall remain permanently in the employee's personnel file.
- 16.7 **Suspension without Pay, Demotion and Discharge:** The Employer has the right to suspend without pay, demote, or discharge/terminate an employee for cause. Prior to implementing disciplinary action, the Employer will present to the Union and employee a letter/written notice of pre-disciplinary action meeting which shall contain a description of the violation(s), misconduct(s), and/or performance problems, as well as the departmental policies, procedures, rules, regulations, etc., being relied upon by the Employer. The written notice will indicate that the employee has the right to have their Union representative present at the pre-disciplinary action meeting. The notice will set forth the date, time, and location of the pre-disciplinary action meeting.
- 16.8 The purpose of the pre-disciplinary action meeting is to provide the employee with an opportunity to explain his or her side of the facts, misconducts, violations, and/or performance problems before the Employer implements disciplinary action. The Employer will issue a written decision regarding disciplinary action(s) that will be implemented within a reasonable time after the pre-disciplinary action meeting. The timing of issuance of the written decision is dependent on the complexity of the facts, investigations, and whether the Employer believes further investigation is necessary.
- 16.9 **Notification and Representation:** The limitations relating to notification of disciplinary action are only for employee notification purposes and shall not adversely affect the validity of disciplinary action taken by the Employer. The duration of the investigation shall not adversely affect the validity of the charges, findings and resultant discipline.

ARTICLE 17 - GRIEVANCE AND ARBITRATION PROCEDURE

17.1 **Grievance Defined.** For the purposes of this Agreement, a grievance is defined as a dispute about the meaning or interpretation of a particular clause of this Agreement or about an alleged violation of the Agreement.

17.2 **Grievance Adjustment Steps.** Grievances shall be processed within ten (10) calendar days of the date on which the grievance occurred or when the employee reasonably should have known about the occurrence thereof in the following manner:

Step 1: An employee and/or the Union shall discuss the grievance with the Assistant Police Chief or Police Chief. The employee may meet with or without a Union representative and shall document the meeting with a memorandum signed by the employee and the Assistant Police Chief or Police Chief. The Assistant Police Chief or Police Chief shall respond to the grievance as quickly as possible, but not later than ten (10) days after the grievance is first discussed. If the Assistant Police Chief or Police Chief fails to timely respond, the grievant has the right to move the grievance to Step 2 no more than ten (10) days after the Assistant Police Chief or Police Chief response was due. If the basis of the grievance involves actions of the Police Chief, then the parties shall start the grievance process at Step 2.

Step 2: If, within ten (10) days from receipt of the Assistant Police Chief's or Police Chief reply, the grievance remains unresolved, the employee or the Union shall submit written notice to the Police Chief with a copy to the Union if submitted by the employee, including: 1) statement of the grievance and relevant facts; 2) specific provisions of the Agreement violated; and 3) remedy sought. The Police Chief shall meet with the grievant and the Union to attempt to resolve the grievance. The Police Chief shall respond to the employee or the Union in writing within ten (10) days after the meeting with a copy to the Union.

Step 3: If, within ten (10) days from receipt of the Police Chief's reply, the grievance remains unadjusted, the grievance may be submitted to the City Administrator. The City Administrator may meet with the aggrieved party, the Police Chief, and the Union representative, and shall respond within ten (10) days of the meeting, with a copy to the Union.

Step 4: If the grievance still remains unsettled, the Union may, within ten (10) days after the reply of the City Administrator is due, serve written notice to the City Administrator of the Union's intention to arbitrate the grievance.

Step 5: The parties may mutually agree to refer a pending grievance to grievance mediation through the Public Employment Relations Commission (PERC) before proceeding to grievance arbitration. If the parties elect to proceed with grievance mediation, then the representatives shall coordinate to file a request with PERC as soon as practicable.

- 17.3 **Arbitration.** After the grievance has been so submitted, the parties will attempt to mutually agree on an arbitrator within fifteen (15) calendar days of submission. If the parties are unable to agree then either party may request from PERC a list of nine (9) arbitrators. The parties shall select an arbitrator from the list by alternatively striking a name, with the first strike being determined by lot. The final name left on the list shall be the arbitrator. The arbitrator's decision shall be final and binding, but the arbitrator shall have no power to alter, modify, add to, or detract from the terms of the agreement. The arbitrator shall not have the authority to award punitive damages. The arbitrator's decision shall be within the scope and terms of the contract and in writing including detailed findings and conclusions, together with an explanation of the reasoning utilized in making the decision. The arbitrator shall be asked to submit his or her decision within thirty (30) days of the date of the hearing.
- 17.4 **Grievance Administration Issues.** Each party shall be responsible for paying the costs of presenting its own case in arbitration, including the payment of the party's own attorney fees, any non-employee witnesses and expert witnesses. The costs of the arbitrator and hearing room shall be borne by each party paying fifty percent (50%) of any and all arbitrator fees, costs, etc. Either party has the right to request a court reporter and transcript and, if such a request is made, each party shall share fifty percent (50%) of the court reporter's fees and the costs. Days shall be counted as calendar days.
- 17.5 **Time Limits.** Failure of an employee and/or Union to submit a grievance in accordance within the time limits listed above and failure of the employee and/or Union to timely pursue a grievance to the next step shall constitute abandonment and dismissal of the grievance. This does not preclude the parties from extending the grievance time limits by mutual agreement.
- 17.6 **Election of Remedies.** The Union, on behalf of an employee, shall have the right to have a disciplinary action against the employee reviewed for just cause in accordance with this Agreement either by the City's Civil Service Commission or through the grievance procedure of this Agreement. Once the Union, on behalf of an employee, elects the forum for review, the employee and the Union are both bound by the procedural requirements of that forum. That selection shall be final and the Union and said employee cannot pursue the matter under the other forum.

If the Union, on behalf of an employee, or the employee on his or her own, elects to have a disciplinary action against the employee reviewed by the City's Civil Service Commission, the Union, or the employee on his or her own, must make the request within ten (10) working days of the disciplinary action; otherwise, the disciplinary action shall be final and binding. The Union, or the employee on his or her own, must file a written demand for an investigatory hearing regarding the disciplinary action through the City's Civil Service Commission, and the matter shall be handled in accordance with applicable procedures as contained in the Rules and Regulations of the City's Civil Service Commission.

ARTICLE 18 - STRIKES AND LOCKOUTS

- 18.1 The Employer and the Union have agreed that the public interest requires efficient and uninterrupted performance of all Employer services; therefore, the Union agrees that it shall not authorize, cause, or condone any work stoppage, strike, slowdown, picketing (while on duty) or any other interference with Employer functions by employees covered by this agreement. Employees who engage in any of the above activities shall not be entitled to any pay or fringe benefits during the period he or she is engaged in such activity. The Employer may discharge or discipline any employee who violates this Article.

ARTICLE 19 - LIABILITY INSURANCE

- 19.1 The Employer agrees to either provide insurance coverage on behalf of the employees or provide legal representation for employees as may be reasonably necessary to defend any claims and/or litigation resulting from any conduct, acts, or omission of employees arising from the scope or course of their service with the Employer; provided, however, that the provisions of this Article shall be inapplicable and of no force and effect if the employee refuses to cooperate with the Employer with respect to said defense; nor shall it apply to any dishonest, fraudulent, criminal, or malicious act of an employee which is outside of the scope and course of his or her employment with the Employer. Any legal representation provided by the Employer shall not apply in any accident, occurrence, or circumstance where the employee or Employer are individually insured.

ARTICLE 20 - UNIFORMS, EQUIPMENT & SAFETY

- 20.1 The Employer shall provide all regular employees with the required uniforms and equipment needed in the performance of his duties as determined by the Employer. In addition, the Employer shall also provide normal cleaning up to two (2) uniforms per week or additional cleaning to include extraordinary circumstances and maintenance and repair of items damaged or worn through normal use in the performance of departmental duties.
- 20.2 All protective clothing and safety equipment required of employees in the performance of their duties shall be purchased by and remain the property of the Employer. Upon quitting or discharge, all property of the Employer shall be returned to the Police Chief or his designee.
- 20.3 It shall be the responsibility of all employees to represent the City to the public in a manner which shall be courteous, efficient, and helpful. Personal appearance shall always be neat, with clean clothing and with hair and beards trimmed, in accordance with the Police Department Procedure Manual.
- 20.4 The Employer recognizes the need for the development of safe working practices for every employee and desires to promote on-the-job safety, encouraging the proper design and use of buildings, equipment, and other devices. Safety equipment and clothing supplied by the Employer should be utilized by employees while engaged in all duties for the City of Grandview where practical or as directed by the Chief or his representative, and as prescribed by State and Federal laws regarding safety.

- 20.5 An officer in good standing who retires after 20 years of service may be allowed to keep a regular duty handgun that was assigned to him during that period. An award of a handgun shall only include one handgun that was assigned to that officer. At the City's discretion, a handgun awarded to a retiring officer under this section may or may not be the actual handgun assigned to the officer at the time they retire. This provision is subject to and does not limit the City Council's authority to declare, and to decline to declare, any item as City property, including a handgun, to be surplus property of the City. Any transfers shall comply with any state or federal firearms laws applicable at that time.
- 20.6 The value of the handgun shall not exceed Four Hundred Dollars (\$400.00). If the value of the handgun exceeds that amount, the retiring officer shall be given the option of reimbursing the City for the value in excess of \$400.00 in order to obtain the handgun.
- 20.7 The Mayor shall be notified of any proposed award by a written request from the Police Chief. Upon written approval by the Mayor, the Police Chief shall prepare a Notice of Surplus Property to be presented to the City Council.

ARTICLE 21 - GENERAL PROVISIONS AND UNION ACTIVITY

- 21.1 **Union Investigative and Visitation Privileges:** Authorized agents of the Union shall have access to the Employer's establishment during working hours for the purpose of adjusting disputes, investigating working conditions, and ascertaining that the Agreement is being adhered to, provided there is no undue interruption of the Employer's working schedule. The Employer will be notified by the Union Representative of his presence on the premises.
- 21.2 **Bulletin Board:** The Employer agrees to provide suitable space to be used as a Union bulletin board. Posting by the Union on such board is to be confined to official business of the Union.
- 21.3 **Non-Discrimination:** It is mutually agreed that there shall be no discrimination because of lawful union activity, union membership, race, color, religion, sex, age, marital status, sexual orientation, national origin, genetic information (Title II of the Genetic Information Nondiscrimination Act of 2008), or disability that does not prevent proper performance of the job (bona fide occupational qualification). The Union and Employer representatives shall work cooperatively to carry out these principles. Employees who believe they have been discriminated against shall use the process established in City policy.
- 21.4 **Political Activity:** The rules governing activities of employees shall adhere to the provisions of RCW 41.06.250.
- 21.5 **Gender:** Where the masculine gender has been used in any provision of this Agreement, it is used solely for the purpose of illustration and shall not in any way be used to designate the sex of the employee eligible for any position, classification, or the benefits provided in this Agreement.

- 21.6 **Outside Employment:** An employee shall not engage in employment other than his or her City job if such employment interferes with the efficient performance of his or her City job or constitutes a conflict of interest.
- 21.7 **Reserve Unit:** There shall exist, at the option of the Employer, a reserve unit of law enforcement reserve officers to which the provisions of this labor agreement shall not apply. The Employer will notify regular employees by posting the status of reserve law enforcement officers regarding commissioned versus non-commissioned. Regular employees as required by the Employer shall work with reserve law enforcement officers regardless of commissioned versus non-commissioned status. This unit of law enforcement officers may be utilized as determined by the Employer to perform those duties normally performed by bargaining unit personnel. Usage of reserve law enforcement officer would include circumstances involving temporary replacement of regular employees in case of vacations, holidays, sickness, and any type of schooling, circumstances involving short handedness in personnel, and those circumstances involved in a bona fide emergency.

ARTICLE 22 - PERSONNEL RECORDS

- 22.1 The Employer shall maintain personnel files for each employee. Such files shall show salary, change in employment status, training received, and such other information as may be considered pertinent. Employee records shall be considered confidential and shall be accessible only to the employee, his or her immediate supervisor, and such other officials or persons as may be authorized by the Employer or required by law.
- 22.2 Employees shall have the right to review material in their personnel files during regular business hours. The employee may have a representative of the Union accompany him or her, if so desired. Upon request, copies of documents in the personnel file shall be provided to the employee. The employee shall have the right to inspect his or her personnel file.
- 22.3 The personnel file will contain all evaluation reports that have been completed by an authorized supervisor.
- 22.4 Materials judged by the employee to be negative and/or derogatory may be answered by the employee in writing. Such written response shall be attached to the material in question and become a part of the personnel file.
- 22.5 The employee shall have the right to add their written comments to materials added to the personnel file.
- 22.6 Personnel files are the property of the Employer. The Employer agrees that the contents of the personnel files shall be confidential and shall restrict the use of information in the files to official use by the Employer. Employee disciplinary records may be subject to a public records request, and the Employer is obliged to comply with the legal requirements pertaining to such requests.

- 22.7 Any written reprimand in an employee personnel file will be removed from the file after three (3) years if there has been no recurrence of the type or kind of conduct giving rise to the reprimand. If there is a recurrence, the written reprimand will remain in the file for three (3) years from the date of the recurrence.
- 22.8 **Suspension without Pay, Demotion, Last Chance Agreements, and Discharge:** Any suspension without pay, demotion, last chance agreement, and discharge shall remain permanently in the personnel file, unless otherwise mutually agreed.
- 22.9 When an employee reviews his personnel file, he or she will sign and date said acknowledgment of the review.

ARTICLE 23 - ENTIRE AGREEMENT

- 23.1 All matters not specifically covered in this Agreement shall be deemed to have been raised and disposed of as specifically covered herein. It is agreed that this document contains the full and complete Agreement between the parties hereto and for all whose benefit this Agreement is made, and no oral statement shall add to or supersede any of its provisions; and no party shall be required during the term of this Agreement to negotiate or bargain upon any issues unless mutually agreed to by the parties.

ARTICLE 24 - SAVINGS CLAUSE

- 24.1 If any Article or section of this agreement should be held invalid by operation of law or by any tribunal of competent jurisdiction, or by mutual agreement, the balance of this agreement shall continue in full force and effect. The Article or section held invalid shall be modified as required by law or a tribunal of competent jurisdiction or shall be re-negotiated for the purpose of a replacement. In the event that the two parties do not agree that an item should be severed, then the Article or section in question shall be suspended from function or operation until the issue has been resolved by the appropriate legal authority.

ARTICLE 25 - SUPPLEMENTAL PENSION PLAN

- 25.1 The bargaining unit members' pre-tax wages shall be reduced each month by the amounts paid on account of each member pursuant to paragraphs 25.3 and 25.4 hereof. The Employer is not obligated to make any contributions beyond the amounts by which the contractual wage rates are reduced now or in the future.
- 25.2 In lieu of an identical amount of pre-tax wages of each bargaining unit member, the Employer shall pay each month into the Western Conference of Teamsters Pension Trust Fund the below referenced amounts on account of each member of the bargaining unit.
- 25.3 Effective January 1, 2019, as designated below, the Employer shall pay the amounts stated below to the Western Conference of Teamsters Pension Trust Fund on account of each member of the bargaining unit for every hour for which straight-time compensation was paid, not to exceed 173.33 hours per month. Said amounts are to be computed monthly, two

dollars and thirteen cents (\$2.13) per compensable hour, which includes \$0.13 for the Program for Enhanced Early Retirement (PEER/84), not to exceed Three Hundred Sixty-Nine Dollars and Twenty Cents (\$369.20) per month

The contributions required to provide the Program for Enhancement Early Retirement (PEER) will not be taken into consideration for benefit accrual purpose under the Plan. The additional contributions for PEER 84 must at all times be 6.5% of the basic contribution and cannot be decreased or discontinued at any time.

In the event an employee terminates prior to the end of the year, their total straight time hours worked, from January 1 until their last day of employment, shall be calculated to ensure each straight time hour has been paid to the trust, with the exception of cashed-out hours.

- 25.4 The total amount due for each calendar month for each of the bargaining unit employees as set forth in this provision shall be remitted in a lump sum not later than ten (10) business days after the last business day of such preceding month.
- 25.5 The Employer hereby acknowledges that he or she has received a true copy of the Western Conference of Teamsters Pension Plan Agreement and Declaration of Trust and Regulations and shall be considered a party thereto. The Employer further agrees that the Employer-Trustees named in this Trust, and their successors in trust, are and shall be his representatives, and consents to be bound by the action and determination of the Trustees.
- 25.6 The Employer does not make any representations as to whether or not the amounts by which wages are reduced and which are paid into the Trust Fund is non-taxable or taxable. Should it be determined at some later date that the above-referenced payments are taxable income, Teamsters Local No. 760 will indemnify and hold the Employer harmless against all claims of employees arising from such adverse tax consequence. Should existing tax law change with respect to this particular Pension Trust, the parties agree to meet to bargain a resolution to the matter.

ARTICLE 26 - VEBA MEDICAL SAVINGS ACCOUNT

- 26.1 Effective May 1, 1997, the full-time patrolman and sergeant bargaining unit members pre-tax wages shall be reduced each month by twenty dollars (\$20.00) paid on account of each member. The Employer is not obligated to make any contributions beyond the amounts by which the contractual wage rates are reduced now or in the future.
- 26.2 In lieu of an identical amount of pre-tax wages of each full-time patrolman and sergeant bargaining unit member, the Employer shall pay each month into the VEBA Medical Savings Account the above referenced amount on account of each full-time patrolman and sergeant bargaining unit member.
- 26.3 The total amount due for each calendar month for each of the bargaining unit employees as set forth in this provision shall be remitted in a lump sum not later than ten (10) business days after the last business day of such preceding month.

- 26.4 The Employer does not make any representations as to whether or not the amounts by which wages are reduced and which are paid into the VEBA Medical Savings Account is non-taxable or taxable. Should it be determined at some later date that the above-referenced payments are taxable income, Teamsters Local No. 760 will indemnify and hold the Employer harmless against all claims of employees arising from such adverse tax consequence. Should existing tax law change with respect to this particular Medical Savings Account, the parties agree to meet to bargain a resolution to the matter.

ARTICLE 27 - TERM OF AGREEMENT

- 27.1 This Agreement shall be binding on the City, the Union, and employees, and shall remain in full force and effect from January 1, 2019, except as otherwise indicated in this CBA to midnight, PST, December 31, 2021.
- 27.2 If no Agreement is reached for the calendar year following the effective dates of this Agreement, then the provisions of this Agreement shall remain in effect subject to Chapter 41.56, RCW.

[Signature page follows.]

CITY OF GRANDVIEW

By

Gloria Mendoza
Gloria Mendoza, Mayor

Date

06/26/19

By

C. Arteaga
Cus Arteaga, City Administrator

Date

7-11-19

Attest

Anita Palacios
Anita Palacios, City Clerk

Date

7/9/19

Represented by:

Anthony F. Menke
Anthony F. Menke, Management Attorney

TEAMSTERS LOCAL 760

By

Leonard J. Crouch
Leonard J. Crouch, Secretary Treasurer

Date

6-26-19

ORIGINAL

APPENDIX "A" – CLASSIFICATIONS AND WAGE RATES

1.A.1 The following salary schedule for police department employees shall be effective as follows:

- Retroactive to January 1, 2019, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2020, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2021, employees will receive a three percent (3%) wage increase.

CLASSIFICATIONS AND WAGE RATES WITH INCREASES						
Police Officer	Entry	12 Months	24 Months	36 Months	48 Months	60 Months
7/1/2018	4772	4992	5213	5434	5657	5875
Retroactive to January 1, 2019 – 3%	4915	5142	5369	5597	5827	6051
2020 – 3%	5062	5296	5530	5765	6002	6233
2021 – 3%	5214	5455	5696	5938	6182	6420

Sergeant	Entry	12 Months	24 Months	36 Months	48 Months	60 Months
7/1/2018	5368	5617	5866	6111	6360	6613
Retroactive to January 1, 2019 – 3%	5529	5786	6042	6294	6551	6811
2020 – 3%	5695	5960	6223	6483	6748	7015
2021 – 3%	5866	6139	6410	6677	6950	7225

Sergeant Differential	60 Months
Beginning following ratification and signing by all parties– 13% above Top Step Officer	6838
2020 – 13.5% above Top Step Officer	7074
2021 – 14% above Top Step Officer	7319

The Sergeant Differential shall be as follows:

- 2019 Effective beginning in the pay period following ratification and signing by all parties, thirteen percent (13%) above Top Step Officer.
- 2020 Thirteen and one-half percent (13.5%) above Top Step Officer.
- 2021 Fourteen percent (14%) above Top Step Officer.

- 1.A.2 The parties agree that the City may develop and implement a salary plan involving ranges within job classifications to which employees may advance, based upon merit. It is specifically agreed by the Union that any merit system implemented by the City or any payment or non-payment made to an employee shall be entirely discretionary with the City and shall be non-grievable.
- 1.A.3 Detective Duties: Effective beginning January 1, 2019, this will be a duty assignment rather than a new classification, with the Police Chief authorized to determine the employee to be assigned and to end or change the assignment at his sole discretion. The rotation of officers in and through the detective assignment will initially be each six (6) months but may be changed at the Chief's sole discretion. Effective beginning January 1, 2019, the parties agree that assignment pay of One Hundred Fifty Dollars (\$150.00) per pay period will be added to the regular pay of an officer who is actually serving as detective, or shall be pro-rated based on time served, if the assignment is changed within a pay period.
- 1.A.4 Lower Valley Drug Task Force Duties: Effective beginning January 1, 2019, those employee(s) assigned by the Police Chief or his designee to the Lower Valley Drug Task Force duties which are outside of their normal duties with the City of Grandview Police Department shall receive special assignment pay of One Hundred Fifty Dollars (\$150.00) per pay period in addition to their regular pay.
- 1.A.5 Specialty Pay: Effective beginning January 1, 2019, the following positions shall receive One Hundred Twenty-Five Dollars (\$125.00) per month for performing these additional duties: Evidence Officer, Defensive Tactics Instructor, Fire-Arms Instructor, Interpreter, Deputy Coroner, EMT, or SWAT team. The FTO position shall receive 10% above their hourly rate while performing FTO duties, including schooling related to such duties. There shall be a maximum of two (2) specialty pays per month at \$125.00 each. The number of employees needed in each specialty position will be determined by the Police Chief or the Assistant Police Chief.
- 1.A.6 Officer in Charge (OIC): Effective in the pay period following ratification and signing by all parties, the following shall be applicable.
- 1.A.6.1 An officer assigned to the position of Officer in Charge (OIC) by the Police Chief or his or her designee shall receive five percent (5%) above his or her base wage subject to the following conditions:
- (a) The assignment and time worked is four (4) hours or longer; and
 - (b) There is no sergeant or supervisor (that is, Police Chief or Assistant Police Chief) on duty.
- 1.A.6.2 The City shall not be required to pay any officer for OIC duties when all four sergeant's positions are filled, regardless of whether a sergeant is currently working or not.

- 1.A.6.3 To be considered for the position of OIC, an officer must have shown leadership capabilities in the past, including sound decision-making abilities, and have a history of above-average yearly evaluations, all as determined by the Police Chief or Assistant Police Chief. OICs must also have attended pre-supervisory or supervisory courses. The Police Chief or Assistant Police Chief will make these courses available as soon as it is practicable to do so.
- 1.A.6.4 In the event that two OIC-qualified officers work the same shift, the OIC with seniority (based on years of service) will be assigned the OIC role for that shift.
- 1.A.6.5 While working as an OIC, officers shall be responsible and accountable for assuring that Department policies are adhered to and that officers under their watch operate in accordance with local, state, and federal laws. An OIC is expected to recognize serious events that require administrator notifications, be able to call upon additional resources when needed, and manage such serious events with competence and accountability.
- 1.A.6.6 An officer who is placed on the list of qualified OICs shall be expected to maintain the minimum qualifications required to be considered for the position. If an officer fails to meet the minimum qualifications, he or she will be removed from the list of OICs.
- 1.A.6.7 An officer who is placed on the list of qualified OICs shall remain current in all Grandview Police Department mandatory trainings and certifications, which include, but are not limited to, Firearms, Less Lethal, and TASER. An officer shall not be removed from the list of qualified OICs if Grandview Police Department fails to offer the required trainings.
- 1.A.6.8 An officer who is placed on the list of qualified OICs will attend any scheduled trainings for which he or she is registered by the Grandview Police Department. These trainings may include, but are not limited to, classes in Human Resources, Cultural Awareness, Emotional Intelligence, and Risk Management. Failure to attend and/or pass any related tests shall be reported to the Police Chief to determine the fitness of the officer to continue to remain on the list of qualified OICs.
- 1.A.7 Take-Home Vehicle. See Section 23.05 of the City's Personnel Manual. The City Administrator will make the final decision after consultation with the Police Chief or the Assistant Police Chief.

APPENDIX "B" - EDUCATIONAL INCENTIVE PAY

- 1.B.1 Effective beginning January 1, 2019, each regular full time commissioned Police Officer in the bargaining unit shall receive One Hundred Dollars (\$100.00) per month additional pay after receiving an Associate Degree (2 year) of one of the listed fields in 1.B.3 from an accredited institution of higher learning.
- 1.B.2 Effective beginning January 1, 2019, each regular full-time commissioned Police Officer in the bargaining unit shall receive One Hundred Fifty Dollars (\$150.00) per month additional pay after receiving a four (4) year Bachelor of Arts or Science degree from an accredited institution of higher learning. Every couple of years after achieving a four (4) year degree, five (5) credits of continuing related education is required. This continuing education process, as well as the appropriate Police related education fields, are outlined below.
- 1.B.3 The following list shall be acceptable educational fields to qualify for the educational incentive: Police Science, Sociology, Psychology, Business, Computer Science, Education, or other degree as may be determined by the Police Chief which benefit the Police Department.

APPENDIX "C" - LONGEVITY PAY

- 1.C.1 Longevity Pay will be payable each November 30 based on yearly gross salary, for each full-time employee of record on November 30, to be calculated as follows.

**Effective
01/01/2009**

After the completion of:

- 60 months of service: 1%
- 120 months of service: 2%
- 180 months of service: 3%
- 240 months of service: 4%

APPENDIX "D" - SUBSTANCE ABUSE POLICY & TESTING PROCEDURE

I. OBJECTIVE

The City of Grandview Police Department has a strong commitment to provide a safe work environment for its employees and to establish programs promoting high standards of employee health and safety. Consistent with that commitment, this Substance Abuse Policy and Testing Procedure has been established.

II. POLICY

- A. The unauthorized use, sale, transfer, or possession of alcohol, drugs, controlled substances and/or "mood altering" substances (except the possession or use of prescribed medication, verifiable by a current, properly issued prescription) during work hours, (including meal and rest periods), on City property, in City vehicles, or in personal vehicles while conducting City business is prohibited. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment in accordance with Grandview Civil Service Rule 16.
- B. With the exception of employees authorized to consume alcohol and/or drugs while performing job functions; reporting for work impaired by the use of intoxicants, or becoming impaired by the use of intoxicants during working hours through the use of alcohol, drugs (including prescribed medication), controlled substances and/or "mood altering" substances is prohibited. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment.
- C. Knowledge of cautions and warnings printed on the prescribed and/or "over-the-counter" medication container labels are the sole responsibility of the employee. Consultation with the employee's attending physician, concerning the affects a substance may have on that employee, may be appropriate. An employee utilizing prescribed and/or "over-the-counter" medication(s) that could adversely affect job safety or performance must immediately report that fact to his or her supervisor. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment.
- D. The City reserves the right to conduct searches of City property, City vehicles or equipment at any time or place. The City reserves the right to conduct searches of an employee or any vehicle used by the employee while on duty, when there are reasonable grounds to believe the employee is in violation of this policy. Failure to cooperate with these procedures, without just cause, may be grounds for dismissal.

- E. The City recognizes drug dependency as an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use our Employee Assistance Program (EAP) and health insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.
- F. Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

This policy supersedes any and all previously issued City Drug/Alcohol Policies and will be applied equally to all Police Department employees.

III. SUBSTANCE ABUSE TESTING

A. Reasonable Cause Testing Only

The applicable substance abuse testing procedures outlined below will be initiated if the following event occurs: A supervisor, through objective observation or investigation or evaluation concludes that an employee has consumed and/or used controlled substances. The supervisor must be trained and certified in the area of proper detection. All relevant facts pertaining to an investigation conducted pursuant to the event mentioned above will be documented in writing and preserved for future reference by the City and Union.

SUBSTANCE ABUSE TESTING PROCEDURES

1. The City will transport the suspected employee to a pre-determined testing facility near his or her work area.
2. The employee will be requested to submit to the testing procedures. The employee has the right to refuse to submit to the tests; however, refusal to submit to the tests may be grounds for termination.
3. The employee will provide a urine sample or breath sample. The urine sample will be provided for analysis to determine the amount, if any, contained in the employee's urine of all substances listed in paragraph six below, except ethyl alcohol. The breath sample will be provided for analysis to determine the amount, if any, of ethyl alcohol contained in the employee's blood. The urine sample results will be analyzed by a professional Medical Review Officer (MRO) selected by the City. The breathalyzer test will be administered by the City Police Chief or Assistant Police Chief, using up-to-date State-mandated methods.

4. Collection of the urine specimen will be under the direction of qualified medical personnel. All provisions of the attached "chain of custody" form will be adhered to. Collection of the urine specimen or breath sample will take place as soon as possible following the observation. The employee will cooperate fully in the collection of the specimen or sample. An employee tampering with the specimen or sample or refusing to submit to the test within a reasonable period of time may be terminated. If the employee refuses to provide the urine sample within a 24-hour time frame (unless physically unable), that action will result in disciplinary measures which may include termination of employment.

The employee has the right to an independent urine specimen analysis or blood test for alcohol at a facility of his or her choosing, at the employee's expense. To facilitate an employee's request for an independent analysis, at the time of the original specimen collection, two (2) samples must be taken. The original testing laboratory will place one (1) sample in secure refrigerated storage. If the first (1st) sample reveals a positive result, the employee will indicate which laboratory he wishes the second (2nd) sample be tested. If the independent analysis results are negative, the employee will be reimbursed for the cost of the second (2nd) test and for all lost wages and benefits (*i.e.*, sick leave hours restored to sick leave bank).

5. After collection of the specimen or sample, the employee will be transported to his or her residence or other safe location. The employee will not be allowed to continue work until the test results become available and are evaluated. Pay for this period of time shall be deducted from the employee's sick leave payable with the first day the employee was removed from the workplace.
6. The urine specimen will be forwarded to Smith Kline Beecham Clinical Labs, Seattle for analysis. Strict adherence to the chain of custody requirements will be followed during the transportation of the specimen to the laboratory. The laboratory through the MRO will analyze the specimen for the following substances (the positive level of detection is in parentheses following the name of each substance): amphetamines (700 ng/ml), barbiturates (300 ng/ml), benzodiazepines (300 ng/ml), cannabinoids (100 ng/ml), cocaine metabolite (300 ng/ml), methadone (300 ng/ml), methaqualone (300 ng/ml), opiates (300 ng/ml), phencyclidine (75 ng/ml), and propoxyphene (300 ng/ml). The laboratory will communicate the test results to the Medical Review Officer, who in turn will relate the results to the employee, City Supervisor and the Mayor. Positive test results will be communicated to the employee, by the MRO, for clarification.

The positive level of detection for ethyl alcohol as it relates to the breathalyzer test is .05 gr/210L of breath. * The positive level of detection for ethyl alcohol as it relates to the employee's independent blood test is 0.04gr/dl. *Per Part 383.5 (Federal Motor Carrier Regulations) definition of "alcohol concentration."

7. For purposes of this policy, being "impaired" or "under the influence" means being unable to perform work in a safe and productive manner, being in a physical or mental condition which creates a risk to the safety and well being of the individual, other employees, the public, or City property. The symptoms of influence and/or impairment are not confined to those

consistent with misbehavior or to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. AN EMPLOYEE WILL BE PRESUMED TO BE IMPAIRED AND IN VIOLATION OF THIS POLICY WHENEVER THE PRESENCE OF DRUGS OR ALCOHOL, AT OR ABOVE THE LEVELS SET FORTH IN PARAGRAPH SIX, IS DETECTED IN A SUBSTANCE ABUSE TEST ADMINISTERED UNDER THE TERMS OF THIS POLICY.

8. Test results will be stored at the Grandview City Hall in a secure file outside the regular personnel files. Access to the file will be extremely restricted--only the City Supervisor, Mayor, and the Police Chief will have access. All records will be treated in the most confidential fashion by the City and the Union.
9. All costs associated with substance abuse testing, other than a positive test result of an independent analysis requested by the employee, will be paid by the City.
10. Should analysis of the specimens indicate a negative level of a substance in an employee's system, the employee will be reinstated to his or her former position and compensated for lost wages and benefits, *i.e.*, sick leave hours restored to sick leave bank.
11. Should analysis of the specimens indicate a positive level of a substance in an employee's system, the employee will have the following options:
 - (a) Terminate employment with the Employer, or
 - (b) The employee shall be evaluated by a qualified drug/alcohol counselor to determine the extent of his/ her chemical dependency. If, in the opinion of the counselor, the employee requires rehabilitation services (on a one (1) chance only basis unless mutually agreed otherwise), the employee will be placed on a leave-of-absence for a period not to exceed ninety (90) days and enroll in a certified alcohol and/or drug rehabilitation program. The employee will be allowed to use Sick Leave during this leave period. The City reserves the right of concurrence on the selection of the rehabilitation counselor, facility and program content. Cost of the rehabilitation program will be paid by the employee or medical insurance provider (within contractual limitations). The employee will submit semi-weekly written progress reports from his or her counselor during the entire treatment program. The employee will be reinstated to his or her former position without prejudice when the following conditions have been met: (a) The employee has completed the treatment program; and (b) the attending counselor has formally released the employee to return to work; and (c) The employee agrees to submit to a substance abuse test. During the next twenty-four (24) months following reinstatement, the employee consents to be tested for the presence of alcohol, drugs, and/or controlled substances no more than four (4) times, with or without cause. Any subsequent violation of this policy will be grounds for immediate discharge.

IV. SELF-RECOGNIZED SUBSTANCE ABUSE

Employees with a substance abuse problem must immediately notify their supervisor of their condition. For evaluation purposes, a substance abuse test may be appropriate. If, in the opinion of a qualified drug/ alcohol counselor, the employee requires rehabilitation services, the employee will have an option to enroll in a rehabilitation program and be subjected to the guidelines as outlined in Section III (11) above.

OCCUPATIONAL HEALTH SERVICES

802 MILLER AVE
SUNNYSIDE, WA 98944
Phone: (509) 837-1564
Fax: (509) 837-8434
Pager No: (509) 836-6112

CONSENT AND RELEASE FORM

Pursuant to the stated Drug and Alcohol policy of the City of Grandview, I hereby give my consent and authorize OCCUPATIONAL HEALTH SERVICES and any laboratory designated by OCCUPATIONAL HEALTH SERVICES to perform testing and/or medical procedures necessary to determine the presence and/or levels of drugs/alcohol in my body.

I further give my consent to release to the City of Grandview's Medical Review Officer the results of any medical testing performed pursuant to this consent form, including any test or medical procedures to determine the presence and or level of drugs/alcohol and indemnify and hold the employer listed above, harmless in acting upon the information supplied to them as a result of these drug/medical test results.

I HEREBY ACKNOWLEDGE THAT I HAVE BEEN REQUESTED BY THE CITY OF GRANDVIEW TO SUBMIT A VALID URINE SPECIMEN, TO BE ANALYTICALLY TESTED TO DETERMINE THE PRESENCE OR USE OF DRUG OR ALCOHOL. I AGREE AND CONSENT TO THE TESTING AND TO THE RELEASE OF THE RESULTS TO AUTHORIZED MANAGEMENT. I UNDERSTAND THAT MANAGEMENT MAY RELY UPON THE TEST RESULTS IN MAKING DECISIONS TO MY EMPLOYMENT, AS OUTLINED IN THE ALCOHOL AND DRUG ABUSE POLICY. FAILURE TO COMPLETE THE DRUG OR ALCOHOL SCREENING PURSUANT TO THE ALCOHOL AND DRUG ABUSE POLICY MAY RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

APPLICANT MUST PRESENT PHOTO I.D. AT THE CLINIC (DRIVERS LICENSE, MILITARY/SCHOOL I.D., ETC).

APPLICANT MUST REPORT IMMEDIATELY TO OCCUPATIONAL HEALTH SERVICES & REMAIN UNTIL A VALID URINE SPECIMEN IS COLLECTED. FAILURE TO COMPLY WITH THE TESTING REQUIREMENTS WILL RESULT IN THE WITHDRAWAL OF THE JOB OFFER.

_____ Employee name (printed)		_____ Employee signature	
000-00 LAST 4 DIGITS OF EMPLOYEE SS #	() _____ Day time Telephone #	_____/_____/_____ Date of Birth	
INSTANT TEST REQUESTED YES NO (PLEASE CIRCLE)			
REASON FOR TESTING: ☐ PRE-EMPLOYMENT ☐ POST ACCIDENT ☐ RANDOM ☐			
RETURN TO DUTY ☐ REASONABLE SUSPICION/FOR CAUSE ☐ OTHER ☐			
TYPE OF TESTING: URINE DRUG SCREEN ☐ HAIR DRUG SCREEN ☐ BREATH ALCOHOL ☐			
REPORT TO: O.I.S. @ 802 MILLER AVE, SUNNYSIDE, FOR DRUG SCREEN TESTING (837-1564)			
DATE: ____/____/____ TIME SENT TO: O.H.S. ____:____ A.M. ☐ P.M. ☐			
_____ Arrival Time & Date			

SIGNATURE OF SUPERVISOR AUTHORIZING TESTING

**EMPLOYEE BRIEFING AND INSTRUCTIONS
FOR
DRUG TESTING**

YOU HAVE BEEN SELECTED FOR URINE DRUG TESTING

The collection of your urine will be conducted under the procedures listed below. These regulations allow for individual privacy unless there is reason to believe that a particular individual may alter or substitute the urine specimen to be provided. The collection site persons will take precautions to ensure that your specimen is not adulterated or diluted during the collection procedure. Your specimen collection must also follow strict chain of custody and security procedures.

In addition:

Photo identification must be presented at the collection site or personal individual identification is necessary.

You will be asked to remove any unnecessary outer garments such as a coat and jacket.

All personal belongings like briefcases will remain with the outer garments. You may retain your wallet.

You will be instructed to wash and dry your hands prior to providing a specimen.

You will be provided a sealed collection container or bottle, or it will be unwrapped in your presence.

Your specimen will be provided in the privacy of a stall or otherwise partitioned area that allows for individual privacy.

After handing the specimen bottle to the collector, you should keep the specimen in full view at all times until it is sealed and labeled. This protects you against the wrong label being put on your bottle or someone possibly tampering with your specimen.

If the collection site person has reason to believe that you may have altered or substituted the specimen, the person will notify the City's Medical Review Officer. Should you tamper, adulterate, or in any way attempt to dilute the specimen, the collection site person will request authorization to collect a second specimen under direct observation by the same gender collection site person.

You will be asked to initial the identification label on the specimen container for the purpose of certifying that it came from you.

You will also be asked to provide information on the chain of custody form, Section VII on copies 3 through 6 only, and certify that the urine specimen identified as having been collected from you is in fact the specimen you provided. You will receive copy 4 of the chain of custody form on which you may want to make a list of medications you are taking.

After the laboratory analysis, the results will be forwarded to the Medical Review officer working for your employer. Prior to making a final decision to verify a positive test result to your employer, the Medical Review Officer will give you an opportunity to discuss the test results and submit medical documentation of legally prescribed medications.

A complete listing of the collection procedures may be found in Title 49 CFR Part 40.25.

APPENDIX "E" - POST INCIDENT TRAUMA RESPONSE TO THE EMPLOYEE

The City recognizes that employee involvement in specific work-related incidents may cause serious trauma to the employee. This trauma, more specifically Post Traumatic Stress Syndrome, is a psychological and/or physiological response associated with traumatic events that are generally outside the range of usual human experience. The resulting trauma can create immediate, short term, and/or long-term symptoms.

The goal of this program is to provide an outline for response to an employee who has been involved in a death or serious injury incident. This outline is an attempt to recognize some of the legal and societal needs of the employee and his family.

This outline applies to all departmental personnel.

- A. When an employee is the cause of a death or serious injury incident, he will be placed on mandatory administrative leave with pay for a minimum of forty-eight (48) consecutive hours if the employee was scheduled to work. Administrative leave is in the interest of the employee and the department and shall not be waived.
- B. The employee will be afforded the opportunity to name a fellow employee to assist with transportation needs, companionship, and moral support.
 - 1) If a fellow officer is named, that officer will also be placed on concurrent administrative leave of forty-eight (48) hours duration.
 - 2) Communications between the two employees will be considered confidential and privileged for the purpose of any departmental investigation or review. However, nothing herein should be construed to circumvent the Court's subpoena authority in any resulting criminal matter.
- C. The City and/or Police Chief shall designate a post-trauma provider for evaluation, care, and counseling of any employee who has been the cause of a death or serious injury incident. This counseling is mandatory, cannot be waived, and will include a "fit for duty" evaluation. Initial counseling should take place within forty-eight (48) hours if at all possible.
- D. The City and/or Police Chief may seek and consider the professional opinion of any PTSD qualified psychological counselor and/or treating physician as to whether the employee is affected in such a way as to make the employee a substantial risk to himself or to substantially interfere with his ability to perform the job. Recommendations with regard to modified duties and/or extended leaves are subject to LEOFF and/or L&I disability procedures.
- E. If the post-trauma provider believes that an employee needs more in-depth or extended assistance, he will refer the employee to a source qualified to provide such assistance. The referral must be coordinated with the City and/or Police Chief and be

consistent with LEOFF and/or L&I requirements.

- 1) The responsibility for payment of continued treatment must be specified prior to the first appointment. This responsibility should fall first to the appropriate LEOFF or L&I program, then to the employee's medical insurance, and finally to the City. In cases where the City assumes the cost of further care, the provider must clearly understand the scope of services expected.
- F. The Police Chief should do his best to assist the affected employee in matters of relevant concern such as expeditious repair/replacement of damaged equipment or clothing, response to inquiries relating to personnel adjustments, payroll, defined leaves, etc.
- G. The City attorney shall be available to provide information to the employee regarding various legal actions which may arise in connection with the death or serious injury incident. He may assist the employee in determining when to retain legal counsel and what the employee's rights to legal counsel are under contract and city ordinance. He may also provide other legal assistance as possible with the understanding that he, as an attorney employed by the City, cannot ethically represent the employee in certain proceedings.
- H. If an employee, while acting as an agent of the City, is witness to or involved in a Critical Incident - but not the direct cause of a death or serious injury - shall, on request, be provided initial consultation with a department designated post-trauma PTSD Qualified provider.

Should the incident involve a number of emergency services personnel, the City shall offer access to a Critical Incident Debriefing Meeting. This meeting should take place within seventy-two (72) hours following the incident if at all possible. All conversations between the employees and debriefing personnel are to be considered confidential.

- 1) For purposes of this section, a Critical Incident is defined as any situation, which may cause a person to experience unusually strong emotional and/or physiological responses that have the potential to interfere with the ability of the employee to perform his duties.

Oath of Office Blank Form.pdf

GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000
FAX (509) 882-1232



KAL FULLER
Chief of Police

OATH OF OFFICE

State of Washington

County of Yakima

City of Grandview

I, _____, do solemnly swear that I am a citizen of the United States of America; that I will support the Constitution and laws of the United States, and the Constitution and laws of the State of Washington; that I will uphold and enforce the ordinances of the City of Grandview and applicable ordinances of Yakima County; that I will abide by the Law Enforcement Code of Ethics; that I will be truthful and honest in the conduct of official business; that I will, to the best of my ability, diligently and impartially perform all the duties of Police Officer for the City of Grandview, Yakima County. Washington, so help me God.

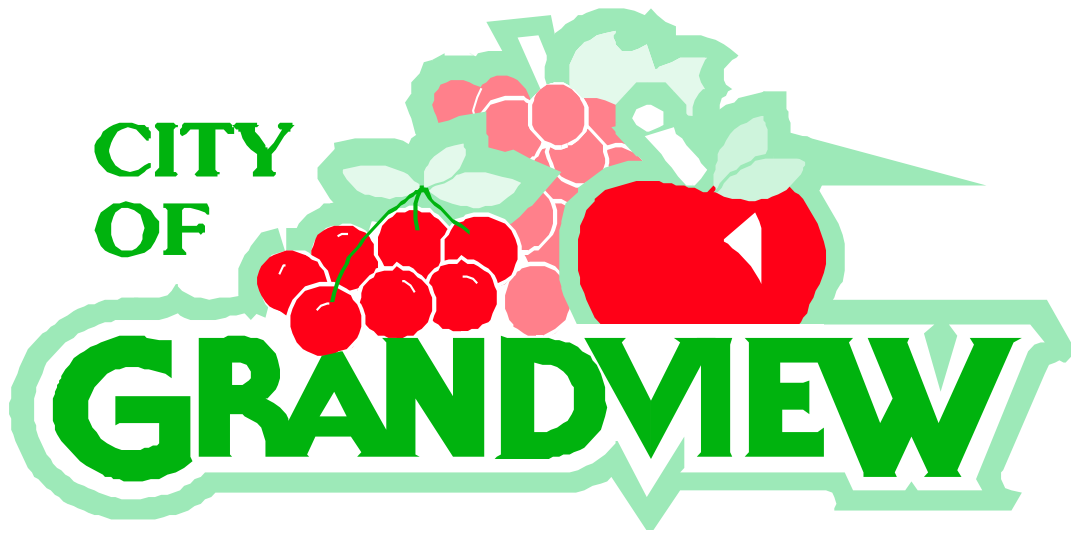
DATE: _____

OFFICER

DATE: _____

MAYOR

**City of Grandview PERSONNEL
POLICY MANUAL 2015.pdf**



PERSONNEL POLICY MANUAL

ADOPTED
MAY 5, 2008 – RES. NO. 2008-14

ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICIES

Please read the following and then sign, date and return the form to the Human Resources Office. One copy will be placed in your personnel file and one copy maintained with your copy of the manual.

Copies of the City of Grandview's Personnel Policy Manual adopted on May 5, 2008 and last revised on November 24, 2015 is located in each department and administrative office. In addition, each bargaining unit representative has been provided a copy. It is your responsibility to read the manual, as it will acquaint you with the City's personnel practices and guidelines, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment for any specific duration between the City of Grandview and its employees. We hope that your employment relationship with us will be long-term; we recognize that at times things do not always work out, and either of us may decide to terminate the employment relationship. All employees of the City are "at will" employees unless they are specifically provided additional rights in a written contract or pursuant to Civil Service rules. That means you or the City, if you are an "at will" employee, may terminate this relationship at any time, for any reason, with or without cause or notice.

As the City grows and changes, personnel policies and guidelines change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy. You will be given ample notification of any changes. The manual is produced in a loose leaf notebook fashion in order to permit easy updating by replacing pages.

Please understand that no supervisor, manager or representative of the City has the authority to make any written or verbal statements or representations which are inconsistent with at-will employment. If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, Department Director or the Human Resources Assistant.

I understand that, in the State of Washington, employment is at will, which means that it may be terminated by me or the City at any time, unless the terms of my employment are subject to a contract, collective bargaining agreement, or Civil Service rules.

Employee Name (Printed)

Date

Employee Signature

Please return signed form to the Human Resources Office

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INTRODUCTION

The purpose of this Personnel Policy Manual is to create a productive and harmonious work environment by clearly defining what is expected of each member of the City team.

This manual has been prepared as a guide or reference tool for all members of the City's work force. Although it will have different applications to employees depending upon their employment status, the manual provides a "snapshot" of how things are done in the City and incorporates state and federal mandates as well. Because we recognize that change is the norm, we will review this manual regularly to amend these guidelines where necessary to reflect ongoing change in the City workplace. In addition, there may be circumstances where management may deem it necessary to deviate from these guidelines for the good of the City, and the City retains the discretion to deviate from these guidelines as it deems necessary or appropriate.

These guidelines for management include, but are not limited to, classification specifications, salaries, working hours and conditions, merit examinations and promotions, all kinds of leave, disciplinary proceedings, appeal procedures, and other matters related to the efficient functioning of the City's work force.

The provisions of this manual do not supersede the provisions of any collective bargaining agreements or Civil Service rules and regulations, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules and regulations will prevail.

It is recognized that no personnel policy can answer all questions that might arise in the normal course of municipal government. Employees of the City are expected to exercise the utmost judgment and discretion in the performance of their duties.

It is important to understand that this Personnel Policy Manual does not create an employment contract, a promise of specific treatment in specific situations, or a guarantee of employment for any specific duration between the City of Grandview and its employees. Although we hope that your employment relationship with us will be long-term, we recognize that at times things do not always work out, and that either of us, if you are an at-will employee, may decide to terminate the employment relationship at any time. An employee with questions about any policy or its interpretation may contact their immediate supervisor, Department Director, or the Human Resources Assistant for an explanation.

Chapter 1

GENERAL

1.01 Scope of Application. In the interest of the City of Grandview's employees and citizens, the City adopts guidelines and procedures to promote full communication between the City, as the employer, and its employees. The City also sets reasonable methods to resolve disputes about wages, hours, and other terms and conditions of employment and to continuously improve personnel management and employer-employee relations.

The Personnel Policy applies to all offices, positions, and employees in City service except the following:

- Elected officials;
- Appointed members of boards, commissions, and committees; and
- Contracted persons supplying expert, professional, or technical services.

New Employee Orientations - All new part-time and full-time regular employees are given a new employee orientation by the Human Resources Office and by their own department as close as possible to their first day of work. This Personnel Policy is an important part of this orientation.

1.02 Diversity Policy. The City of Grandview is committed to developing a diverse work force which reflects the diversity and composition of the community we serve, and honors and respects the differences and abilities of all our employees and residents, and provides employees with the necessary opportunities, tools, and support to achieve their maximum potential.

Equal employment opportunity provides a level playing field for City job applicants and must be linked with a commitment to equitably manage a diverse work force. Diversity recognizes and respects the multitude of differences that employees bring to the workplace. Diversity complements organizational values that stress teamwork, leadership, empowerment, and quality service. Diversity means striving to maintain an environment in which managers value the differences in their employees and take steps to ensure that all employees know they are welcomed and included.

To achieve workplace equity and inclusion, the City observes the practices outlined below:

1. We ensure that we do not discriminate in employment on the basis of race, color, religion, national origin, sex, age, disability, marital status, creed, sexual orientation, political ideology or any other protected status.
2. Our recruiting efforts are designed to ensure that applicant pools are both capable and diverse.
3. We strive to make employment decisions based on job-related criteria and provide opportunities for entry and promotion to all City positions.
4. We strive to ensure a workplace free of all forms of harassment.

5. We have developed a procedure for prompt, thorough and impartial investigations of discrimination or harassment complaints and will take appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination or harassment.

Measures to ensure accountability for managing diversity will be incorporated into the performance management system for supervisors and managers. The City Administrator will evaluate the effectiveness of our diversity policies and programs.

By creating a workplace where everyone can work toward their maximum potential, the City will retain quality, productive employees who will provide excellent services to our residents.

1.03 Compliance with the Personnel Policy. In accepting employment with the City of Grandview, each employee is expected to follow this Personnel Policy, administrative policies and procedures established by the Mayor and/or City Administrator, their collective bargaining agreements or applicable Civil Service rules and regulations, and the guidelines and directives of the department in which they are employed.

1.04 Authority of the Mayor. The Mayor, as appointing authority, has general control and supervision over the affairs of the City. The City Administrator, following consultation and approval by the Mayor, has the authority to establish such other procedures and guidelines necessary for the control and supervision of the affairs of the City.

The City Administrator, following consultation and approval by the Mayor, has the authority to remove "at will" employees; and may remove union employees for cause as provided by the collective bargaining agreement or Civil Service rules and regulations.

1.05 Administrative Guidelines. The City Administrator, following consultation and approval by the Mayor, has the authority to issue additional administrative policies as may be necessary to carry into effect this Personnel Policy, except as otherwise provided by Revised Code of Washington and/or ordinance.

1.06 Department Guidelines. Department Directors, upon approval of the City Administrator, may create guidelines more specific to their respective department operations consistent with collective bargaining agreements. Departmental guidelines or directives will not conflict with or supersede any provisions of this Personnel Policy. In the event of any conflict, the City Personnel Policy prevails.

Department guidelines will be posted and employees put on notice of their existence and content.

1.07 Amendments to the Personnel Policy. The City Council may amend, change, and revise this Personnel Policy. The City Administrator will provide written notice to each of the Union presidents of any proposed amendments, changes or revisions to the Personnel Policy Manual. The Union presidents will have thirty (30) days to respond in writing with any comments they may have.

Employee Recommendations - Any employee may suggest an amendment, change, or revision to the Personnel Policy by submitting suggestions in writing to the City Administrator.

Following consultation and approval by the Mayor, the City Administrator may forward the suggestion, along with a recommendation, to the City Council for final disposition.

All amendments, changes, and revisions are made available to all City employees in the manner and form approved by the City Administrator.

1.08 Saving Clause. If any section, subsection, paragraph, sentence, or phrase of the Personnel Policy is found by a court to be invalid or unconstitutional, such findings shall not affect the remainder of this Personnel Policy.

Chapter 2

CLASSIFICATION PLAN

2.01 Classification of Positions. All positions in City service are assigned to a classification. The classification may include a single position or a group of positions. These positions are sufficiently alike in duties, functions, and responsibilities such that the positions can be identified by the same classification title, use the same classification specification, and are assigned the same range of rates of pay. When the job responsibilities of an individual become sufficiently different from other members of the class, a position description may also be prepared.

2.02 Preparation and Maintenance. Classification specifications for each City position are prepared and maintained in such a manner that they accurately describe the duties and responsibilities of the positions and classifications. Classification titles are set by the City Administrator, following consultation and approval by the Mayor. The Human Resources Assistant has the authority and responsibility to research, study, and propose necessary changes in classification specifications to the City Administrator. The City recognizes that duties evolve and change in a dynamic work force, and that the classification system needs periodic reviews.

Classification Plan Review - A periodic compensation review that reflects changes to external comparables will be performed by the Human Resources office. The Human Resources office will research the compensation data and the City Administrator/Mayor will review the resulting recommended new compensation scale.

Classification Specification Review - Classification specifications will be reviewed annually as part of the employee's performance appraisal process with their supervisor to determine if an audit by the Human Resources office is warranted. An audit may also be initiated by an employee, supervisor or the union at any time when there has been a significant change in the employee's job responsibilities. A classification audit will be conducted no more often than once per year. If the audit request is supported by the supervisor, it will be forwarded through the Department Director to the Human Resources office. The Department Director shall apprise the City Administrator of classification audit requests made to the Human Resources office. If the Department Director or supervisor does not support the audit request, the initiating party may appeal the decision.

2.03 Requests for Reclassification. As changes occur in the responsibilities of a position, it is appropriate to the classification review to determine whether changes in the classification are justified. Such changes may result from gradual modifications and additions to the responsibilities of a class and/or from a departmental reorganization.

When the City determines that a new classification specification or reclassification of an existing classification is necessary, the Human Resources office, with approval of the affected department, will prepare a new/revised classification specification and recommended salary range. For Union positions, the City will submit to the Union, in writing, the classification specification and proposed salary range prior to implementation. The Union will have ten (10) working days to request, in writing, a meeting to negotiate with the City regarding the proposed salary. Such meetings will take place within ten (10) working days of the receipt of the request.

Because of the implications of a reclassification, these basic guidelines are followed:

1. A request for classification review begins only when the Department Director can clearly identify the changes in responsibilities that have occurred as a result of reorganization, enhanced job duties, or changes in work complexity. The justification focuses on the content of the class that has changed;
2. Increases in work volume, outstanding performance, or admirable behavioral traits of the incumbent, although valued and important, are not relevant in a classification audit;
3. If an employee believes that their class title is no longer properly classified, the employee may request through their Department Director that a classification audit be performed;
4. The Department Director, in consultation with the Human Resources office, determines that the request meets the criteria and therefore has merit. Failure to meet the criteria may mean the Department Director does not support the request and may elect to change the duties back so that the employee is properly working within the current classification;
5. Reclassifications have budgetary impacts. Therefore, requests for classification audits should normally be started and completed before the commencement of the annual budget process. Department Directors are to plan their requests for position reclassifications so the audits can be completed no later than August 1 of each year for consideration in budget requests for the next fiscal year;
6. Reclassifications can be accomplished only upon the completion of a classification audit process, which follows the outline below:

Step 1 - Reclassification Request - Requests for reclassifications are submitted in writing to the Human Resources Assistant through the employee's Department Director and the following information is included:

- A. A copy of the most recently-approved class specification;
- B. A detailed listing of specific additions, deletions, or changes that have been made subsequent to the position's responsibilities;
- C. Any additional background material that the Department Director considers appropriate to document the change in the class regarding its complexity, skills, or accountability; and
- D. If being requested by employee, a completed Position Classification Questionnaire available from the Human Resources Office (PM-16).

Step 2 - Classification Audit Process - Upon receipt of the Department Director's written request, the Human Resources Assistant conducts a classification audit involving the following steps:

- A. Review of classification specification changes and incorporation of changes into a revised classification outlining basic functions, examples of work, required knowledge and skills, basic qualifications, and desirable training and experience;
 - B. The Human Resources Assistant reviews the revised class specification with the employee and the employee's immediate supervisor;
 - C. The Human Resources Assistant reviews the revised class specification and identifies what changes in responsibilities would or would not justify the need to place the position in a higher or lower classification;
 - D. If appropriate, the Human Resources Assistant will value the classification as appropriate;
 - E. The Human Resources Assistant then forwards the information and recommendation to the City Administrator, the affected Department Director, and employee; and
 - F. The City Administrator receives and considers the recommendations and determines the proper action, following consultation and approval by the Mayor.
7. Timeline - Classification audits are accomplished in a timely fashion. The audit and the response explaining the recommended action are delivered to the appropriate parties within a reasonable time, generally within sixty (60) working days of receiving the request.

2.04 Reclassification Procedure. Upon approval of a reclassification by the City Council, the position is assigned to the appropriate classification range. In the event a classification is reclassified, then,

1. The incumbent employees in the existing classification, if qualified, will be placed directly into the new classification. If not qualified, the incumbents will be allowed one (1) year to become qualified;
2. If the new classification has a higher pay range, the employee will be paid at the same step in the new range. Reclassified employees will receive a new step date commencing at the date of reclassification; and
3. If the new classification has a lower pay range, the employee will be paid at the nearest step of the new range of their current salary, whichever is higher. In the event the current salary is higher, the salary will be frozen until such time as the new range exceeds the frozen salary, excluding cost of living increases, at which time the rate will conform to the top step of the new range.

Appeal Process - The Human Resources Office will review the appeal and make a recommendation to the Department Director. The Department Director will approve or disapprove the Human Resources office recommendation. The Department Director's decision will be forwarded to the City Administrator for review.

2.05 Establishment of a New Classification Specification. Requests for new classification titles, classification specifications, and position descriptions are submitted through the Department Director to the Human Resources Assistant for consideration. Upon the City Administrator/Mayor's approval, the Human Resources Assistant provides a new classification title, new classification specifications, or a new position description. Appropriate bargaining unit review will also be conducted. The City Administrator also directs the assignment of a proper classification range. An employee may be retained in the classification title provided by the assignment of a new class title following the guidelines set forth in Section 2.04 (Reclassification Procedure).

2.06 Request for a New Classification. A Department Director, when requesting that a new position or classification be created, will provide the Human Resources Assistant with the following information:

1. A full description of the duties, functions, and responsibilities of the position with an organizational chart showing its relationship to existing positions and classifications;
2. Suggested qualifications and title;
3. A statement explaining the impact and relationship of the new position or classification upon existing positions and classifications; and
4. Other information that would justify the need for the new position or classification.

2.07 Classification of Temporary Employees. For a temporary position, the Department Director may request a temporary title for the efficient operation of the department without a proper working classification title. The request is submitted to the Human Resources Assistant and City Administrator and includes appropriate justifications, classification specifications, a position description, a recommended classification range, and a recommended rate of pay. Upon approval by the City Administrator, the Department Director may immediately fill the temporary position.

2.08 Classification of Emergency Employees. Under emergency conditions that jeopardize public safety, the use of additional personnel not otherwise budgeted may be required. A Department Director, or the Department Director's designated representative, may employ the services of an emergency employee(s), with the prior approval of the Mayor. An emergency employee is placed in a proper classification range and is provided with benefits as approved by the City Administrator.

Chapter 3 HOURS OF WORK

3.01 Established Workdays and Workweeks. The standard workday for employees may range between eight (8) hours and ten (10) hours. The standard workweek is forty (40) hours.

Lunch/Rest Periods - On a regular 8 or 10 hour assignment a lunch period does not exceed one (1) hour and cannot be less than thirty (30) minutes. At least two (2) rest periods not exceeding fifteen (15) minutes are afforded each employee during a standard eight- or ten-hour workday. Flexibility of rest periods is prearranged between the employee and the immediate supervisor.

3.02 Exceptions to Established Work Hours. A Department Director may change an employee's work period with at least five (5) workdays' notice, except in an emergency, in order to be consistent with the needs of the City.

3.03 Attendance. Employees report for their work assignments at the times and places set by their supervisors. Each department prepares attendance records of all employees. Regular attendance reports are provided by each department to the Human Resources Office on the form approved by the City Administrator.

3.04 Pay Periods. All employees shall be paid twice a month, the 15th or nearest working day prior to the fifteenth (15th) and the last working day of the month.

3.05 Deductions. Deductions from employees' pay are ruled by current laws, contracts, and this Personnel Policy. They include the following:

1. Deductions required by law and contracts, which include federal withholding tax, Social Security tax, State retirement systems, recognized employee organization dues, wage garnishments, and health care insurance co-payments; and
2. Deductions can be arranged for the credit union, United Way, deferred compensation, recognized employee organizations, and other deductions as approved by the City Administrator. These types of deductions are arranged only upon receipt of the written authorization from an employee.

3.06 Overtime Policy. [This section does not apply to FLSA-exempt employees.] It is the policy of the City to avoid the need for overtime work in order to minimize the financial liability caused by accumulated overtime. Overtime may be necessary for the protection of the lives or property of the residents of Grandview or the efficient operation of City departments. Authorized overtime is to be kept to a minimum.

Prior Approval - An employee needs their immediate supervisor or Department Director's prior approval to work overtime. Overtime work required to meet an emergency situation does not require advance approval.

Reporting - The Department Director or supervisor is responsible for authorizing, approving, and submitting overtime hours on the employee's timesheet for payment of overtime and

compensatory time earned during any work week.

FLSA-Mandated Overtime - The City, according to the Fair Labor Standards Act as amended, pays FLSA non-exempt employees for authorized overtime as follows:

1. Overtime work for all covered employees is defined as any time worked or compensated for in excess of forty (40) hours per week;
2. Overtime is paid at the rate of one and one-half (1½) times the employee's regular hourly rate of pay for all hours worked or compensated for beyond forty (40) hours in a week; and
3. When it is necessary to direct employees to report for emergency overtime work, the minimum payment for each call-out is two (2) hours pay at one and one-half (1½) times the employees' regular hourly rates of pay.

3.07 Compensatory Time. Upon approval of the Department Director or the Department Director's appointed representative, an employee may choose to receive compensatory time at one and one-half (1½) hours for each hour worked or compensated for in excess of forty (40) hours per week. The maximum accrual of compensatory time shall not exceed forty (40) hours at any given time. The accumulation and use of compensatory time by an employee is documented on the employee's timesheet.

Leave Recordkeeping - For reasons of public accountability, records of all employees' use of leave are maintained in accordance with state records retention schedules.

3.08 Exempt Employee Administrative Leave. Because exempt employees are compensated to do a job and are not compensated based upon specific time worked and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and City Administrator, show demonstrated accomplishments, and make themselves regularly available during working hours to allow City business to be accomplished. It is the responsibility of exempt staff to notify the City Administrator, in advance, of all absences that exceed two (2) hours. If an exempt employee has an absence of more than four (4) hours during a regularly scheduled work day, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on his/her time sheet constitutes his/her verification that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination.

3.09 Paid Holidays.

Regular Holidays - The following holidays are recognized as municipal holidays for pay purposes. Non-represented regular full-time and trial service employees have these days off with pay:

New Year's Day	January 1st
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Veterans' Day	November 11 th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	
Christmas Eve	December 24 th (1/2 day)
	ONLY if authorized by the Mayor
Christmas Day	December 25 th
Floating Holiday	Employee's Choice

When a day recognized as a holiday by the City falls on Sunday, the following Monday is observed as the holiday. When a day recognized as a holiday by the City falls on Saturday, the preceding Friday is observed as the holiday.

Religious Holiday - An employee who wishes to be excused from work in observance of a religious holiday will request approval of the absence from the Department Director. If approved, the time off is charged against vacation leave or compensatory time.

3.10 Alternative Work Schedules. One alternative to the standard five (5) days/eight (8) hours per day work week is the four (4) days per week/ten (10) hours per day (4-10) work schedule or prorated for employees on a part-time schedule (e.g., 2-10 schedule for a half time, 20 hour per week employee). The 4-10 work schedule is subject to the following requirements and conditions:

1. Approval by the Department Director, City Administrator and Mayor;
2. All sections of the Personnel Policy Manual apply to the alternative schedule except as noted;
3. The alternative schedule may be proposed by either the supervisor and Department Director or by the affected employee and shall include the proposed hours of work, the duration the alternative schedule is to be in place, days off, and affected classification;
4. During the alternative 4-10 schedule, overtime shall be paid for all work in excess of forty (40) hours per week, except in the exceptions noted. Overtime pay shall be at the rate of one and one-half (1½) times the regular rate of pay. Compensatory time may be offered by the Department Director in lieu of overtime pay.

Chapter 4 EMPLOYMENT

4.01 Policy Statement. The City is obligated to its citizens to recruit and hire the most talented and qualified employees. To that end, the City recruits, as widely as practicable, for each position, and informs and encourages its employees to apply for City vacancies, and to develop continually their own skill base to enhance their competence and competitiveness.

4.02 Citizenship. All natural or legal citizens of the United States and those who meet eligibility requirements under the immigration laws are provided an equal employment opportunity with the City of Grandview.

4.03 Application. All internal and external candidates for employment must file an approved employment application form with the Human Resources office. The form and its contents are established by the City Administrator. Additional information such as a resume, cover letter, supplemental questionnaire, transcripts, copies of applicable licenses/certifications, and/or proof of good driving record may be requested of applicants.

4.04 Selection Process. The selection process may consist of recognized testing techniques such as achievement tests, aptitude tests, and performance through personal interviews, examination of work samples, physical ability tests, written tests, and investigations of personal background and references. The selection process is guided by the City's Diversity Policy (Section 1.02).

Selection techniques are fair and impartial and relate to those areas that, in the opinion of those involved in the selection process, fairly show the candidate's qualifications and abilities to execute the duties and responsibilities of the position to which the candidate seeks appointment.

Upon completion of an impartial selection process, based on the results of testing and other relative considerations, the City Administrator makes an appointment from the final candidates. An appointment is usually made upon the recommendation of the Department Director of the department in which the new appointee is assigned. An appointment becomes effective only after all necessary documents have been signed by the proper City officials.

Pre-Employment Testing - Prior to their appointment, the City shall require a conditionally selected candidate for appointment to safety sensitive positions for City service to undergo and pass a pre-employment drug screening examination at City expense. The City may also require a candidate to pass a physical examination and/or psychological examination and/or driver's license check after a conditional offer of employment has been made and prior to the candidate's appointment. Negative information obtained from a background investigation may be cause for rejection of an applicant.

4.05 Method for Filling Vacancies. All vacancies in City service filled by transfer, demotion, promotion, or appointment follow the selection process outlined in the Personnel Procedures Manual. A temporary appointment not exceeding six months in duration may be made under the provisions of this Policy if there are no eligible applicants. Departments may also utilize the provisions of a personal services contract of a temporary employment firm to

backfill a position on a short-term basis (usually for periods of a few days up to a few weeks).

4.06 Classes of Appointments. Employment in the City is divided into the classes of Regular Full-Time, Regular Part-Time, Temporary, and Emergency, as defined in Chapter 28.

4.07 Temporary Appointments. Whenever a City department requires help because of a special project, a temporary increase in work load, or the absence of a regular full-time employee or regular part-time employee on leave with or without pay, or on extended sick or vacation leave, temporary appointments may be made for the duration of such work. The period of this service is not counted as part of the trial service period if the employee is later appointed to another position, unless such time served is acceptable to the Department Director concerned.

4.08 Temporary Re-Assignments. During an emergency or period of unusual workloads, the City Administrator or a Department Director may temporarily reassign City personnel within the Department Director's department for a period not to exceed six (6) months. City personnel may be temporarily reassigned from one department to another within the City. Interdepartmental reassignments are administered as follows:

1. Requests for personnel are approved by both the Department Director for the department to which the employee had been assigned before the reassignment and the Department Director to which the employee is reassigned;
2. Interdepartmental charges are not made for employees so assigned;
3. An employee who has been temporarily reassigned receives their normal rate of pay and benefits, unless assigned to a higher classification for a period in excess of one work week, after which they are paid at that classification's range and step, similar to the employee's current step; or, alternately the Department Director may recommend the temporarily reassigned employee receive either a five (5) or ten (10) percent out-of-position pay supplement depending on the duration of the assignment and FLSA status. Should the employee be unavailable to perform the higher level duties for three or more days at a time during the temporary reassignment period due to planned or unplanned leave, the employee shall be compensated at their regular position's classification pay range/step for those days; and
4. Department Directors control and coordinate programs for training City employees to assure the maximum use of employees during periods of temporary reassignment.

4.09 Employment of Relatives. The City believes that it is in the best interests of the City and the employees to keep business and professional relationships separate from personal and family relationships. Accordingly, the City usually will not employ close relatives, spouses, or two individuals living together in a relationship that is essentially equivalent to marriage, except under circumstances where (1) neither employee will supervise, appoint, remove or discipline the other; (2) neither party will evaluate the work of the other; and (3) the working relationship will not create a conflict of interest or the appearance of favoritism in the opinion of management. If two employees who work in the same department or supervise each other have or develop a dating, familial, or other close or intimate relationship after employment, they

must notify their supervisor or Department Director within 45 days or before taking any action with respect to each other that could be perceived as a conflict of interest, whichever is sooner, and one of the two may be transferred or, if no suitable position is available, terminated. The decision as to which employee will have his or her employment terminated generally will be left to the employees involved, unless business necessity requires the City to make the decision.

The City also reserves the right not to employ close relatives of officers or other high-level employees of our customers, competitors, or others with whom the City deals, where such a restriction is necessary to avoid the actuality or appearance of conflict of interest, or to protect confidential information.

For purposes of this policy, relative includes: spouse, children (biological, step-, adopted or foster), brothers, sisters, half-brothers and sisters, step- brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above as well as mother-in-law, father-in-law, brother-in-law, and sister-in-law, as well as people living in the same household.

4.10 Continued Employment. Continued employment with the City of Grandview is subject, where applicable, to the at-will condition, in addition to satisfactory work performance, the need for the work performed, the availability of funds, and the continued provision of services by the City work force.

4.11 Reappointment. Any regular full-time employee or regular part-time employee who has resigned from City service in good standing may be considered for reappointment to a vacant position in a comparable or lesser classification without competitive recruitment in City service, providing the employee meets the current minimum qualifications, and the reappointment is within one year of resignation. All such employees will serve the required trial service period. In no way is it mandatory for any appointment authority to reappoint a former employee should the appointment authority desire not to do so.

Waiving the Time Limit - The City Administrator may waive the twelve month time limit for employees who have kept their skills current or who possess extraordinary skills or abilities needed by the City.

An employee so reappointed is considered a new appointee. The employee has no vested interest in and is not entitled to any benefits accrued during any previous employment with the City, except for the following:

1. Retirement System Benefits - The reappointed employee will be eligible for retirement benefits subject to the requirements of the proper retirement system of which the employee was previously an active member;
2. Vacation - An employee rehired within twelve months of separation receives full credit for prior years of service for purposes of determining the rate of vacation accrual;
3. Sick Leave - If the employee is rehired within twenty-four (24) months of his/her previous service with the City, any unused sick leave at the time of termination may be

restored to the employee's leave balance. No prior credit is allowed for individuals re-employed after twenty-four (24) months; and

4. Seniority - No credit for past service is allowed.

4.12 Transfer. An employee may be transferred by the appointing authority, at any time, to a position in another comparable classification if he/she meets the minimum qualifications. The transfer must be approved by the City Administrator. For transfer purposes, the definition of "comparable class" is a classification that compensates at the same minimum and maximum rates of pay, performs similar duties, and requires substantially the same minimum qualifications.

A regular full-time employee or a regular part-time employee may be transferred from one department to another department with consent of the employee and approval of the affected Department Directors. The City Administrator may order the transfer for purposes of economy and efficiency.

Return to Former Position - If the performance of an employee so transferred is unsatisfactory in the new position, or if the new position is eliminated and the employee's performance in the original position had been satisfactory, the employee may be transferred back to their original position or a similar position, if the position is open. This return transfer is allowed only within a reasonable amount of time, generally within six (6) months of the effective date of transfer.

The transfer of an employee will not be used to effect a promotion, demotion, advancement, or reduction. Each may be accomplished only as provided in this Personnel Policy.

4.13 Promotion. It is the policy of the City of Grandview to encourage the advancement and development of personnel within City service. Promotional selection for vacancies is conducted as the needs of the City require. Regular employees, who meet the requirements of the classification for which a recruitment/examination is to be held, are considered eligible to compete in such a process. An employee selected for promotion shall receive a minimum five percent (5%) pay increase moving to the next highest step in the new salary range.

A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if said position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

4.14 Demotion. The City Administrator, if approved by the Mayor, may demote an employee for any of the following reasons or conditions:

1. The ability to perform the employee's required duties falls below commonly accepted standards;
2. Disciplinary reasons as set forth in Section 15.02 (Causes for Disciplinary Action);
3. An employee's position is eliminated;

4. An employee requests such demotion;
5. A departmental reorganization that affects employee positions;
6. Any other reasonable grounds as approved by the City Administrator and Mayor.

No employee is demoted to a classification for which the employee does not have the minimum qualifications. Written notice is given an employee at least fifteen (15) working days before the effective date of the demotion.

4.15 Exit Interviews. An interview is generally conducted with all employees separating from City service for any reason by a representative from the Human Resources office.

Chapter 5

TERMINATION OF EMPLOYMENT

5.01 At-Will Employment. Unless specifically provided additional rights in a written contract or pursuant to Civil Service rules or statute, the employment relationship may be terminated at any time by either the City or the employee. Generally, the City will follow its progressive discipline process, as outlined in Chapter 15. However, the City reserves the right to forego that process when, in the discretion of the City Administrator, progressive discipline is not merited. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

5.02 Resignation Process: A regular employee must submit a written notice of resignation to the employee's Department Director at least ten (10) working days before the effective date of the resignation. The Department Director and the City Administrator may authorize the resignation of an employee with fewer than ten (10) days notice if there are sufficient reasons to waive the requirements of this section.

Resignation Process for Managers - A Department Director, to be considered as having resigned in good standing, must submit a written notice of resignation to the City Administrator at least thirty (30) calendar days before the effective date of the resignation. The City Administrator may authorize a resignation in good standing upon shorter notice for sufficient cause.

Separation Date - In order to minimize the City's liability, the separation date is the last workday of an employee's employment. EXCEPTION: In the case the employee notifies the City in writing of their intent to resign, elects to work through the end of the given month, and the last day of that work month is a recognized holiday, the employee will be eligible to receive holiday pay for their last official day of employment with the City. No vacation or sick leave is accrued from that date forward. Accumulated leave may not be used to extend the effective date of termination.

5.03 Lack of Work or Funds: Employees may be laid off by the Mayor because of a change in duties or organization, elimination of a position, shortage of work funds, contracting out City services, or completion of work for which employment was created.

Layoff Order - The order of layoff of regular employees is based on the recommendation of the Department Director. In preparing a recommended order of layoff, the Department Director should consider the lengths of service and the job performances of the employees involved. Employees within the classifications involved generally will be laid off in the following order: emergency employees, temporary employees, trial service period employees, regular part-time employees, and regular full-time employees.

Notification - In cases involving a regular full-time or regular part-time employee, notice of layoff is given to the employee within a reasonable time, generally at least ten (10) working days before the effective date of termination. Employees so notified may be allowed to use reasonable amounts of work time during that period to seek other employment. These terminations are not subject to appeal.

Reinstatement from Layoff - The names of regular full-time and regular part-time employees are placed on the official layoff reinstatement list for a period of eighteen (18) months. Employees on a layoff reinstatement list are eligible for reinstatement to the same classification if a position comes open. Employees on the layoff list may also be considered for any open position for which they meet the minimum qualifications. Laid-off employees are recalled in the inverse order to the layoff with consideration given to qualifications. Laid off employees who are reinstated to full-time employment with the City within twelve (12) months of the effective day of the layoff, shall be reinstated with an accrual rate for vacation, sick leave, and longevity benefits as if there were no break in service.

5.04 Retirement. All regular full-time and regular part-time employees in City service who retire under the provisions of any present or subsequent retirement policy or plan are treated as having been separated from City service in good standing.

5.05 Requirements. An employee who becomes unable to meet the physical, licensing or certification requirements of the employee's position may be terminated from City employment. The recommendation of termination will be made by the Department Director to the City Administrator.

Chapter 6

TRIAL SERVICE PERIOD

6.01 Purpose of Trial Service Period. The trial service period is a continuation of the testing and orientation process during which the employee has an opportunity to demonstrate his/her ability to perform the requirements of the appointed position at a level that meets City and departmental expectations and standards. The period is a time for management to observe closely the employee's performance in order to achieve an effective match and/or adjustment of a trial service employee to his/her position, or to determine that a trial service employee's performance does not meet the acceptable standards of the position.

6.02 Length of Trial Service Period. All original and promotional appointments are conditional and subject to a trial service period from the time of appointment. The trial service period is for a minimum of six (6) consecutive months of actual service. The City Administrator, upon written request from a Department Director, may grant an extension of the trial service period up to a maximum of six (6) additional months. The successful completion of trial service means that the employee has been appraised and found capable of meeting the performance expectations of the position during the trial service period and is therefore eligible to receive a merit step increase within their classification range. Absent successful completion of trial service, the employee shall not be eligible to receive a step increase until such time as the trial service period has been successfully completed. The performance appraisal confirming successful completion of the trial service period must be submitted to effectuate the merit step increase.

6.03 Trial Service Employee Status. During the trial service period, a trial service employee may be suspended, demoted, or terminated at any time without cause by the City Administrator, with approval of the Mayor. The employee's Department Director gives a copy of the trial service employee's performance report(s) to the City Administrator. The Department Director gives the City Administrator a written appraisal of the employee's performance as well as any written recommendation for the employee's suspension, demotion, or termination. A copy of the notification of suspension, demotion, or termination is given to the trial service employee. Termination, suspension or demotion of a trial service employee becomes effective only after approved by the City Administrator, following consultation with the Mayor. An employee termination, suspension or demotion is not subject to appeal. An exit interview is conducted with a terminated trial service employee by a representative of the Human Resources office.

Trial Service Due to Promotion - A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if the position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

6.04 Employee Performance Appraisals. The performance of a trial service employee is appraised at the end of three (3) months of service. More frequent appraisals may be conducted if deemed appropriate by the employee's immediate supervisor or the Department Director. A performance appraisal will also be done prior to the employee completing trial service, and at least annually from that date forward.

Process - The original written appraisal of a trial service employee's performance is sent to the Human Resources office and approved by the Human Resources Assistant, City Administrator, and placed in the employee's personnel file. A copy of the employee's performance appraisal is given to the employee.

Annual Performance Appraisal - The performance of each regular full-time employee and regular part-time employee is evaluated at least annually by the employee's immediate supervisor and reviewed by the employee's Department Director. The approved City-wide performance appraisal system shall be utilized by all departments for employee performance evaluations. This evaluation may occur at a more frequent interval if deemed appropriate by the immediate supervisor or the Department Director.

6.05 Regular Appointment. The Department Director (or their designee) and immediate supervisor shall be responsible for tracking the timing of the completion of the midpoint trial service appraisal and the final trial service appraisal. If the performance of the trial service employee has been satisfactory, the Department Director submits a written appraisal to the Human Resources office at least two (2) weeks prior to the expiration of the employee's trial service period. The City Administrator shall act on the recommended action changing an employee's status from trial service to regular. Regular employment status means that an employee has been deemed capable of meeting the performance expectations of the position.

Chapter 7

SICK LEAVE

7.01 Use of Sick Leave. Sick leave may be requested in the case of personal sickness, disability or medical/dental treatment. Sick leave or other paid time off may also be used to care for (a) a child of the employee with a health condition that requires treatment or supervision; or (b) a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition. An employee may not take leave until it has been earned. The same requirements for using sick leave for an employee's own illness, disability, or medical treatment, described below, are applicable when an employee uses sick leave to care for a child or other relative listed above.

Definitions for the purpose of this Chapter are:

1. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under eighteen years of age; or (b) eighteen years of age or older and incapable of self-care because of a mental or physical disability;
2. "Grandparent" means a parent of a parent of an employee;
3. "Parent" means a biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child;
4. "Parent-in-law" means a parent of the spouse of an employee;
5. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, hospice, or residential medical care facility; or (b) continuing treatment by a health care provider;
6. "Sick leave" means time allowed to an employee for illness, disability, or medical/dental treatment. Other paid time off (i.e., vacation, compensatory time, and personal holidays) can be substituted for sick leave if the employee chooses; and
7. "Spouse" means a husband or wife, as the case may be.

Chapter 11 - Family and Medical Leave Policy describes other conditions under which leave may be requested for the employee's own health condition or to care for a family member.

Request - An employee requesting sick leave must inform their immediate supervisor or Department Director no later than fifteen (15) minutes after (sooner if possible) the employee is scheduled to begin work if the leave is unplanned, and if possible, ten (10) days in advance if the leave is scheduled. Advance notice is essential in cases where replacement employees or rescheduling is necessary as a result of planned absences. The employee's immediate supervisor approves the sick leave on the timesheet and other applicable leave-requesting form that may be used in the department/City. Accrued sick leave must be used in increments of at least 15 minutes. Sick leave with pay is not allowed unless the employee has met and complied with the provisions of this Personnel Policy.

Activities Incompatible with Sick Leave - Any employee who is absent after requesting sick leave or who is on leave as provided by this Chapter or Chapter 10 (Other Leaves of Absence) may not engage in work or other activities that are in conflict with the reasons given by the employee for being on sick leave. While on sick leave, an employee must not engage in any activity that would hamper their ability to return to work.

Abuse of Sick Leave - The abuse of sick leave privileges may result in disciplinary action against an employee.

Physician's Statement - If the employee is absent three (3) or more days, the employee's immediate supervisor, Department Director, or the City Administrator may require a written statement from the employee's attending physician that confirms the employee is/was unable to work during his/her absence due to illness, disability, or medical treatment. The statement must also give the doctor's opinion as to when the employee may return to work, and describe any restrictions on their ability to perform all of the duties required by their position upon their return. Such a statement may also be required from a second or alternate physician designated by the City Administrator at the City's expense. Management may require a physician's statement for absences of less than three days if the employee has been using an excessive amount of sick leave and/or management suspects abuse of sick leave privileges. Where an employee is absent three (3) or more days to care for a child or other relative, the employee may be required to provide a note from the relative's physician or other health care provider.

7.02 Eligibility. Regular full-time, regular part-time, and trial service employees are eligible to accrue and use sick leave. Temporary and emergency employees are not eligible to accrue sick leave.

7.03 Accrual. Regular full-time employees accrue sick leave at the rate of eight (8) hours for each full calendar month of service beginning with the date of employment, up to a cap of 225 days of work. Regular part-time employees accrue sick leave in proportion to the number of hours worked per week. Sick leave accruals during months when an employee works less than the standard workweek are prorated based on the number of hours actually worked. Sick leave may be used after the first month of employment and is based on an employee's current balance of accumulated sick leave hours. New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be granted one day sick leave for each year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

7.04 Accumulation and Sick Leave Benefit upon Death or Retirement. Regular full-time employees hired prior to January 1, 2007 shall receive fifty percent (50%) of their accrued sick leave, employees hired after January 1, 2007 shall receive twenty-five percent (25%) of their accrued sick leave, paid out in hours upon death or retirement from the City of Grandview provided they have a minimum of 360 hours in said bank (retirement as defined by DRS or ICMA-RC).

7.05 Sick Leave Usage. Sick leave may be used as approved by the employee's immediate supervisor, Department Director, or the City Administrator. Pay for approved sick leave is authorized until an employee's accumulated total of sick leave hours has been exhausted.

7.06 Workers' Compensation and Disability Payments. All regular full-time employees will be covered by State Worker's Compensation or some program with equal or better benefits. Any employee who is eligible for time off because of an on-the-job injury shall be paid sick leave. Any State Industrial benefit received by the employee shall be endorsed to the City. Upon receipt of this compensation by the City, the employee shall be credited with sick leave on a pro-rata basis of the State Industrial benefit to the original amount of sick leave taken. Sick leave benefits shall be limited to that amount which the employee has accumulated.

7.07 Medical and Disability Insurance. The regular full-time non-union employees of the City and their dependents shall be covered by medical, dental, vision, and orthodontia insurance. Employees shall be covered for group life insurance in the amount of \$25,000.00 per employee through an insurance coverage of a standard insurer, approved by the State of Washington and selected by the City Council with the advice and consent of the City employees. The City shall also provide dependent life insurance coverage for the non-union employee's spouse in the amount of \$2,000 and children in the amount of \$200 (birth to 180 days) or \$2,000 (180 days to age 23). The cost of said coverage shall be at the expense of the City in 2014 and 2015. Beginning January 1, 2016, the City shall cover ninety percent (90%) of the cost of medical insurance and one hundred percent (100%) of the cost of dental, vision and orthodontia insurance. On January 1, 2014, January 1, 2015 and January 1, 2016, the City shall pay \$700 into a Voluntary Employees' Beneficiary Association (VEBA) trust account for each full time City employee. A non-union employee may through payroll deduction purchase additional group life insurance, including spouse and children, at the employee's expense. The City shall pay one hundred percent (100%) of any increase in premium cost of the above plans as necessary to maintain benefits at contract finalization levels without additional cost to the employee.

All regular part-time employees who otherwise qualify for coverage shall be covered for employee-only medical after the completion of their six (6) month probationary period. Part-time employees may be disqualified and ineligible for coverage if they fail to maintain work hours of at least eighty-five (85) hours per month for six (6) consecutive months.

7.08 Dual Medical Insurance Incentive Program

Incentive Amount:

- The insurance premium (that would have been paid on the employee's behalf for the eligible dependents) will be split with the employee.
 - The City benefits from a 50% cost savings.
 - The employee receives the other 50% cost savings. This incentive is included in the employee's paycheck. The incentive becomes taxable wages.
 - The incentive is capped at one spouse and two children.

Scope/Limitations:

- Voluntary program.
- Limited to employees who have insurance benefits through the City. Employees are required to remain on the insurance plan. Only spouses and dependents are eligible to be removed from the insurance program.

- Dual insurance benefit is limited to medical coverage only. Dental, vision, and life insurance will remain in effect for all eligible dependents per health insurance provider requirements for 100% participation.
- Prior to removing medical insurance for eligible dependents, employees are required to sign a waiver certifying that their dependents have other medical insurance. This waiver includes acknowledgement that proof of continuous, comprehensive medical coverage is required to re-enroll eligible dependents in a City plan.
- Eligible dependents are eligible to rejoin the City's medical insurance program during the open enrollment period in December of each year. The only exception would be if an eligible dependent loses their (non-City) medical coverage during the middle of the year. In this situation the dependent is eligible to rejoin the City's program on the 1st day of the month following loss of insurance.
- If in the future, employees become responsible for a portion of the medical premium the incentive amount will be determined to be 50% of the City's portion of the premium.
- This program will remain in effect until employee informs the City of a change or the dependent is no longer eligible for medical insurance, or the City modifies or cancels the program. The City retains the right to revoke, modify, or cancel the policy at any time and as it sees appropriate.

Chapter 8

VACATION LEAVE

8.01 Eligibility. Regular full-time employees and regular part-time employees are eligible to use accumulated vacation leave from the initial date of hire. Use of these accrued and accumulated vacation hours are subject to approval by the employee's immediate supervisor. An employee's vacation may not exceed the amount of vacation time the employee has actually accrued and accumulated.

Temporary and emergency employees are not eligible to earn vacation leave with pay.

8.02 Vacation Accrual. Vacation leave is accrued starting on the employee's first day of employment, with the following amounts being accrued each year:

1. One year to five years of service:

Employees working four ten-hour shifts per week	8 work days
Employees working five days per week	10 work days
2. Six years to ten years of service:

Employees working four ten-hour shifts per week	12 work days
Employees working five days per week	15 work days
3. Eleven years to twenty years of service:

Employees working four ten-hour shifts per week	16 work days
Employees working five days per week	20 work days
4. Twenty-one years of service and over:

Each employee shall receive one (1) additional day of vacation for each year served in excess of twenty (20) years.

New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be given one month's vacation service credit for each full year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

Vacation leave for a regular part-time employee is accrued from their employment date at a prorated amount.

8.03 Use of Vacation.

Scheduling – Accrued vacation must be used in increments of at least 15 minutes. The dates and length of time an employee uses accumulated vacation leave requires prior approval by the employee's immediate supervisor. Employees are expected to plan as far in advance as is practical their request for and use of vacation time and communicate those requests to their supervisor. The supervisor takes into account the wishes of the employee as well as the needs of the City.

Maximum Hours - Vacation leave may be used as accumulated. Vacation leave is however, not available for use until earned and posted to the employee's accrued vacation leave following the end of the current pay period. As of December 31st of each year, no employee will be permitted to have an accumulated amount of accrued vacation leave in excess of two hundred forty (240) hours. Any accrued vacation leave in excess of 240 hours will be forfeited on an annual basis. Employees are expected to responsibly manage their vacation leave balance to avoid shortfalls and excesses.

8.04 Vacation Payoff at Termination. A terminating employee is paid for accrued and accumulated vacation leave at the rate of pay in effect at the time of separation.

When termination is caused by an employee's death, payment for accumulated vacation leave is paid to the beneficiary designated by the employee. The designation must be in writing, signed by the employee, and filed with the Human Resources office. If an employee has not designated a beneficiary, the payment will be made to the employee's estate.

8.05 Effect of Extended Military or Other Leave of Absence. An employee who is granted a military or other leave of absence exceeding one hundred and eighty (180) calendar days may request payment for accumulated vacation leave that remains on their record. An employee may also request payment for any accrued vacation as of the date the employee's military leave commences.

8.06 Vacation Cash-Out and Required Vacation. A full-time employee may, no more than twice each calendar year, request and receive payment in exchange for accrued vacation leave. The maximum number of vacation hours that may be exchanged is eighty (80) hours. An employee who requests a cash payment for up to eighty (80) hours of vacation leave does not need to provide justification. However, the employee is required to take the equivalent of at least one (1) week of actual vacation leave or compensatory leave each calendar year. In addition, the utilization of this benefit may not draw down the employee's vacation below forty (40) hours. Employees requesting a vacation cash-out must complete an Employee Leave Request Form and be approved by the employee's Department Director.

Chapter 9

LONGEVITY PAY

9.01 Additional Compensation. In addition to the monthly salaries to be paid to the regular full-time employees of the City there shall accrue, and be paid at the time and in the manner herein after set forth, longevity pay as follows:

5 years	1% of base pay
10 years	2% of base pay
15 years	3% of base pay
25 years	4% of base pay

Employees hired prior to January 1, 2010 that have not yet met the 10-year mark for longevity shall be grandfathered in at the old longevity rate of 1% for their 3-4 years of service and 1.5% for their 5-9 years of service. Once the employee reaches the 10-year mark, they shall follow the above chart for longevity pay.

9.02 Initial Accrual. The amounts set forth shall accrue from the first day of the calendar month following the month in which the periods above set forth have been completed.

9.03 When Payable. The accrued amount payable to any employee, shall be paid to such employee on November 30th in each year, provided, however, that should any employee entitled to additional compensation as provided in this chapter leave the employment of the City prior to November 30th in any year, the accrued, and unpaid, benefits for such employee shall be paid at the time of the termination of his employment.

Chapter 10

OTHER LEAVES OF ABSENCE

Note: All leave provided in this chapter, if taken for purposes covered by the Family and Medical Leave Act, run concurrently with FMLA and apply toward an employee's 12 week entitlement, unless otherwise indicated.]

10.01 Authorized Leave of Absence without Pay. A leave of absence is not a right, but a privilege. Leaves of absence, other than those that qualify as family or medical leave (see Chapter 11), may be granted without pay in cases of emergency and when a leave of absence would not be contrary to the best interests of the City. A leave of absence is granted only upon written request by an employee who presents the reason for the leave. Approval will be made in writing according to the following provisions:

1. A request for a leave of absence without pay for one (1) week or less may be granted by the Department Director, depending on the merit of the individual case;
2. A request for a leave of absence without pay in excess of one (1) week may be granted by a Department Director with the approval of the City Administrator, depending on the merit of the individual case; and
3. A leave of absence, without pay, longer than one week, requires that accrued vacation leave be used first. A leave of absence may not exceed twelve (12) consecutive months. Failure to return at the end of the agreed-upon length of leave may be considered abandonment of one's position and grounds for termination.

10.02 Bereavement Leave. Bereavement leave may be granted up to forty (40) work hours per occurrence for immediate family members of the employee or the employee's spouse (for purposes of such leave, immediate family of the employee or spouse of the employee includes: Parent, child, spouse, brother, sister, son-in-law, daughter-in-law, grandparent, grandchild, and equivalent step relatives); up to 24 work hours per occurrence for other extended family members (i.e., aunts, uncles, nieces, nephews or cousins) where overnight travel out of town is required; up to 4 hours per occurrence for close friends and acquaintances that may have resided within the normal commute area of the employee's residence. Employees may make written request to their respective Department Directors asking for exceptions to these guidelines and describing the justification for a deviation from the bereavement time off.

10.03 Military Leave of Absence.

Military Training Leave – Pursuant to RCW 38.40.060, employees who are members of the National Guard or federal reserve military units are entitled to paid leave for a period of up to twenty-one (21) workdays per year beginning October 1st and ending the following September 30th, or any greater period required by law, for performing ordered active duty training. If the active duty exceeds twenty-one (21) workdays, the employee may take accrued compensatory time, available vacation, or leave without pay.

Leave for Active Duty Military Services – Employees who are called to or volunteer for active duty military service in excess of twenty-one (21) workdays will be placed on an indefinite unpaid leave of absence during the time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may choose to use accrued vacation leave prior to moving to an unpaid status. Any unused leave accruals remaining when the unpaid leave begins will be held until the employee returns to active employment with the City. During the unpaid leave, the employee will neither earn additional vacation or sick leave nor be entitled to health insurance benefits except as may be provided for under COBRA or other applicable law. Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

Employees shall notify their supervisor as soon as they receive notice of the need to report for military training or active duty, and provide the supervisor with a copy of the military orders.

Military Spousal Leave – Pursuant to RCW 49.77.030, during times of military conflict declared by the President or Congress, an employee, working 20 hours per week or more, whose spouse is a member of the United State Armed Forces, National Guard or Reserves who had been notified of an impending call or order to active duty, or who has been deployed, or when the military spouse is on leave from deployment, is eligible for a total of fifteen (15) days of unpaid leave per deployment.

The employee must give notice of intention to take leave within five (5) days of the soldier/spouse receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

This leave is unpaid leave. However, employees may substitute accrued vacation, compensatory time or sick leave for any part of their spousal military leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back the City for the employer portion of the health insurance premiums.

Upon return from military spousal leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

10.04 Maternity Leave of Absence. Maternity leave is leave granted an employee for the period of disability related to pregnancy and childbirth. The time taken as maternity leave is considered an off-the-job disability until the employee's physician releases her for work. Maternity leave is provided in addition to the leave that may be available to the employee outlined in Chapter 11 - Family and Medical Leave.

Paid Leave - Maternity leave may be charged to the employee's accrued sick leave, vacation, and compensatory leave. The City will continue its contribution towards the employee's health care insurance as long as the employee remains in paid status. Should the employee go on a leave of absence without pay, the employee would be responsible for both the City and employee's portion of the health care premiums, except if the employee is on Family and Medical Leave.

Breastfeeding break policy – For one year after the birth of a child, employees who are nursing are entitled to breaks of reasonable duration each time the employee has a need to express milk. If the employee expresses milk during a standard 15-minute rest break, she will be paid for the time. If the employee is taking an additional break for the purpose of expressing milk, the time will be unpaid. The City will provide a location, free from intrusion from coworkers or members of the public, which may be used for this purpose. Employees will not be retaliated against for exercising their rights under this policy.

10.05 Subpoena.

Related to Employment - An employee who is subpoenaed to appear in court as a witness in a matter arising from their job-related duties with the City is granted leave with pay when the employee is appearing during their workday. If the employee appears when off-duty, the employee receives overtime pay or compensatory time. Compensation received by the employee for witness or subpoena fees, and for mileage when traveling in a City-owned vehicle must be remitted to the City. Compensation for mileage, when traveling in a private vehicle, is retained by the employee.

Not Related to Employment - If an employee is subpoenaed to appear in court during their workday as a witness in a matter not arising from their job-related duties with the City, they must provide a copy of the subpoena to their immediate supervisor and may use accrued leave if they wish to be paid for the time away from work. In such a case, compensation for witness or subpoena fees, mileage, and subsistence is retained by the employee.

10.06 Jury Duty. A regular employee required to report for jury duty during the employee's workday is granted leave with pay. The employee receives full pay from the City for the time served on the jury up to a maximum of two (2) weeks and/or until released, whichever is less, provided the employee remits to the City all fees for jury duty as soon as the duty fees are received. Exempt employees will be paid their regular salary for two weeks of jury duty plus any partial weeks in which they perform any work for the City. Compensation for mileage when the employee uses his/her own vehicle will not be considered as fees and may be retained by the employee. If an employee exceeds the two-week period of paid jury duty leave, he/she may use accrued paid leave during any additional jury leave. If a regular employee is serving jury duty when he/she is off duty, using vacation or personal leave, or has exceeded the two-week period of paid leave, the employee may retain all fees, mileage, and subsistence allowances.

Notice - Before a regular employee can be granted leave with pay for jury duty, the employee must give their immediate supervisor a copy of the summons to serve on a jury. In addition, the employee must present documentation from the court clerk showing evidence of jury duty pay and time served.

10.07 Administrative Leave. On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used in the best interest of the City (as determined by the City Administrator) during a pending investigation or other administrative proceeding.

The length of such leave is solely at the discretion of the City, provided, however, that the length of the leave shall not exceed the length of the situation for which the leave is approved.

Leave may also be approved for employees in positions exempt from the Fair Labor Standards Act to compensate for unusual, non-customary work demands.

10.08 Leave Without Pay (LWOP) and Absence Without Leave (AWOL).

1. Leave without pay (LWOP) is a short-term, temporary non-pay status and absence from duty which may be granted by the supervisor at the employee's request. Even though the employee will not be paid during their LWOP absence, it should not be assumed that LWOP will be approved in all cases. Just like other types of leave, LWOP must be requested in advance, whenever possible, so that adequate arrangements can be made for completion of the employee's work while they are out on LWOP. When making a decision on a request for leave without pay that is not required by law, the supervisor in consultation with the Department Director must consider the impact the leave will have on the work unit and the City. LWOP will not be granted when an employee has vacation, compensatory time or sick leave (when applicable) accruals available for use.
2. LWOP and AWOL are treated much the same way since no pay is received in either case. There is however a significant difference. LWOP is an approved absence, i.e., a non-pay status which the employee has requested and has been approved by the supervisor. Being charged with AWOL (absent without leave) means that the employee's absence is not authorized even though they may have requested leave. AWOL is considered a serious conduct matter and can result in disciplinary action, up to and including termination of employment.
3. Minimum and Maximum Amounts of LWOP - Like vacation and sick leave, the minimum increment for LWOP is 15 minutes. LWOP is not ordinarily approved for longer than a few days at a time, except where it is required by law or is in the best interest of the City.
4. LWOP of up to twenty-four (24) consecutive hours may be approved by the supervisor. For periods of LWOP exceeding twenty-four (24) hours, the Department Director shall be the approving official.
5. It is important to note that LWOP and AWOL will affect certain employee benefits.
 - A. Leave Accrual - When an employee is in a non-pay status for any part of the pay period, the prorated amount of vacation or sick leave for the pay period shall be accrued for those hours only that the employee was in a paid status;

- B. Insurances - Except when the LWOP period is associated with an FMLA-eligible period, the City portion of health care and life insurance benefit premiums shall only be paid for those hours that the employee was in a paid status during the pay period. All remaining portions of the premiums shall be the employee's responsibility, and must be paid to the City within forty-five (45) days of the end of the pay period in which LWOP or AWOL hours were accumulated; and
- C. Holidays - Employees must be in paid status on both the workday before and the workday after a legal holiday to be eligible to receive holiday pay. Employees who are on an extended period of leave without pay may not return to duty solely in order to be paid for a holiday.

10.09 Domestic Violence Leave. The City is committed to working with employees who are victims of domestic violence, sexual assault or stalking, to prevent abuse and harassment from occurring in the workplace. RCW 49.76 allows victims of domestic violence, sexual assault, or stalking to take reasonable leave including leave on intermittent or reduced schedule basis or intermittent leave from work to engage in remedial activities related to the abuse including: participating in legal proceedings; seeking medical treatment or mental health counseling; obtaining social services; or taking other actions to increase the safety of the employee and his/her family members. Family members may also take reasonable or intermittent leave to help a victim obtain needed treatment or services. Per RCW 49.76.020(5), a family member is defined as an individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

An employee must give notice that they will be taking this leave in advance, when possible. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or his or her designee must give notice to the employer no later than the end of the first day that the employee takes such leave.

Verification for leave will be required by the City. An employee may provide one or more of the following: a police report indicating the employee or employee's family member was a victim; a court order providing protection to the victim; documentation from a healthcare provider, advocate, clergy, or attorney; an employee's written statement that the employee's family member is a victim and needs assistance. Family relationship may be determined by birth certificate, court document, other similar record, or an employee's written statement.

An employee who utilizes leave under this policy may elect to use sick leave, accrued vacation leave or unpaid leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back to the City for the employer portion of the health insurance premiums. Leaves such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

Upon return from domestic violence leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

10.10 Unpaid Leave for Reasons of Faith or Conscience. All City of Grandview employees are entitled to take two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her Department Head. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's Department Head a minimum of seven (7) days prior to the requested day. The written request should include the following information: 1) the employee's name; 2) day or days off requested; and 3) description of the reason for the unpaid holiday sufficient for the City to determine if the request is appropriate under the law.

Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's Department Head. The employee's Department Head shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by the Office of Financial Management.

The City may deny a request based on the following criteria: 1) the request was not submitted seven (7) days in advance and/or without a valid description; 2) the reason for the unpaid leave is not appropriate under the law; 3) the employee has already exhausted his/her allotment of unpaid holidays under the law; 4) the employee is in a public safety position and granting the unpaid leave would result in shifts falling below the necessary staffing levels; and 5) granting the request would cause an undue hardship as defined by the Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all. They do not carry over from one year to the next.

Chapter 11

FAMILY AND MEDICAL LEAVE POLICY

11.01 Policy Statement. In accordance with the federal Family and Medical Leave Act and the Washington State Family Leave Act (jointly referred to here as FMLA), the City grants job-protected, unpaid family and medical leave to eligible employees for up to twelve (12) weeks per twelve-month period for any of the following reasons:

1. The birth of and care for a newborn child, or the placement of a child with an employee in the case of adoption or foster care. Leave for these reasons will expire at the end of the 12 month period beginning on the date of such birth or placement;
2. In order to care for an immediate family member (spouse, child, or parent) if that family member has a serious health condition; and
3. An employee's own serious health condition that makes the employee unable to perform the essential function(s) of their position.

11.02 Definitions.

Twelve-Month Period - A rolling twelve-month period measured backward from the date family and medical leave is taken. The period continues with each additional family and medical leave day taken.

Spouse - Either member of a legally-married pair. If both spouses work for the City, they are entitled to a combined total of 12 weeks of leave if the leave is taken for the birth of a child, the placement of a child for adoption or foster care, or to care for a sick parent. If each spouse uses a portion of the 12 weeks of leave for the purposes specified above, each would be entitled to the difference between the amount they had taken and 12 weeks of FMLA leave for a different purpose. Example, if each spouse took 6 weeks of leave as a result of the birth of a child, each could use an additional 6 weeks due to his or her own serious health condition.

Child - A person younger than eighteen (18) years of age, or a person older than eighteen (18) years of age and incapable of self-care due to a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility. A "child" includes a biological, adopted, foster, or step-child.

Serious Health Condition - A serious health condition is an illness, injury, impairment, or a physical or mental condition involving inpatient care or continuing treatment by a health provider. Continuing treatment involves:

1. A period of incapacity of more than three (3) consecutive calendar days (not working days) and subsequent treatment including either two visits to a health care provider or one visit followed by continuing treatment under the health care provider's supervision;
2. A period of incapacity due to pregnancy or for prenatal care;
3. Treatment for chronic serious health conditions such as asthma and diabetes which (1)

requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; (2) continues over an extended period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity; and

4. Treatments for serious conditions such as cancer that may not be incapacitating but without treatments would result in a period of incapacity of more than three (3) consecutive days.

Health Care Provider - Any health care provider that is recognized by the City or accepted by the City's group health plan. This may include physicians, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners, nurse midwives and clinical social workers.

11.03 Eligibility for Leave. To be eligible for family and medical leave, an employee must have been employed by the City for at least twelve (12) months. Employees must have worked 1,250 hours during the 12 months prior to the commencement of leave. Vacation, personal leave, sick leave or unpaid leave is not included in the 1,250 hour calculation.

11.04 Intermittent or Reduced Leave. An employee may take FMLA leave on an intermittent basis (a few days or few hours at a time) or on a reduced leave schedule as a result of the birth of a child and for the placement of a child for adoption or foster care if the City and the employee agree to such a schedule.

Leave for a serious health condition may also be taken intermittently or on a reduced leave schedule when medically necessary. The City may request certification from the health care provider of the employee or family member of the medical necessity of the intermittent leave schedule and its expected duration. Employees are required to schedule intermittent leave that is foreseeable so as not to unduly disrupt the City's operations. The City may assign employees on intermittent FMLA leave temporarily to alternative positions with equivalent pay and benefits that better accommodate such recurring periods of intermittent leave.

For regular part-time employees and employees who work variable hours, the FMLA entitlement will be calculated on a prorated basis. A weekly average of the employee's hours worked over the twelve-week period before the beginning of the family and medical leave will be used for calculating the employee's normal workweek.

11.05 Substitution of Paid Leave. An employee on FMLA leave must use any accumulated vacation and sick leave they have available. After an employee on FMLA leave has exhausted their accumulated vacation and sick leave, the remainder of the leave will be unpaid.

An employee who incurs a work-related illness or injury may be eligible to receive worker's compensation benefits. Any time off due to the work-related illness or injury will count toward the employee's FMLA leave entitlement.

The FMLA Act does not allow for the substitution of compensatory time for unpaid FMLA leave.

11.06 Designating Leave as FMLA Leave. The City has the authority to designate before leave starts, whether any paid leave to be taken counts towards an employee's FMLA leave entitlement, and will notify the employee immediately upon learning that it qualifies as FMLA leave. The initial notification to the employee may be oral, but will be confirmed in writing by the next regular payday. The City's designation is based upon information obtained from the employee or the employee's spokesperson (e.g., spouse, parent, physician, etc. if the employee is incapacitated). The employee must provide enough information to enable the City to make a determination, if not; the City may make a tentative designation until further inquiry is made to obtain the additional information.

11.07 Employee Notice Requirements. An employee must provide the City with at least thirty (30) days advance notice before FMLA leave is to begin if the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition. Failure to provide the notice with no reasonable excuse will give the City the right to delay the taking of leave until at least thirty (30) days after the date the employee provides notice to the City of the need for FMLA leave. If thirty (30) days notice cannot be provided, notice must be given as soon as practicable. Verbal or written notification to the City should be provided within one or two business days of when the need for leave becomes known to the employee. When planning medical treatment, the employee must consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt the City's operations, subject to the approval of the health care provider.

Medical Certification - If the employee's leave is to care for the employee's seriously ill spouse, child, or parent, or due to the employee's own serious health condition, the request must be supported by a certification issued by the health care provider of the employee or the employee's ill family member. When the leave is foreseeable and at least 30 days notice has been provided, the medical certification should be provided before the leave begins. The City will allow 15 calendar days for the employee to comply with a request for medical certification. Medical certification forms will be made available by the Human Resources office.

Second Opinion - The City may require a second medical opinion (at the City's expense). Pending receipt of the second opinion, the employee is provisionally granted leave. The City may also request periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report from the employee's attending physician advising that the employee can return to work.

If the opinions of the employee's and the City's designated health care providers differ, the City may require a third opinion (at the City's expense). The third health care provider will be designated or approved jointly by both the employee and the City. The third opinion is final and binding. The City will reimburse an employee or family member for any reasonable travel expenses incurred to obtain the second and third opinions.

Confidentiality - All documentation related to the employee's or family member's medical condition is held in strict confidence and maintained in the employee's confidential medical file in the Human Resources office.

11.08 Payment of Group Health Premiums. The City will maintain (including the continuation of paying the City's share of the premiums) the group health insurance coverage for an employee's FMLA leave period whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Any portion of group health plan premiums which the employee has paid before starting an FMLA leave must continue to be paid by the employee during the leave. Any changes to premium rates and levels of coverage or other conditions of the plan that apply to other active employees also apply to eligible employees on FMLA leave. The City will give advance written notice to employees of the terms for payment of premiums during FMLA leave. If FMLA leave is unpaid, the City requires that payment of the employee's portion of the payment of health benefit premiums will be made by the employee to the City. Payment is required at the same time as if it would be made by payroll deduction.

The City's obligation to maintain group health benefits ends after an employee's premium payment is more than 30 days late. The City will provide 15 days notice that coverage will cease if the employee's premium is more than 30 days late. If coverage should lapse while the employee is on FMLA leave, they will be restored to equivalent coverage upon return to work and will not be required to meet any qualification requirements imposed by the health care plan such as preexisting waiting periods or passing a medical exam to obtain coverage.

Failure to Return to Work - The City may recover its share of health plan premiums during a period of unpaid FMLA leave from an employee if the employee fails to return to work at the end of leave. The only exception is where the employee does not return due to the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member or other circumstances beyond the employee's control.

11.09 Rights Upon Return to Work. When an employee returns from an FMLA leave, they will be restored to the same or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The Family Medical Leave Act does not require the City to place a returning employee in the same position. If a position in which an employee is placed is equivalent, the employee has no right to be restored to the original job.

The employee's restoration rights are the same as they would have been if the employee had not been on FMLA leave. For example, if the employee's position would have been eliminated, or if the employee would have been terminated, regardless of the employee having taken leave, the employee does not have the right to be reinstated upon return from FMLA leave.

Seniority - An employee is not entitled to seniority or benefit accruals during periods of unpaid family and medical leave. However, an employee does not lose seniority or benefits accrued prior to family and medical leave.

Early Return -If an employee requests to return to work earlier than originally scheduled, he/she should give the City reasonable advance notice, generally at least two working days. The City may require that before returning, the employee present a certification from his/her health care provider that the employee is able to resume work.

Request for Extension - In certain circumstances, an FMLA leave of absence may be extended beyond 12 weeks, upon request, when accompanied by an explanation of the need for an

extension period from your health care provider. The employee should give reasonable notice to the City of the need for an extension, and provide updated medical certification, prior to the expiration of the originally scheduled leave period.

An employee who does not (or is unable to) return to work after exhausting available FMLA leave is no longer protected by FMLA. Group insurance coverage may terminate at the end of the month in which the extended leave begins. If the employee desires to continue group coverage he/she must make arrangements to prepay individual and dependents' premiums each month. These arrangements should be taken care of before beginning the extended leave of absence, but in no case later than 30 days after the end of the month in which the extended leave began.

The City cannot guarantee that an employee will be able to return to the same or equivalent job after his/her return from an extended leave of absence. Failure to return from an extended leave on or before the agreed-upon date may result in termination.

11.10 Military Caregiver Leave. An employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of unpaid leave during a single 12 month period to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A covered servicemember is also a veteran who was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the he or she undergoes medical treatment, recuperation or therapy for a serious injury or illness. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty, that may render the servicemember unfit to perform the duties of his or her office, grade, rank or rating. For a veteran, a serious injury is a qualifying injury or illness (as defined by regulation) that was incurred in the line of duty on active duty (or that existed before the beginning of active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the servicemember became a veteran. The "single 12 month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.) Medical Caregiver Leave may be taken intermittently whenever necessary to care for a covered servicemember with a serious injury or illness.

11.11 Qualifying Exigency Leave. An employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the employer for FMLA leave for "qualifying exigencies" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty status, or has been notified of an impending call or order to active duty status in support of a contingency operation. For purposes of this leave, covered active duty for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. Covered active duty for members of the

reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. Specific qualifying exigencies are defined by regulation and may be found at 29 CFR 825.126, but include generally short notice deployments, military events and related activities, childcare related activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities. Please consult with Human Resources if you have questions about the scope of leave authorized under this section. FMLA leave may be taken intermittently for a qualifying exigency.

11.12 Additional Medical Leave During Disability Due to Pregnancy or Childbirth and to Care for Newborn. In addition to the FMLA leave described above, any employee entitled to leave for the period during which she is temporarily disabled due to pregnancy or childbirth. This pregnancy/ childbirth disability leave is unpaid and health benefits are not automatically continued; however, accrued leave may be used and the employee may continue insurance coverage at her expense. Certification from the employee's health care provider may be required. If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with FMLA leave.

The Washington Family Leave Act (FLA) provides certain additional leave benefits to care for a newborn. The FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. In most situations, leave under the FLA runs concurrently with FMLA leave. However, the FLA leave does not run concurrently with any leave taken for pregnancy/childbirth disability; this affords an employee time off to care for her newborn once she has recovered from the disability.

For Guidance: For more information on any of these leave policies, or if you think you may need to take Family and Medical Leave, contact the Human Resource Assistant. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact Human Resource with any questions about how the various laws are coordinated in a particular situation.

Chapter 12

SHARED LEAVE POLICY

12.01 Policy Statement. The purpose of shared leave is to permit City employees to come to the aid of a fellow City employee who is suffering from or has an immediate family member suffering from an extraordinary medical emergency. The severity of the emergency would cause the employee to take leave without pay or to terminate employment without shared leave. Shared leave also may be donated to enable an employee out on FMLA leave to continue to be paid during his/her absence. Application of shared leave will not affect the duration of the employee's 12-week FMLA entitlement.

12.02 Eligibility Criteria. The Human Resources Assistant, with the City Administrator's approval, permits an employee to receive shared leave if:

1. The employee suffers, or has an immediate family member suffering from, an illness, injury, impairment, physical or mental condition which is of an extraordinary or severe nature and which would otherwise cause, or be likely to cause, the employee to go on a leave without pay or terminate employment with the City;
2. The employee has or shortly will have exhausted all vacation leave, sick leave, personal leave, compensatory time, and holiday compensatory time;
3. Prior to the use of shared leave the employee has abided by the City's sick leave policy;
4. The employee has diligently pursued and is found to be ineligible for worker's compensation insurance benefits, if the illness, injury, impairment, or condition is work-related;
5. The use of shared leave will not significantly increase the City's costs, except for those costs which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department; and
6. The employee provides appropriate medical justification and documentation both of the necessity for the leave and the length of time which the employee reasonably can be expected to be absent due to the condition.

12.03 Amount of Leave Received. The Human Resources Assistant, with the City Administrator's concurrence, verifies the amount of shared leave, if any, the employee needs to receive per the guidelines below:

1. An employee may not receive more than 1040 hours of shared leave throughout the employee's employment; and
2. To the extent possible, shared leave is to be used in a consecutive and continuous basis.

12.04 Transfer Process. Employees may request the Human Resources Assistant to approve the transfer of a specified amount of vacation leave or compensatory time to an employee who is authorized to receive shared leave as provided therein. All transferred leave will be in increments of one (1) hour and is voluntary.

1. To be eligible to donate vacation leave, an employee must retain a minimum vacation leave balance of 40 hours after subtracting the donated hours;
2. An employee may donate all compensatory time accrued;
3. While on shared leave, an employee continues to be classified as a City employee and is eligible for all compensation (salary and benefits) they would otherwise be receiving if using paid leave;
4. The employee's total compensation, including worker's compensation insurance, may not exceed the compensation the employee would have received while in regular paid status; and
5. For those employees who prefer to donate or receive shared leave in confidence, every effort will be made to respect the individual's privacy.

12.05 "Value" of Leave. Shared leave will be transferred on an hour-for-hour basis.

1. Shared leave will be converted to sick leave for the recipient;
2. The Human Resources office is responsible for transferring the donated hours to the leave balances of shared leave recipients. Records will be maintained in the event any unused leave time is returned at a later date; and
3. Unused leave will be returned to donating employees on an equal basis. The Human Resources office determines when shared leave is no longer needed.

12.06 Monitoring. The Human Resources office will monitor the use of shared leave to ensure equal treatment of all City employees. Inappropriate use may result in the cancellation of donated or unused shared leave.

An employee currently receiving shared leave who leaves City service is not paid for the remaining balances of any donated and unused shared leave.

Chapter 13

WORK-RELATED TRAVEL

13.01 General. Employees required to travel on business for the City are paid a sufficient amount to cover expenses incurred in a reasonable manner.

13.02 Definitions.

"Routine" Travel Time To and From Work - Travel time to and from work before and after the regular workday is not work time. This is true whether the employee works at a fixed location or at different job sites.

"Extraordinary" Travel Time To and From Work - In contrast, however, if an employee is given a special one-day work assignment in another City, this travel time is not regarded as ordinary home-to-work travel and would qualify as working time. For example, an employee who works in Grandview, with regular working hours from 8:00 a.m. to 5:00 p.m., may be given a special assignment in Pasco with instructions to leave Grandview at 7:00 a.m. The employee arrives in Pasco at 8:00 a.m., the special assignment is completed at 5:00 p.m. and the employee arrives back in Grandview at 6:00 p.m. This travel is not regarded as ordinary home-to-work travel because it is performed for the employer's benefit and at the employer's special request to meet the needs of the particular and unusual assignment. However, not all the travel time involved must be counted as working time. Since, except for the special assignment, the employee would have had to report to their regular work site, the amount of time it would take the employee to travel between their home and the normal work site need not be counted as hours worked.

"Extraordinary" Travel Involving Overnight Travel - Required travel that keeps an employee away from home overnight is travel from home and is work time when it cuts across the employee's workday. The time is not only hours worked if it occurs during the employee's normal working day and working hours, but also if it occurs during the corresponding hours on non-working days. Thus, if an employee regularly works Monday through Friday, from 8:00 a.m. to 5:00 p.m., travel time between 8:00 a.m. - 5:00 p.m. is work time if it occurs on Saturday and Sunday as well as on weekdays.

In contrast, time spent in travel away from the home but outside of regular working hours will not be counted as hours worked if the employee is a passenger, e.g., traveling by airplane, bus, car, or train. If the employee is designated as FLSA non-exempt and a driver of a vehicle, all time spent driving in the vehicle to and from the assignment is regarded as working hours, except that if public transportation would have required less time, the City may count as hours worked the less time-consuming method of transportation. The employee is expected to choose the most economical and expedient mode of transportation in terms of time and cost.

Travel From Work Site to Work Site - Time spent traveling from one work site to another must be counted as hours worked. If an employee is required to drive a vehicle to transport tools, equipment, or other employees from the employer's place of business to the job site, that is considered work time. It makes no difference whether the vehicle is the employee's, the City's, or rented by the City.

13.03 Travel Pay. When employees, which for the purposes of this section shall include elected officials, appointed officials, appointed volunteers, volunteer firefighters, and reserve police officers, are required to travel outside the City limits on City business or when they are required to attend a City business function within City limits, reimbursement for expenses incurred shall be in accordance with this section.

Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the Department Director. A Department Director will obtain approval from the City Administrator.

Expenses for consultants or contractors performing authorized work or services for the City may also be reimbursed if the expenses would otherwise be billed to and paid by the City.

It shall be the responsibility of the City Administrator to ensure that these policies are adhered to and to provide the forms and instructions necessary for their implementation.

Exceptions to the rules set forth herein may be made only for unusual or extenuating circumstances, upon the written approval of the City Administrator.

13.03.1- PROCEDURES

This section outlines procedures to be followed by employees prior to, during, and after travel for the City.

A. Employee Request for Leave

1. The employee Personnel Action Form is to be completed, signed, and approved in advance of departure for overnight travel.
2. The remarks section on the form must include:
 - a. Workshop, meeting, or conference location;
 - b. Title of workshop, meeting, or conference; and
 - c. An estimation of total expenditures (i.e., registration, meals, lodging, mileage, materials, etc.).

B. Advance Travel - Request for Funds

1. Advance travel funds are available to City employees prior to travel to offset the costs of travel and to avoid placing an undue financial burden on the employee while he/she is conducting the City's business.
2. The Advance Travel-Request for Funds Form is to be completed, signed, approved by the Department Director and presented to the City Administrator a minimum of two administrative working days in advance of departure. Advance travel checks will be distributed one business day preceding the day of departure. Two of the three copies of this form will be retained by the employee--one of which must accompany the City voucher upon return. Vouchers to advance travel funds must be completed within ten (10) days of return and have a copy of the travel certification attached. Also, unexpended advance travel funds must be returned to the City Treasurer at the time of submitting the voucher.

C. Use of the City's Gasoline Credit Card

The gasoline credit card may be utilized for required fuel and repairs to City vehicles while on official City business. This card may be checked in and out with the City Treasurer at the time the advance travel check is picked up. The City credit card may not be used for private vehicle expenses.

D. Travel Expense Certification

Prior to departure, a copy of the Travel Expense Certification Form should be obtained to aid in recording expenses incurred during travel. Within ten (10) working days of return, the Travel Expense Certification Form should be completed (including receipts and unexpended funds) and submitted to the Department Director. The Department Director then is responsible for vouchering the reimbursement applicable. If no reimbursement is due the employee, then the Travel Expense Certification Form and receipts are attached to the advance travel fund reimbursement voucher.

13.03.2 - EXPENDITURES

A. Meals

1. Employees may be reimbursed for cost of meals on official trips only for the amount of actual and reasonable expenses incurred during the performance of official duties as a City employee for the City's benefit.
2. Reimbursement for actual meal costs must be documented by a vendor's receipt. Receipts should include the date, amount, and name of vendor. Grocery receipts are paid for meal items only if those items are specifically and mechanically named on the receipt.
3. Reasonable expenses for each meal (including tip) are:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

Exceptions may be granted by the City Administrator if the travel required is to a location where meal costs are unduly high. Further exceptions may be granted if group, conference, or speaker meals are presented as one package over which the employee has no control. To provide flexibility in the use of the meal allowance, the employee may apply the unused portion of one meal allowance to that of another. Reimbursement for one day's meals will not exceed \$50.00.

4. Where the employee has meals with other parties or a spouse, a separate receipt showing only the employee's expenses is required.
5. If travel requires overnight accommodation, an employee will be allowed one miscellaneous meal receipt not to exceed \$2.50.
6. Employees may be reimbursed for cost of meals of other elected or appointed state and local government officials during the performance of

official duties for the City's benefit.

B. Travel

1. City vehicles, if available, shall be used for approved travel. City vehicles shall not be used for private purposes.
2. Whenever an officer or employee drives their own motor vehicle outside the City of Grandview and pays for the gasoline and maintenance themselves, the City shall allow such officer or employee the reimbursement rate as established by the Internal Revenue Service (IRS) as the business standard mileage rate. Reimbursement shall be the IRS standard rate per mile for each such authorized trip.
3. When driving time exceeds four (4) hours or where it is less expensive than private vehicle reimbursement, a common carrier may be used for travel.
4. Miscellaneous travel costs, such as bus, taxi, bridge or other tolls, parking, and ferry are authorized and must be listed on the Travel Expense Certification Form. Receipts should be obtained if possible.

C. Lodging

1. The City may make payments for lodging directly to the hotel or motel, if authorized, by submitting a City Purchase Order, or the employee may seek reimbursement for lodging expenses upon return. If necessary, advance deposits may be paid by claims fund warrant.
2. In the event the employee takes his or her spouse to a conference or meeting, the City will reimburse the employee only for the single room rate. Employees should request that the hotel/motel indicate on the receipt the room rate for a single person.
3. Employees are expected to use good judgment in choosing reasonable lodgings. Lodging above that which is required, such as first class hotels or suites, will not be acceptable.

Exceptions may be granted by the City Administrator if the lodging required is in a location where lodging rates are unduly high or are related to a conference.

D. Incidental Expenses

This category includes, but is not limited to, the following allowable and non-allowable incidental expenses an employee might incur:

1. Allowable Incidental Expenses
 - a. Books required for conference or workshop topics;
 - b. Baggage checking; and
 - c. Business telephone and postage expenses.
2. Non-Allowable Incidental Expenses

- a. Personal entertainment;
- b. Theft, loss, or damage to personal property;
- c. Expenses of a spouse, family, or other persons not authorized to receive reimbursement under this policy;
- d. Barber or beauty parlor;
- e. Airline and other trip insurance;
- f. Personal postage, reading material, or telephone calls;
- g. Personal toilet articles;
- h. Alcoholic beverages;
- I. Tobacco products; and
- j. Groceries, merchandise, and variety items, except as provided in Section 13.03.2.A.2

Chapter 14

GRIEVANCE PROCEDURE

14.01 Policy Statement. Use of this procedure will not reflect unfavorably on the employee, the employee's immediate supervisor, the Department Director, or the general management of the City. Retaliatory or discriminatory action against an employee for using this procedure or discrimination in the application of this Personnel Policy may constitute a violation of City policy. The purpose of this procedure is:

1. To promote full communication between the City and employees in City service by providing a reasonable method for resolving disputes regarding terms and conditions of employment between the City and an employee and/or a City-recognized employee organization;
2. To assure an employee of a prompt and fair discussion and resolution of the issue involved;
3. To provide that grievances will be settled as near to the point of origin as possible;
4. To provide that grievances will be heard and settled informally; and
5. To enable employees to make their grievances known in an orderly process.

14.02 Grievance. A grievance is a written statement of dissatisfaction regarding the administration of this Personnel Policy. Employees represented by a Union should utilize the grievance procedure contained in their Collective Bargaining Agreement.

14.03 Grievance Submission. In the grievance procedure, the complainant will present grievances in writing.

14.04 Department Level Discussion. When possible, any grievance arising out of employment is considered within an employee's department.

14.05 Discrimination Complaints. Discrimination and harassment complaints are given to the Human Resources office for investigation.

14.06 Process at Department Level.

1. Employees should bring any grievance, as defined in this Personnel Policy, to the attention of the employee's immediate supervisor as soon as possible. If an employee fails to bring the grievance to the attention of the immediate supervisor within seven (7) calendar days from the date of the action or incident causing the grievance, an employee has waived the right to submit the grievance;
2. The employee's immediate supervisor takes action on the grievance and notifies the complainant of their action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the supervisor.
If the matter can be resolved by the employee's immediate supervisor to the satisfaction

of the employee, then the grievance will be terminated;

3. If the matter cannot be resolved by the immediate supervisor within a reasonable time, generally seven (7) calendar days from the date of submission to the supervisor, the employee may submit the grievance to their Department Director. The employee may also submit the grievance to the Department Director if the employee is still dissatisfied after the supervisor's decision. The grievance will be submitted to the Department Director within ten (10) calendar days from the date of the immediate supervisor's decision, or the grievance will be terminated; and

The Department Director confers with the complainant, the immediate supervisor, and such other persons as necessary, to gather all the facts. The Department Director takes action to resolve the grievance and notify the complainant of the Department Director's action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the Department Director.

14.07 Process at the City Administrator's Level.

1. If the complainant is not satisfied after informal discussion(s) regarding the Department Director's decision, the complainant may, within ten (10) calendar days from the date of the Department Director's decision, submit a written request to the City Administrator. Failure by the complainant to submit a written request to the City Administrator within the ten-day period terminates the grievance.
2. Upon receiving the written request, the City Administrator within a reasonable time, generally seven (7) calendar days, discusses the grievance with the complainant, the complainant's representative, if any, and all principals involved for the purpose of resolving the grievance. The City Administrator conducts any inquiry, investigation, or compilation of facts deemed necessary to assist in reaching a decision.
3. The City Administrator renders a decision in writing to the complainant within a reasonable time, generally fourteen (14) calendar days from the date the City Administrator receives the complainant's written request. The City Administrator also gives copies of the decision to the complainant's immediate supervisor and Department Director. The decision of the City Administrator is final.

Chapter 15

DISCIPLINE

15.01 Policy Statement. Progressive discipline focuses on the corrective nature of discipline and provides employees an opportunity to correct deficiencies in their performance by providing notice, setting goals and measures, monitoring procedures, providing feedback, and including clearly-defined disciplinary measures that may be taken if performance does not improve. It also provides the employer an opportunity to document the reasons for the outcomes of the disciplinary procedure.

However, the City will review each situation independently and make a decision on what it deems to be appropriate discipline, up to and including termination, and may conclude that progressive discipline is not appropriate or necessary in some circumstances. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

15.02 Causes for Disciplinary Action. Causes for disciplinary action against an employee may include, but are not limited to, the following:

1. Fraud or dishonesty in securing appointment;
2. Incompetence, inefficiency, or neglect of duty;
3. Insubordination (unwillingness to submit to authority) or willful disobedience;
4. Dishonesty;
5. Being under the influence of or consuming any alcoholic beverage while on duty (refer to Chapter 18 -- Substance Abuse Policy and Physical Examinations Policy), except for authorized undercover police officers;
6. Unlawfully possessing, selling, using, or being under the influence of any drug, except as authorized by a physician (refer to Chapter 18);
7. Unauthorized leave of absence, continued tardiness, or abuse of sick leave or other leaves;
8. Conviction of a felony or conviction of a misdemeanor that impacts the employee's ability to perform his or her job;
9. Discourteous behavior or treatment of the public or other employees that violates City or departmental conduct standards;
10. Unlawful use of City Resources for political activity (refer to Section 19.06 -- Political Activities of Public Employees);
11. Misuse or abuse of City property, time, equipment, or supplies, or the appropriation of such for personal use;

12. Violation of any of the provisions of this Personnel Policy or departmental guidelines;
13. Unlawful workplace harassment (refer to Chapter 21 -- Anti-Harassment Policy);
14. Possession of unauthorized firearms or other weapons while on duty (with the exception of commissioned police personnel);
15. Off-duty employment that negatively affects the City and/or performance of the employee while in City service;
16. Solicitation or acceptance of gifts or gratuity for performing duties that are expected during an employee's work period or workday;
17. Engagement in any off-duty activity which may later be subject to review, inspection, or enforcement by that employee in the exercise of their City duties;
18. Use of tobacco products in a City-owned facility, automobile, or common area; and
19. Other grounds reflected in applicable statutes, case law, and/or arbitration case law.

15.03 Types of Disciplinary Action. Disciplinary actions, if implemented, may include but are not limited to:

1. Counseling - Initial action may include the supervisor's decision to counsel the employee, during which time deficiencies are described, goals are set, and the employee has the opportunity to respond. A notice and written record of counseling should be retained by the supervisor in the supervisor's working file;
2. Oral Reprimand - An oral reprimand shall be recorded and placed in the employee's personnel file. At the request of the employee, if there is no recurrence of the event prompting discipline, the record of an oral reprimand may be removed from the employee's personnel file after a one (1) year period, in the discretion of management;
3. Written Reprimand - A written reprimand is recorded and placed in an employee's personnel file and may be followed within a reasonable time, generally within sixty (60) days, by a written evaluation of the employee's performance, if deemed helpful to improve performance. If after five (5) years there is no recurrence of the event(s) prompting the discipline, at the request of the employee the records of a written reprimand may be removed from the employee's personnel file, in the discretion of management;
4. Disciplinary Probation - An employee placed on disciplinary probation accrues vacation leave and sick leave, but not time for compensation review or promotion. The employee is not allowed to compete in promotional examinations or recruitment during the disciplinary probation period;

Disciplinary probation shall not be less than three (3) months nor more than six (6) months in duration. An employee placed on disciplinary probation may be discharged prior to the end of the probationary period for failure to meet performance requirements;

5. Suspension - An employee may be suspended by the City Administrator at any time, pending the results of disciplinary investigation and/or action. The employee is suspended with pay pending the results of the investigation.

An employee suspended from City service as a form of disciplinary action forfeits all rights, privileges, and compensation during the suspension, except for the employee's health plan, retirement plan, disability plan (if applicable), and life insurance plan. Suspension without pay for disciplinary reasons shall not exceed sixty (60) calendar days in any calendar year;

6. Disciplinary Demotion - A disciplinary demotion results in an employee's change in status to a lower pay step in the same classification or to a position in a different classification with less responsible duties, lower qualifications, and a lower maximum rate of pay. No employee will be demoted to a classification for which the employee does not possess the minimum qualifications; and
7. Discharge - An employee who has been discharged from City service is paid his/her compensation accumulated to the effective separation date, any accumulated compensatory time, and any accrued vacation leave.
8. Notice - Prior to a disciplinary action involving loss of pay or job (suspension or discharge) being taken, the employee will be advised in writing of the nature of the allegations and that disciplinary action and/or termination is being contemplated. The employee will be given the opportunity to respond and shall be afforded the right of representation.

15.04 Authority to Take Disciplinary Action. The City Administrator, an employee's Department Director, or an employee's immediate supervisor may take disciplinary action against an employee under their control for one or more of the causes for discipline specified above in Section 15.02, or for other causes that are deemed to warrant discipline in the given situation.

Immediate Supervisors may give an official (oral or written) reprimand to an employee under their supervision. An immediate supervisor may recommend disciplinary probation, suspension, disciplinary demotion, or discharge against an employee under his/her supervision to the Department Director.

Department Directors may execute suspensions against an employee within their department. The Department Director may recommend disciplinary demotion, disciplinary probation, or discharge against an employee under his/her supervision to the City Administrator.

Department Directors may suspend an employee under their supervision for not more than three (3) working days at any one time without the approval of the City Administrator. Written

notice of suspension is given an employee within three (3) working days and preferably earlier after a suspension. An employee may appeal a suspension in the manner provided in Section 15.06 - Appeal Procedure.

Department Directors may delegate to supervisory employees the authority to relieve an employee of the employee's duties in an emergency situation, pending further action by the Department Director.

City Administrator\Mayor - Disciplinary probation, demotion and discharge are actions that may be taken only by the City Administrator and Mayor. A Department Director may submit a written recommendation for a disciplinary probation, demotion or discharge of an employee to the City Administrator. The recommendation should include the specific allegations and the basis of the recommendation. A copy will be provided to the employee. The City Administrator will advise the employee in writing if there is to be a pre-disciplinary-probation, pre-discharge or pre-demotion hearing. The employee will also be notified in writing of the basis of the recommendation for disciplinary probation, discharge or demotion and when to meet with the City Administrator to discuss the proposed disciplinary probation, discharge or demotion.

15.05 Notice of Disciplinary Action.

Investigation - Before executing an unpaid suspension, disciplinary demotion, disciplinary probation or discharge, the employee's immediate supervisor, Department Director or the City Administrator, as appropriate, shall advise the employee in writing of the factual details of the alleged behavior and that disciplinary action is being contemplated. A meeting (referred to as a Loudermill hearing) between the investigating management official and employee shall be scheduled as soon as possible following the event and issuance of written notice of contemplation of disciplinary action. The management official shall permit the employee to have a representative present if the employee desires.

The purpose of this meeting is to allow the employee the opportunity to provide his/her immediate supervisor or Department Director any appropriate information in response to the allegations.

Notice of Disciplinary Action - Upon completion of the investigation phase and if discipline is deemed appropriate then the suspension or discharge process will proceed.

Suspension or discharge is valid only if written notice is delivered to the employee by the City Administrator. This notice should be delivered to the employee either personally or by certified mail and should include the following:

1. A written report of the nature of the disciplinary action that will be taken as a result of the Loudermill meeting;
2. The effective date of the disciplinary action;
3. The policy or procedure violated and/or the deficient performance on which the discipline is based;

4. Feedback that was given to the employee during any monitoring period;
5. The acts or conduct upon which the disciplinary action is based; and
6. The conditions/goals/measures or future actions to be met and/or taken.

Allegations are kept confidential unless an employee, through the employee's own actions, allows the allegations to become public information, or the investigation of the allegations necessarily results in some disclosure to involved individuals.

15.06 Appeal Procedure. Regular employees have the right to appeal to the City Administrator concerning any disciplinary action taken by the employee's immediate supervisor or Department Director. The appeal must be filed with the City Administrator, with a copy given to the Department Director, within seven (7) working days after receipt of the written notice of the disciplinary action. The appeal must specifically state the facts or other grounds upon which the appeal is based.

The City Administrator will render a decision on the matter, generally within fourteen (14) working days after receipt of the appeal. The City Administrator's decision on the appeal is final.

Chapter 16

RECORDS, REPORTS AND NOTICES

16.01 Purpose for Maintaining Personnel Records. Objectives for maintaining adequate personnel records and reports are:

1. To demonstrate that legal, regulatory, and procedural requirements for all personnel actions have been satisfied;
2. To provide a basis for making decisions involved in personnel actions;
3. To provide a basis for reports on personnel activities;
4. To document the attainment of employees' educational, development and training goals; and
5. To maintain security and confidentiality of information to the degree possible and appropriate.

16.02 Notice of Employee Change of Status. Every appointment, transfer, promotion, demotion, change in compensation, resignation, suspension, vacancy, leave of absence, official reprimand, commendation, address change, name change, reclassification, and all other temporary or permanent changes in status of employment is reported to the City Administrator and the Human Resources office on a proper form (PM-7) with original documents attached. The effective date and a record of the change are kept by the Human Resources office.

Change of Personal Information - Employees are responsible for keeping their personnel records up to date by notifying the Human Resources office in writing of any personal information changes to the following information: name, address, telephone number, marital status (for benefits and tax withholding purposes only), addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only), beneficiary designations for any of the City's insurance, disability, retirement, and deferred compensation plans, and persons to be notified in case of emergency. Failure to do so may delay or have an adverse effect on the timely receipt of correspondence being mailed, insurance coverage, and/or accurate assessment of premium rates for the City.

16.03 Personnel Files.

Human Resources Office - The Human Resources office maintains complete personnel files for employees showing each employee's name, address, classification title, position, compensation, assigned department, changes in pay rates, employment status, performance appraisals, commendations, official disciplinary actions and other pertinent information, in addition to records for each employee's vacation leave, sick leave, administrative leave, compensatory time, and compensation schedules. The City Administrator determines the form and manner in which this information will be maintained.

Separate files for confidential, medical-related information will be maintained.

16.04 Records Open to the Public. Neither the Human Resources office nor any employee may release the address, telephone number, Social Security number, or date of birth of any employee, officer, or appointed official as shown in the personnel records (except upon request from law enforcement agencies) without the prior consent of that employee, officer, or appointed official. The Human Resources office has the authority to verify or confirm the above information without prior written permission from the employee, officer, or appointed official.

The exemption of City personnel records from public disclosure is governed by applicable statutes. Refer to RCW Chapter 42.17.310.

16.05 Destruction of Records. Personnel files and payroll records are retained in accordance with state and federal laws and guidelines.

Chapter 17

SUBSTANCE ABUSE AND PHYSICAL EXAMINATION POLICY

17.01 Examinations. Following a conditional offer of employment, an applicant may be required to take a physical exam to determine fitness to perform the essential functions of the position. All employees are expected to make a reasonable effort to keep themselves fit to perform the duties of their particular position and/or classification. Documentation from the examining physician as to an employee's fitness for duty shall be made available to the City upon completion of such examination. Examinations may be required during employment if the City has reason to believe that the employee is unable to perform the essential functions of the job, if the employee requests an accommodation, or if the City has reason to believe that the employee may be a threat to him/herself or others.

17.02 Substance Abuse. The City considers its employees to be its most valuable asset and believes that professionalism in the delivery of public services can only be maintained within a drug-and alcohol-free work environment. Further, the City believes that employees have a right to work in an environment free of drugs and alcohol and have the obligation not to place themselves in situations where their job performance is impaired by substance abuse.

17.03 Drug-Free Work Place. The City recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of employees. The chapter is intended to express the City's commitment to a drug-free workplace, to educate employees as to the dangers of drug abuse in the workplace and the penalties that may be imposed for drug violations in the workplace, and to comply with the Drug-Free Workplace Act of 1988. The chapter also expresses the City's commitment of support for employees undergoing treatment and rehabilitation of chemical dependencies.

17.04 Provisions.

1. Controlled Substances:

A. The manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol in the workplace is prohibited, except where possession or use of prescription medications is pursuant to a valid prescription, issued in compliance with federal, state and local law, and will not impair the employee's performance. Reporting to work under the influence of a controlled substance or alcohol is prohibited; and

B. As a condition of employment, all employees must notify their Department Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.

2. Prescription or Over-the-Counter Drug Use - The use of prescription and over-the-counter drugs which compromise safety in the workplace is prohibited. All drugs the use or sale of which is prohibited by federal, state or local law compromise the safety of the workplace and are prohibited. It is employee's responsibility to check with their physician as to whether or not a prescription drug will impair safe performance. Employees are required to notify their immediate supervisors when they are taking

medications with warning labels that the medications may affect their ability to remain alert or operate equipment. The City will make a form available to employees to assist them in reporting such medically authorized drug use. This form will be maintained in a separate confidential file in the Human Resources office.

3. Drug Use Away from the Workplace - The use of a controlled substance off the work site by an employee may be grounds for disciplinary action if it results in an adverse impact on the City.
4. Employee Sanctions - It is the responsibility of every employee to be aware of the above provisions and to abide by them. Failure to observe these provisions will result in immediate discipline of the employee, up to and including termination. An employee found to have violated these provisions may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitative program as a condition of continuing employment.
5. Employee Assistance Program - The City is committed to supporting employees undergoing treatment and rehabilitation for alcohol or other chemical dependency. The City will provide information to employees on available drug counseling and rehabilitation programs.
6. Drug Abuse Education Program - The City will utilize all available resources to educate employees as to the dangers of drug abuse.
7. Confidentiality - The confidentiality of all reported violations of the provisions of this directive will be strictly maintained, except as required by public disclosure laws or court order.

17.05 Drug and Alcohol Testing.

Purpose - This chapter is intended to support the drug-free work place and establish compliance with the federal regulations for Commercial Driver's License holders. Federal regulations mandate urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a Commercial Driver's License.

Application - This chapter applies to all employees, with the additional requirement of random testing for employees who are required to have and maintain a Commercial's Driver's License in order to perform the duties of their job. Contractors performing functions for the City of Grandview involving the use of a vehicle requiring a Commercial Driver's License will be subject to alcohol and drug testing as required by federal regulations.

Statement - The City has a significant interest in the health and safety of employees. In furtherance of that interest, the City will take those steps necessary to ensure that employees perform their duties and responsibilities free from the influence of drugs and alcohol. Employees are encouraged to seek confidential counseling on problems associated with alcohol and drug abuse through the Employee Assistance Program. There will be mandatory drug and alcohol testing for employees and job applicants under the circumstances outlined in this

chapter. All drug and alcohol testing (pre-employment, random, and reasonable suspicion) shall be conducted following the current testing standards and thresholds established by the U.S. Department of Transportation.

Training and Education - Employee education and supervisor training are essential parts of this program. All existing and new employees will receive information on the impact of drug and alcohol use and will receive information on resources for assistance. Supervisors will receive this same training, as well as additional training in the recognition and detection of signs and symptoms of alcohol and drug misuse. Supervisors will not be permitted to make reasonable suspicion test referrals unless they have completed training required by federal regulations.

17.06 Definitions.

Accident - Accident means an occurrence involving the employee which results in (1) a fatality; (2) bodily injury of a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; (3) overall property/vehicle damage estimated at \$1,000 or more; (4) circumstances such that the employee cannot be completely discounted as a contributing factor to the accident; (5) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; or (6) a citation for a moving traffic violation arising from the accident.

Driver - This term includes all employees whose positions may involve driving a commercial vehicle and require the possession of a Commercial Driver's License (CDL).

Commercial Vehicle - A commercial vehicle is one that either: (1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); (2) is designed to transport 16 or more persons, including the driver; or (3) is used to transport hazardous materials.

Drugs - In accordance with the applicable federal regulations, "drugs" refers to the following five substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines.

Medical Review Officer (MRO) - The Medical Review Officer is the licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.

Safety Sensitive Position - These are positions associated with the driving of commercial vehicles.

Substance Abuse Professional (SAP) - A Substance Abuse Professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Prohibited Conduct - The following conduct regarding alcohol and drug use or abuse is prohibited:

1. Alcohol Concentration - An employee may not report for or remain on duty, for the performance of duties covered under this chapter while having an alcohol concentration of 0.02 or greater;
2. Alcohol Possession and On Duty Use of Alcohol - An employee may not possess or use alcohol while on duty or while operating a City vehicle;
3. Pre-Duty Use of Alcohol - An employee may not report for duty or operate a commercial vehicle within eight (8) hours after using alcohol. An on-call employee who consumes alcohol within eight (8) hours of being called in must acknowledge the use of alcohol and may not report for duty;
4. Alcohol Use Following an Accident - An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident, or until a post-accident alcohol test is given, whichever comes first;
5. Use of Drugs - An employee may not report for duty, remain on duty, or drive a City vehicle when the employee has used a drug or drugs, except when the use is consistent with federal, state and local law, and undertaken pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their duties or operate a commercial vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely should provide written notice from their physician with respect to the effect of such substances. The City will make a form available to employees to assist them in reporting such authorized drug use. This form will be maintained in a separate confidential file in the Human Resources Department;
6. Refusal to Submit to a Required Test - An employee may not refuse to submit to a post-accident, reasonable suspicion, or follow-up alcohol and drug test as directed by this chapter. In addition, employees required to have and maintain a CDL may not refuse to submit to random testing as directed by this chapter;
7. Positive Drug Test - An employee may not report for duty or remain on duty, if the employee tests positive for drugs or alcohol;
8. Tampering with a Required Test - An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this chapter; and
9. Possession, Transfer or Sale - No employee may possess, transfer or sell drugs or alcohol while on duty.

17.07 Testing.

1. Pre-Employment Drug Testing - All individuals in safety-sensitive positions must pass a drug test as a post-offer condition of employment. Employees who do not pass will not be employed and will not be considered for employment for at least 12 months.

2. Reasonable Suspicion Testing - Employees shall submit to a drug and/or alcohol test when the City reasonably suspects that this policy may have been or is presently being violated. A referral for testing will be based on current, clearly described observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use, confirmed by a second trained supervisor. Prior to beginning a discussion with the employee about the observed behavior, the supervisor will inform the employee of their right to have applicable representation present during the meeting. Employees' requests for representation will be honored to the extent that honoring the request does not unreasonably delay testing. When reasonable suspicion exists, the affected employee will be questioned and observed. A decision to request a specimen will be based upon eye witness reports, facts of the event and observed physical and behavioral characteristics of the affected employee. The employee will be interviewed in a private area.
 - A. Verification - A reasonable suspicion request will be documented in writing with a copy provided to the affected employee.
 - B. Relief of Duty - The employee will be placed on leave until the results of the drug and/or alcohol test are complete and verified. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive employees will be allowed to use vacation, or compensatory time, at their discretion, or sick leave if entitled or applicable during the period of absence to eliminate any loss of income. Personal leave is not authorized for this purpose. If an employee chooses to use paid leave during the period of absence they must notify the City which type of paid leave will be used. The City shall have five (5) working days after positive test results to notify the employee of disciplinary actions in accordance with Chapter 15.
 - C. Transportation Assistance - The employee will be accompanied to the collection site by a supervisor or director. The employee will be provided transportation home. If the employee refuses and demands to drive their vehicle, the City shall notify law enforcement.

If removed from duty based on reasonable suspicion of alcohol or drug use and an alcohol test is not administered within eight (8) hours, the employee will not be allowed to return to duty until:

- (1) An alcohol test is administered and the employee's breath alcohol concentration measures less than 0.02; or
- (2) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol or drugs.

3. Post-Accident Testing - Following an accident, as defined in this chapter, the employee is required to submit to alcohol and drug tests. Testing should occur as soon as possible, but may not exceed eight (8) hours after the accident for alcohol testing and 32 hours after the accident for drug testing.

An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Employees who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

4. Random Testing - Employees required to have a CDL will be subject to random, unannounced alcohol and drug testing whenever they are on duty.
5. Return to Duty Testing - Employees who have violated this policy chapter including those who have tested positive on a drug or alcohol test, and who under the discipline section are allowed to return to work, must test negative prior to being released to duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.
6. Follow-Up Testing - An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a SAP and the City. The number and frequency of follow-up tests will be determined by the SAP and the City, but will not be less than six tests in the first 12 months following the employee's return to duty. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee be retained in the City workforce.
7. Re-Testing - Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the MRO. The cost of the second test will be borne by the employee, with reimbursement if the test is negative.
8. Testing Compensation - All time spent administering alcohol or controlled substance tests, including travel time, will be paid at the employee's regular rate of pay, or at their overtime rate if applicable. Any employee who is not allowed to return to work while awaiting test results will be placed on paid leave during the waiting period. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive, employees will be allowed to use vacation, compensatory time, sick leave or other paid leave time during the period of absence to eliminate any loss of income. The City shall pay all costs associated with the administration of alcohol and controlled substance tests except follow-up testing. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee is retained in the City workforce.

9. Refusal to Take an Alcohol or Drug Test - No employee shall refuse to submit to an alcohol or drug test as directed under this chapter. A refusal to submit shall include, but is not limited to:
 - A. A failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the procedures manual;
 - B. Failure to provide adequate urine for drug testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the procedures manual;
 - C. Tampering with the sample; and
 - D. Engaging in conduct that obstructs the testing process.

Refusal to submit to a test shall be considered insubordination and shall be deemed the same as a positive test result.

17.08 Securing Information from Previous Employers: As a condition of employment, and following a conditional offer of employment, all applicable applicants who will be holding a position requiring a CDL must authorize a request for all employers within the past two (2) years to release information of the following:

1. Positive alcohol and drug tests; and
2. Refusal to be tested.

This information must be obtained before the person is employed by the City. However, if the information has not arrived by the anticipated start date, and the person has passed the pre-employment drug test, the person may be hired and the requested information obtained from the previous employers within 14 calendar days of the date of hire. If the information has not been received within the 14 calendar days, the person will not be permitted to drive commercial vehicles until the information has arrived. If the information obtained from previous employer(s) indicates either a positive test or a refusal to be tested occurred within the past two years, that person shall not be hired by the City.

If no such information was generated about the applicant, or the past employer(s) cannot be located or refuse(s) to cooperate, the supervisor will document and send a report to Human Resources. Normal hiring may proceed when a memo documenting the lack of information has been sent to Human Resources.

17.09 Confidentiality and Record Retention. All records related to drug and alcohol testing will be maintained in a secure location with controlled access. For CDL employees, record retention time frames shall be in accordance with U.S. Department of Transportation criteria; for all other employees, records for negative tests shall be removed and destroyed after one (1) year, and records of positive tests shall be retained. These records will be kept

separate from all other records.

17.10 Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests.

Discipline and Rehabilitation - An employee will be subject to appropriate disciplinary action up to and including termination from employment if:

1. The employee tests positive for a drug or drugs;
2. Results from an alcohol test indicate a blood alcohol level of 0.04 or greater; and/or,
3. The employee has engaged in prohibited conduct as outlined above.

All employees, regardless of disciplinary action taken, will be advised of resources available to the employee for evaluating or resolving problems associated with drug use or alcohol misuse.

The City shall make reasonable efforts to afford employees the right to applicable representation whenever an employee is directed to submit to an alcohol or drug test which is for cause, post accident, or reasonable suspicion.

The following section of this policy applies to those employees who are not terminated for their violations:

17.11 Positive Test Results and/or Engaging in Prohibited Conduct. If an employee tests positive for drugs or has an alcohol test that indicates blood alcohol level of .04 or greater from a random, reasonable suspicion, post-accident, or other authorized test, or engages in prohibited conduct as outlined in this chapter, the employee will be immediately removed from all duties including the driving of a commercial vehicle. The employee will not be permitted to return to work unless they:

1. Have been evaluated by a qualified SAP;
2. If recommended by a SAP, have properly followed any rehabilitation prescribed; and
3. Have a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing for up to sixty (60) months as recommended by the SAP and the City, with a minimum of six (6) such unscheduled tests within the first twelve (12) months of returning to duty.

Alcohol Concentration of 0.02 but less than 0.04: Employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial vehicle for at least 24 hours.

Employee Assistance Program/Voluntary Referral: The City supports employees who volunteer

for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the City of alcohol or drug abuse problems will be given the assistance extended to an employee with any other illness.

Any such program, however, may not interfere with the tests required or disciplinary action called for by these rules. For example, a driver may not identify themselves as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this chapter.

Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illness. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

An employee who successfully completes a treatment or rehabilitation program shall be returned to his/her regular duty assignment, subject to follow-up testing as called for above.

Chapter 18

EMPLOYEE ETHICS, STANDARDS OF CONDUCT, AND PERSONAL ACTIVITIES

18.01 Policy Statement. The City expects its employees to subscribe to the highest set of ethics, values, and principles in providing services to customers inside and outside of City employment. The City expects employees to be fair, honest, consistent, and committed to high levels of customer service and professionalism. Anyone who fails to live up to such ethical standards reflects negatively on the entire City work force.

18.02 General Principles. Employees shall adhere to the following principles in and in connection with their work for the City:

1. Employees shall not engage in financial transactions using non-public City government information or allow the improper use of such information to further any personal or private interest;
2. Employees shall not hold financial interests that conflict with or may appear to conflict with, the conscientious performance of their duty;
3. To ensure that every citizen can have complete confidence in the integrity of the City government, each employee shall respect and adhere to the principles of ethical conduct set forth in applicable laws, policies, and regulations;
4. Employees shall not, except as permitted by law, regulation, or policy, solicit or accept gifts or other items of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties;
5. Employees shall put forth honest effort in the performance of their duties;
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the City government;
7. Employees shall not use their position for private gain or personal influence;
8. Employees shall act impartially and not give preferential treatment to any private organization or individual;
9. Employees shall protect and conserve City property and shall not use it for other than authorized activities;
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official assigned City job duties and responsibilities;
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities;

12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those — such as applicable federal, state, or local taxes—that are imposed by law;
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all citizens and City employees regardless of race, color, religion, sex, national origin, age, sexual orientation, marital status, disability, or other legally protected status;
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating these ethical standards;
15. During an employee's workday, an employee shall devote 100% of their time, attention, and efforts to the duties and responsibilities of the employee's position in City service; and
16. Employees have the right to work in an environment where mutual respect and consideration are shown among all employees and with the public. The City expects that employees shall conduct themselves in a respectful and professional manner in the work place and avoid any behavior that may be construed to be harassing, menacing, demeaning, and/or of a violent nature.

18.03 Incompatible Personal Activities of City Employees. An employee will not engage in any off-duty employment or activity that is inconsistent, incompatible or in conflict with the employee's duties in City service. The Department Director determines which activities are inconsistent, incompatible, or in conflict with duties in City service. Examples of prohibited activities include, but are not limited to:

1. The use of City time, facilities, equipment, or supplies for private gain or advantage;
2. The use of the badge, uniform, prestige, or influence of an employee's position for private gain or advantage;
3. The direct or indirect solicitation or acceptance of any gratuities, loans, gifts, merchandise, meals, beverages, or any other thing of tangible value in connection with or resulting from an employee's official position. Nor will employees use their official position, badges, or identification cards to obtain privileges not otherwise available to them; and
4. The performance of an act when an employee is off duty that may later be subject to direct or indirect control, inspection, review, audit, or enforcement by that employee of the City in the exercise of his/her City duties.

18.04 Off-Duty Employment. An employee may engage in off-duty employment that is not inconsistent, incompatible, or in conflict with the employee's duties in City service, and that will not negatively affect the performance of the employee while in City service. The employee must provide his or her Department Director written notice of off-duty employment.

18.05 Employee's Personal Financial Affairs. Employees need to arrange their personal financial affairs so that credit and collection agencies do not have to make use of the offices of the City, the Department Directors, or the City Administrator to make collections.

18.06 Political Activities of Public Employees. There are no restrictions on the right of an employee to participate off duty in political activities that involve ballot measures that relate to wages, hours, or working conditions. An employee can, when off duty, campaign for or against elected City officials or ballot measures. The employee may not, however, disturb employees during their work periods or workdays.

In compliance with Washington State RCW 42.17.130, employees may not: campaign or solicit political contributions during work hours, using public telephones or other equipment, or on City property; carry or display political material in or on publicly owned vehicles; display or distribute campaign posters, placards or other promotional materials on City-owned or operated premises; use City supplies, equipment or facilities to print, mail, or otherwise produce or distribute campaign materials; or solicit signatures for any initiative, recall or referendum campaign on publicly-owned or operated premises. Employees who are seeking an elected office will not use their positions to influence another person or persons for political purposes.

18.07 Casual Dress Policy. All non-uniformed personnel in City departments are permitted to wear casual clothing on Friday of each week. Casual clothing will include dress jeans, walking shorts, polo shirts, and special community event shirts.

18.08 Employee Privacy.

Searches of Employees' Property - The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City encourages its employees to avoid bringing private articles or property to work. Employees are also advised that searches of employee property that is on the City's property may be conducted without advance notice and with probable cause. Employees may not use a personal lock on City property, unless authorized by management. The City retains a copy of the key or combination to all locks that are provided for use by employees in the work place. Employees who do not consent to the inspections described above may be disciplined up to and including immediate termination.

Use and Surveillance of Computers and E-Mail Communications - All employees who are granted access to the City's Electronic mail (E-mail) system will be issued an initial identifying password. The City will retain all initial passwords, and employees who change the initial password shall provide the new one to their Department Director. Employees shall not gain access to another employee's file or E-Mail messages without that employee's authority. However, the City reserves the right to enter, search, and/or monitor its computers, E-mail system, and the files/transmission of any employee without advance notice. Authorized City personnel will have unrestricted access to information stored on computers and in the E-mail system. Therefore, employees should not consider private any files, documents, or messages generated or received on or stored in City-owned computer equipment. Employees shall grant the systems administrator permission to sign on and use their computers.

18.09 Reporting of Criminal or Civil Offenses by Employees. Whenever an employee is arrested or issued a citation by any law enforcement agency for any criminal or civil matter, the employee shall notify his/her Department Director immediately upon reporting for the next work duty shift.

Chapter 19

WORKPLACE VIOLENCE PREVENTION POLICY

19.01 Policy Statement. To establish a policy and procedure for the City of Grandview protecting employees and the general public from acts of Workplace Violence.

19.02 Policy. The policy of the City is to conduct its operations in an environment free of violence. Accordingly, the City has a "ZERO TOLERANCE" policy on workplace violence. Any form of workplace violence will not be tolerated and will be acted upon IMMEDIATELY. Any City employee who engages in workplace violence will be subject to discipline up to and including termination. Further, any person who visits a City facility and engages in workplace violence and/or threatening behavior will be referred to local law enforcement and be subject to applicable laws.

Department Directors and supervisors are to ensure that any form of threat (direct, confrontational, or veiled) be immediately confronted/acted upon by management, then documented and assessed. The respective Department Director and the City Administrator are to be informed immediately of any threats that have been made and the response that has been taken.

It is not the intent of this policy to infringe upon or negate any rights afforded by the United States constitution.

19.03 Definitions.

Workplace Violence - means a violent act or threatening behavior that is directed at an employee or member of the public at a work location. Workplace violence does not include the use of reasonable force in self-defense or the defense of others.

Violent Act - means any non-consensual touching (such as hitting, pushing, kicking, holding or blocking the movement of another person) that results in physical harm or would cause a reasonable person to feel threatened with physical harm.

Threatening Behavior - means any physical or verbal communication that would cause a reasonable person to feel threatened with physical harm.

Unauthorized Weapon - means any firearm, knife (such as a switchblade), explosives, dangerous chemical or any object that is not necessary and authorized for a City employee's job (e.g., commissioned police officers), and has the potential to cause substantial injury to others, as determined by the appropriate Department Director.

Prohibited Activities - include but are not limited to: violent acts and threatening behavior; destruction of property belonging to the City of Grandview or its employees; the possession or use of unauthorized weapons in or on any City premise or vehicles; frightening or annoying behaviors in the workplace including stalking or continuous unwelcome contact, in any form, by an employee towards another, and bizarre or offensive comments regarding violent threats or events.

19.04 Procedures.

1. All City employees shall:
 - A. Not engage in workplace violence;
 - B. Not bring unauthorized weapons to work locations. For purposes of this restriction, City-owned parking lots adjacent to City buildings shall constitute a work location;
 - C. If they are involved in prohibited activities or witness workplace violence:
 - (1) Protect themselves or others based on their best judgment under the circumstances; or
 - (2) Call 9-1-1 for police assistance if necessary in light of the circumstances.
 - D. After being involved in a prohibited activity or witnessing workplace violence, immediately report the incident to the employee's supervisor, who in turn shall inform the Department Director;
 - E. Immediately provide to their supervisor a copy of court-issued protective or restraining orders (either temporary or permanent) that include any City work areas/locations as protected areas; and
 - F. Participate in periodic training sponsored by the City on identifying and defusing workplace problems or conflicts that could potentially lead to workplace violence.

For the safety of co-workers, employees should give serious consideration to making their supervisor aware of potential threatening or violent situations occurring in their personal life that may become problematic for the safety and security of the workplace. The purpose for this notification is to heighten the supervisor's awareness of any possible dangerous and preventable violent situations that may occur in the workplace.

2. All supervisors and managers shall:
 - A. When work place violence occurs, make every reasonable effort to ensure that persons involved are safe;
 - B. Notify police if necessary, if notification has not already occurred;
 - C. Immediately provide verbal notification of incidents of prohibited activities and workplace violence to their Department Director and confirm the incident in writing as soon as reasonably possible;
 - D. Provide to the Department Director a copy of any court-issued protective/restraining order that includes any City work areas/locations as protected areas;

- E. Take appropriate steps to diffuse workplace violence that they witness; and
 - F. Consult with the Human Resources Assistant and Department Director regarding communication with the affected work group and others regarding potential workplace violence situations.
3. Department Directors shall:
- A. Immediately upon observing or receiving a report of an incident of prohibited activity or workplace violence:
 - (1) take every reasonable effort to ensure that persons involved are safe;
 - (2) notify the police, if necessary;
 - (3) notify the City Administrator;
 - (4) ensure the incident is appropriately documented;
 - (5) contact the Human Resources Assistant to jointly initiate an investigation.
 - B. Take appropriate corrective action against any employee who engages in a prohibited activity or workplace violence, up to and including termination. Factors such as the nature of the conduct, past disciplinary action and work history of the employee, and other mitigating or aggravating circumstances may be considered in the disciplinary process.
 - C. Notify both the Human Resources Assistant and the Police Department of any court-issued protective/restraining order that includes any City work areas/locations as protected areas. Other department/office management staff in the location where the individual works should also be notified. If the order is violated, those in positions of responsibility will be aware of the issue and can notify the police and ask the person who violated the order to leave.
 - D. Where appropriate and in consultation with law enforcement in the City, take steps to provide security measures at work locations where violence is anticipated or threatened.
4. The Human Resources Assistant shall:
- A. Review, monitor, and recommend necessary modifications to this policy to ensure its effectiveness and compliance with employment trends and laws;
 - B. Design and implement periodic workplace violence prevention/awareness training for City personnel;

- C. Assist Department Directors, office managers and supervisors in investigating incidents involving prohibited activities and workplace violence;
- D. Review job applications and references of prospective employees in the applicant recruitment/screening process for any indications of workplace violence in prior employment; and
- E. Ensure a quality Employee Assistance Program (EAP) is available for all City employees and immediate family members as a resource to assist with anger management, stress, conflict management, and/or alternative dispute resolution.

Chapter 20

ANTI-HARASSMENT POLICY

20.01 Policy Statement. As an employer, the City values the dignity of all employees and is committed to providing a respectful workplace, one that is harassment free and in which all individuals are treated with respect. The expectation is that managers, supervisors and employees will create and maintain a work environment that is respectful of all persons in it.

20.02 Application. This policy applies to all workplaces and employees of the City, volunteers working on behalf of the City, and individuals under contract to the City.

20.03 Roles and Responsibilities. Harassment is a concern for everyone and maintaining a harassment-free workplace is everyone's responsibility. The City has a responsibility and a legal obligation to ensure employees are not exposed to harassment in the workplace and for the implementation of this policy. Supervisors and managers are responsible for ensuring a harassment-free workplace and adherence to the policy. This includes taking appropriate preventive or corrective action and stopping any harassment of which they are aware. Supervisors and managers should ensure that all employees' rights are protected and should support employees in the conflict resolution process.

Employees have a responsibility to create and support a workplace that is free of harassment by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior. Employees who feel they have been harassed should make their objections known to the alleged harasser or other appropriate person, document incidents of harassment, and bring them to the attention of management as described below. Employees witnessing harassment are encouraged to take action to bring the incident to the attention of an appropriate City official.

20.04 Policy. Harassment in the workplace will not be tolerated. The abuse of one's authority or position to intimidate, coerce or harass is forbidden and is considered absolutely intolerable in the City workplace. Harassment constitutes a disciplinary infraction that shall be dealt with through appropriate measures up to and including termination.

This policy does not limit or constrain the City, as the employer, in the right to manage the workplace. For example, work assignments, operational reviews, performance reviews, coaching, work evaluation and disciplinary measures taken by a manager or supervisor, in good faith for valid reasons, do not constitute harassment in the workplace. These supervisory and management actions must remain respectful of the individual. This policy will not, under any circumstances, be used to impede the supervisory relationship, nor is it intended to inhibit normal and acceptable day-to-day social interaction in the workplace.

20.05 Definitions.

Discrimination - Discrimination is defined in civil rights law as unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, creed, sex, color, religion, national origin, age, disability, sexual orientation, marital status, reprisal for opposition to discriminatory practices or participation in

the Equal Employment Opportunity (EEO) process, or any other legally-protected status. Federal and state law prohibit an employer from discriminating against persons in all aspects of employment, including recruitment, selection, evaluation, promotion, training, compensation, discipline, retention and working conditions, because of their protected status. Discrimination can be intentional or unintentional, direct or indirect.

Discrimination based on any legally-protected status is prohibited in City employment.

Harassment - Harassment is a form of discrimination. This policy defines harassment as any objectionable conduct, comment or display by a person that:

1. is made on the basis of an individual's race, creed, religion, color, sex, sexual orientation, marital status, disability, age, national origin, or other legally-protected status;
2. is unwelcome; and
3. creates an intimidating, hostile, or offensive working environment or interferes with an individual's work performance or employment opportunities.

Examples of Harassment - Harassment can include, but is not limited to, the following examples:

1. Unwelcome remarks, jokes, innuendoes, or taunts causing embarrassment or offense;
2. Displaying objectionable materials, graffiti or pictures;
3. Insulting gestures, comments, and disparaging written materials;
4. Unwelcome sexual advances, propositions, or inquiries and/or comments about a person's sex life;
5. Persistent, unwanted contact or attention;
6. Inappropriate touching;
7. Shunning and ostracizing;
8. Threats, bullying, coercion, isolation;
9. Actual or threatened physical assault;
10. Verbal assault;
11. Malicious gestures or actions; and
12. Stalking.

Workplace - For the purposes of this policy, the workplace includes, but is not limited to, the physical work site, break rooms, training sessions, business travel, field locations, conferences, work-related social gatherings or any other place where the employee is in service to the City.

20.06 Unfair Treatment versus Unlawful Discrimination. Unfair treatment is not necessarily unlawful discrimination. Treating a person unfavorably in comparison to others may violate the law only when that person's protected status is a factor in the treatment.

Employment decisions should be based only on job-related merit factors. All employees should avoid conduct which undermines fair and equal treatment. Although all unfair treatment may not be discriminatory, it is poor personnel management and should be avoided.

20.07 Confidentiality. The City will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint or required by law.

20.08 Processes and Procedures for Addressing Harassment in the Workplace.

1. Dispute Resolution Options - There are several ways to resolve conflict and disputes that involve harassing behavior. The ideal resolution takes place quickly and is handled solely by the individuals directly involved. This is not always possible, however. If this option is not acceptable or satisfactory, an employee who believes he/she is being harassed should take one or more of the other actions described below.
 - A. Individual Problem Solving - If conflict resulting from the harassing behavior can be resolved by those directly involved, it reduces the disruption in the workplace and contributes to better relationships in the future. Some people are not aware that their behavior is perceived as harassing. Often, simply telling them about the offensive nature of their behavior is enough to end it. Employees who believe they are being or have been subjected to harassment are encouraged to clearly and firmly make known to the perceived harasser that the behavior is objectionable and must stop. Refer to this policy if necessary. If an employee wishes assistance in planning his/her approach with the other employee, the employee should contact his/her supervisor, Department Director, or the Human Resources office.
 - B. Facilitated Problem Solving - If an employee is uncomfortable with confronting the perceived harasser or the confrontation does not improve the situation, the employee should discuss the problem with his/her supervisor, Department Director, or the Human Resources office. These individuals can help assess options, develop an action plan for resolution, and implement the plan. Alternatively, they may help identify and access a facilitator who may assist the parties to work out an acceptable resolution, and they can also be responsible for following up to ensure that the conflict has been resolved.
 - C. Mediation - If the conflict cannot be resolved by the individuals, their

supervisor(s), Department Director(s) or Human Resources, mediation or a similar third-party intervention can be requested upon the mutual agreement of those involved in the conflict. Trained and experienced mediators should conduct the mediation process. They can assist two or more parties to reach a resolution to their differences and can also help to resolve conflicts among groups.

- D. Formal Complaint and Investigation - When it is not possible to resolve a conflict through individual or facilitated problem solving or mediation, or if the conduct involved is of sufficient severity or a recurring nature that less formal steps are not appropriate, an investigation may be initiated through a formal complaint, or at a supervisor's, Department Director's, Human Resources', or the City Administrator's own initiative (see Formal Complaint Procedures, below). A formal complaint should never be undertaken frivolously. It requires careful consideration and should usually be the last resort. This process may take longer and involve more people (witnesses).
2. What to Do if Accused of Harassment - The Anti-Harassment Policy is based upon the principles of fairness and due process. Employees will be notified in the event that a complaint is made against them. The accused employee should review this policy chapter and develop an action plan for restorative resolution of the complaint. However, unless directly spoken to by the accuser about his/her perception that he/she is being harassed, the accused should not take it upon himself/herself to talk to the accuser without first consulting his/her supervisor or the Human Resources office. These individuals will help the employee determine how to begin the resolution process.

Once an employee becomes aware that a complaint has been made against him/her, he/she is encouraged to become involved in order to resolve the conflict constructively. This will require the willingness to listen and be open to the other person's perspective. The restorative process focuses on conflict resolution rather than blame or punishment. If this approach is unacceptable to either party or inappropriate due to the seriousness of the allegations, an investigation may take place.

3. Other Situations Involving Harassment

- A. What to do if Harassment is Observed Toward Others in the Workplace - If an employee observes another individual experiencing humiliating, degrading or disrespectful behavior, the observer may offer support, for example by referring to this policy to help the person assess options. If the matter is not resolved and the harassing conduct continues, the observer-employee is encouraged to contact his/her supervisor or the Human Resources office. If an employee observes any incident that involves assault, sexual assault, a threat to cause bodily harm, or any other risk to another individual, the observer-employee must report it to his/her supervisor, Department Director, or Human Resources immediately.

Supervisors, directors, and other management employees who observe or are informed of workplace harassment are required to take immediate corrective action to address,

investigate, and/or report the conduct to their supervisor or Human Resources, depending on the circumstances. Failure to do so constitutes misconduct and is grounds for disciplinary action.

B. Harassment by Clients and Members of the Public - The employer's obligation to provide a harassment-free workplace extends to circumstances where employees may be subjected to harassment by persons external to the workforce, e.g., clients or members of the public. The following process and procedures apply to circumstances of harassment of City employees by clients or members of the public.

1. Employees who believe they have been subject to harassment by clients or members of the public should report the incident(s) to their supervisor or Department Director if the harassment is of a serious nature or made in circumstances where the employee feels the harassment may continue or re-occur.
2. Upon receipt of such a harassment complaint, the supervisor or Department Director shall, in consultation with the employee, take such action as is appropriate and reasonable in the circumstance to ensure that harassment does not continue.

The Department Director shall consider what, if any, policies and procedures are appropriate at the workplace to minimize or control harassment of employees by clients and members of the public. The Department Director is encouraged to consult with Human Resources.

20.09 FORMAL COMPLAINT PROCEDURES. Formal harassment complaints may be made to the employee's supervisor, Department Director, Human Resources Assistant, or the City Administrator. Any supervisor or director receiving a complaint should contact the City Administrator and Human Resources Assistant. In cases where the complaint is in regards to the City Administrator, the employee should file the complaint with the Mayor. Human Resources, the City Administrator, or the Mayor will determine the appropriate investigation steps and assign an investigator.

1. Discipline - If a formal complaint and investigation take place, the Department Director will make the final decision, based on the investigator's report, as to whether or not harassment has occurred and will determine the appropriate action to recommend or be taken. If the Department Director is the employee alleged to be harassing another individual, the City Administrator shall determine appropriate action based upon the investigation report. If the City Administrator is alleged to be harassing another individual, the Mayor will determine appropriate action based on the investigation report.

If it is determined, after investigation, that harassment has occurred, the offending party will be subject to disciplinary action, up to and including termination. All disciplinary action will follow the appropriate Personnel Policy Manual reference or collective bargaining agreement clause.

2. Evidence and Documents Relating to the Investigation - Due to the possibility of subsequent action, e.g., legal proceedings, arbitration, or judicial review, materials related to the investigation will be retained for the appropriate records retention period through the Human Resources Office.
3. Bad Faith Complaints – Formal complaints should be undertaken with care because they may result in pain and damage to the accused individual’s reputation. Complaints made frivolously or in bad faith and without factual basis may constitute defamation and may be actionable by the respondent. Such complaints may result in disciplinary action, up to and including termination.
4. Employee Assistance Program - Employees who require or could benefit from counseling are encouraged to contact and utilize the Employee Assistance Program that is available through the City benefits program.

20.10 RETALIATION PROHIBITED. Retaliation is strictly prohibited against anyone that has reported harassment, filed a complaint, or participated in an investigation. Any signs of retaliation should be reported immediately to the employee’s supervisor, Department Director, or Human Resources. Retaliatory conduct will be grounds for disciplinary action, up to and including termination.

Chapter 21

NO SMOKING POLICY

21.01 Policy Statement. The object of this policy is to provide a healthy and productive work environment for all City employees. The policy responds to the growing medical and scientific evidence showing the detrimental effects of smoking on personal health and work performance. The policy also responds to public laws related to smoking in public facilities and to the strong desire of many City employees to work in a smoke-free environment. This policy intends to provide a smoke-free work environment for all employees. It does not intend to infringe upon the personal right and decision of an employee to smoke.

21.02 Definitions.

Smoking or To Smoke - Inhaling, exhaling, or carrying any burning tobacco or other plant matter. This includes, but is not limited to, cigarettes, cigars, or pipes.

Enclosed Work Area - An area enclosed by a roof and walls with at least one opening for ingress and egress. The area is owned, leased, or rented by the City with intended use by officers and employees of the City.

Common Area - Includes, but is not limited to, employee lounges, lunch rooms, conference rooms, stairways, elevators, hallways, and rest rooms.

Smoking Debris - Includes, but is not limited to, smoke, ash or any other residue resulting from smoking. "Smoking debris" also includes cigarette or cigar butts, cigarette paper, or products packaging tobacco.

City Facility - An enclosed facility, including any automobile, that is owned, leased, or operated by the City and that is frequented by the public or represents the work station of an employee.

Automobile - Any car, truck, pickup, or other equipment or vehicle owned by the City.

21.03 Uniform Smoking Policy. Smoking and the chewing of tobacco is prohibited twenty-four (24) hours of the day, every day, in all City enclosed work and common areas, facilities, and automobiles. This prohibition applies to all City officers, employees, and contractors, and to members of the general public.

Smoking is only allowed in designated outside areas that are at least 25 feet from building entrances and exits, windows that open, and ventilation intakes. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to keep smoking areas litter-free.

21.04 Violations. Discipline may be imposed, in accordance with the Personnel Policy, on any employee who violates the City smoking policy. The primary objective of discipline is to correct the behavior in violation of the policy, not to punish employees who smoke.

Chapter 22

WHISTLEBLOWER POLICY

22.01 Policy Statement. It is the policy of the City to encourage its employees to report improper governmental action taken by City officers or employees. It is also the policy to protect City employees, who in accordance with City policies and procedures have reported improper governmental actions, from retaliatory action.

22.02 Definitions.

Improper Governmental Action - Any action by a City officer or employee that is undertaken during the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment, and does the following:

1. violates any federal, state, or local law or rule;
2. abuses authority;
3. is of substantial and specific danger to public health or safety; or
4. is a gross waste of public funds.

Improper governmental action does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or Civil Service laws, alleged violations of labor agreements, or reprimands.

Retaliatory Action - An adverse change in the employment status or terms and conditions of an employee's employment.

Emergency - A circumstance that, if not immediately changed, may cause damage to persons or property.

22.03 Reporting Procedures. An employee who becomes aware of an improper governmental action should raise the issue first with the employee's immediate supervisor. If the supervisor requests, the employee must submit a written report to the supervisor or to a person designated by the supervisor. The written report should state in detail the basis for the employee's belief that an improper governmental action has occurred. When an employee believes that the action involves the immediate supervisor, the employee may raise the issue with the Department Director, City Administrator, or any such person whom the City Administrator designates to receive reports of improper governmental action. An employee may also report improper governmental action in the first instance to the County Prosecuting Attorney.

The immediate supervisor, Department Director, City Administrator, or City Administrator's designated representative will take prompt action in assisting the City to properly investigate

the report of improper action. Employees involved in the investigation (to the extent possible under law) must keep the identity of reporting employees confidential, unless an employee authorizes, in writing, the disclosure of his/her identity.

After an investigation has been completed, the employee reporting the improper governmental action will be given a summary of the results of the investigation. However, personnel actions taken as a result of the investigation may be kept confidential.

In the case of an emergency, an employee may, without following the steps above, report improper action directly to the federal, state, or local governmental agency responsible for investigating improper governmental actions of the kind the employee believes has occurred. In addition, if an employee believes the City's investigation of or response to the improper action is inadequate, or believes the improper action is likely to recur, the employee may then report the action to the applicable government agency . A list of agencies is attached.

If an employee fails to make a sincere attempt to follow the City procedures in reporting an improper governmental action, the employee will not receive the protection provided by the City in these procedures.

22.04 Protection from Retaliatory Actions. Employees are prohibited from taking retaliatory action against an employee who, in good faith and in accordance with the proper procedures, has reported an improper governmental action.

An employee who believes that they have been retaliated against shall advise the employee's Department Director, the City Administrator, or the City Administrator's designated representative. The Department Director, the City Administrator or representative shall take appropriate action to investigate and address complaints of retaliation.

If the employee's Department Director, the City Administrator, or the City Administrator's designated representative does not satisfactorily resolve an employee's complaint concerning retaliation, the employee may obtain protection under this Policy and in accordance with state law by providing a written notice to the City Council. The notice must specify the alleged retaliatory action and the relief requested.

An employee shall provide a copy of their written charge to the City Council, with a copy to the City Administrator, no later than thirty (30) calendar days after the occurrence of the alleged retaliatory action. After receiving the charge of retaliatory action, the City Council shall respond within thirty (30) calendar days.

Hearing - After receiving the response from the City Council or thirty (30) calendar days after the delivery of the charge to the Council, the employee may request a hearing before a administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing must deliver the request to the City Administrator within the earlier of these dates: either fifteen (15) calendar days after the delivery of the City Council's response to the charge, or forty-five (45) calendar days after the charge was given to the City Council for response.

Hearing Procedure - Upon receiving a request for a hearing, the City Administrator, within five (5) working days shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
P.O. Box 42488, 4224 Sixth S.E.
Row Six, Building 1
Olympia, WA 98504-2488
PH: (360) 664-8717
Fax (360) 664-8717

The City shall consider any recommendation that the retaliator be suspended, with or without pay. As provided by the administrative law judge, the City shall also consider that the retaliator be discharged.

22.05 Whistleblower Responsibilities. The City Administrator is responsible for implementing the City's policies and procedures for reporting improper governmental action and for protecting employees against retaliatory actions. The City Administrator's responsibilities include: ensuring that this policy and these procedures are permanently posted where all employees shall have reasonable access to them; ensuring that this policy and these procedures are made available to an employee upon request; and ensuring that this policy and these procedures are provided to all newly appointed employees.

Department Directors and supervisors are responsible for ensuring that the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including discharge.

A list of agencies that are responsible for enforcing federal, state, and local laws and for investigating other issues involving improper governmental action is attached as Appendix A of this Manual. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the City Administrator.

Chapter 23

VEHICLE USE POLICY

23.01 Policy Statement. The City of Grandview is committed to the safe operation of City-owned vehicles. It is the City's policy to provide vehicles for business use, to allow employees to drive on City business when necessary, and to reimburse employees for business use of personal vehicles.

23.02 Assignment of City Vehicles. The City Administrator may assign City vehicles to those departments that have demonstrated a continued need for them. The City Administrator may also assign vehicles for use by employees who need transportation in the course of their normal work. All other employees needing transportation for City business may use vehicles assigned to their department or those made available as needed.

23.03 Use of City Vehicles. No employee may drive a City vehicle without prior approval of their Department Director. No Department Director may authorize an employee to drive a City vehicle without (1) checking the employee's driving record, (2) confirming the existence of a valid Washington State driver's license, and (3) confirming that the employee is eligible for coverage under applicable insurance.

23.04 Use of Personal Vehicles. If no City vehicles are available, a Department Director may authorize an employee to use their own vehicles for business purposes. Employees who use personal vehicles for approved business purposes shall receive a mileage allowance at the Internal Revenue Service rate upon submittal of a complete expense reimbursement claim. Employees who operate personal vehicles for City business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for Business Use, when necessary as determined by representing insurance agent. The employee's auto insurance will be primary and the City's auto liability insurance may provide excess coverage only if necessary.

23.05 Taking City Vehicles Home. The City Administrator may authorize an employee to take home a City vehicle for emergency response. No employee may take home a City vehicle without written authorization of the City Administrator. Such authorization shall be granted only for employees who reside within 15 miles of the City of Grandview. The vehicle is to be used for City business only, to include travel to/from the employee's home and employment with the City. Use of a City vehicle for personal business is prohibited. Personal business includes but is not limited to taking children to school or recreational activities, running personal errands such as going to the store or dry cleaners, and going to church. Family members are prohibited from riding in a City vehicle absent prior written approval of the City Administrator. An employee who violates this section forfeits their authorization to take home a City vehicle and may be subject to other disciplinary action as outlined in this policy.

The City Administrator may authorize an employee to use a City vehicle for limited personal business when on "stand by" duty.

23.06 Employee Conduct while on City Business. Employees who drive a personal or City vehicle on City business must exercise due diligence, drive safely and maintain the security of the vehicle and its contents. Employees are prohibited from operating any vehicle for City

business when physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication. Employees must use the seatbelt/safety restraint device and require any passengers to do the same. Employees must comply with state laws pertaining to the use of cell phones and texting while operating motor vehicles.

23.07 Employee Conduct while Driving a City Vehicle. Employees are prohibited from driving a City vehicle anywhere which has no job-related function. No employee may allow a non-employee, non-business passenger to ride in City vehicles without prior approval of the City Administrator.

23.08 Responsibility for Driving Infractions. Employees are personally responsible for payment of any driving infractions or fines that result from their operation of a motor vehicle while on City business.

23.09 Zero Tolerance Policy on Drugs and Alcohol. No employee may operate a vehicle on City business with any detectable amount of illegal drug (specifically to include marijuana) or alcohol in their system. Tobacco use is prohibited in all City vehicles and equipment. Any employee who uses City vehicles and receives a citation for Driving Under the Influence (DUI) must notify his/her Department Director immediately.

23.10 Travel Expenses. Employees driving on City business may claim reimbursement for parking fees, tolls and other expenses directly incurred for business purposes upon submitting a complete expense reimbursement claim.

23.11. Driving Abstract. The Human Resource Assistant shall obtain a driving abstract for every employee whose job description requires operation of a City commercial vehicle or school bus.

23.12 Mandatory Reporting. Employees shall immediately report to their Department Director any incidents or accidents causing injury to employees or members of the public or damage to public or private property or equipment occurring during working hours or involving City equipment or property. In case of a motor vehicle accident involving City equipment or occurring during an employee's work hours, the employee(s) involved shall also immediately notify the Police Department. The City Administrator shall be notified of all accidents involving City employees and equipment as soon as possible and not later than the next work day on which the accident occurred. Employees shall compile any incident and/or accident reports requested by their Department Director or City Administrator.

23.13 Drivers Licenses as Job Requirement. Employees holding jobs designated as requiring regular driving for business must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. These driver approval standards include maintaining a valid Washington State driver's license, retaining eligible coverage under applicable insurance and complying with the provisions of this policy. For all other jobs, driving is considered a non-essential function of the position.

23.14 Reporting Requirement. Any employee whose work requires the operation of a City vehicle and whose license is expired, suspended, or revoked, is subject to disciplinary action including demotion or termination, unless that employee is able to obtain an occupational permit from the State Department of Licensing. Should the employee fail to immediately report such a revocation or suspension of his/her license to the Department Director and continue to operate a City vehicle under such circumstances, that employee may be subject to disciplinary action up to and including termination.

23.15 Commercial Drivers Licenses. City employees who hold commercial driver's licenses ("CDLs") and who operate commercial motor vehicles while employed by the City are subject to additional rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances: (1) Pre-employment; (2) Reasonable suspicion; (3) Post-accident; (4) Return to duty testing; (5) Random testing. CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. See Chapter 18, Substance Abuse and Physical Examination Policy.

23.16 Reporting Mechanical Issues. No employee shall operate a City vehicle without first conducting a pre-trip inspection. Employees are responsible for notifying their Department Director of any mechanical or physical deficiencies with a vehicle they have driven, for example, malfunctioning headlight or taillight or unusual noises, by completing the Driver's Vehicle Condition Report (VUP 1).

23.17 Maintenance File. Department Directors are responsible to ensure that City vehicles receive appropriate routine maintenance and repair. Department Directors shall keep a maintenance file on all City vehicles and equipment that records all maintenance, tire changes, major repairs, etc. See Service Maintenance Report (VUP 2).

23.18 Police Department Vehicles. Because the use of police vehicles may involve rapidly evolving emergency situations, and because officers routinely operate using their vehicles as their "office", some additional responsibilities may apply. Police Department employees will abide by Police Department written policy (Chapter 9) covering police use of vehicles. The Police Chief may grant exceptions to the Grandview City Vehicle Use Policy, to police department employees, in emergency* situations. The Police Chief may authorize incidental personal use (i.e., meal breaks) of vehicles during the conduct of an employee's main job functions.

*Emergency for the purpose of this section is defined as emergent or exigent circumstance(s).

23.19 Violations Subject to Discipline. Violations of this policy may result in disciplinary action up to and including termination.

Chapter 24

ELECTRONIC MAIL & INTERNET USE POLICY

24.01 Policy Statement. As an employee, you are likely to use computers extensively in your job. A few rules are necessary so that everyone can get the maximum benefit from the City's investment in technology.

In order to protect the City's computer system from viruses and ensure that the software used is compatible with the City's computers, only software purchased or approved by the City may be installed on City computers. Before installing any software not provided by the City, employees must check with their Department Director. Games and other non-business related software may not be installed on City computers or used during City work time.

Software is protected from unauthorized duplication by law. The City respects the legal rights of software developers and expects employees to do the same. No employee may duplicate software, or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on City computers.

City-supported Internet use is the property of the City and also should only be used for official business purposes. E-Mail, as well as voice mail, may be used only for business. E-mail and Internet access should not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-job-related purposes. All electronic media communications should be professional and business-like in tone. Use of electronic media for jokes, gambling, games, or discriminatory, derogatory, sexual, or otherwise inappropriate remarks is strictly prohibited. Remember, management has access to all electronic media, and you should not consider E- mail or voice mail communications private.

Any violation of this electronic media policy may result in disciplinary action, up to and including termination.

24.02 CONSENT AND PRIVACY WAIVER

I hereby consent that the City of Grandview, or its authorized representative(s), may monitor, review, and/or copy any information on the electronic data processing system, including the electronic mail system, whether stored or in transit, at any time, and may, without further notice, disclose such information to any third party or parties, including government and law enforcement agencies.

Prevention of Unauthorized Access

I will maintain the confidentiality of my computer and electronic mail system password(s) and will not permit access to my network account or to my electronic mail account by any person unless such access has been approved in advance by my immediate supervisor. If my password is disclosed to any individual other than an approved supervisor, for whatever reason, or if to my knowledge the security of my account is otherwise breached, I will immediately notify my supervisor.

Acknowledgment of Policies

I acknowledge receipt of the policy on Electronic Mail and Internet Access and agree to comply with all stated policies. I further acknowledge that the City depends upon users to bring to its attention abuses of the system and I agree to promptly notify my supervisor or the Information Services department if such abuse comes to my attention.

Employee Name (Please Print)

Department

Employee Signature

Date

*****PLEASE NOTE*****

Only those individuals who have signed and submitted a copy of this form are authorized to use the employer's electronic mail system. Unauthorized access is a violation of law and City policies and may result in disciplinary action, up to and including termination.

Chapter 25

CELLULAR TELEPHONE USE POLICY

25.01 Policy Statement. The purpose of the Cellular Telephone Use Policy is to provide guidance regarding the purchase and use of cellular telephones and establish the protocol for reimbursement by employees for personal use of City cell phones.

It is the policy of the City to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

City-Owned Cell Phones

1. Protocol for Assignment of City-Owned Cell Phones. A cell phone is considered a requirement under one or more of the following conditions:
 - A. Job Responsibilities require an employee to be away from regular land line access for long periods of time and communication by the employee is necessary to fulfill job objectives.
 - B. Cellular telephone use enhances the employee's personal safety on the job.
 - C. The employee's role carries responsibilities such that the ability to conduct two-way communication is necessary at all times.
2. No Right to Privacy. Employees have no right to privacy with respect to the use of City-Owned Cell Phones. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The City has the right to inspect any and all City-Owned Cell Phones used by employees for such information at any time and without notice.
3. Authorized use of City-Owned Cell Phones. Cell phones provided by the City are the property of the City and are to be used to conduct City business as outlined below:
 - A. Cell phones should not be used for personal use, except for necessary work-related situations such as unanticipated overtime or family emergencies. Calls of this nature should be infrequent in number and brief in duration.
 - B. Employees must report non-work related, local and long-distance personal cell phone charges to the City and reimburse the City at the per-minute rate the City pays for minutes billable to the phone in excess of the "free-time" minutes.

- C. Cell phone use in violation of any local, state, or federal law is prohibited. Cell phone use in violation of City or department work policies or for the purpose of personal financial gain is prohibited. Cell phones may not be used for blogging, jokes, gambling, games, or social networking (e.g., Facebook, MySpace, Twitter). Cell phone use for any discriminatory, derogatory, sexual, illegal, unethical or otherwise inappropriate remarks or purposes is strictly prohibited.
 - D. Cell phone use and text messaging with a City-owned or privately-owned cell phone is prohibited while the employee is operating a City-owned motor vehicle, except as provided in RCW 46.61.667. Speaking on the cell phone while driving should be done so only with a hands-free device. If no hands-free device is available, the driver shall pull to the side of the road in a safe location prior to answering or initiating cell calls. The use of hands-free technology is encouraged.
3. Employee Responsibilities Regarding City-Owned Cell Phones.
- A. Protect the City-owned cell phone from theft, loss or damage.
 - B. Immediately report loss or theft of a City-owned cell phone to your supervisor or Department Director.
 - C. As cell phone calls are not secure, use discretion while making calls of a sensitive or confidential nature.
 - D. Immediately return the telephone to your supervisor or Department Director if it is determined that the phone is no longer necessary for your job or upon leaving employment with the City.

Use of Personal Cellular Telephones to Conduct City Business

The City recognizes that some staff members carry personal cell phones for their personal use. Use of those cell phones during business hours should be kept at a minimum to discourage adverse impact on employee or co-worker performance and safety.

Employees using privately-owned cellular phones may be reimbursed by City for direct air time for calls to conduct authorized City business when evidenced by a billing detail. Reimbursement is made through the City's expense claim process with the billing detail attached. City business calls should be identified, including the name of the person/agency called and the reason for the call.

Any violation of this Cellular Telephone Use Policy may result in disciplinary action, up to and including termination.

Public Records Act – Employees should be aware that work-related texts and voice messages on cell phones are public records subject to the Public Records Act. Employees have a duty to maintain such records in accordance with the Washington Local Government Record Retention Schedules.

Chapter 26

EMPLOYEE RECOGNITION

26.01 Policy Statement. The purpose of this policy is to provide for the recognition of employees and volunteers.

26.02 Policy. This policy shall apply to all departments of the city, employees and volunteers. The city and its various departments may provide awards and hold special events to recognize and acknowledge publicly the contribution of employees and volunteers to the successful conduct of the city's business. Recognition events may include any of the following elements:

- A. Public acknowledgment of excellence and/or achievement by elected officials or department heads.
- B. Presentation of individual awards such as certificates, plaques and other recognition mementoes.
- C. Recognition of group success and achievement.
- D. Meal and light refreshments whose purpose is to honor volunteers and/or employee service awards in recognition of exemplary service, notable achievements, i.e., course completion, length of service, outstanding safety performance, cost saving suggestions, exemplary service above and beyond the normal job requirements, and other achievements in support of the city's mission.

Such awards may be made by the Mayor upon recommendation by the City Administrator and should be a budgeted item in each department. The cost of individual awards shall not exceed \$100.00 each.

Chapter 27

CREDIT CARD USE POLICY

27.01 Policy Statement:

To establish a policy on the use of City credit cards to transact official City business.

27.02 Departments Effected:

City Administrator, Department Directors and Employees

27.03 References:

RCW 43.09.2855

27.04 Policy:

A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:

- Travel: Credit cards may be used by the above assigned individuals (section 2) for official business – related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Department Head to obtain the Mayor's pre-approval.
- Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk's credit card shall be utilized for on-line purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
- Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.
- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The City Clerk's credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.

B. Credit Cards may be issued to Departments as follows:

- Administration: City Administrator, City Clerk and City Treasurer
- Police Department: Police Chief and Assistant Police Chief
- Fire Department: Fire Chief and Fire Captain
- Library: Library Director
- Public Works: Public Works Director and Public Works Assistant

C. The City has the following credit cards:

1. Visa Cards for each Department as identified in (B)
2. Chevron Fuel Card
3. CNH Capital Credit Card
4. Office Max Credit Card
5. Office Depot Credit Card
6. Safeway Credit Card
7. Sears Commercial One Credit Card
8. Staples Credit Card
9. Wal-Mart Credit Card

27.05 Procedures:

A. Authorization: Payment of all credit card expenditures is contingent upon the City Administrator's or Department Director's approval of the monthly statement of transactions. If expenditure is deemed inappropriate, the assigned credit card holder will be responsible for reimbursing the City.

B. Receipts/Verification:

1. Receipts **must be obtained** for each credit card transaction.
2. The purpose of the charge and the name of the individual(s) involved must be clearly written on the receipt. Meal receipts must note who ate and the purpose of the meeting.
3. Receipts or purchase verification for on-line charges are to be saved and retained by the assigned individual or designee.

C. The Department Director will reconcile and voucher the credit card transaction as scheduled with a completed purchase order and all corresponding credit card receipts attached.

D. The Accounting Clerk will:

1. Verify all credit card expenditures against the monthly transaction summary.
2. Notify the Department Director of missing receipts within 5 days of receiving the monthly statement.

27.06 Control:

A. The assigned department is responsible for contacting the vendor when supplies purchased with the credit card are not acceptable (incorrect order, damaged, etc.) and for arranging a return for credit or exchange.

B. The City Clerk is responsible for administration of the cards to include, but not limited to, selection of the card provider, payment of credit card bills, managing the issuance of cards and ensuring proper use.

C. The City Administrator will disallow the use of the assigned City credit card for violation or misuse of the credit card in accordance with this policy. The following will be considered an unauthorized purchase or use of any City purchasing/credit card:

1. Cash advances
2. Payment of invoices or statements
3. Purchases where an open charge account would be utilized without prior approval from the City Administrator
4. Personal purchases of any kind even if the cardholder intends to reimburse the City
5. Purchases where no or inadequate documentation is provided substantiating the necessity, nature and cost of the purchase

D. Any exceptions to this policy must be approved in writing in advance by the City Administrator.

E. Assigned individuals will sign a Credit Card User Agreement (Attachment A) before they are eligible to use the card.

F. Credit cards are to be returned to the City immediately upon ending employment with the City.

G. Misuse of a City credit card may result in disciplinary action, termination and/or legal action.

H. Failure to provide detailed documentation as required by the policy will at a minimum result in the user being responsible for the charge and may result in disciplinary action.

27.08 Credit Card User Agreement

I, _____, as an employee of the City of Grandview accept personal responsibility for the safeguard and proper use of the City credit card

which has been assigned to me for use in the performance of my job, in accordance with the terms outlined below.

Credit cards are to be used solely for travel related business expenses (within and outside the city), and conference/class registrations incurred by the assigned individual only.

Credit cards may be used for purchasing department supplies up to \$1,000 only if prior approved by the assigned card holder's Department Director.

I have read and understand the credit card policies and procedures as set forth in the Credit Card Use Policy.

I understand the City Administrator will disallow my use of a City credit card for violation or misuse of the credit card and/or credit card policies and procedures. I understand that such violation or misuse may subject me to discipline, including termination, under the City's Personnel Policies and/or legal action.

I understand that each time I use, or authorize the use thereof, that I am adhering to the following statement:

"I hereby verify that this is a true and correct claim for necessary expenditures incurred by me and that no payment has been received by me on account thereof."

I understand that I will be held personally liable for inappropriate charges I incur to the City credit card, and payment for any such inappropriate charges is hereby authorized to be withheld from my paycheck. For represented employees there will be a meeting between the City Administrator or designee, the employee and the Union representative within 10 days from when the misappropriation was discovered to discuss the charges and terms of repayment.

The undersigned individual has read and understands the above statements.

Employee Name Printed: _____

Employee Signature: _____

Date: _____

DEFINITIONS

The following terms, if not previously defined in the body of the Personnel Policy, are defined as follows:

Accrued or Accumulated Vacation Leave – The hours/shifts an employee has in their records and that are added on a monthly basis.

Advancement – A salary increase within the limits of the pay range established for a classification.

Appointing Authority – The City Administrator or the City Administrator's designee has the authority to make appointments to fill positions.

Appointment – The offer to and acceptance by a person for a position according to this Policy.

Armed Forces – Includes the Army, Navy, Marine Corps, Coast Guard, Air Force and their auxiliaries.

At-Will Employment – The employment relationship for all employees not covered by a collective bargaining agreement or Civil Service rules and regulations may be terminated at any time by either party with or without cause or notice.

Bereavement – The death of a member of the employee's immediate family and/or the death of a loved one which may require the presence of the employee.

Budgeted Position – A position that is funded in the City's annual budget.

Candidate – An applicant who is participating in the recruitment for a position.

Child – Biological or adopted child, or a stepchild, who is financially dependent on and/or living with an employee.

City – The City of Grandview, Washington.

City Council – The City Council of the City of Grandview.

City Department – A major functional sub office of City government that is accountable through the Department Director to the City Administrator.

City Service – The performance of official duties and responsibilities for the City.

Classification – A group of positions with similar or equal duties, responsibilities, and pay ranges.

Classification Title – A name assigned to a position that indicates a particular level of rank and specific duties and responsibilities.

Compensation – The salary/wage and all other forms of valuable consideration earned by, or paid to, any employee in remuneration for services in any position. [“compensation is used in other contexts within the Policy, such as in the context of Worker’s Compensation, and compensation an employee receives for jury duty and mileage].

Demotion – A reassignment to a position or classification with a lower pay range. Demotions may be involuntary if associated with a disciplinary action or voluntary which includes changes by employee preference (location, hours, environment, etc.) and demotion to avoid layoff. In either case, the demotion shall be approved only if the employee is qualified to assume the duties of the new position/classification.

Department Director – The professional employee who administers the operation of a City department and is directly responsible to the City Administrator.

Department Guidelines – Guidelines issued by a Department Director and approved by the City Administrator designed for specific types of activities within a department's operation.

Discharge – A disciplinary termination of employment.

Disciplinary Action – There are several types of disciplinary action that may include, either individually or in combination; an official reprimand (verbal or written), disciplinary probation, suspension, reduction in salary, demotion or discharge.

Disciplinary Probation – A form of disciplinary action for a period that generally will not exceed six (6) months.

Eligibility – A candidate whose name is recorded on an eligibility or reinstatement list. [“Eligibility” is used elsewhere in the Policy to speak about employees’ eligibility for benefits, vacations, etc.]

Emergency – As it relates to City operations, an unforeseen circumstance beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Emergency Employee – A person employed to meet unexpected operational emergencies for a temporary period in a position not specifically authorized or funded in the budget.

Employee or Incumbent – A person legally occupying a position in the City service.

Exempt Employee – A person in a budgeted position exempt from the overtime provisions of the Fair Labor Standards Act as an executive, administrative, or professional employee. Exempt employees include the City Administrator and Department Directors.

Fair Labor Standards Act (FLSA) – A federal law that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees who are covered by the Act (www.dol.gov/elaws/flsa.htm).

Grievance – A written statement of dissatisfaction about the administration of the Personnel Policy of the City as it affects an individual employee or group of employees.

In loco parentis – In place of a parent.

Military Duty – Training and service performed by an inductee, enlistee, reservist, or any entrant into any of the Armed Forces of the United States and their auxiliaries.

Non-Exempt Employee – A person in a position covered by the overtime provisions of the Fair Labor Standards Act, also referred to as a "non-exempt" employee.

[Note: there are references to the Human Resources "Office" and "office" throughout the Policy, without apparent reason for using one or the other form.

Official Reprimand – An oral or written notice to an employee informing the employee of an action or course of conduct on their part that is cause for disciplinary action.

Parent – Biological or adoptive parent, or a step-parent.

Performance Appraisal – An appraisal of the quality, quantity, effectiveness, and efficiency of work performed. The appraisal is to communicate with the employee about performance, expectations, departmental standards, provide positive feedback, define specific areas needing improvement, and to develop a specific growth plan to address learning needs. At minimum, informal appraisals are encouraged frequently; formal appraisals are made annually.

Personnel – All persons employed in City service.

Personnel Management – The process of defining and proposing policies for managing City staff and the implementation of those policies in collaboration with responsible managers and supervisors.

Policy – An approved course of action established by the City Administrator or other appropriate authority.

Position – The official rank within a given classification and held by an employee with a descriptive title.

Position Description – A complete and detailed statement about the general responsibilities, essential functions, specific duties, and minimum qualifications of a specific position within a given classification, as well as decision-making responsibilities, level of supervision received and exercised, working conditions, and equipment operated.

Promotion – A change in the employment status of an employee to a position in a higher classification with a higher rate of pay and increased responsibility.

Range – The distance between the minimum and maximum rates of pay within a given classification.

Rate of Pay – See Compensation. [See note on “Compensation”].

Regular Full-Time Employee – A person employed to work forty (40) hours (or the designated work week for fire and police-shift personnel) per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions.

Regular Part-Time Employee – A person employed to work less than forty (40) hours per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions. Regular part-time employees are paid at the equivalent hourly rate of the range and step in the classification to which they are appointed and receive benefits on a pro-rated basis commensurate with their budgeted part-time hours.

Revised Code of Washington (RCW) – A compilation of all permanent laws now in force in the state of Washington.

Reclassification – The process of reassigning a position to a different classification as a result of a position audit.

Recognized Employee Organization (REO) – A collective bargaining unit.

Recruitment – Activity intended to attract, inform, evaluate, and appoint persons to City service under the provisions of this Personnel Policy.

Rejection – The separation from employment during the employee's trial service period. [Note: this word is also used in the context of the “rejection” of a job applicant. I proposed changing it to termination in the context of employees let go during their trial service period].

Relative – Any person related to the employee including spouses, children, brothers, sisters, half-brothers and sisters, step-brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above.

Represented Employees – All employees appointed to budgeted positions who are covered by collective bargaining agreements.

Retirement – Official retirement from a budgeted position and City service that is available when the requirements of the employee's retirement system are met.

Separation Date – The last day of an employee's work in City service, after which no vacation or sick leave is accrued or used.

Shall – As used in this Personnel Policy "shall" is mandatory, and is reserved generally for policies governed by federal or state laws.

Step Date – The date in which the employee moves within their assigned classification pay range to the next higher pay step. An employee's step date is established by the following personnel actions:

- Initial appointment - upon successful completion of the non-represented employees trial service period, the initial step date shall be established; the step date for represented employees will be one year following their appointment date;

Supervisor – An employee hired and/or appointed by the City Administrator at the recommendation of the director of the employee's department to assign/direct and evaluate the work of other employees within the designated work unit or Office of the same department.

Suspension – The temporary separation of an employee from their position, with or without loss of pay, for pending disciplinary action, disciplinary action, or for another reason as determined necessary by the employee's supervisor, and for a defined period of time.

Temporary Employee – A person appointed to a temporary position or temporarily appointed to a regular position. A temporary position means a position budgeted for a set period of time on an hourly, daily, weekly, seasonal or call-in basis. This period of time will normally not exceed six (6) consecutive months of continuous employment.

Termination – The separation of an employee from City service. Termination may be by discharge, death, lay-off, resignation, retirement, work completion, contracting out City services, or lack of work or funds. The termination date is the last day of an employee's work in City service. No vacation or sick leave is accrued or used from that date forward.

Transfer – A reassignment of an employee from one position to another position in the same classification or another classification having the same pay range, involving the performance of similar duties, and requiring substantially the same basic qualifications.

Trial Service Period – A working test or orientation period during which an employee demonstrates, by actual performance, the employee's suitability for the duties of the position to which the employee has been appointed. The trial service period is for a minimum of six (6) months unless otherwise designated by a collective bargaining agreement.

Workday – An employee's scheduled daily hours of employment.

Workweek – An employee's schedule of work hours within an appointed week.

APPENDIX A

CITY OF GRANDVIEW

Grandview City Administrator
207 West Second Street
Grandview, WA 98930
(509) 882-9200

Grandview Police Department
207 West Second Street
Grandview, WA 98930
(509) 882-9223

YAKIMA COUNTY

County Prosecutor
County Courthouse
(509) 574-1210

Yakima County Sheriff's Department
Yakima, WA 98901
1-800-572-7354

STATE OF WASHINGTON

Attorney General's Office
1125 Washington St. SE
PO Box 40100
Olympia, WA. 98504-0100
(360) 753-6200
(360) 586-9667

State Auditor's Office
Assistant Attorney General
State Attorney General's Office
PO Box 40108
Olympia, WA 98504-0108

State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
(360) 407-6000

Human Rights Commission
402 Evergreen Plaza Building FJ-41
711 South Capitol Way
Olympia, WA 98504-2490
(206) 753-6770

Department of Labor & Industries
1 (800) 354-5423

UNITED STATES

USDA, Office of Inspector General
75 Hawthorne Street, Suite 200
San Francisco, CA 94105-3920
(415) 744-2851 Office
(415) 744-2871 Fax

General Accounting Office
Fraud Hot Line 800-424-5454
Consumer Product Safety
Commission
(800) 638-2772 Hotline

Environmental Protection Agency
Criminal Investigations
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-1200 or (800) 424-4EPA

Equal Employment Opportunity Commission
909 First Ave, Suite 400
Seattle, WA 98102-1061
(206) 220-6883

Department of Labor
Occupational Safety & Health (OSHA)
200 Constitution Avenue
Washington, D.C. 20210
(800) 321-OSHA (6742)

REVISIONS

<u>Section</u>	<u>Date of Revision</u>	<u>Authority</u>
3.08	April 12, 2011	Resolution No. 2011-19
3.09	April 12, 2011	Resolution No. 2011-19
7.07	April 12, 2011	Resolution No. 2011-19
8.06	April 12, 2011	Resolution No. 2011-19
10.03	April 12, 2011	Resolution No. 2011-19
10.04	April 12, 2011	Resolution No. 2011-19
10.09	April 12, 2011	Resolution No. 2011-19
11.10	April 12, 2011	Resolution No. 2011-19
11.11	April 12, 2011	Resolution No. 2011-19
11.12	April 12, 2011	Resolution No. 2011-19
12.03	April 12, 2011	Resolution No. 2011-19
25.01	April 12, 2011	Resolution No. 2011-19
28	April 12, 2011	Resolution No. 2011-19
7.07	November 22, 2011	Resolution No. 2011-49
12.03	January 10, 2012	Resolution No. 2012-3
12.04	January 10, 2012	Resolution No. 2012-4
17.04	January 22, 2013	Resolution No. 2013-14
17.06	January 22, 2013	Resolution No. 2013-14
12.04	February 12, 2013	Resolution No. 2013-24
7.07	January 14, 2014	Resolution No. 2014-1
26.03	April 8, 2014	Resolution No. 2014-28
27	April 8, 2014	Resolution No. 2014-29
27.04	May 13, 2014	Resolution No. 2014-30
27.07	May 13, 2014	Resolution No. 2014-30
23	August 26, 2014	Resolution No. 2014-43
10.10	September 23, 2014	Resolution No. 2014-50
13.03.01(A)(1)	December 9, 2014	Resolution No. 2014-64
9.01	November 24, 2015	Resolution No. 2015-48

GPD Public Safety Statement.pdf

**Grandview Police Department
Public Safety Statement
(Policy 305.5.2)**

Case #: _____

Date: _____

Directions to on-scene supervisor:

This is a compelled statement. The supervisor (at minimum, a Sgt. or permanent A/Sgt.) compelling this statement:

- Will not deviate from its content.
- Will write down on this card the answers provided verbatim.
- Will disseminate public safety information immediately via radio as appropriate.
- Will provide this card to the first arriving Homicide Unit supervisor.

The police supervisor receiving this information is required to submit a written statement to the Homicide Unit. The statement is to include that the Public Safety Statement was formally given to the involved officer, the content of the answers given by the involved officer, and that the supervisor did not deviate from the specified questions.

“Officer _____, I am directing you to give me a public safety statement. Due to the immediate need to take action, you are ordered to answer the following questions listed below. If you refuse to answer these questions relating to the performance of your official duties, you will be subject to Department charges, which could result in your dismissal from the Department.”

Requesting Supervisor's Name

Badge#

Time:

“At this time and to the **best of your knowledge**, please answer the following”:

1. From where and in what direction did you fire rounds?

2. In what direction did the suspect(s) fire rounds?

3. If you know of anyone injured, what is her/his location?

4. **If** any suspects are outstanding, what are their descriptions?

Supervisors: If there are **no** outstanding suspects, proceed directly to question #5, otherwise ask questions #4 (a-d).

a. What was their direction of travel?

b. How long have they been gone?

c. With what weapons were they armed?

d. Are there any other safety risks known about the outstanding suspect(s)?

5. Does any evidence need protection?

6. Any known witnesses?

7. Where are they located?

“Officer _____, in order to prevent the contamination of your statement, I order you not to discuss this incident with anyone,

including your supervisors or staff officers, prior to the arrival of the assigned investigators, with the exception of your legal representation.”

Missing Person Checklist.pdf

Grandview Police Department Missing Person Investigation Checklist

Missing Person's Checklist

If you think a person is missing, the following are actions that you can take.

- ☐ Immediately contact your local law enforcement agency to report the person missing. If the person went missing somewhere else, you may contact the law enforcement agency in that area. When you contact police, tell them that you need to file a missing person's report.
- ☐ When you file a missing person's report the police will ask you a number of questions. It would be helpful if you had the following information. Do not worry; you need not delay contacting the police if you do not have all of the information below.

1

a) Basic information about the Missing Person

- ☐ Full name
- ☐ Date of birth
- ☐ Birthplace
- ☐ Nicknames, if any
- ☐ Current and previous addresses. Who else lived there?
- ☐ Current and former employers.

b) Physical description of the Missing Person

- ☐ Height
- ☐ Weight
- ☐ Age
- ☐ Build
- ☐ Hair Color/Length of Hair
- ☐ Eye color?
- ☐ Any Markings - such as tattoos, birthmarks, scars, etc.
- ☐ Beard/Mustache/Sideburns

Grandview Police Department Missing Person Investigation Checklist

- ☐ Find the most recent photo of the missing person

c) Habits and Personality of Missing Person

- ☐ Does the person smoke? If yes, what brand of cigarettes? Does the person drink alcohol? If yes, what type?
- ☐ Does the person use recreational drugs?
- ☐ Does the person chew gum?
- ☐ What type of recreation or activities does the person engage in including hobbies?
- ☐ Are there novel habits that the person has? For instance, does the person have a place where they always go for coffee?
- ☐ Does the person have particular banking habits?
- ☐ What type of personality does the person have? Is the person outgoing or quiet? Is the person friendly or depressed?
- ☐ What are the values and philosophy of the person?
- ☐ Is the person religious?
- ☐ Does the person have any emotional problems?
- ☐ What level of education or training does the person have?
- ☐ Does the person go to any particular areas, bars, taverns or places of interest?

d) Clothing that the Missing Person was wearing the last time seen

- ☐ Style and color of shirt
- ☐ Style and color of pants
- ☐ Style and color of jacket or outerwear
- ☐ If applicable, type of headwear
- ☐ Type of glasses
- ☐ Type of gloves
- ☐ Type of footwear

Grandview Police Department Missing Person Investigation Checklist

e) Trip Plans of the Missing Person the day they went missing

- ☐ What were the missing person's plans and/or activities on the day they went missing?
- ☐ Where was he/she going?
- ☐ Why was he/she going there?
- ☐ Was the person traveling by car? If so, provide the make and model number, license plate number and registration.
- ☐ Does the person have access to any other vehicles or mode of travel?

f) Information about the last time the Missing Person was seen

- ☐ The time and location of where he/she was last seen
- ☐ The name of the person who last saw the missing person
- ☐ The name of the person who last talked at length with the missing person
- ☐ The direction the missing person was traveling the last time seen.
- ☐ The attitude of the missing person the last time seen
- ☐ Was the missing person concerned about anything before he/she went missing?

g) Overall health and condition of the missing person

- ☐ Physical condition
- ☐ Any known medical problems.
- ☐ Is the person suffering from Alzheimer's disease/dementia/memory loss?
- ☐ Any handicaps or disabilities.
- ☐ Any psychological problems
- ☐ Any medications that the person is taking
- ☐ Any addictions that the person has
- ☐ Provide the name of the missing person's family physician and their health card number, if possible
- ☐ Provide the name of the missing person's main dentist, if possible.

Grandview Police Department Missing Person Investigation Checklist

h) Potential People that the person would contact

- ☐ List all of the people who the missing person may try to contact. Try to include addresses and telephone numbers.
- ☐ When the missing person's report has been filed, ask the police for the missing person's file number. As well, ask for contact information for the investigator in charge of the file.

2

- ☐ Secure the personal belongings and living space of the missing person until the police provide further direction. Below is a list of items of importance.
- ☐ Items such as a hairbrush, a toothbrush, or undergarments. Investigators may need to undertake DNA analysis.
- ☐ Any electronic equipment such as a cell phone or computer. What is the make of phone and the cell phone provider? As well, do you know if they were active on a chat line or other social on-line network such as MSN, Facebook, etc.?
- ☐ Any personal documents such as banking statements and credit card statements as well as all bank card information.
- ☐ Any written material such as a journal
- ☐ To make things more manageable, start a log or journal. Include all information about the missing person's case in the journal.
- ☐ The Police will likely request that there be one family contact with the police. This simplifies contact between the Police and the family. Police officers will only have to update one person about the investigation. In addition, they will know who to contact when information is needed from the family. Talk with your family and close friends about who will be the family contact. The members of your family may not want to take on this role. If so, you may decide that a close friend should be the contact person.
- ☐ Conduct a telephone search. Phone friends and family that may have some idea of where the missing person is. Start with those closest to the missing person and

Grandview Police Department Missing Person Investigation Checklist

write all of the information down in your journal.

- ☐ If you find out any additional information from telephone inquiries pass it on to police
- ☐ Put up flyers with a photograph of the missing person around your community.
- ☐ Tell all necessary people about the disappearance of the missing person. This may include the missing person's employer, their bank, and their doctor. If the missing person is a child you will need to contact the school they are attending.
- ☐ If necessary, arrange for the payment of the missing person's mortgage, rent or bills. You may require legal advice on how to proceed.
- ☐ Ask yourself if you need to take an extended leave from work. If you do, talk to your employer about what options might be available.
- ☐ If you feel you need an extension on bill payments then ask about what options are available

3

- ☐ Try to eat, sleep, and exercise on a regular basis. Although you may not feel that you have time it is important to take care of yourself
- ☐ Try not to blame yourself for the disappearance of your loved one. Treat yourself with as much kindness as you can in these difficult times.
- ☐ Try to realize your limits. Be easy on yourself if you are unable to provide what is needed in all situations. You may, for instance, be unable to provide emotional support to all of the members of your family. Don't feel guilty about seeking counseling services to help your family deal with the wide range of emotions that are being experienced.
- ☐ Don't feel guilty if you have to return to work. This does not mean that you have given up on the search for your loved one.

Source Link:

Missing Person School Notification Form.pdf

Grandview Police Department Emergency Notification Missing or Abducted Child Alert

Date of notification _____

This is a notice to the school administration of:
(School Name) _____

Name of missing / abducted child:

Sex _____ Race _____

Date of Birth _____

If this student is located, or if anyone calls asking for information, or requests the transfer of school records, immediate law enforcement notification is required. Do not release any information or records until told to do so by law enforcement. Do not tell the requesting party of this notification, law enforcement will instruct you what to do. Immediately contact:

Grandview Police Department: (509) 882-2000

Detective _____

On Duty Sergeant _____

- If the child is found during off-hours, or no one answers the phone number listed above, call 911 and provide the information above.

Photograph

Attached to this form may or may not be a photograph of the missing child. Additionally, take into consideration the child's age when the photograph was taken. Many times the actual school yearbook photograph may be more current.

☐ Photograph not provided by reporting party.

See back page for additional information / instructions

Grandview Police Department Emergency Notification Missing or Abducted Child Alert

This notification form has two purposes:

1. In many cases, young children in elementary school fall victim to parental abduction, or other related serious victimization / kidnapping. When this occurs, many times the abductor will have to request the previous school records in order to enroll the child into a new school. By having this form in the front of the child school / attendance record, the school would be made aware of the situation and cause law enforcement authorities to be notified immediately, potentially aiding in the recovery of the child.

2. The second purpose of this form involves cases where a child runs away and returns to school, not notifying his or her parent.

RCW [13.60.030](#)

Information and education regarding missing children—Plan.

The superintendent of public instruction shall meet semiannually with the Washington state patrol to develop a coordinated plan for the distribution of information and education of teachers and students in the school districts of the state regarding the missing children problem in the state. The superintendent of public instruction shall encourage local school districts to cooperate by providing the state patrol information on any missing children that may be identified within the district.

[[1985 c 443 § 24.](#)]

NOTES:

Severability—Effective date—1985 c 443: See notes following RCW [7.69.010](#).

Children in Drug Houses Checklist.pdf

GRANDVIEW POLICE DEPARTMENT



KAL FULLER
Chief of Police

CHILDREN IN DRUG HOMES CHECK LIST

This check list may to be used when dealing with children located in or residing at known drug homes. The goal is to ensure the safety of the child.

Case Number: _____ Officer/Detective: _____

1) How was call generated?

- ☐ Citizen Complaint
- ☐ Officer Observation
- ☐ Other Agency Referral

2) Was Consent given with Ferrier Warnings provided?

Yes / No Verbal / Written

3) Was Search Warrant obtained?

Yes / No Warrant Case # _____

4) Were Children present?

Yes / No Total Number of Children _____

Number of children birth to 5 years of age: _____

Number of children age 6 to 10 years old: _____

Number of children age 11 to 12 years old: _____

Number of children age 13 to 17 years old: _____

5) Type of narcotic(s) investigating? Check all that apply

- ☐ Illegal Marijuana Grow
- ☐ Medical Marijuana Grow
- ☐ Methamphetamine
- ☐ Cocaine
- ☐ Heroin
- ☐ Fentanyl
- ☐ Other illegal/legal narcotic (name _____)

6) Do children have easy access to narcotics?

Yes / No (drying room, on table, easily reachable by children) Explain

7) Condition of residence? Describe (Example: adequate food, power, dirty/moldy dishes/food, etc.)

8) Requires mandatory reporting per RCW 26.44.050**?

Yes / No

9) CPS Notified?

Yes / No Name_____ Phone_____

10) Children released to parent?

Yes / No Name_____ Phone_____

11) Children removed from home?

Yes / No By _____

Custody given to relative/friend or CPS?

Relative/Friend_____ Phone_____

CPS Personnel_____ Phone_____

Custody Transfer Form completed for CPS?

Yes / No

** RCW 26.44.050 Abuse or neglect of child—Duty of law enforcement agency or department of children, youth, and families—Taking child into custody without court order, when.

Except as provided in *RCW 26.44.030(11), upon the receipt of a report concerning the possible occurrence of abuse or neglect, the law enforcement agency or the department must investigate and provide the protective services section with a report in accordance with chapter 74.13 RCW, and where necessary to refer such report to the court.

A law enforcement officer may take, or cause to be taken, a child into custody without a court order if there is probable cause to believe that the child is abused or neglected and that the child would be injured or could not be taken into custody if it were necessary to first obtain a court order pursuant to RCW 13.34.050. The law enforcement agency or the department investigating such a report is hereby authorized to photograph such a child for the purpose of providing documentary evidence of the physical condition of the child.

Request for Authorization of Personal Firearm On-Duty.pdf

GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000
FAX (509) 882-1232



*Service
with
Excellence*

Request for Authorization: Personal Firearm On-Duty Carry

Officer: _____

Firearm: _____
Make: Model: Caliber: Color: Serial #:

I, _____, request approval from the Chief of Police or authorized designee to carry a personally owned firearm in an on-duty capacity, either in uniform or plain clothes. I acknowledge that the city would provide a department firearm for my use (See Policy 306.2). I also acknowledge that the responsibility of obtaining an appropriate holster and or other accessories for this firearm rest fully with me. This document serves as my notice to the GPD Rangemaster, who will maintain a list of the information.

Signature: _____ Date: _____

Firearms Instructor

I, _____, Grandview Police Department Firearms Instructor and/or Armorer, hereby certify that I have inspected the above-listed firearm. I find the firearm and the officer meet the requirements of GPD Policy 306.3.4 and suggest approval for duty use.

Signature: _____ Date: _____

Rangemaster

I, _____, GPD rangemaster certify that the above listed firearm and officer have met the requirements of Policy 306.3.4 and suggest approval for duty use. I forward this document to the Chief of Police for final review.

Signature: _____ Date: _____

Chief

I, Kal Fuller, Chief of Police, approve the use of the above firearm by the above listed officer for duty use.

Signature: _____ Date: _____

Off-Duty Employment Approval Form.pdf



GRANDVIEW POLICE DEPARTMENT

OFF DUTY EMPLOYMENT APPROVAL FORM

Employee's Name: _____

Prospective Off-Duty Employer: _____

Address: _____

Phone: _____

Anticipated Starting Date _____

Nature of Work to be Performed (General & Specific) _____

Number of Hours to be Worked per Week _____

- I. Is the purpose of your prospective off-duty employment to use your police skills and expertise? _____ Yes _____ No
- A. If so, I fully understand I will not be granted Injury Leave with pay if I become injured while on this off-duty employment. I do understand that I may use sick leave if I become physically incapable of reporting for duty due to an off-duty injury.
- C. I am also aware that if my off-duty employment is situated outside the corporate limits of Grandview, I will not represent myself as a Grandview Police Officer during the performance of my duties. In addition, I accept the condition that I am not to use any City equipment, other than that personal equipment I would normally expect to use when off-duty, nor utilize the facilities of our Records Bureau in connection with my prospective off-duty employment.

I am aware that my off-duty employment will be automatically suspended while I am on sick leave, FMLA leave, light duty status, or leave without pay. If I work off-duty employment while on this type of leave, I will be subject to disciplinary action for abuse of sick leave.

I have read GPD Policy 1021 Outside Employment. I understand and accept all the contents of that policy.

Officer Signature _____ Date _____

Request is APPROVED/DENIED _____

[Chief of Police]

Washington State Law Enforcement Records Retention Schedule.pdf

This schedule applies to: Law Enforcement Agencies

Scope of records retention schedule

This records retention schedule covers the public records of local law enforcement agencies relating to the functions of law enforcement, criminal case investigation, and the management of the agency's assets and human resources. It is to be used in conjunction with the *Local Government Common Records Retention Schedule (CORE)* and other approved schedules that relate to the functions of the agency.

All current approved records retention schedules can be accessed online at: <http://www.sos.wa.gov/archives/RecordsRetentionSchedules.aspx>.

Disposition of public records

Public records covered by records series within this records retention schedule must be retained for the minimum retention period as specified in this schedule. Washington State Archives strongly recommends the disposition of public records at the end of their minimum retention period for the efficient and effective management of local resources.

Public records designated as Archival (Permanent Retention), Permanent, or Non-Archival with a retention period of "Life of the Agency" must not be destroyed. Records designated as Archival (Appraisal Required) or Potentially Archival must be appraised by the Washington State Archives before disposition. Public records must not be destroyed if they are subject to ongoing or reasonably anticipated litigation. Such public records must be managed in accordance with the agency's policies and procedures for legal holds. Public records must not be destroyed if they are subject to an existing public records request in accordance with chapter [42.56 RCW](#). Such public records must be managed in accordance with the agency's policies and procedures for public records requests.

In addition to the minimum retention requirements specified in this schedule, there may be additional (longer) retention requirements mandated by federal, state and/or local statute, grant agreement, and/or other contractual obligations.

Revocation of previously issued records retention schedules

All previously approved disposition authorities for records that are covered by this retention schedule are revoked, including those listed in all general and agency unique retention schedules. Local government agencies must take measures to ensure that the retention and disposition of public records is in accordance with current, approved records retention schedules.

Authority

This records retention schedule was approved by the Local Records Committee in accordance with [RCW 40.14.070](#) on January 26, 2017.

Signature on File

For the State Auditor: Cindy Evans

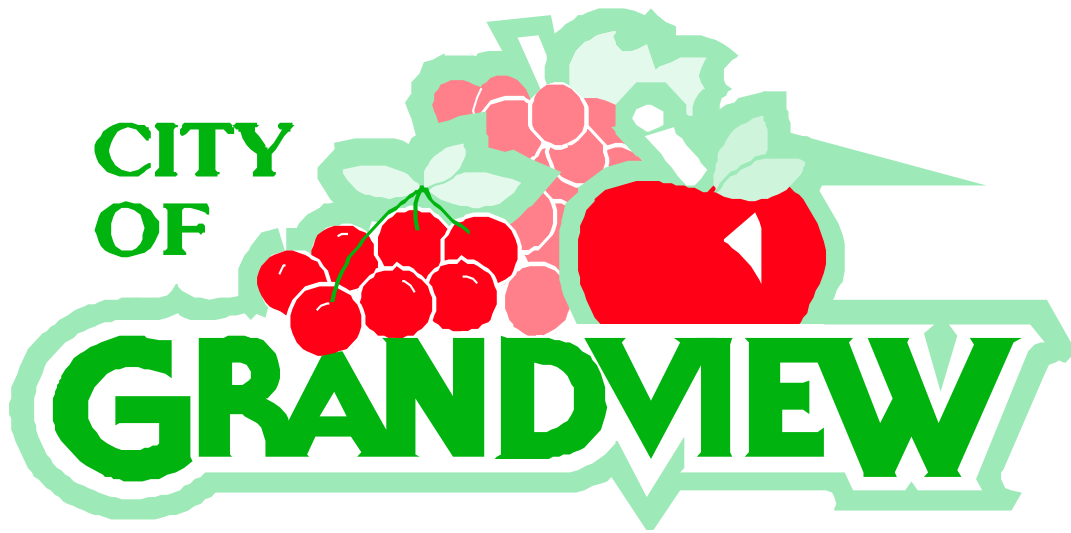
Signature on File

For the Attorney General: Matt Kernutt

Signature on File

The State Archivist: Steve Excell

City of Grandview PERSONNEL POLICY MANUAL.pdf



PERSONNEL POLICY MANUAL

ADOPTED
MAY 5, 2008 – RES. NO. 2008-14

ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICIES

Please read the following and then sign, date and return the form to the Human Resources Office. One copy will be placed in your personnel file and one copy maintained with your copy of the manual.

Copies of the City of Grandview's Personnel Policy Manual adopted on May 5, 2008 and last revised on November 24, 2015 is located in each department and administrative office. In addition, each bargaining unit representative has been provided a copy. It is your responsibility to read the manual, as it will acquaint you with the City's personnel practices and guidelines, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment for any specific duration between the City of Grandview and its employees. We hope that your employment relationship with us will be long-term; we recognize that at times things do not always work out, and either of us may decide to terminate the employment relationship. All employees of the City are "at will" employees unless they are specifically provided additional rights in a written contract or pursuant to Civil Service rules. That means you or the City, if you are an "at will" employee, may terminate this relationship at any time, for any reason, with or without cause or notice.

As the City grows and changes, personnel policies and guidelines change. The City, therefore, reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy. You will be given ample notification of any changes. The manual is produced in a loose leaf notebook fashion in order to permit easy updating by replacing pages.

Please understand that no supervisor, manager or representative of the City has the authority to make any written or verbal statements or representations which are inconsistent with at-will employment. If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, Department Director or the Human Resources Assistant.

I understand that, in the State of Washington, employment is at will, which means that it may be terminated by me or the City at any time, unless the terms of my employment are subject to a contract, collective bargaining agreement, or Civil Service rules.

Employee Name (Printed)

Date

Employee Signature

Please return signed form to the Human Resources Office

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INTRODUCTION

The purpose of this Personnel Policy Manual is to create a productive and harmonious work environment by clearly defining what is expected of each member of the City team.

This manual has been prepared as a guide or reference tool for all members of the City's work force. Although it will have different applications to employees depending upon their employment status, the manual provides a "snapshot" of how things are done in the City and incorporates state and federal mandates as well. Because we recognize that change is the norm, we will review this manual regularly to amend these guidelines where necessary to reflect ongoing change in the City workplace. In addition, there may be circumstances where management may deem it necessary to deviate from these guidelines for the good of the City, and the City retains the discretion to deviate from these guidelines as it deems necessary or appropriate.

These guidelines for management include, but are not limited to, classification specifications, salaries, working hours and conditions, merit examinations and promotions, all kinds of leave, disciplinary proceedings, appeal procedures, and other matters related to the efficient functioning of the City's work force.

The provisions of this manual do not supersede the provisions of any collective bargaining agreements or Civil Service rules and regulations, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules and regulations will prevail.

It is recognized that no personnel policy can answer all questions that might arise in the normal course of municipal government. Employees of the City are expected to exercise the utmost judgment and discretion in the performance of their duties.

It is important to understand that this Personnel Policy Manual does not create an employment contract, a promise of specific treatment in specific situations, or a guarantee of employment for any specific duration between the City of Grandview and its employees. Although we hope that your employment relationship with us will be long-term, we recognize that at times things do not always work out, and that either of us, if you are an at-will employee, may decide to terminate the employment relationship at any time. An employee with questions about any policy or its interpretation may contact their immediate supervisor, Department Director, or the Human Resources Assistant for an explanation.

Chapter 1

GENERAL

1.01 Scope of Application. In the interest of the City of Grandview's employees and citizens, the City adopts guidelines and procedures to promote full communication between the City, as the employer, and its employees. The City also sets reasonable methods to resolve disputes about wages, hours, and other terms and conditions of employment and to continuously improve personnel management and employer-employee relations.

The Personnel Policy applies to all offices, positions, and employees in City service except the following:

- Elected officials;
- Appointed members of boards, commissions, and committees; and
- Contracted persons supplying expert, professional, or technical services.

New Employee Orientations - All new part-time and full-time regular employees are given a new employee orientation by the Human Resources Office and by their own department as close as possible to their first day of work. This Personnel Policy is an important part of this orientation.

1.02 Diversity Policy. The City of Grandview is committed to developing a diverse work force which reflects the diversity and composition of the community we serve, and honors and respects the differences and abilities of all our employees and residents, and provides employees with the necessary opportunities, tools, and support to achieve their maximum potential.

Equal employment opportunity provides a level playing field for City job applicants and must be linked with a commitment to equitably manage a diverse work force. Diversity recognizes and respects the multitude of differences that employees bring to the workplace. Diversity complements organizational values that stress teamwork, leadership, empowerment, and quality service. Diversity means striving to maintain an environment in which managers value the differences in their employees and take steps to ensure that all employees know they are welcomed and included.

To achieve workplace equity and inclusion, the City observes the practices outlined below:

1. We ensure that we do not discriminate in employment on the basis of race, color, religion, national origin, sex, age, disability, marital status, creed, sexual orientation, political ideology or any other protected status.
2. Our recruiting efforts are designed to ensure that applicant pools are both capable and diverse.
3. We strive to make employment decisions based on job-related criteria and provide opportunities for entry and promotion to all City positions.
4. We strive to ensure a workplace free of all forms of harassment.

5. We have developed a procedure for prompt, thorough and impartial investigations of discrimination or harassment complaints and will take appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination or harassment.

Measures to ensure accountability for managing diversity will be incorporated into the performance management system for supervisors and managers. The City Administrator will evaluate the effectiveness of our diversity policies and programs.

By creating a workplace where everyone can work toward their maximum potential, the City will retain quality, productive employees who will provide excellent services to our residents.

1.03 Compliance with the Personnel Policy. In accepting employment with the City of Grandview, each employee is expected to follow this Personnel Policy, administrative policies and procedures established by the Mayor and/or City Administrator, their collective bargaining agreements or applicable Civil Service rules and regulations, and the guidelines and directives of the department in which they are employed.

1.04 Authority of the Mayor. The Mayor, as appointing authority, has general control and supervision over the affairs of the City. The City Administrator, following consultation and approval by the Mayor, has the authority to establish such other procedures and guidelines necessary for the control and supervision of the affairs of the City.

The City Administrator, following consultation and approval by the Mayor, has the authority to remove "at will" employees; and may remove union employees for cause as provided by the collective bargaining agreement or Civil Service rules and regulations.

1.05 Administrative Guidelines. The City Administrator, following consultation and approval by the Mayor, has the authority to issue additional administrative policies as may be necessary to carry into effect this Personnel Policy, except as otherwise provided by Revised Code of Washington and/or ordinance.

1.06 Department Guidelines. Department Directors, upon approval of the City Administrator, may create guidelines more specific to their respective department operations consistent with collective bargaining agreements. Departmental guidelines or directives will not conflict with or supersede any provisions of this Personnel Policy. In the event of any conflict, the City Personnel Policy prevails.

Department guidelines will be posted and employees put on notice of their existence and content.

1.07 Amendments to the Personnel Policy. The City Council may amend, change, and revise this Personnel Policy. The City Administrator will provide written notice to each of the Union presidents of any proposed amendments, changes or revisions to the Personnel Policy Manual. The Union presidents will have thirty (30) days to respond in writing with any comments they may have.

Employee Recommendations - Any employee may suggest an amendment, change, or revision to the Personnel Policy by submitting suggestions in writing to the City Administrator.

Following consultation and approval by the Mayor, the City Administrator may forward the suggestion, along with a recommendation, to the City Council for final disposition.

All amendments, changes, and revisions are made available to all City employees in the manner and form approved by the City Administrator.

1.08 Saving Clause. If any section, subsection, paragraph, sentence, or phrase of the Personnel Policy is found by a court to be invalid or unconstitutional, such findings shall not affect the remainder of this Personnel Policy.

Chapter 2

CLASSIFICATION PLAN

2.01 Classification of Positions. All positions in City service are assigned to a classification. The classification may include a single position or a group of positions. These positions are sufficiently alike in duties, functions, and responsibilities such that the positions can be identified by the same classification title, use the same classification specification, and are assigned the same range of rates of pay. When the job responsibilities of an individual become sufficiently different from other members of the class, a position description may also be prepared.

2.02 Preparation and Maintenance. Classification specifications for each City position are prepared and maintained in such a manner that they accurately describe the duties and responsibilities of the positions and classifications. Classification titles are set by the City Administrator, following consultation and approval by the Mayor. The Human Resources Assistant has the authority and responsibility to research, study, and propose necessary changes in classification specifications to the City Administrator. The City recognizes that duties evolve and change in a dynamic work force, and that the classification system needs periodic reviews.

Classification Plan Review - A periodic compensation review that reflects changes to external comparables will be performed by the Human Resources office. The Human Resources office will research the compensation data and the City Administrator/Mayor will review the resulting recommended new compensation scale.

Classification Specification Review - Classification specifications will be reviewed annually as part of the employee's performance appraisal process with their supervisor to determine if an audit by the Human Resources office is warranted. An audit may also be initiated by an employee, supervisor or the union at any time when there has been a significant change in the employee's job responsibilities. A classification audit will be conducted no more often than once per year. If the audit request is supported by the supervisor, it will be forwarded through the Department Director to the Human Resources office. The Department Director shall apprise the City Administrator of classification audit requests made to the Human Resources office. If the Department Director or supervisor does not support the audit request, the initiating party may appeal the decision.

2.03 Requests for Reclassification. As changes occur in the responsibilities of a position, it is appropriate to the classification review to determine whether changes in the classification are justified. Such changes may result from gradual modifications and additions to the responsibilities of a class and/or from a departmental reorganization.

When the City determines that a new classification specification or reclassification of an existing classification is necessary, the Human Resources office, with approval of the affected department, will prepare a new/revised classification specification and recommended salary range. For Union positions, the City will submit to the Union, in writing, the classification specification and proposed salary range prior to implementation. The Union will have ten (10) working days to request, in writing, a meeting to negotiate with the City regarding the proposed salary. Such meetings will take place within ten (10) working days of the receipt of the request.

Because of the implications of a reclassification, these basic guidelines are followed:

1. A request for classification review begins only when the Department Director can clearly identify the changes in responsibilities that have occurred as a result of reorganization, enhanced job duties, or changes in work complexity. The justification focuses on the content of the class that has changed;
2. Increases in work volume, outstanding performance, or admirable behavioral traits of the incumbent, although valued and important, are not relevant in a classification audit;
3. If an employee believes that their class title is no longer properly classified, the employee may request through their Department Director that a classification audit be performed;
4. The Department Director, in consultation with the Human Resources office, determines that the request meets the criteria and therefore has merit. Failure to meet the criteria may mean the Department Director does not support the request and may elect to change the duties back so that the employee is properly working within the current classification;
5. Reclassifications have budgetary impacts. Therefore, requests for classification audits should normally be started and completed before the commencement of the annual budget process. Department Directors are to plan their requests for position reclassifications so the audits can be completed no later than August 1 of each year for consideration in budget requests for the next fiscal year;
6. Reclassifications can be accomplished only upon the completion of a classification audit process, which follows the outline below:

Step 1 - Reclassification Request - Requests for reclassifications are submitted in writing to the Human Resources Assistant through the employee's Department Director and the following information is included:

- A. A copy of the most recently-approved class specification;
- B. A detailed listing of specific additions, deletions, or changes that have been made subsequent to the position's responsibilities;
- C. Any additional background material that the Department Director considers appropriate to document the change in the class regarding its complexity, skills, or accountability; and
- D. If being requested by employee, a completed Position Classification Questionnaire available from the Human Resources Office (PM-16).

Step 2 - Classification Audit Process - Upon receipt of the Department Director's written request, the Human Resources Assistant conducts a classification audit involving the following steps:

- A. Review of classification specification changes and incorporation of changes into a revised classification outlining basic functions, examples of work, required knowledge and skills, basic qualifications, and desirable training and experience;
 - B. The Human Resources Assistant reviews the revised class specification with the employee and the employee's immediate supervisor;
 - C. The Human Resources Assistant reviews the revised class specification and identifies what changes in responsibilities would or would not justify the need to place the position in a higher or lower classification;
 - D. If appropriate, the Human Resources Assistant will value the classification as appropriate;
 - E. The Human Resources Assistant then forwards the information and recommendation to the City Administrator, the affected Department Director, and employee; and
 - F. The City Administrator receives and considers the recommendations and determines the proper action, following consultation and approval by the Mayor.
7. Timeline - Classification audits are accomplished in a timely fashion. The audit and the response explaining the recommended action are delivered to the appropriate parties within a reasonable time, generally within sixty (60) working days of receiving the request.

2.04 Reclassification Procedure. Upon approval of a reclassification by the City Council, the position is assigned to the appropriate classification range. In the event a classification is reclassified, then,

1. The incumbent employees in the existing classification, if qualified, will be placed directly into the new classification. If not qualified, the incumbents will be allowed one (1) year to become qualified;
2. If the new classification has a higher pay range, the employee will be paid at the same step in the new range. Reclassified employees will receive a new step date commencing at the date of reclassification; and
3. If the new classification has a lower pay range, the employee will be paid at the nearest step of the new range of their current salary, whichever is higher. In the event the current salary is higher, the salary will be frozen until such time as the new range exceeds the frozen salary, excluding cost of living increases, at which time the rate will conform to the top step of the new range.

Appeal Process - The Human Resources Office will review the appeal and make a recommendation to the Department Director. The Department Director will approve or disapprove the Human Resources office recommendation. The Department Director's decision will be forwarded to the City Administrator for review.

2.05 Establishment of a New Classification Specification. Requests for new classification titles, classification specifications, and position descriptions are submitted through the Department Director to the Human Resources Assistant for consideration. Upon the City Administrator/Mayor's approval, the Human Resources Assistant provides a new classification title, new classification specifications, or a new position description. Appropriate bargaining unit review will also be conducted. The City Administrator also directs the assignment of a proper classification range. An employee may be retained in the classification title provided by the assignment of a new class title following the guidelines set forth in Section 2.04 (Reclassification Procedure).

2.06 Request for a New Classification. A Department Director, when requesting that a new position or classification be created, will provide the Human Resources Assistant with the following information:

1. A full description of the duties, functions, and responsibilities of the position with an organizational chart showing its relationship to existing positions and classifications;
2. Suggested qualifications and title;
3. A statement explaining the impact and relationship of the new position or classification upon existing positions and classifications; and
4. Other information that would justify the need for the new position or classification.

2.07 Classification of Temporary Employees. For a temporary position, the Department Director may request a temporary title for the efficient operation of the department without a proper working classification title. The request is submitted to the Human Resources Assistant and City Administrator and includes appropriate justifications, classification specifications, a position description, a recommended classification range, and a recommended rate of pay. Upon approval by the City Administrator, the Department Director may immediately fill the temporary position.

2.08 Classification of Emergency Employees. Under emergency conditions that jeopardize public safety, the use of additional personnel not otherwise budgeted may be required. A Department Director, or the Department Director's designated representative, may employ the services of an emergency employee(s), with the prior approval of the Mayor. An emergency employee is placed in a proper classification range and is provided with benefits as approved by the City Administrator.

Chapter 3 HOURS OF WORK

3.01 Established Workdays and Workweeks. The standard workday for employees may range between eight (8) hours and ten (10) hours. The standard workweek is forty (40) hours.

Lunch/Rest Periods - On a regular 8 or 10 hour assignment a lunch period does not exceed one (1) hour and cannot be less than thirty (30) minutes. At least two (2) rest periods not exceeding fifteen (15) minutes are afforded each employee during a standard eight- or ten-hour workday. Flexibility of rest periods is prearranged between the employee and the immediate supervisor.

3.02 Exceptions to Established Work Hours. A Department Director may change an employee's work period with at least five (5) workdays' notice, except in an emergency, in order to be consistent with the needs of the City.

3.03 Attendance. Employees report for their work assignments at the times and places set by their supervisors. Each department prepares attendance records of all employees. Regular attendance reports are provided by each department to the Human Resources Office on the form approved by the City Administrator.

3.04 Pay Periods. All employees shall be paid twice a month, the 15th or nearest working day prior to the fifteenth (15th) and the last working day of the month.

3.05 Deductions. Deductions from employees' pay are ruled by current laws, contracts, and this Personnel Policy. They include the following:

1. Deductions required by law and contracts, which include federal withholding tax, Social Security tax, State retirement systems, recognized employee organization dues, wage garnishments, and health care insurance co-payments; and
2. Deductions can be arranged for the credit union, United Way, deferred compensation, recognized employee organizations, and other deductions as approved by the City Administrator. These types of deductions are arranged only upon receipt of the written authorization from an employee.

3.06 Overtime Policy. [This section does not apply to FLSA-exempt employees.] It is the policy of the City to avoid the need for overtime work in order to minimize the financial liability caused by accumulated overtime. Overtime may be necessary for the protection of the lives or property of the residents of Grandview or the efficient operation of City departments. Authorized overtime is to be kept to a minimum.

Prior Approval - An employee needs their immediate supervisor or Department Director's prior approval to work overtime. Overtime work required to meet an emergency situation does not require advance approval.

Reporting - The Department Director or supervisor is responsible for authorizing, approving, and submitting overtime hours on the employee's timesheet for payment of overtime and

compensatory time earned during any work week.

FLSA-Mandated Overtime - The City, according to the Fair Labor Standards Act as amended, pays FLSA non-exempt employees for authorized overtime as follows:

1. Overtime work for all covered employees is defined as any time worked or compensated for in excess of forty (40) hours per week;
2. Overtime is paid at the rate of one and one-half (1½) times the employee's regular hourly rate of pay for all hours worked or compensated for beyond forty (40) hours in a week; and
3. When it is necessary to direct employees to report for emergency overtime work, the minimum payment for each call-out is two (2) hours pay at one and one-half (1½) times the employees' regular hourly rates of pay.

3.07 Compensatory Time. Upon approval of the Department Director or the Department Director's appointed representative, an employee may choose to receive compensatory time at one and one-half (1½) hours for each hour worked or compensated for in excess of forty (40) hours per week. The maximum accrual of compensatory time shall not exceed forty (40) hours at any given time. The accumulation and use of compensatory time by an employee is documented on the employee's timesheet.

Leave Recordkeeping - For reasons of public accountability, records of all employees' use of leave are maintained in accordance with state records retention schedules.

3.08 Exempt Employee Administrative Leave. Because exempt employees are compensated to do a job and are not compensated based upon specific time worked and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and City Administrator, show demonstrated accomplishments, and make themselves regularly available during working hours to allow City business to be accomplished. It is the responsibility of exempt staff to notify the City Administrator, in advance, of all absences that exceed two (2) hours. If an exempt employee has an absence of more than four (4) hours during a regularly scheduled work day, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on his/her time sheet constitutes his/her verification that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination.

3.09 Paid Holidays.

Regular Holidays - The following holidays are recognized as municipal holidays for pay purposes. Non-represented regular full-time and trial service employees have these days off with pay:

New Year's Day	January 1st
Martin Luther King Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in September
Veterans' Day	November 11 th
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	
Christmas Eve	December 24 th (1/2 day)
	ONLY if authorized by the Mayor
Christmas Day	December 25 th
Floating Holiday	Employee's Choice

When a day recognized as a holiday by the City falls on Sunday, the following Monday is observed as the holiday. When a day recognized as a holiday by the City falls on Saturday, the preceding Friday is observed as the holiday.

Religious Holiday - An employee who wishes to be excused from work in observance of a religious holiday will request approval of the absence from the Department Director. If approved, the time off is charged against vacation leave or compensatory time.

3.10 Alternative Work Schedules. One alternative to the standard five (5) days/eight (8) hours per day work week is the four (4) days per week/ten (10) hours per day (4-10) work schedule or prorated for employees on a part-time schedule (e.g., 2-10 schedule for a half time, 20 hour per week employee). The 4-10 work schedule is subject to the following requirements and conditions:

1. Approval by the Department Director, City Administrator and Mayor;
2. All sections of the Personnel Policy Manual apply to the alternative schedule except as noted;
3. The alternative schedule may be proposed by either the supervisor and Department Director or by the affected employee and shall include the proposed hours of work, the duration the alternative schedule is to be in place, days off, and affected classification;
4. During the alternative 4-10 schedule, overtime shall be paid for all work in excess of forty (40) hours per week, except in the exceptions noted. Overtime pay shall be at the rate of one and one-half (1½) times the regular rate of pay. Compensatory time may be offered by the Department Director in lieu of overtime pay.

Chapter 4 EMPLOYMENT

4.01 Policy Statement. The City is obligated to its citizens to recruit and hire the most talented and qualified employees. To that end, the City recruits, as widely as practicable, for each position, and informs and encourages its employees to apply for City vacancies, and to develop continually their own skill base to enhance their competence and competitiveness.

4.02 Citizenship. All natural or legal citizens of the United States and those who meet eligibility requirements under the immigration laws are provided an equal employment opportunity with the City of Grandview.

4.03 Application. All internal and external candidates for employment must file an approved employment application form with the Human Resources office. The form and its contents are established by the City Administrator. Additional information such as a resume, cover letter, supplemental questionnaire, transcripts, copies of applicable licenses/certifications, and/or proof of good driving record may be requested of applicants.

4.04 Selection Process. The selection process may consist of recognized testing techniques such as achievement tests, aptitude tests, and performance through personal interviews, examination of work samples, physical ability tests, written tests, and investigations of personal background and references. The selection process is guided by the City's Diversity Policy (Section 1.02).

Selection techniques are fair and impartial and relate to those areas that, in the opinion of those involved in the selection process, fairly show the candidate's qualifications and abilities to execute the duties and responsibilities of the position to which the candidate seeks appointment.

Upon completion of an impartial selection process, based on the results of testing and other relative considerations, the City Administrator makes an appointment from the final candidates. An appointment is usually made upon the recommendation of the Department Director of the department in which the new appointee is assigned. An appointment becomes effective only after all necessary documents have been signed by the proper City officials.

Pre-Employment Testing - Prior to their appointment, the City shall require a conditionally selected candidate for appointment to safety sensitive positions for City service to undergo and pass a pre-employment drug screening examination at City expense. The City may also require a candidate to pass a physical examination and/or psychological examination and/or driver's license check after a conditional offer of employment has been made and prior to the candidate's appointment. Negative information obtained from a background investigation may be cause for rejection of an applicant.

4.05 Method for Filling Vacancies. All vacancies in City service filled by transfer, demotion, promotion, or appointment follow the selection process outlined in the Personnel Procedures Manual. A temporary appointment not exceeding six months in duration may be made under the provisions of this Policy if there are no eligible applicants. Departments may also utilize the provisions of a personal services contract of a temporary employment firm to

backfill a position on a short-term basis (usually for periods of a few days up to a few weeks).

4.06 Classes of Appointments. Employment in the City is divided into the classes of Regular Full-Time, Regular Part-Time, Temporary, and Emergency, as defined in Chapter 28.

4.07 Temporary Appointments. Whenever a City department requires help because of a special project, a temporary increase in work load, or the absence of a regular full-time employee or regular part-time employee on leave with or without pay, or on extended sick or vacation leave, temporary appointments may be made for the duration of such work. The period of this service is not counted as part of the trial service period if the employee is later appointed to another position, unless such time served is acceptable to the Department Director concerned.

4.08 Temporary Re-Assignments. During an emergency or period of unusual workloads, the City Administrator or a Department Director may temporarily reassign City personnel within the Department Director's department for a period not to exceed six (6) months. City personnel may be temporarily reassigned from one department to another within the City. Interdepartmental reassignments are administered as follows:

1. Requests for personnel are approved by both the Department Director for the department to which the employee had been assigned before the reassignment and the Department Director to which the employee is reassigned;
2. Interdepartmental charges are not made for employees so assigned;
3. An employee who has been temporarily reassigned receives their normal rate of pay and benefits, unless assigned to a higher classification for a period in excess of one work week, after which they are paid at that classification's range and step, similar to the employee's current step; or, alternately the Department Director may recommend the temporarily reassigned employee receive either a five (5) or ten (10) percent out-of-position pay supplement depending on the duration of the assignment and FLSA status. Should the employee be unavailable to perform the higher level duties for three or more days at a time during the temporary reassignment period due to planned or unplanned leave, the employee shall be compensated at their regular position's classification pay range/step for those days; and
4. Department Directors control and coordinate programs for training City employees to assure the maximum use of employees during periods of temporary reassignment.

4.09 Employment of Relatives. The City believes that it is in the best interests of the City and the employees to keep business and professional relationships separate from personal and family relationships. Accordingly, the City usually will not employ close relatives, spouses, or two individuals living together in a relationship that is essentially equivalent to marriage, except under circumstances where (1) neither employee will supervise, appoint, remove or discipline the other; (2) neither party will evaluate the work of the other; and (3) the working relationship will not create a conflict of interest or the appearance of favoritism in the opinion of management. If two employees who work in the same department or supervise each other have or develop a dating, familial, or other close or intimate relationship after employment, they

must notify their supervisor or Department Director within 45 days or before taking any action with respect to each other that could be perceived as a conflict of interest, whichever is sooner, and one of the two may be transferred or, if no suitable position is available, terminated. The decision as to which employee will have his or her employment terminated generally will be left to the employees involved, unless business necessity requires the City to make the decision.

The City also reserves the right not to employ close relatives of officers or other high-level employees of our customers, competitors, or others with whom the City deals, where such a restriction is necessary to avoid the actuality or appearance of conflict of interest, or to protect confidential information.

For purposes of this policy, relative includes: spouse, children (biological, step-, adopted or foster), brothers, sisters, half-brothers and sisters, step- brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above as well as mother-in-law, father-in-law, brother-in-law, and sister-in-law, as well as people living in the same household.

4.10 Continued Employment. Continued employment with the City of Grandview is subject, where applicable, to the at-will condition, in addition to satisfactory work performance, the need for the work performed, the availability of funds, and the continued provision of services by the City work force.

4.11 Reappointment. Any regular full-time employee or regular part-time employee who has resigned from City service in good standing may be considered for reappointment to a vacant position in a comparable or lesser classification without competitive recruitment in City service, providing the employee meets the current minimum qualifications, and the reappointment is within one year of resignation. All such employees will serve the required trial service period. In no way is it mandatory for any appointment authority to reappoint a former employee should the appointment authority desire not to do so.

Waiving the Time Limit - The City Administrator may waive the twelve month time limit for employees who have kept their skills current or who possess extraordinary skills or abilities needed by the City.

An employee so reappointed is considered a new appointee. The employee has no vested interest in and is not entitled to any benefits accrued during any previous employment with the City, except for the following:

1. Retirement System Benefits - The reappointed employee will be eligible for retirement benefits subject to the requirements of the proper retirement system of which the employee was previously an active member;
2. Vacation - An employee rehired within twelve months of separation receives full credit for prior years of service for purposes of determining the rate of vacation accrual;
3. Sick Leave - If the employee is rehired within twenty-four (24) months of his/her previous service with the City, any unused sick leave at the time of termination may be

restored to the employee's leave balance. No prior credit is allowed for individuals re-employed after twenty-four (24) months; and

4. Seniority - No credit for past service is allowed.

4.12 Transfer. An employee may be transferred by the appointing authority, at any time, to a position in another comparable classification if he/she meets the minimum qualifications. The transfer must be approved by the City Administrator. For transfer purposes, the definition of "comparable class" is a classification that compensates at the same minimum and maximum rates of pay, performs similar duties, and requires substantially the same minimum qualifications.

A regular full-time employee or a regular part-time employee may be transferred from one department to another department with consent of the employee and approval of the affected Department Directors. The City Administrator may order the transfer for purposes of economy and efficiency.

Return to Former Position - If the performance of an employee so transferred is unsatisfactory in the new position, or if the new position is eliminated and the employee's performance in the original position had been satisfactory, the employee may be transferred back to their original position or a similar position, if the position is open. This return transfer is allowed only within a reasonable amount of time, generally within six (6) months of the effective date of transfer.

The transfer of an employee will not be used to effect a promotion, demotion, advancement, or reduction. Each may be accomplished only as provided in this Personnel Policy.

4.13 Promotion. It is the policy of the City of Grandview to encourage the advancement and development of personnel within City service. Promotional selection for vacancies is conducted as the needs of the City require. Regular employees, who meet the requirements of the classification for which a recruitment/examination is to be held, are considered eligible to compete in such a process. An employee selected for promotion shall receive a minimum five percent (5%) pay increase moving to the next highest step in the new salary range.

A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if said position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

4.14 Demotion. The City Administrator, if approved by the Mayor, may demote an employee for any of the following reasons or conditions:

1. The ability to perform the employee's required duties falls below commonly accepted standards;
2. Disciplinary reasons as set forth in Section 15.02 (Causes for Disciplinary Action);
3. An employee's position is eliminated;

4. An employee requests such demotion;
5. A departmental reorganization that affects employee positions;
6. Any other reasonable grounds as approved by the City Administrator and Mayor.

No employee is demoted to a classification for which the employee does not have the minimum qualifications. Written notice is given an employee at least fifteen (15) working days before the effective date of the demotion.

4.15 Exit Interviews. An interview is generally conducted with all employees separating from City service for any reason by a representative from the Human Resources office.

Chapter 5

TERMINATION OF EMPLOYMENT

5.01 At-Will Employment. Unless specifically provided additional rights in a written contract or pursuant to Civil Service rules or statute, the employment relationship may be terminated at any time by either the City or the employee. Generally, the City will follow its progressive discipline process, as outlined in Chapter 15. However, the City reserves the right to forego that process when, in the discretion of the City Administrator, progressive discipline is not merited. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

5.02 Resignation Process: A regular employee must submit a written notice of resignation to the employee's Department Director at least ten (10) working days before the effective date of the resignation. The Department Director and the City Administrator may authorize the resignation of an employee with fewer than ten (10) days notice if there are sufficient reasons to waive the requirements of this section.

Resignation Process for Managers - A Department Director, to be considered as having resigned in good standing, must submit a written notice of resignation to the City Administrator at least thirty (30) calendar days before the effective date of the resignation. The City Administrator may authorize a resignation in good standing upon shorter notice for sufficient cause.

Separation Date - In order to minimize the City's liability, the separation date is the last workday of an employee's employment. EXCEPTION: In the case the employee notifies the City in writing of their intent to resign, elects to work through the end of the given month, and the last day of that work month is a recognized holiday, the employee will be eligible to receive holiday pay for their last official day of employment with the City. No vacation or sick leave is accrued from that date forward. Accumulated leave may not be used to extend the effective date of termination.

5.03 Lack of Work or Funds: Employees may be laid off by the Mayor because of a change in duties or organization, elimination of a position, shortage of work funds, contracting out City services, or completion of work for which employment was created.

Layoff Order - The order of layoff of regular employees is based on the recommendation of the Department Director. In preparing a recommended order of layoff, the Department Director should consider the lengths of service and the job performances of the employees involved. Employees within the classifications involved generally will be laid off in the following order: emergency employees, temporary employees, trial service period employees, regular part-time employees, and regular full-time employees.

Notification - In cases involving a regular full-time or regular part-time employee, notice of layoff is given to the employee within a reasonable time, generally at least ten (10) working days before the effective date of termination. Employees so notified may be allowed to use reasonable amounts of work time during that period to seek other employment. These terminations are not subject to appeal.

Reinstatement from Layoff - The names of regular full-time and regular part-time employees are placed on the official layoff reinstatement list for a period of eighteen (18) months. Employees on a layoff reinstatement list are eligible for reinstatement to the same classification if a position comes open. Employees on the layoff list may also be considered for any open position for which they meet the minimum qualifications. Laid-off employees are recalled in the inverse order to the layoff with consideration given to qualifications. Laid off employees who are reinstated to full-time employment with the City within twelve (12) months of the effective day of the layoff, shall be reinstated with an accrual rate for vacation, sick leave, and longevity benefits as if there were no break in service.

5.04 Retirement. All regular full-time and regular part-time employees in City service who retire under the provisions of any present or subsequent retirement policy or plan are treated as having been separated from City service in good standing.

5.05 Requirements. An employee who becomes unable to meet the physical, licensing or certification requirements of the employee's position may be terminated from City employment. The recommendation of termination will be made by the Department Director to the City Administrator.

Chapter 6

TRIAL SERVICE PERIOD

6.01 Purpose of Trial Service Period. The trial service period is a continuation of the testing and orientation process during which the employee has an opportunity to demonstrate his/her ability to perform the requirements of the appointed position at a level that meets City and departmental expectations and standards. The period is a time for management to observe closely the employee's performance in order to achieve an effective match and/or adjustment of a trial service employee to his/her position, or to determine that a trial service employee's performance does not meet the acceptable standards of the position.

6.02 Length of Trial Service Period. All original and promotional appointments are conditional and subject to a trial service period from the time of appointment. The trial service period is for a minimum of six (6) consecutive months of actual service. The City Administrator, upon written request from a Department Director, may grant an extension of the trial service period up to a maximum of six (6) additional months. The successful completion of trial service means that the employee has been appraised and found capable of meeting the performance expectations of the position during the trial service period and is therefore eligible to receive a merit step increase within their classification range. Absent successful completion of trial service, the employee shall not be eligible to receive a step increase until such time as the trial service period has been successfully completed. The performance appraisal confirming successful completion of the trial service period must be submitted to effectuate the merit step increase.

6.03 Trial Service Employee Status. During the trial service period, a trial service employee may be suspended, demoted, or terminated at any time without cause by the City Administrator, with approval of the Mayor. The employee's Department Director gives a copy of the trial service employee's performance report(s) to the City Administrator. The Department Director gives the City Administrator a written appraisal of the employee's performance as well as any written recommendation for the employee's suspension, demotion, or termination. A copy of the notification of suspension, demotion, or termination is given to the trial service employee. Termination, suspension or demotion of a trial service employee becomes effective only after approved by the City Administrator, following consultation with the Mayor. An employee termination, suspension or demotion is not subject to appeal. An exit interview is conducted with a terminated trial service employee by a representative of the Human Resources office.

Trial Service Due to Promotion - A promoted employee may voluntarily revert to their former position within their six (6) months trial service period due to the promotion, if the position is vacant. A promoted employee contemplating such action must communicate their interest in this regard to the Department Director as soon as possible in order to coordinate the timing of the necessary administrative actions.

6.04 Employee Performance Appraisals. The performance of a trial service employee is appraised at the end of three (3) months of service. More frequent appraisals may be conducted if deemed appropriate by the employee's immediate supervisor or the Department Director. A performance appraisal will also be done prior to the employee completing trial service, and at least annually from that date forward.

Process - The original written appraisal of a trial service employee's performance is sent to the Human Resources office and approved by the Human Resources Assistant, City Administrator, and placed in the employee's personnel file. A copy of the employee's performance appraisal is given to the employee.

Annual Performance Appraisal - The performance of each regular full-time employee and regular part-time employee is evaluated at least annually by the employee's immediate supervisor and reviewed by the employee's Department Director. The approved City-wide performance appraisal system shall be utilized by all departments for employee performance evaluations. This evaluation may occur at a more frequent interval if deemed appropriate by the immediate supervisor or the Department Director.

6.05 Regular Appointment. The Department Director (or their designee) and immediate supervisor shall be responsible for tracking the timing of the completion of the midpoint trial service appraisal and the final trial service appraisal. If the performance of the trial service employee has been satisfactory, the Department Director submits a written appraisal to the Human Resources office at least two (2) weeks prior to the expiration of the employee's trial service period. The City Administrator shall act on the recommended action changing an employee's status from trial service to regular. Regular employment status means that an employee has been deemed capable of meeting the performance expectations of the position.

Chapter 7

SICK LEAVE

7.01 Use of Sick Leave. Sick leave may be requested in the case of personal sickness, disability or medical/dental treatment. Sick leave or other paid time off may also be used to care for (a) a child of the employee with a health condition that requires treatment or supervision; or (b) a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition. An employee may not take leave until it has been earned. The same requirements for using sick leave for an employee's own illness, disability, or medical treatment, described below, are applicable when an employee uses sick leave to care for a child or other relative listed above.

Definitions for the purpose of this Chapter are:

1. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis who is: (a) Under eighteen years of age; or (b) eighteen years of age or older and incapable of self-care because of a mental or physical disability;
2. "Grandparent" means a parent of a parent of an employee;
3. "Parent" means a biological or adoptive parent of an employee or an individual who stood in loco parentis to an employee when the employee was a child;
4. "Parent-in-law" means a parent of the spouse of an employee;
5. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves (a) inpatient care in a hospital, hospice, or residential medical care facility; or (b) continuing treatment by a health care provider;
6. "Sick leave" means time allowed to an employee for illness, disability, or medical/dental treatment. Other paid time off (i.e., vacation, compensatory time, and personal holidays) can be substituted for sick leave if the employee chooses; and
7. "Spouse" means a husband or wife, as the case may be.

Chapter 11 - Family and Medical Leave Policy describes other conditions under which leave may be requested for the employee's own health condition or to care for a family member.

Request - An employee requesting sick leave must inform their immediate supervisor or Department Director no later than fifteen (15) minutes after (sooner if possible) the employee is scheduled to begin work if the leave is unplanned, and if possible, ten (10) days in advance if the leave is scheduled. Advance notice is essential in cases where replacement employees or rescheduling is necessary as a result of planned absences. The employee's immediate supervisor approves the sick leave on the timesheet and other applicable leave-requesting form that may be used in the department/City. Accrued sick leave must be used in increments of at least 15 minutes. Sick leave with pay is not allowed unless the employee has met and complied with the provisions of this Personnel Policy.

Activities Incompatible with Sick Leave - Any employee who is absent after requesting sick leave or who is on leave as provided by this Chapter or Chapter 10 (Other Leaves of Absence) may not engage in work or other activities that are in conflict with the reasons given by the employee for being on sick leave. While on sick leave, an employee must not engage in any activity that would hamper their ability to return to work.

Abuse of Sick Leave - The abuse of sick leave privileges may result in disciplinary action against an employee.

Physician's Statement - If the employee is absent three (3) or more days, the employee's immediate supervisor, Department Director, or the City Administrator may require a written statement from the employee's attending physician that confirms the employee is/was unable to work during his/her absence due to illness, disability, or medical treatment. The statement must also give the doctor's opinion as to when the employee may return to work, and describe any restrictions on their ability to perform all of the duties required by their position upon their return. Such a statement may also be required from a second or alternate physician designated by the City Administrator at the City's expense. Management may require a physician's statement for absences of less than three days if the employee has been using an excessive amount of sick leave and/or management suspects abuse of sick leave privileges. Where an employee is absent three (3) or more days to care for a child or other relative, the employee may be required to provide a note from the relative's physician or other health care provider.

7.02 Eligibility. Regular full-time, regular part-time, and trial service employees are eligible to accrue and use sick leave. Temporary and emergency employees are not eligible to accrue sick leave.

7.03 Accrual. Regular full-time employees accrue sick leave at the rate of eight (8) hours for each full calendar month of service beginning with the date of employment, up to a cap of 225 days of work. Regular part-time employees accrue sick leave in proportion to the number of hours worked per week. Sick leave accruals during months when an employee works less than the standard workweek are prorated based on the number of hours actually worked. Sick leave may be used after the first month of employment and is based on an employee's current balance of accumulated sick leave hours. New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be granted one day sick leave for each year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

7.04 Accumulation and Sick Leave Benefit upon Death or Retirement. Regular full-time employees hired prior to January 1, 2007 shall receive fifty percent (50%) of their accrued sick leave, employees hired after January 1, 2007 shall receive twenty-five percent (25%) of their accrued sick leave, paid out in hours upon death or retirement from the City of Grandview provided they have a minimum of 360 hours in said bank (retirement as defined by DRS or ICMA-RC).

7.05 Sick Leave Usage. Sick leave may be used as approved by the employee's immediate supervisor, Department Director, or the City Administrator. Pay for approved sick leave is authorized until an employee's accumulated total of sick leave hours has been exhausted.

7.06 Workers' Compensation and Disability Payments. All regular full-time employees will be covered by State Worker's Compensation or some program with equal or better benefits. Any employee who is eligible for time off because of an on-the-job injury shall be paid sick leave. Any State Industrial benefit received by the employee shall be endorsed to the City. Upon receipt of this compensation by the City, the employee shall be credited with sick leave on a pro-rata basis of the State Industrial benefit to the original amount of sick leave taken. Sick leave benefits shall be limited to that amount which the employee has accumulated.

7.07 Medical and Disability Insurance. The regular full-time non-union employees of the City and their dependents shall be covered by medical, dental, vision, and orthodontia insurance. Employees shall be covered for group life insurance in the amount of \$25,000.00 per employee through an insurance coverage of a standard insurer, approved by the State of Washington and selected by the City Council with the advice and consent of the City employees. The City shall also provide dependent life insurance coverage for the non-union employee's spouse in the amount of \$2,000 and children in the amount of \$200 (birth to 180 days) or \$2,000 (180 days to age 23). The cost of said coverage shall be at the expense of the City in 2014 and 2015. Beginning January 1, 2016, the City shall cover ninety percent (90%) of the cost of medical insurance and one hundred percent (100%) of the cost of dental, vision and orthodontia insurance. On January 1, 2014, January 1, 2015 and January 1, 2016, the City shall pay \$700 into a Voluntary Employees' Beneficiary Association (VEBA) trust account for each full time City employee. A non-union employee may through payroll deduction purchase additional group life insurance, including spouse and children, at the employee's expense. The City shall pay one hundred percent (100%) of any increase in premium cost of the above plans as necessary to maintain benefits at contract finalization levels without additional cost to the employee.

All regular part-time employees who otherwise qualify for coverage shall be covered for employee-only medical after the completion of their six (6) month probationary period. Part-time employees may be disqualified and ineligible for coverage if they fail to maintain work hours of at least eighty-five (85) hours per month for six (6) consecutive months.

7.08 Dual Medical Insurance Incentive Program

Incentive Amount:

- The insurance premium (that would have been paid on the employee's behalf for the eligible dependents) will be split with the employee.
 - The City benefits from a 50% cost savings.
 - The employee receives the other 50% cost savings. This incentive is included in the employee's paycheck. The incentive becomes taxable wages.
 - The incentive is capped at one spouse and two children.

Scope/Limitations:

- Voluntary program.
- Limited to employees who have insurance benefits through the City. Employees are required to remain on the insurance plan. Only spouses and dependents are eligible to be removed from the insurance program.

- Dual insurance benefit is limited to medical coverage only. Dental, vision, and life insurance will remain in effect for all eligible dependents per health insurance provider requirements for 100% participation.
- Prior to removing medical insurance for eligible dependents, employees are required to sign a waiver certifying that their dependents have other medical insurance. This waiver includes acknowledgement that proof of continuous, comprehensive medical coverage is required to re-enroll eligible dependents in a City plan.
- Eligible dependents are eligible to rejoin the City's medical insurance program during the open enrollment period in December of each year. The only exception would be if an eligible dependent loses their (non-City) medical coverage during the middle of the year. In this situation the dependent is eligible to rejoin the City's program on the 1st day of the month following loss of insurance.
- If in the future, employees become responsible for a portion of the medical premium the incentive amount will be determined to be 50% of the City's portion of the premium.
- This program will remain in effect until employee informs the City of a change or the dependent is no longer eligible for medical insurance, or the City modifies or cancels the program. The City retains the right to revoke, modify, or cancel the policy at any time and as it sees appropriate.

Chapter 8

VACATION LEAVE

8.01 Eligibility. Regular full-time employees and regular part-time employees are eligible to use accumulated vacation leave from the initial date of hire. Use of these accrued and accumulated vacation hours are subject to approval by the employee's immediate supervisor. An employee's vacation may not exceed the amount of vacation time the employee has actually accrued and accumulated.

Temporary and emergency employees are not eligible to earn vacation leave with pay.

8.02 Vacation Accrual. Vacation leave is accrued starting on the employee's first day of employment, with the following amounts being accrued each year:

1. One year to five years of service:

Employees working four ten-hour shifts per week	8 work days
Employees working five days per week	10 work days
2. Six years to ten years of service:

Employees working four ten-hour shifts per week	12 work days
Employees working five days per week	15 work days
3. Eleven years to twenty years of service:

Employees working four ten-hour shifts per week	16 work days
Employees working five days per week	20 work days
4. Twenty-one years of service and over:

Each employee shall receive one (1) additional day of vacation for each year served in excess of twenty (20) years.

New full-time employees or currently serving full-time employees who have served as volunteer firefighters or reserve police officers for the City of Grandview shall be given one month's vacation service credit for each full year of past service as a volunteer firefighter or reserve police officer, prior to full-time employment with the City.

Vacation leave for a regular part-time employee is accrued from their employment date at a prorated amount.

8.03 Use of Vacation.

Scheduling – Accrued vacation must be used in increments of at least 15 minutes. The dates and length of time an employee uses accumulated vacation leave requires prior approval by the employee's immediate supervisor. Employees are expected to plan as far in advance as is practical their request for and use of vacation time and communicate those requests to their supervisor. The supervisor takes into account the wishes of the employee as well as the needs of the City.

Maximum Hours - Vacation leave may be used as accumulated. Vacation leave is however, not available for use until earned and posted to the employee's accrued vacation leave following the end of the current pay period. As of December 31st of each year, no employee will be permitted to have an accumulated amount of accrued vacation leave in excess of two hundred forty (240) hours. Any accrued vacation leave in excess of 240 hours will be forfeited on an annual basis. Employees are expected to responsibly manage their vacation leave balance to avoid shortfalls and excesses.

8.04 Vacation Payoff at Termination. A terminating employee is paid for accrued and accumulated vacation leave at the rate of pay in effect at the time of separation.

When termination is caused by an employee's death, payment for accumulated vacation leave is paid to the beneficiary designated by the employee. The designation must be in writing, signed by the employee, and filed with the Human Resources office. If an employee has not designated a beneficiary, the payment will be made to the employee's estate.

8.05 Effect of Extended Military or Other Leave of Absence. An employee who is granted a military or other leave of absence exceeding one hundred and eighty (180) calendar days may request payment for accumulated vacation leave that remains on their record. An employee may also request payment for any accrued vacation as of the date the employee's military leave commences.

8.06 Vacation Cash-Out and Required Vacation. A full-time employee may, no more than twice each calendar year, request and receive payment in exchange for accrued vacation leave. The maximum number of vacation hours that may be exchanged is eighty (80) hours. An employee who requests a cash payment for up to eighty (80) hours of vacation leave does not need to provide justification. However, the employee is required to take the equivalent of at least one (1) week of actual vacation leave or compensatory leave each calendar year. In addition, the utilization of this benefit may not draw down the employee's vacation below forty (40) hours. Employees requesting a vacation cash-out must complete an Employee Leave Request Form and be approved by the employee's Department Director.

Chapter 9

LONGEVITY PAY

9.01 Additional Compensation. In addition to the monthly salaries to be paid to the regular full-time employees of the City there shall accrue, and be paid at the time and in the manner herein after set forth, longevity pay as follows:

5 years	1% of base pay
10 years	2% of base pay
15 years	3% of base pay
25 years	4% of base pay

Employees hired prior to January 1, 2010 that have not yet met the 10-year mark for longevity shall be grandfathered in at the old longevity rate of 1% for their 3-4 years of service and 1.5% for their 5-9 years of service. Once the employee reaches the 10-year mark, they shall follow the above chart for longevity pay.

9.02 Initial Accrual. The amounts set forth shall accrue from the first day of the calendar month following the month in which the periods above set forth have been completed.

9.03 When Payable. The accrued amount payable to any employee, shall be paid to such employee on November 30th in each year, provided, however, that should any employee entitled to additional compensation as provided in this chapter leave the employment of the City prior to November 30th in any year, the accrued, and unpaid, benefits for such employee shall be paid at the time of the termination of his employment.

Chapter 10

OTHER LEAVES OF ABSENCE

Note: All leave provided in this chapter, if taken for purposes covered by the Family and Medical Leave Act, run concurrently with FMLA and apply toward an employee's 12 week entitlement, unless otherwise indicated.]

10.01 Authorized Leave of Absence without Pay. A leave of absence is not a right, but a privilege. Leaves of absence, other than those that qualify as family or medical leave (see Chapter 11), may be granted without pay in cases of emergency and when a leave of absence would not be contrary to the best interests of the City. A leave of absence is granted only upon written request by an employee who presents the reason for the leave. Approval will be made in writing according to the following provisions:

1. A request for a leave of absence without pay for one (1) week or less may be granted by the Department Director, depending on the merit of the individual case;
2. A request for a leave of absence without pay in excess of one (1) week may be granted by a Department Director with the approval of the City Administrator, depending on the merit of the individual case; and
3. A leave of absence, without pay, longer than one week, requires that accrued vacation leave be used first. A leave of absence may not exceed twelve (12) consecutive months. Failure to return at the end of the agreed-upon length of leave may be considered abandonment of one's position and grounds for termination.

10.02 Bereavement Leave. Bereavement leave may be granted up to forty (40) work hours per occurrence for immediate family members of the employee or the employee's spouse (for purposes of such leave, immediate family of the employee or spouse of the employee includes: Parent, child, spouse, brother, sister, son-in-law, daughter-in-law, grandparent, grandchild, and equivalent step relatives); up to 24 work hours per occurrence for other extended family members (i.e., aunts, uncles, nieces, nephews or cousins) where overnight travel out of town is required; up to 4 hours per occurrence for close friends and acquaintances that may have resided within the normal commute area of the employee's residence. Employees may make written request to their respective Department Directors asking for exceptions to these guidelines and describing the justification for a deviation from the bereavement time off.

10.03 Military Leave of Absence.

Military Training Leave – Pursuant to RCW 38.40.060, employees who are members of the National Guard or federal reserve military units are entitled to paid leave for a period of up to twenty-one (21) workdays per year beginning October 1st and ending the following September 30th, or any greater period required by law, for performing ordered active duty training. If the active duty exceeds twenty-one (21) workdays, the employee may take accrued compensatory time, available vacation, or leave without pay.

Leave for Active Duty Military Services – Employees who are called to or volunteer for active duty military service in excess of twenty-one (21) workdays will be placed on an indefinite unpaid leave of absence during the time the employee is in an active duty status with any branch of the United States Armed Forces or state militia. The employee may choose to use accrued vacation leave prior to moving to an unpaid status. Any unused leave accruals remaining when the unpaid leave begins will be held until the employee returns to active employment with the City. During the unpaid leave, the employee will neither earn additional vacation or sick leave nor be entitled to health insurance benefits except as may be provided for under COBRA or other applicable law. Reinstatement following active duty will be in compliance with state and federal laws at the time of the return to work.

Employees shall notify their supervisor as soon as they receive notice of the need to report for military training or active duty, and provide the supervisor with a copy of the military orders.

Military Spousal Leave – Pursuant to RCW 49.77.030, during times of military conflict declared by the President or Congress, an employee, working 20 hours per week or more, whose spouse is a member of the United State Armed Forces, National Guard or Reserves who had been notified of an impending call or order to active duty, or who has been deployed, or when the military spouse is on leave from deployment, is eligible for a total of fifteen (15) days of unpaid leave per deployment.

The employee must give notice of intention to take leave within five (5) days of the soldier/spouse receiving official notice of the order to active duty, or official notice of receiving leave from active duty.

This leave is unpaid leave. However, employees may substitute accrued vacation, compensatory time or sick leave for any part of their spousal military leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back the City for the employer portion of the health insurance premiums.

Upon return from military spousal leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

10.04 Maternity Leave of Absence. Maternity leave is leave granted an employee for the period of disability related to pregnancy and childbirth. The time taken as maternity leave is considered an off-the-job disability until the employee's physician releases her for work. Maternity leave is provided in addition to the leave that may be available to the employee outlined in Chapter 11 - Family and Medical Leave.

Paid Leave - Maternity leave may be charged to the employee's accrued sick leave, vacation, and compensatory leave. The City will continue its contribution towards the employee's health care insurance as long as the employee remains in paid status. Should the employee go on a leave of absence without pay, the employee would be responsible for both the City and employee's portion of the health care premiums, except if the employee is on Family and Medical Leave.

Breastfeeding break policy – For one year after the birth of a child, employees who are nursing are entitled to breaks of reasonable duration each time the employee has a need to express milk. If the employee expresses milk during a standard 15-minute rest break, she will be paid for the time. If the employee is taking an additional break for the purpose of expressing milk, the time will be unpaid. The City will provide a location, free from intrusion from coworkers or members of the public, which may be used for this purpose. Employees will not be retaliated against for exercising their rights under this policy.

10.05 Subpoena.

Related to Employment - An employee who is subpoenaed to appear in court as a witness in a matter arising from their job-related duties with the City is granted leave with pay when the employee is appearing during their workday. If the employee appears when off-duty, the employee receives overtime pay or compensatory time. Compensation received by the employee for witness or subpoena fees, and for mileage when traveling in a City-owned vehicle must be remitted to the City. Compensation for mileage, when traveling in a private vehicle, is retained by the employee.

Not Related to Employment - If an employee is subpoenaed to appear in court during their workday as a witness in a matter not arising from their job-related duties with the City, they must provide a copy of the subpoena to their immediate supervisor and may use accrued leave if they wish to be paid for the time away from work. In such a case, compensation for witness or subpoena fees, mileage, and subsistence is retained by the employee.

10.06 Jury Duty. A regular employee required to report for jury duty during the employee's workday is granted leave with pay. The employee receives full pay from the City for the time served on the jury up to a maximum of two (2) weeks and/or until released, whichever is less, provided the employee remits to the City all fees for jury duty as soon as the duty fees are received. Exempt employees will be paid their regular salary for two weeks of jury duty plus any partial weeks in which they perform any work for the City. Compensation for mileage when the employee uses his/her own vehicle will not be considered as fees and may be retained by the employee. If an employee exceeds the two-week period of paid jury duty leave, he/she may use accrued paid leave during any additional jury leave. If a regular employee is serving jury duty when he/she is off duty, using vacation or personal leave, or has exceeded the two-week period of paid leave, the employee may retain all fees, mileage, and subsistence allowances.

Notice - Before a regular employee can be granted leave with pay for jury duty, the employee must give their immediate supervisor a copy of the summons to serve on a jury. In addition, the employee must present documentation from the court clerk showing evidence of jury duty pay and time served.

10.07 Administrative Leave. On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used in the best interest of the City (as determined by the City Administrator) during a pending investigation or other administrative proceeding.

The length of such leave is solely at the discretion of the City, provided, however, that the length of the leave shall not exceed the length of the situation for which the leave is approved.

Leave may also be approved for employees in positions exempt from the Fair Labor Standards Act to compensate for unusual, non-customary work demands.

10.08 Leave Without Pay (LWOP) and Absence Without Leave (AWOL).

1. Leave without pay (LWOP) is a short-term, temporary non-pay status and absence from duty which may be granted by the supervisor at the employee's request. Even though the employee will not be paid during their LWOP absence, it should not be assumed that LWOP will be approved in all cases. Just like other types of leave, LWOP must be requested in advance, whenever possible, so that adequate arrangements can be made for completion of the employee's work while they are out on LWOP. When making a decision on a request for leave without pay that is not required by law, the supervisor in consultation with the Department Director must consider the impact the leave will have on the work unit and the City. LWOP will not be granted when an employee has vacation, compensatory time or sick leave (when applicable) accruals available for use.
2. LWOP and AWOL are treated much the same way since no pay is received in either case. There is however a significant difference. LWOP is an approved absence, i.e., a non-pay status which the employee has requested and has been approved by the supervisor. Being charged with AWOL (absent without leave) means that the employee's absence is not authorized even though they may have requested leave. AWOL is considered a serious conduct matter and can result in disciplinary action, up to and including termination of employment.
3. Minimum and Maximum Amounts of LWOP - Like vacation and sick leave, the minimum increment for LWOP is 15 minutes. LWOP is not ordinarily approved for longer than a few days at a time, except where it is required by law or is in the best interest of the City.
4. LWOP of up to twenty-four (24) consecutive hours may be approved by the supervisor. For periods of LWOP exceeding twenty-four (24) hours, the Department Director shall be the approving official.
5. It is important to note that LWOP and AWOL will affect certain employee benefits.
 - A. Leave Accrual - When an employee is in a non-pay status for any part of the pay period, the prorated amount of vacation or sick leave for the pay period shall be accrued for those hours only that the employee was in a paid status;

- B. Insurances - Except when the LWOP period is associated with an FMLA-eligible period, the City portion of health care and life insurance benefit premiums shall only be paid for those hours that the employee was in a paid status during the pay period. All remaining portions of the premiums shall be the employee's responsibility, and must be paid to the City within forty-five (45) days of the end of the pay period in which LWOP or AWOL hours were accumulated; and
- C. Holidays - Employees must be in paid status on both the workday before and the workday after a legal holiday to be eligible to receive holiday pay. Employees who are on an extended period of leave without pay may not return to duty solely in order to be paid for a holiday.

10.09 Domestic Violence Leave. The City is committed to working with employees who are victims of domestic violence, sexual assault or stalking, to prevent abuse and harassment from occurring in the workplace. RCW 49.76 allows victims of domestic violence, sexual assault, or stalking to take reasonable leave including leave on intermittent or reduced schedule basis or intermittent leave from work to engage in remedial activities related to the abuse including: participating in legal proceedings; seeking medical treatment or mental health counseling; obtaining social services; or taking other actions to increase the safety of the employee and his/her family members. Family members may also take reasonable or intermittent leave to help a victim obtain needed treatment or services. Per RCW 49.76.020(5), a family member is defined as an individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

An employee must give notice that they will be taking this leave in advance, when possible. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault, or stalking, the employee or his or her designee must give notice to the employer no later than the end of the first day that the employee takes such leave.

Verification for leave will be required by the City. An employee may provide one or more of the following: a police report indicating the employee or employee's family member was a victim; a court order providing protection to the victim; documentation from a healthcare provider, advocate, clergy, or attorney; an employee's written statement that the employee's family member is a victim and needs assistance. Family relationship may be determined by birth certificate, court document, other similar record, or an employee's written statement.

An employee who utilizes leave under this policy may elect to use sick leave, accrued vacation leave or unpaid leave.

During leave under this policy, the City will continue to pay the employer's portion of health insurance premiums, provided that the employee continues to pay their share of insurance premiums, if any. Failure of the employee to pay his/her portion of the premium may result in cancellation of health insurance. If an employee fails to return to work at the end of the leave, the employee may in some cases be responsible to pay back to the City for the employer portion of the health insurance premiums. Leaves such as vacation and sick leave will continue to accrue during paid leave, but not during unpaid leave.

Upon return from domestic violence leave, an employee shall be entitled to return to the employee's former position or a position with equivalent pay, benefits and conditions of employment, unless unusual circumstances have arisen (i.e., the employee's position or shift was eliminated for reasons unrelated to the leave). If the employee chooses not to return to work for any reason, the employee should notify the City as soon as possible. Failure to return as agreed from an approved leave may be treated as a voluntary resignation of employment.

10.10 Unpaid Leave for Reasons of Faith or Conscience. All City of Grandview employees are entitled to take two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her Department Head. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term "undue hardship" has the meaning contained in the rule established by the Office of Financial Management.

If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee's Department Head a minimum of seven (7) days prior to the requested day. The written request should include the following information: 1) the employee's name; 2) day or days off requested; and 3) description of the reason for the unpaid holiday sufficient for the City to determine if the request is appropriate under the law.

Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee's Department Head. The employee's Department Head shall evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of "undue hardship" developed by the Office of Financial Management.

The City may deny a request based on the following criteria: 1) the request was not submitted seven (7) days in advance and/or without a valid description; 2) the reason for the unpaid leave is not appropriate under the law; 3) the employee has already exhausted his/her allotment of unpaid holidays under the law; 4) the employee is in a public safety position and granting the unpaid leave would result in shifts falling below the necessary staffing levels; and 5) granting the request would cause an undue hardship as defined by the Office of Financial Management.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all. They do not carry over from one year to the next.

Chapter 11

FAMILY AND MEDICAL LEAVE POLICY

11.01 Policy Statement. In accordance with the federal Family and Medical Leave Act and the Washington State Family Leave Act (jointly referred to here as FMLA), the City grants job-protected, unpaid family and medical leave to eligible employees for up to twelve (12) weeks per twelve-month period for any of the following reasons:

1. The birth of and care for a newborn child, or the placement of a child with an employee in the case of adoption or foster care. Leave for these reasons will expire at the end of the 12 month period beginning on the date of such birth or placement;
2. In order to care for an immediate family member (spouse, child, or parent) if that family member has a serious health condition; and
3. An employee's own serious health condition that makes the employee unable to perform the essential function(s) of their position.

11.02 Definitions.

Twelve-Month Period - A rolling twelve-month period measured backward from the date family and medical leave is taken. The period continues with each additional family and medical leave day taken.

Spouse - Either member of a legally-married pair. If both spouses work for the City, they are entitled to a combined total of 12 weeks of leave if the leave is taken for the birth of a child, the placement of a child for adoption or foster care, or to care for a sick parent. If each spouse uses a portion of the 12 weeks of leave for the purposes specified above, each would be entitled to the difference between the amount they had taken and 12 weeks of FMLA leave for a different purpose. Example, if each spouse took 6 weeks of leave as a result of the birth of a child, each could use an additional 6 weeks due to his or her own serious health condition.

Child - A person younger than eighteen (18) years of age, or a person older than eighteen (18) years of age and incapable of self-care due to a mental or physical disability. An employee's "child" is one for whom the employee has actual day-to-day responsibility. A "child" includes a biological, adopted, foster, or step-child.

Serious Health Condition - A serious health condition is an illness, injury, impairment, or a physical or mental condition involving inpatient care or continuing treatment by a health provider. Continuing treatment involves:

1. A period of incapacity of more than three (3) consecutive calendar days (not working days) and subsequent treatment including either two visits to a health care provider or one visit followed by continuing treatment under the health care provider's supervision;
2. A period of incapacity due to pregnancy or for prenatal care;
3. Treatment for chronic serious health conditions such as asthma and diabetes which (1)

requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; (2) continues over an extended period of time (including recurring episodes of a single underlying condition); and (3) may cause episodic rather than a continuing period of incapacity; and

4. Treatments for serious conditions such as cancer that may not be incapacitating but without treatments would result in a period of incapacity of more than three (3) consecutive days.

Health Care Provider - Any health care provider that is recognized by the City or accepted by the City's group health plan. This may include physicians, dentists, clinical psychologists, optometrists, and chiropractors, nurse practitioners, nurse midwives and clinical social workers.

11.03 Eligibility for Leave. To be eligible for family and medical leave, an employee must have been employed by the City for at least twelve (12) months. Employees must have worked 1,250 hours during the 12 months prior to the commencement of leave. Vacation, personal leave, sick leave or unpaid leave is not included in the 1,250 hour calculation.

11.04 Intermittent or Reduced Leave. An employee may take FMLA leave on an intermittent basis (a few days or few hours at a time) or on a reduced leave schedule as a result of the birth of a child and for the placement of a child for adoption or foster care if the City and the employee agree to such a schedule.

Leave for a serious health condition may also be taken intermittently or on a reduced leave schedule when medically necessary. The City may request certification from the health care provider of the employee or family member of the medical necessity of the intermittent leave schedule and its expected duration. Employees are required to schedule intermittent leave that is foreseeable so as not to unduly disrupt the City's operations. The City may assign employees on intermittent FMLA leave temporarily to alternative positions with equivalent pay and benefits that better accommodate such recurring periods of intermittent leave.

For regular part-time employees and employees who work variable hours, the FMLA entitlement will be calculated on a prorated basis. A weekly average of the employee's hours worked over the twelve-week period before the beginning of the family and medical leave will be used for calculating the employee's normal workweek.

11.05 Substitution of Paid Leave. An employee on FMLA leave must use any accumulated vacation and sick leave they have available. After an employee on FMLA leave has exhausted their accumulated vacation and sick leave, the remainder of the leave will be unpaid.

An employee who incurs a work-related illness or injury may be eligible to receive worker's compensation benefits. Any time off due to the work-related illness or injury will count toward the employee's FMLA leave entitlement.

The FMLA Act does not allow for the substitution of compensatory time for unpaid FMLA leave.

11.06 Designating Leave as FMLA Leave. The City has the authority to designate before leave starts, whether any paid leave to be taken counts towards an employee's FMLA leave entitlement, and will notify the employee immediately upon learning that it qualifies as FMLA leave. The initial notification to the employee may be oral, but will be confirmed in writing by the next regular payday. The City's designation is based upon information obtained from the employee or the employee's spokesperson (e.g., spouse, parent, physician, etc. if the employee is incapacitated). The employee must provide enough information to enable the City to make a determination, if not; the City may make a tentative designation until further inquiry is made to obtain the additional information.

11.07 Employee Notice Requirements. An employee must provide the City with at least thirty (30) days advance notice before FMLA leave is to begin if the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition. Failure to provide the notice with no reasonable excuse will give the City the right to delay the taking of leave until at least thirty (30) days after the date the employee provides notice to the City of the need for FMLA leave. If thirty (30) days notice cannot be provided, notice must be given as soon as practicable. Verbal or written notification to the City should be provided within one or two business days of when the need for leave becomes known to the employee. When planning medical treatment, the employee must consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to unduly disrupt the City's operations, subject to the approval of the health care provider.

Medical Certification - If the employee's leave is to care for the employee's seriously ill spouse, child, or parent, or due to the employee's own serious health condition, the request must be supported by a certification issued by the health care provider of the employee or the employee's ill family member. When the leave is foreseeable and at least 30 days notice has been provided, the medical certification should be provided before the leave begins. The City will allow 15 calendar days for the employee to comply with a request for medical certification. Medical certification forms will be made available by the Human Resources office.

Second Opinion - The City may require a second medical opinion (at the City's expense). Pending receipt of the second opinion, the employee is provisionally granted leave. The City may also request periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report from the employee's attending physician advising that the employee can return to work.

If the opinions of the employee's and the City's designated health care providers differ, the City may require a third opinion (at the City's expense). The third health care provider will be designated or approved jointly by both the employee and the City. The third opinion is final and binding. The City will reimburse an employee or family member for any reasonable travel expenses incurred to obtain the second and third opinions.

Confidentiality - All documentation related to the employee's or family member's medical condition is held in strict confidence and maintained in the employee's confidential medical file in the Human Resources office.

11.08 Payment of Group Health Premiums. The City will maintain (including the continuation of paying the City's share of the premiums) the group health insurance coverage for an employee's FMLA leave period whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. Any portion of group health plan premiums which the employee has paid before starting an FMLA leave must continue to be paid by the employee during the leave. Any changes to premium rates and levels of coverage or other conditions of the plan that apply to other active employees also apply to eligible employees on FMLA leave. The City will give advance written notice to employees of the terms for payment of premiums during FMLA leave. If FMLA leave is unpaid, the City requires that payment of the employee's portion of the payment of health benefit premiums will be made by the employee to the City. Payment is required at the same time as if it would be made by payroll deduction.

The City's obligation to maintain group health benefits ends after an employee's premium payment is more than 30 days late. The City will provide 15 days notice that coverage will cease if the employee's premium is more than 30 days late. If coverage should lapse while the employee is on FMLA leave, they will be restored to equivalent coverage upon return to work and will not be required to meet any qualification requirements imposed by the health care plan such as preexisting waiting periods or passing a medical exam to obtain coverage.

Failure to Return to Work - The City may recover its share of health plan premiums during a period of unpaid FMLA leave from an employee if the employee fails to return to work at the end of leave. The only exception is where the employee does not return due to the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member or other circumstances beyond the employee's control.

11.09 Rights Upon Return to Work. When an employee returns from an FMLA leave, they will be restored to the same or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. The Family Medical Leave Act does not require the City to place a returning employee in the same position. If a position in which an employee is placed is equivalent, the employee has no right to be restored to the original job.

The employee's restoration rights are the same as they would have been if the employee had not been on FMLA leave. For example, if the employee's position would have been eliminated, or if the employee would have been terminated, regardless of the employee having taken leave, the employee does not have the right to be reinstated upon return from FMLA leave.

Seniority - An employee is not entitled to seniority or benefit accruals during periods of unpaid family and medical leave. However, an employee does not lose seniority or benefits accrued prior to family and medical leave.

Early Return -If an employee requests to return to work earlier than originally scheduled, he/she should give the City reasonable advance notice, generally at least two working days. The City may require that before returning, the employee present a certification from his/her health care provider that the employee is able to resume work.

Request for Extension - In certain circumstances, an FMLA leave of absence may be extended beyond 12 weeks, upon request, when accompanied by an explanation of the need for an

extension period from your health care provider. The employee should give reasonable notice to the City of the need for an extension, and provide updated medical certification, prior to the expiration of the originally scheduled leave period.

An employee who does not (or is unable to) return to work after exhausting available FMLA leave is no longer protected by FMLA. Group insurance coverage may terminate at the end of the month in which the extended leave begins. If the employee desires to continue group coverage he/she must make arrangements to prepay individual and dependents' premiums each month. These arrangements should be taken care of before beginning the extended leave of absence, but in no case later than 30 days after the end of the month in which the extended leave began.

The City cannot guarantee that an employee will be able to return to the same or equivalent job after his/her return from an extended leave of absence. Failure to return from an extended leave on or before the agreed-upon date may result in termination.

11.10 Military Caregiver Leave. An employee who is a spouse, son, daughter, parent, or next of kin of a covered servicemember with a serious injury or illness may take up to 26 workweeks of unpaid leave during a single 12 month period to care for the servicemember. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. A covered servicemember is also a veteran who was a member of the Armed Forces at any time during the period of 5 years preceding the date on which the he or she undergoes medical treatment, recuperation or therapy for a serious injury or illness. A serious injury or illness is one that was incurred by a servicemember in the line of duty on active duty, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of duty on active duty, that may render the servicemember unfit to perform the duties of his or her office, grade, rank or rating. For a veteran, a serious injury is a qualifying injury or illness (as defined by regulation) that was incurred in the line of duty on active duty (or that existed before the beginning of active duty and was aggravated by service in the line of duty on active duty) and that manifested itself before or after the servicemember became a veteran. The "single 12 month period" for leave to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 workweeks for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered servicemember.) Medical Caregiver Leave may be taken intermittently whenever necessary to care for a covered servicemember with a serious injury or illness.

11.11 Qualifying Exigency Leave. An employee may take up to a total of 12 workweeks of unpaid leave during the normal 12-month period established by the employer for FMLA leave for "qualifying exigencies" arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty status, or has been notified of an impending call or order to active duty status in support of a contingency operation. For purposes of this leave, covered active duty for members of a regular component of the Armed Forces means duty during deployment of the member with the Armed Forces to a foreign country. Covered active duty for members of the

reserve components of the Armed Forces (members of the U.S. National Guard and Reserves) means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation as defined in section 101(a)(13)(B) of title 10, United States Code. Specific qualifying exigencies are defined by regulation and may be found at 29 CFR 825.126, but include generally short notice deployments, military events and related activities, childcare related activities, financial and legal arrangements, counseling, rest and recuperation, and post-deployment activities. Please consult with Human Resources if you have questions about the scope of leave authorized under this section. FMLA leave may be taken intermittently for a qualifying exigency.

11.12 Additional Medical Leave During Disability Due to Pregnancy or Childbirth and to Care for Newborn. In addition to the FMLA leave described above, any employee entitled to leave for the period during which she is temporarily disabled due to pregnancy or childbirth. This pregnancy/ childbirth disability leave is unpaid and health benefits are not automatically continued; however, accrued leave may be used and the employee may continue insurance coverage at her expense. Certification from the employee's health care provider may be required. If the employee is eligible for FMLA leave, the Pregnancy Disability leave will run concurrently with FMLA leave.

The Washington Family Leave Act (FLA) provides certain additional leave benefits to care for a newborn. The FLA largely mirrors the FMLA, with the same eligibility standards and entitlement to 12 weeks of leave for family and medical reasons. In most situations, leave under the FLA runs concurrently with FMLA leave. However, the FLA leave does not run concurrently with any leave taken for pregnancy/childbirth disability; this affords an employee time off to care for her newborn once she has recovered from the disability.

For Guidance: For more information on any of these leave policies, or if you think you may need to take Family and Medical Leave, contact the Human Resource Assistant. The leave laws, particularly those applicable to pregnancy and childbirth, can be confusing. Employees are encouraged to contact Human Resource with any questions about how the various laws are coordinated in a particular situation.

Chapter 12

SHARED LEAVE POLICY

12.01 Policy Statement. The purpose of shared leave is to permit City employees to come to the aid of a fellow City employee who is suffering from or has an immediate family member suffering from an extraordinary medical emergency. The severity of the emergency would cause the employee to take leave without pay or to terminate employment without shared leave. Shared leave also may be donated to enable an employee out on FMLA leave to continue to be paid during his/her absence. Application of shared leave will not affect the duration of the employee's 12-week FMLA entitlement.

12.02 Eligibility Criteria. The Human Resources Assistant, with the City Administrator's approval, permits an employee to receive shared leave if:

1. The employee suffers, or has an immediate family member suffering from, an illness, injury, impairment, physical or mental condition which is of an extraordinary or severe nature and which would otherwise cause, or be likely to cause, the employee to go on a leave without pay or terminate employment with the City;
2. The employee has or shortly will have exhausted all vacation leave, sick leave, personal leave, compensatory time, and holiday compensatory time;
3. Prior to the use of shared leave the employee has abided by the City's sick leave policy;
4. The employee has diligently pursued and is found to be ineligible for worker's compensation insurance benefits, if the illness, injury, impairment, or condition is work-related;
5. The use of shared leave will not significantly increase the City's costs, except for those costs which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department; and
6. The employee provides appropriate medical justification and documentation both of the necessity for the leave and the length of time which the employee reasonably can be expected to be absent due to the condition.

12.03 Amount of Leave Received. The Human Resources Assistant, with the City Administrator's concurrence, verifies the amount of shared leave, if any, the employee needs to receive per the guidelines below:

1. An employee may not receive more than 1040 hours of shared leave throughout the employee's employment; and
2. To the extent possible, shared leave is to be used in a consecutive and continuous basis.

12.04 Transfer Process. Employees may request the Human Resources Assistant to approve the transfer of a specified amount of vacation leave or compensatory time to an employee who is authorized to receive shared leave as provided therein. All transferred leave will be in increments of one (1) hour and is voluntary.

1. To be eligible to donate vacation leave, an employee must retain a minimum vacation leave balance of 40 hours after subtracting the donated hours;
2. An employee may donate all compensatory time accrued;
3. While on shared leave, an employee continues to be classified as a City employee and is eligible for all compensation (salary and benefits) they would otherwise be receiving if using paid leave;
4. The employee's total compensation, including worker's compensation insurance, may not exceed the compensation the employee would have received while in regular paid status; and
5. For those employees who prefer to donate or receive shared leave in confidence, every effort will be made to respect the individual's privacy.

12.05 "Value" of Leave. Shared leave will be transferred on an hour-for-hour basis.

1. Shared leave will be converted to sick leave for the recipient;
2. The Human Resources office is responsible for transferring the donated hours to the leave balances of shared leave recipients. Records will be maintained in the event any unused leave time is returned at a later date; and
3. Unused leave will be returned to donating employees on an equal basis. The Human Resources office determines when shared leave is no longer needed.

12.06 Monitoring. The Human Resources office will monitor the use of shared leave to ensure equal treatment of all City employees. Inappropriate use may result in the cancellation of donated or unused shared leave.

An employee currently receiving shared leave who leaves City service is not paid for the remaining balances of any donated and unused shared leave.

Chapter 13

WORK-RELATED TRAVEL

13.01 General. Employees required to travel on business for the City are paid a sufficient amount to cover expenses incurred in a reasonable manner.

13.02 Definitions.

"Routine" Travel Time To and From Work - Travel time to and from work before and after the regular workday is not work time. This is true whether the employee works at a fixed location or at different job sites.

"Extraordinary" Travel Time To and From Work - In contrast, however, if an employee is given a special one-day work assignment in another City, this travel time is not regarded as ordinary home-to-work travel and would qualify as working time. For example, an employee who works in Grandview, with regular working hours from 8:00 a.m. to 5:00 p.m., may be given a special assignment in Pasco with instructions to leave Grandview at 7:00 a.m. The employee arrives in Pasco at 8:00 a.m., the special assignment is completed at 5:00 p.m. and the employee arrives back in Grandview at 6:00 p.m. This travel is not regarded as ordinary home-to-work travel because it is performed for the employer's benefit and at the employer's special request to meet the needs of the particular and unusual assignment. However, not all the travel time involved must be counted as working time. Since, except for the special assignment, the employee would have had to report to their regular work site, the amount of time it would take the employee to travel between their home and the normal work site need not be counted as hours worked.

"Extraordinary" Travel Involving Overnight Travel - Required travel that keeps an employee away from home overnight is travel from home and is work time when it cuts across the employee's workday. The time is not only hours worked if it occurs during the employee's normal working day and working hours, but also if it occurs during the corresponding hours on non-working days. Thus, if an employee regularly works Monday through Friday, from 8:00 a.m. to 5:00 p.m., travel time between 8:00 a.m. - 5:00 p.m. is work time if it occurs on Saturday and Sunday as well as on weekdays.

In contrast, time spent in travel away from the home but outside of regular working hours will not be counted as hours worked if the employee is a passenger, e.g., traveling by airplane, bus, car, or train. If the employee is designated as FLSA non-exempt and a driver of a vehicle, all time spent driving in the vehicle to and from the assignment is regarded as working hours, except that if public transportation would have required less time, the City may count as hours worked the less time-consuming method of transportation. The employee is expected to choose the most economical and expedient mode of transportation in terms of time and cost.

Travel From Work Site to Work Site - Time spent traveling from one work site to another must be counted as hours worked. If an employee is required to drive a vehicle to transport tools, equipment, or other employees from the employer's place of business to the job site, that is considered work time. It makes no difference whether the vehicle is the employee's, the City's, or rented by the City.

13.03 Travel Pay. When employees, which for the purposes of this section shall include elected officials, appointed officials, appointed volunteers, volunteer firefighters, and reserve police officers, are required to travel outside the City limits on City business or when they are required to attend a City business function within City limits, reimbursement for expenses incurred shall be in accordance with this section.

Prior to traveling outside the City, the employee shall obtain approval for the trip and the mode of travel from the Department Director. A Department Director will obtain approval from the City Administrator.

Expenses for consultants or contractors performing authorized work or services for the City may also be reimbursed if the expenses would otherwise be billed to and paid by the City.

It shall be the responsibility of the City Administrator to ensure that these policies are adhered to and to provide the forms and instructions necessary for their implementation.

Exceptions to the rules set forth herein may be made only for unusual or extenuating circumstances, upon the written approval of the City Administrator.

13.03.1- PROCEDURES

This section outlines procedures to be followed by employees prior to, during, and after travel for the City.

A. Employee Request for Leave

1. The employee Personnel Action Form is to be completed, signed, and approved in advance of departure for overnight travel.
2. The remarks section on the form must include:
 - a. Workshop, meeting, or conference location;
 - b. Title of workshop, meeting, or conference; and
 - c. An estimation of total expenditures (i.e., registration, meals, lodging, mileage, materials, etc.).

B. Advance Travel - Request for Funds

1. Advance travel funds are available to City employees prior to travel to offset the costs of travel and to avoid placing an undue financial burden on the employee while he/she is conducting the City's business.
2. The Advance Travel-Request for Funds Form is to be completed, signed, approved by the Department Director and presented to the City Administrator a minimum of two administrative working days in advance of departure. Advance travel checks will be distributed one business day preceding the day of departure. Two of the three copies of this form will be retained by the employee--one of which must accompany the City voucher upon return. Vouchers to advance travel funds must be completed within ten (10) days of return and have a copy of the travel certification attached. Also, unexpended advance travel funds must be returned to the City Treasurer at the time of submitting the voucher.

C. Use of the City's Gasoline Credit Card

The gasoline credit card may be utilized for required fuel and repairs to City vehicles while on official City business. This card may be checked in and out with the City Treasurer at the time the advance travel check is picked up. The City credit card may not be used for private vehicle expenses.

D. Travel Expense Certification

Prior to departure, a copy of the Travel Expense Certification Form should be obtained to aid in recording expenses incurred during travel. Within ten (10) working days of return, the Travel Expense Certification Form should be completed (including receipts and unexpended funds) and submitted to the Department Director. The Department Director then is responsible for vouchering the reimbursement applicable. If no reimbursement is due the employee, then the Travel Expense Certification Form and receipts are attached to the advance travel fund reimbursement voucher.

13.03.2 - EXPENDITURES

A. Meals

1. Employees may be reimbursed for cost of meals on official trips only for the amount of actual and reasonable expenses incurred during the performance of official duties as a City employee for the City's benefit.
2. Reimbursement for actual meal costs must be documented by a vendor's receipt. Receipts should include the date, amount, and name of vendor. Grocery receipts are paid for meal items only if those items are specifically and mechanically named on the receipt.
3. Reasonable expenses for each meal (including tip) are:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

Exceptions may be granted by the City Administrator if the travel required is to a location where meal costs are unduly high. Further exceptions may be granted if group, conference, or speaker meals are presented as one package over which the employee has no control. To provide flexibility in the use of the meal allowance, the employee may apply the unused portion of one meal allowance to that of another. Reimbursement for one day's meals will not exceed \$50.00.

4. Where the employee has meals with other parties or a spouse, a separate receipt showing only the employee's expenses is required.
5. If travel requires overnight accommodation, an employee will be allowed one miscellaneous meal receipt not to exceed \$2.50.
6. Employees may be reimbursed for cost of meals of other elected or appointed state and local government officials during the performance of

official duties for the City's benefit.

B. Travel

1. City vehicles, if available, shall be used for approved travel. City vehicles shall not be used for private purposes.
2. Whenever an officer or employee drives their own motor vehicle outside the City of Grandview and pays for the gasoline and maintenance themselves, the City shall allow such officer or employee the reimbursement rate as established by the Internal Revenue Service (IRS) as the business standard mileage rate. Reimbursement shall be the IRS standard rate per mile for each such authorized trip.
3. When driving time exceeds four (4) hours or where it is less expensive than private vehicle reimbursement, a common carrier may be used for travel.
4. Miscellaneous travel costs, such as bus, taxi, bridge or other tolls, parking, and ferry are authorized and must be listed on the Travel Expense Certification Form. Receipts should be obtained if possible.

C. Lodging

1. The City may make payments for lodging directly to the hotel or motel, if authorized, by submitting a City Purchase Order, or the employee may seek reimbursement for lodging expenses upon return. If necessary, advance deposits may be paid by claims fund warrant.
2. In the event the employee takes his or her spouse to a conference or meeting, the City will reimburse the employee only for the single room rate. Employees should request that the hotel/motel indicate on the receipt the room rate for a single person.
3. Employees are expected to use good judgment in choosing reasonable lodgings. Lodging above that which is required, such as first class hotels or suites, will not be acceptable.

Exceptions may be granted by the City Administrator if the lodging required is in a location where lodging rates are unduly high or are related to a conference.

D. Incidental Expenses

This category includes, but is not limited to, the following allowable and non-allowable incidental expenses an employee might incur:

1. Allowable Incidental Expenses
 - a. Books required for conference or workshop topics;
 - b. Baggage checking; and
 - c. Business telephone and postage expenses.
2. Non-Allowable Incidental Expenses

- a. Personal entertainment;
- b. Theft, loss, or damage to personal property;
- c. Expenses of a spouse, family, or other persons not authorized to receive reimbursement under this policy;
- d. Barber or beauty parlor;
- e. Airline and other trip insurance;
- f. Personal postage, reading material, or telephone calls;
- g. Personal toilet articles;
- h. Alcoholic beverages;
- I. Tobacco products; and
- j. Groceries, merchandise, and variety items, except as provided in Section 13.03.2.A.2

Chapter 14

GRIEVANCE PROCEDURE

14.01 Policy Statement. Use of this procedure will not reflect unfavorably on the employee, the employee's immediate supervisor, the Department Director, or the general management of the City. Retaliatory or discriminatory action against an employee for using this procedure or discrimination in the application of this Personnel Policy may constitute a violation of City policy. The purpose of this procedure is:

1. To promote full communication between the City and employees in City service by providing a reasonable method for resolving disputes regarding terms and conditions of employment between the City and an employee and/or a City-recognized employee organization;
2. To assure an employee of a prompt and fair discussion and resolution of the issue involved;
3. To provide that grievances will be settled as near to the point of origin as possible;
4. To provide that grievances will be heard and settled informally; and
5. To enable employees to make their grievances known in an orderly process.

14.02 Grievance. A grievance is a written statement of dissatisfaction regarding the administration of this Personnel Policy. Employees represented by a Union should utilize the grievance procedure contained in their Collective Bargaining Agreement.

14.03 Grievance Submission. In the grievance procedure, the complainant will present grievances in writing.

14.04 Department Level Discussion. When possible, any grievance arising out of employment is considered within an employee's department.

14.05 Discrimination Complaints. Discrimination and harassment complaints are given to the Human Resources office for investigation.

14.06 Process at Department Level.

1. Employees should bring any grievance, as defined in this Personnel Policy, to the attention of the employee's immediate supervisor as soon as possible. If an employee fails to bring the grievance to the attention of the immediate supervisor within seven (7) calendar days from the date of the action or incident causing the grievance, an employee has waived the right to submit the grievance;
2. The employee's immediate supervisor takes action on the grievance and notifies the complainant of their action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the supervisor.
If the matter can be resolved by the employee's immediate supervisor to the satisfaction

of the employee, then the grievance will be terminated;

3. If the matter cannot be resolved by the immediate supervisor within a reasonable time, generally seven (7) calendar days from the date of submission to the supervisor, the employee may submit the grievance to their Department Director. The employee may also submit the grievance to the Department Director if the employee is still dissatisfied after the supervisor's decision. The grievance will be submitted to the Department Director within ten (10) calendar days from the date of the immediate supervisor's decision, or the grievance will be terminated; and

The Department Director confers with the complainant, the immediate supervisor, and such other persons as necessary, to gather all the facts. The Department Director takes action to resolve the grievance and notify the complainant of the Department Director's action or decision within a reasonable time, generally seven (7) calendar days from the date the grievance was submitted to the Department Director.

14.07 Process at the City Administrator's Level.

1. If the complainant is not satisfied after informal discussion(s) regarding the Department Director's decision, the complainant may, within ten (10) calendar days from the date of the Department Director's decision, submit a written request to the City Administrator. Failure by the complainant to submit a written request to the City Administrator within the ten-day period terminates the grievance.
2. Upon receiving the written request, the City Administrator within a reasonable time, generally seven (7) calendar days, discusses the grievance with the complainant, the complainant's representative, if any, and all principals involved for the purpose of resolving the grievance. The City Administrator conducts any inquiry, investigation, or compilation of facts deemed necessary to assist in reaching a decision.
3. The City Administrator renders a decision in writing to the complainant within a reasonable time, generally fourteen (14) calendar days from the date the City Administrator receives the complainant's written request. The City Administrator also gives copies of the decision to the complainant's immediate supervisor and Department Director. The decision of the City Administrator is final.

Chapter 15

DISCIPLINE

15.01 Policy Statement. Progressive discipline focuses on the corrective nature of discipline and provides employees an opportunity to correct deficiencies in their performance by providing notice, setting goals and measures, monitoring procedures, providing feedback, and including clearly-defined disciplinary measures that may be taken if performance does not improve. It also provides the employer an opportunity to document the reasons for the outcomes of the disciplinary procedure.

However, the City will review each situation independently and make a decision on what it deems to be appropriate discipline, up to and including termination, and may conclude that progressive discipline is not appropriate or necessary in some circumstances. The decision to use progressive discipline in a given case is an attempt to improve the performance or behavior, but does not change the at-will nature of the employment relationship.

15.02 Causes for Disciplinary Action. Causes for disciplinary action against an employee may include, but are not limited to, the following:

1. Fraud or dishonesty in securing appointment;
2. Incompetence, inefficiency, or neglect of duty;
3. Insubordination (unwillingness to submit to authority) or willful disobedience;
4. Dishonesty;
5. Being under the influence of or consuming any alcoholic beverage while on duty (refer to Chapter 18 -- Substance Abuse Policy and Physical Examinations Policy), except for authorized undercover police officers;
6. Unlawfully possessing, selling, using, or being under the influence of any drug, except as authorized by a physician (refer to Chapter 18);
7. Unauthorized leave of absence, continued tardiness, or abuse of sick leave or other leaves;
8. Conviction of a felony or conviction of a misdemeanor that impacts the employee's ability to perform his or her job;
9. Discourteous behavior or treatment of the public or other employees that violates City or departmental conduct standards;
10. Unlawful use of City Resources for political activity (refer to Section 19.06 -- Political Activities of Public Employees);
11. Misuse or abuse of City property, time, equipment, or supplies, or the appropriation of such for personal use;

12. Violation of any of the provisions of this Personnel Policy or departmental guidelines;
13. Unlawful workplace harassment (refer to Chapter 21 -- Anti-Harassment Policy);
14. Possession of unauthorized firearms or other weapons while on duty (with the exception of commissioned police personnel);
15. Off-duty employment that negatively affects the City and/or performance of the employee while in City service;
16. Solicitation or acceptance of gifts or gratuity for performing duties that are expected during an employee's work period or workday;
17. Engagement in any off-duty activity which may later be subject to review, inspection, or enforcement by that employee in the exercise of their City duties;
18. Use of tobacco products in a City-owned facility, automobile, or common area; and
19. Other grounds reflected in applicable statutes, case law, and/or arbitration case law.

15.03 Types of Disciplinary Action. Disciplinary actions, if implemented, may include but are not limited to:

1. Counseling - Initial action may include the supervisor's decision to counsel the employee, during which time deficiencies are described, goals are set, and the employee has the opportunity to respond. A notice and written record of counseling should be retained by the supervisor in the supervisor's working file;
2. Oral Reprimand - An oral reprimand shall be recorded and placed in the employee's personnel file. At the request of the employee, if there is no recurrence of the event prompting discipline, the record of an oral reprimand may be removed from the employee's personnel file after a one (1) year period, in the discretion of management;
3. Written Reprimand - A written reprimand is recorded and placed in an employee's personnel file and may be followed within a reasonable time, generally within sixty (60) days, by a written evaluation of the employee's performance, if deemed helpful to improve performance. If after five (5) years there is no recurrence of the event(s) prompting the discipline, at the request of the employee the records of a written reprimand may be removed from the employee's personnel file, in the discretion of management;
4. Disciplinary Probation - An employee placed on disciplinary probation accrues vacation leave and sick leave, but not time for compensation review or promotion. The employee is not allowed to compete in promotional examinations or recruitment during the disciplinary probation period;

Disciplinary probation shall not be less than three (3) months nor more than six (6) months in duration. An employee placed on disciplinary probation may be discharged prior to the end of the probationary period for failure to meet performance requirements;

5. Suspension - An employee may be suspended by the City Administrator at any time, pending the results of disciplinary investigation and/or action. The employee is suspended with pay pending the results of the investigation.

An employee suspended from City service as a form of disciplinary action forfeits all rights, privileges, and compensation during the suspension, except for the employee's health plan, retirement plan, disability plan (if applicable), and life insurance plan. Suspension without pay for disciplinary reasons shall not exceed sixty (60) calendar days in any calendar year;

6. Disciplinary Demotion - A disciplinary demotion results in an employee's change in status to a lower pay step in the same classification or to a position in a different classification with less responsible duties, lower qualifications, and a lower maximum rate of pay. No employee will be demoted to a classification for which the employee does not possess the minimum qualifications; and
7. Discharge - An employee who has been discharged from City service is paid his/her compensation accumulated to the effective separation date, any accumulated compensatory time, and any accrued vacation leave.
8. Notice - Prior to a disciplinary action involving loss of pay or job (suspension or discharge) being taken, the employee will be advised in writing of the nature of the allegations and that disciplinary action and/or termination is being contemplated. The employee will be given the opportunity to respond and shall be afforded the right of representation.

15.04 Authority to Take Disciplinary Action. The City Administrator, an employee's Department Director, or an employee's immediate supervisor may take disciplinary action against an employee under their control for one or more of the causes for discipline specified above in Section 15.02, or for other causes that are deemed to warrant discipline in the given situation.

Immediate Supervisors may give an official (oral or written) reprimand to an employee under their supervision. An immediate supervisor may recommend disciplinary probation, suspension, disciplinary demotion, or discharge against an employee under his/her supervision to the Department Director.

Department Directors may execute suspensions against an employee within their department. The Department Director may recommend disciplinary demotion, disciplinary probation, or discharge against an employee under his/her supervision to the City Administrator.

Department Directors may suspend an employee under their supervision for not more than three (3) working days at any one time without the approval of the City Administrator. Written

notice of suspension is given an employee within three (3) working days and preferably earlier after a suspension. An employee may appeal a suspension in the manner provided in Section 15.06 - Appeal Procedure.

Department Directors may delegate to supervisory employees the authority to relieve an employee of the employee's duties in an emergency situation, pending further action by the Department Director.

City Administrator\Mayor - Disciplinary probation, demotion and discharge are actions that may be taken only by the City Administrator and Mayor. A Department Director may submit a written recommendation for a disciplinary probation, demotion or discharge of an employee to the City Administrator. The recommendation should include the specific allegations and the basis of the recommendation. A copy will be provided to the employee. The City Administrator will advise the employee in writing if there is to be a pre-disciplinary-probation, pre-discharge or pre-demotion hearing. The employee will also be notified in writing of the basis of the recommendation for disciplinary probation, discharge or demotion and when to meet with the City Administrator to discuss the proposed disciplinary probation, discharge or demotion.

15.05 Notice of Disciplinary Action.

Investigation - Before executing an unpaid suspension, disciplinary demotion, disciplinary probation or discharge, the employee's immediate supervisor, Department Director or the City Administrator, as appropriate, shall advise the employee in writing of the factual details of the alleged behavior and that disciplinary action is being contemplated. A meeting (referred to as a Loudermill hearing) between the investigating management official and employee shall be scheduled as soon as possible following the event and issuance of written notice of contemplation of disciplinary action. The management official shall permit the employee to have a representative present if the employee desires.

The purpose of this meeting is to allow the employee the opportunity to provide his/her immediate supervisor or Department Director any appropriate information in response to the allegations.

Notice of Disciplinary Action - Upon completion of the investigation phase and if discipline is deemed appropriate then the suspension or discharge process will proceed.

Suspension or discharge is valid only if written notice is delivered to the employee by the City Administrator. This notice should be delivered to the employee either personally or by certified mail and should include the following:

1. A written report of the nature of the disciplinary action that will be taken as a result of the Loudermill meeting;
2. The effective date of the disciplinary action;
3. The policy or procedure violated and/or the deficient performance on which the discipline is based;

4. Feedback that was given to the employee during any monitoring period;
5. The acts or conduct upon which the disciplinary action is based; and
6. The conditions/goals/measures or future actions to be met and/or taken.

Allegations are kept confidential unless an employee, through the employee's own actions, allows the allegations to become public information, or the investigation of the allegations necessarily results in some disclosure to involved individuals.

15.06 Appeal Procedure. Regular employees have the right to appeal to the City Administrator concerning any disciplinary action taken by the employee's immediate supervisor or Department Director. The appeal must be filed with the City Administrator, with a copy given to the Department Director, within seven (7) working days after receipt of the written notice of the disciplinary action. The appeal must specifically state the facts or other grounds upon which the appeal is based.

The City Administrator will render a decision on the matter, generally within fourteen (14) working days after receipt of the appeal. The City Administrator's decision on the appeal is final.

Chapter 16

RECORDS, REPORTS AND NOTICES

16.01 Purpose for Maintaining Personnel Records. Objectives for maintaining adequate personnel records and reports are:

1. To demonstrate that legal, regulatory, and procedural requirements for all personnel actions have been satisfied;
2. To provide a basis for making decisions involved in personnel actions;
3. To provide a basis for reports on personnel activities;
4. To document the attainment of employees' educational, development and training goals; and
5. To maintain security and confidentiality of information to the degree possible and appropriate.

16.02 Notice of Employee Change of Status. Every appointment, transfer, promotion, demotion, change in compensation, resignation, suspension, vacancy, leave of absence, official reprimand, commendation, address change, name change, reclassification, and all other temporary or permanent changes in status of employment is reported to the City Administrator and the Human Resources office on a proper form (PM-7) with original documents attached. The effective date and a record of the change are kept by the Human Resources office.

Change of Personal Information - Employees are responsible for keeping their personnel records up to date by notifying the Human Resources office in writing of any personal information changes to the following information: name, address, telephone number, marital status (for benefits and tax withholding purposes only), addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only), beneficiary designations for any of the City's insurance, disability, retirement, and deferred compensation plans, and persons to be notified in case of emergency. Failure to do so may delay or have an adverse effect on the timely receipt of correspondence being mailed, insurance coverage, and/or accurate assessment of premium rates for the City.

16.03 Personnel Files.

Human Resources Office - The Human Resources office maintains complete personnel files for employees showing each employee's name, address, classification title, position, compensation, assigned department, changes in pay rates, employment status, performance appraisals, commendations, official disciplinary actions and other pertinent information, in addition to records for each employee's vacation leave, sick leave, administrative leave, compensatory time, and compensation schedules. The City Administrator determines the form and manner in which this information will be maintained.

Separate files for confidential, medical-related information will be maintained.

16.04 Records Open to the Public. Neither the Human Resources office nor any employee may release the address, telephone number, Social Security number, or date of birth of any employee, officer, or appointed official as shown in the personnel records (except upon request from law enforcement agencies) without the prior consent of that employee, officer, or appointed official. The Human Resources office has the authority to verify or confirm the above information without prior written permission from the employee, officer, or appointed official.

The exemption of City personnel records from public disclosure is governed by applicable statutes. Refer to RCW Chapter 42.17.310.

16.05 Destruction of Records. Personnel files and payroll records are retained in accordance with state and federal laws and guidelines.

Chapter 17

SUBSTANCE ABUSE AND PHYSICAL EXAMINATION POLICY

17.01 Examinations. Following a conditional offer of employment, an applicant may be required to take a physical exam to determine fitness to perform the essential functions of the position. All employees are expected to make a reasonable effort to keep themselves fit to perform the duties of their particular position and/or classification. Documentation from the examining physician as to an employee's fitness for duty shall be made available to the City upon completion of such examination. Examinations may be required during employment if the City has reason to believe that the employee is unable to perform the essential functions of the job, if the employee requests an accommodation, or if the City has reason to believe that the employee may be a threat to him/herself or others.

17.02 Substance Abuse. The City considers its employees to be its most valuable asset and believes that professionalism in the delivery of public services can only be maintained within a drug-and alcohol-free work environment. Further, the City believes that employees have a right to work in an environment free of drugs and alcohol and have the obligation not to place themselves in situations where their job performance is impaired by substance abuse.

17.03 Drug-Free Work Place. The City recognizes that the maintenance of a drug-free workplace is essential to the safety and welfare of employees. The chapter is intended to express the City's commitment to a drug-free workplace, to educate employees as to the dangers of drug abuse in the workplace and the penalties that may be imposed for drug violations in the workplace, and to comply with the Drug-Free Workplace Act of 1988. The chapter also expresses the City's commitment of support for employees undergoing treatment and rehabilitation of chemical dependencies.

17.04 Provisions.

1. Controlled Substances:

A. The manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol in the workplace is prohibited, except where possession or use of prescription medications is pursuant to a valid prescription, issued in compliance with federal, state and local law, and will not impair the employee's performance. Reporting to work under the influence of a controlled substance or alcohol is prohibited; and

B. As a condition of employment, all employees must notify their Department Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such a conviction.

2. Prescription or Over-the-Counter Drug Use - The use of prescription and over-the-counter drugs which compromise safety in the workplace is prohibited. All drugs the use or sale of which is prohibited by federal, state or local law compromise the safety of the workplace and are prohibited. It is employee's responsibility to check with their physician as to whether or not a prescription drug will impair safe performance. Employees are required to notify their immediate supervisors when they are taking

medications with warning labels that the medications may affect their ability to remain alert or operate equipment. The City will make a form available to employees to assist them in reporting such medically authorized drug use. This form will be maintained in a separate confidential file in the Human Resources office.

3. Drug Use Away from the Workplace - The use of a controlled substance off the work site by an employee may be grounds for disciplinary action if it results in an adverse impact on the City.
4. Employee Sanctions - It is the responsibility of every employee to be aware of the above provisions and to abide by them. Failure to observe these provisions will result in immediate discipline of the employee, up to and including termination. An employee found to have violated these provisions may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitative program as a condition of continuing employment.
5. Employee Assistance Program - The City is committed to supporting employees undergoing treatment and rehabilitation for alcohol or other chemical dependency. The City will provide information to employees on available drug counseling and rehabilitation programs.
6. Drug Abuse Education Program - The City will utilize all available resources to educate employees as to the dangers of drug abuse.
7. Confidentiality - The confidentiality of all reported violations of the provisions of this directive will be strictly maintained, except as required by public disclosure laws or court order.

17.05 Drug and Alcohol Testing.

Purpose - This chapter is intended to support the drug-free work place and establish compliance with the federal regulations for Commercial Driver's License holders. Federal regulations mandate urine drug and evidential breath alcohol testing for employees in safety-sensitive positions, including those who are required to hold a Commercial Driver's License.

Application - This chapter applies to all employees, with the additional requirement of random testing for employees who are required to have and maintain a Commercial's Driver's License in order to perform the duties of their job. Contractors performing functions for the City of Grandview involving the use of a vehicle requiring a Commercial Driver's License will be subject to alcohol and drug testing as required by federal regulations.

Statement - The City has a significant interest in the health and safety of employees. In furtherance of that interest, the City will take those steps necessary to ensure that employees perform their duties and responsibilities free from the influence of drugs and alcohol. Employees are encouraged to seek confidential counseling on problems associated with alcohol and drug abuse through the Employee Assistance Program. There will be mandatory drug and alcohol testing for employees and job applicants under the circumstances outlined in this

chapter. All drug and alcohol testing (pre-employment, random, and reasonable suspicion) shall be conducted following the current testing standards and thresholds established by the U.S. Department of Transportation.

Training and Education - Employee education and supervisor training are essential parts of this program. All existing and new employees will receive information on the impact of drug and alcohol use and will receive information on resources for assistance. Supervisors will receive this same training, as well as additional training in the recognition and detection of signs and symptoms of alcohol and drug misuse. Supervisors will not be permitted to make reasonable suspicion test referrals unless they have completed training required by federal regulations.

17.06 Definitions.

Accident - Accident means an occurrence involving the employee which results in (1) a fatality; (2) bodily injury of a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; (3) overall property/vehicle damage estimated at \$1,000 or more; (4) circumstances such that the employee cannot be completely discounted as a contributing factor to the accident; (5) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle; or (6) a citation for a moving traffic violation arising from the accident.

Driver - This term includes all employees whose positions may involve driving a commercial vehicle and require the possession of a Commercial Driver's License (CDL).

Commercial Vehicle - A commercial vehicle is one that either: (1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); (2) is designed to transport 16 or more persons, including the driver; or (3) is used to transport hazardous materials.

Drugs - In accordance with the applicable federal regulations, "drugs" refers to the following five substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines.

Medical Review Officer (MRO) - The Medical Review Officer is the licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.

Safety Sensitive Position - These are positions associated with the driving of commercial vehicles.

Substance Abuse Professional (SAP) - A Substance Abuse Professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP is responsible for evaluating employees with positive test results.

Prohibited Conduct - The following conduct regarding alcohol and drug use or abuse is prohibited:

1. Alcohol Concentration - An employee may not report for or remain on duty, for the performance of duties covered under this chapter while having an alcohol concentration of 0.02 or greater;
2. Alcohol Possession and On Duty Use of Alcohol - An employee may not possess or use alcohol while on duty or while operating a City vehicle;
3. Pre-Duty Use of Alcohol - An employee may not report for duty or operate a commercial vehicle within eight (8) hours after using alcohol. An on-call employee who consumes alcohol within eight (8) hours of being called in must acknowledge the use of alcohol and may not report for duty;
4. Alcohol Use Following an Accident - An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident, or until a post-accident alcohol test is given, whichever comes first;
5. Use of Drugs - An employee may not report for duty, remain on duty, or drive a City vehicle when the employee has used a drug or drugs, except when the use is consistent with federal, state and local law, and undertaken pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their duties or operate a commercial vehicle. Employees who are taking a prescription or over-the-counter medication that may impair their ability to perform their duties safely should provide written notice from their physician with respect to the effect of such substances. The City will make a form available to employees to assist them in reporting such authorized drug use. This form will be maintained in a separate confidential file in the Human Resources Department;
6. Refusal to Submit to a Required Test - An employee may not refuse to submit to a post-accident, reasonable suspicion, or follow-up alcohol and drug test as directed by this chapter. In addition, employees required to have and maintain a CDL may not refuse to submit to random testing as directed by this chapter;
7. Positive Drug Test - An employee may not report for duty or remain on duty, if the employee tests positive for drugs or alcohol;
8. Tampering with a Required Test - An employee may not tamper with, adulterate, alter, substitute or otherwise obstruct any testing process required under this chapter; and
9. Possession, Transfer or Sale - No employee may possess, transfer or sell drugs or alcohol while on duty.

17.07 Testing.

1. Pre-Employment Drug Testing - All individuals in safety-sensitive positions must pass a drug test as a post-offer condition of employment. Employees who do not pass will not be employed and will not be considered for employment for at least 12 months.

2. Reasonable Suspicion Testing - Employees shall submit to a drug and/or alcohol test when the City reasonably suspects that this policy may have been or is presently being violated. A referral for testing will be based on current, clearly described observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use, confirmed by a second trained supervisor. Prior to beginning a discussion with the employee about the observed behavior, the supervisor will inform the employee of their right to have applicable representation present during the meeting. Employees' requests for representation will be honored to the extent that honoring the request does not unreasonably delay testing. When reasonable suspicion exists, the affected employee will be questioned and observed. A decision to request a specimen will be based upon eye witness reports, facts of the event and observed physical and behavioral characteristics of the affected employee. The employee will be interviewed in a private area.
 - A. Verification - A reasonable suspicion request will be documented in writing with a copy provided to the affected employee.
 - B. Relief of Duty - The employee will be placed on leave until the results of the drug and/or alcohol test are complete and verified. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive employees will be allowed to use vacation, or compensatory time, at their discretion, or sick leave if entitled or applicable during the period of absence to eliminate any loss of income. Personal leave is not authorized for this purpose. If an employee chooses to use paid leave during the period of absence they must notify the City which type of paid leave will be used. The City shall have five (5) working days after positive test results to notify the employee of disciplinary actions in accordance with Chapter 15.
 - C. Transportation Assistance - The employee will be accompanied to the collection site by a supervisor or director. The employee will be provided transportation home. If the employee refuses and demands to drive their vehicle, the City shall notify law enforcement.

If removed from duty based on reasonable suspicion of alcohol or drug use and an alcohol test is not administered within eight (8) hours, the employee will not be allowed to return to duty until:

- (1) An alcohol test is administered and the employee's breath alcohol concentration measures less than 0.02; or
- (2) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol or drugs.

3. Post-Accident Testing - Following an accident, as defined in this chapter, the employee is required to submit to alcohol and drug tests. Testing should occur as soon as possible, but may not exceed eight (8) hours after the accident for alcohol testing and 32 hours after the accident for drug testing.

An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing. Employees who do not comply with post-accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

4. Random Testing - Employees required to have a CDL will be subject to random, unannounced alcohol and drug testing whenever they are on duty.
5. Return to Duty Testing - Employees who have violated this policy chapter including those who have tested positive on a drug or alcohol test, and who under the discipline section are allowed to return to work, must test negative prior to being released to duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.
6. Follow-Up Testing - An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a SAP and the City. The number and frequency of follow-up tests will be determined by the SAP and the City, but will not be less than six tests in the first 12 months following the employee's return to duty. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee be retained in the City workforce.
7. Re-Testing - Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the MRO. The cost of the second test will be borne by the employee, with reimbursement if the test is negative.
8. Testing Compensation - All time spent administering alcohol or controlled substance tests, including travel time, will be paid at the employee's regular rate of pay, or at their overtime rate if applicable. Any employee who is not allowed to return to work while awaiting test results will be placed on paid leave during the waiting period. If the test results are negative, the employee will be compensated during the waiting period for all work time lost. If the test results are positive, employees will be allowed to use vacation, compensatory time, sick leave or other paid leave time during the period of absence to eliminate any loss of income. The City shall pay all costs associated with the administration of alcohol and controlled substance tests except follow-up testing. The employee will be responsible for costs associated with follow-up testing not covered by insurance should a positive test result occur and the employee is retained in the City workforce.

9. Refusal to Take an Alcohol or Drug Test - No employee shall refuse to submit to an alcohol or drug test as directed under this chapter. A refusal to submit shall include, but is not limited to:
 - A. A failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the procedures manual;
 - B. Failure to provide adequate urine for drug testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the procedures manual;
 - C. Tampering with the sample; and
 - D. Engaging in conduct that obstructs the testing process.

Refusal to submit to a test shall be considered insubordination and shall be deemed the same as a positive test result.

17.08 Securing Information from Previous Employers: As a condition of employment, and following a conditional offer of employment, all applicable applicants who will be holding a position requiring a CDL must authorize a request for all employers within the past two (2) years to release information of the following:

1. Positive alcohol and drug tests; and
2. Refusal to be tested.

This information must be obtained before the person is employed by the City. However, if the information has not arrived by the anticipated start date, and the person has passed the pre-employment drug test, the person may be hired and the requested information obtained from the previous employers within 14 calendar days of the date of hire. If the information has not been received within the 14 calendar days, the person will not be permitted to drive commercial vehicles until the information has arrived. If the information obtained from previous employer(s) indicates either a positive test or a refusal to be tested occurred within the past two years, that person shall not be hired by the City.

If no such information was generated about the applicant, or the past employer(s) cannot be located or refuse(s) to cooperate, the supervisor will document and send a report to Human Resources. Normal hiring may proceed when a memo documenting the lack of information has been sent to Human Resources.

17.09 Confidentiality and Record Retention. All records related to drug and alcohol testing will be maintained in a secure location with controlled access. For CDL employees, record retention time frames shall be in accordance with U.S. Department of Transportation criteria; for all other employees, records for negative tests shall be removed and destroyed after one (1) year, and records of positive tests shall be retained. These records will be kept

separate from all other records.

17.10 Consequences of Engaging in Prohibited Conduct or Positive Drug or Alcohol Tests.

Discipline and Rehabilitation - An employee will be subject to appropriate disciplinary action up to and including termination from employment if:

1. The employee tests positive for a drug or drugs;
2. Results from an alcohol test indicate a blood alcohol level of 0.04 or greater; and/or,
3. The employee has engaged in prohibited conduct as outlined above.

All employees, regardless of disciplinary action taken, will be advised of resources available to the employee for evaluating or resolving problems associated with drug use or alcohol misuse.

The City shall make reasonable efforts to afford employees the right to applicable representation whenever an employee is directed to submit to an alcohol or drug test which is for cause, post accident, or reasonable suspicion.

The following section of this policy applies to those employees who are not terminated for their violations:

17.11 Positive Test Results and/or Engaging in Prohibited Conduct. If an employee tests positive for drugs or has an alcohol test that indicates blood alcohol level of .04 or greater from a random, reasonable suspicion, post-accident, or other authorized test, or engages in prohibited conduct as outlined in this chapter, the employee will be immediately removed from all duties including the driving of a commercial vehicle. The employee will not be permitted to return to work unless they:

1. Have been evaluated by a qualified SAP;
2. If recommended by a SAP, have properly followed any rehabilitation prescribed; and
3. Have a verified negative result on a return-to-duty alcohol (<0.02) and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow-up random testing for up to sixty (60) months as recommended by the SAP and the City, with a minimum of six (6) such unscheduled tests within the first twelve (12) months of returning to duty.

Alcohol Concentration of 0.02 but less than 0.04: Employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial vehicle for at least 24 hours.

Employee Assistance Program/Voluntary Referral: The City supports employees who volunteer

for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program. Any employee who comes forth and notifies the City of alcohol or drug abuse problems will be given the assistance extended to an employee with any other illness.

Any such program, however, may not interfere with the tests required or disciplinary action called for by these rules. For example, a driver may not identify themselves as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking assistance does not excuse any failure to comply with all of the provisions of this chapter.

Sick leave, vacation leave, or leave of absence without pay may be granted for treatment and rehabilitation as in other illness. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

An employee who successfully completes a treatment or rehabilitation program shall be returned to his/her regular duty assignment, subject to follow-up testing as called for above.

Chapter 18

EMPLOYEE ETHICS, STANDARDS OF CONDUCT, AND PERSONAL ACTIVITIES

18.01 Policy Statement. The City expects its employees to subscribe to the highest set of ethics, values, and principles in providing services to customers inside and outside of City employment. The City expects employees to be fair, honest, consistent, and committed to high levels of customer service and professionalism. Anyone who fails to live up to such ethical standards reflects negatively on the entire City work force.

18.02 General Principles. Employees shall adhere to the following principles in and in connection with their work for the City:

1. Employees shall not engage in financial transactions using non-public City government information or allow the improper use of such information to further any personal or private interest;
2. Employees shall not hold financial interests that conflict with or may appear to conflict with, the conscientious performance of their duty;
3. To ensure that every citizen can have complete confidence in the integrity of the City government, each employee shall respect and adhere to the principles of ethical conduct set forth in applicable laws, policies, and regulations;
4. Employees shall not, except as permitted by law, regulation, or policy, solicit or accept gifts or other items of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties;
5. Employees shall put forth honest effort in the performance of their duties;
6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the City government;
7. Employees shall not use their position for private gain or personal influence;
8. Employees shall act impartially and not give preferential treatment to any private organization or individual;
9. Employees shall protect and conserve City property and shall not use it for other than authorized activities;
10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official assigned City job duties and responsibilities;
11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities;

12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those — such as applicable federal, state, or local taxes—that are imposed by law;
13. Employees shall adhere to all laws and regulations that provide equal opportunity for all citizens and City employees regardless of race, color, religion, sex, national origin, age, sexual orientation, marital status, disability, or other legally protected status;
14. Employees shall endeavor to avoid any actions creating the appearance that they are violating these ethical standards;
15. During an employee's workday, an employee shall devote 100% of their time, attention, and efforts to the duties and responsibilities of the employee's position in City service; and
16. Employees have the right to work in an environment where mutual respect and consideration are shown among all employees and with the public. The City expects that employees shall conduct themselves in a respectful and professional manner in the work place and avoid any behavior that may be construed to be harassing, menacing, demeaning, and/or of a violent nature.

18.03 Incompatible Personal Activities of City Employees. An employee will not engage in any off-duty employment or activity that is inconsistent, incompatible or in conflict with the employee's duties in City service. The Department Director determines which activities are inconsistent, incompatible, or in conflict with duties in City service. Examples of prohibited activities include, but are not limited to:

1. The use of City time, facilities, equipment, or supplies for private gain or advantage;
2. The use of the badge, uniform, prestige, or influence of an employee's position for private gain or advantage;
3. The direct or indirect solicitation or acceptance of any gratuities, loans, gifts, merchandise, meals, beverages, or any other thing of tangible value in connection with or resulting from an employee's official position. Nor will employees use their official position, badges, or identification cards to obtain privileges not otherwise available to them; and
4. The performance of an act when an employee is off duty that may later be subject to direct or indirect control, inspection, review, audit, or enforcement by that employee of the City in the exercise of his/her City duties.

18.04 Off-Duty Employment. An employee may engage in off-duty employment that is not inconsistent, incompatible, or in conflict with the employee's duties in City service, and that will not negatively affect the performance of the employee while in City service. The employee must provide his or her Department Director written notice of off-duty employment.

18.05 Employee's Personal Financial Affairs. Employees need to arrange their personal financial affairs so that credit and collection agencies do not have to make use of the offices of the City, the Department Directors, or the City Administrator to make collections.

18.06 Political Activities of Public Employees. There are no restrictions on the right of an employee to participate off duty in political activities that involve ballot measures that relate to wages, hours, or working conditions. An employee can, when off duty, campaign for or against elected City officials or ballot measures. The employee may not, however, disturb employees during their work periods or workdays.

In compliance with Washington State RCW 42.17.130, employees may not: campaign or solicit political contributions during work hours, using public telephones or other equipment, or on City property; carry or display political material in or on publicly owned vehicles; display or distribute campaign posters, placards or other promotional materials on City-owned or operated premises; use City supplies, equipment or facilities to print, mail, or otherwise produce or distribute campaign materials; or solicit signatures for any initiative, recall or referendum campaign on publicly-owned or operated premises. Employees who are seeking an elected office will not use their positions to influence another person or persons for political purposes.

18.07 Casual Dress Policy. All non-uniformed personnel in City departments are permitted to wear casual clothing on Friday of each week. Casual clothing will include dress jeans, walking shorts, polo shirts, and special community event shirts.

18.08 Employee Privacy.

Searches of Employees' Property - The City cannot assume responsibility for any theft or damage to the personal belongings of City employees. Therefore, the City encourages its employees to avoid bringing private articles or property to work. Employees are also advised that searches of employee property that is on the City's property may be conducted without advance notice and with probable cause. Employees may not use a personal lock on City property, unless authorized by management. The City retains a copy of the key or combination to all locks that are provided for use by employees in the work place. Employees who do not consent to the inspections described above may be disciplined up to and including immediate termination.

Use and Surveillance of Computers and E-Mail Communications - All employees who are granted access to the City's Electronic mail (E-mail) system will be issued an initial identifying password. The City will retain all initial passwords, and employees who change the initial password shall provide the new one to their Department Director. Employees shall not gain access to another employee's file or E-Mail messages without that employee's authority. However, the City reserves the right to enter, search, and/or monitor its computers, E-mail system, and the files/transmission of any employee without advance notice. Authorized City personnel will have unrestricted access to information stored on computers and in the E-mail system. Therefore, employees should not consider private any files, documents, or messages generated or received on or stored in City-owned computer equipment. Employees shall grant the systems administrator permission to sign on and use their computers.

18.09 Reporting of Criminal or Civil Offenses by Employees. Whenever an employee is arrested or issued a citation by any law enforcement agency for any criminal or civil matter, the employee shall notify his/her Department Director immediately upon reporting for the next work duty shift.

Chapter 19

WORKPLACE VIOLENCE PREVENTION POLICY

19.01 Policy Statement. To establish a policy and procedure for the City of Grandview protecting employees and the general public from acts of Workplace Violence.

19.02 Policy. The policy of the City is to conduct its operations in an environment free of violence. Accordingly, the City has a "ZERO TOLERANCE" policy on workplace violence. Any form of workplace violence will not be tolerated and will be acted upon IMMEDIATELY. Any City employee who engages in workplace violence will be subject to discipline up to and including termination. Further, any person who visits a City facility and engages in workplace violence and/or threatening behavior will be referred to local law enforcement and be subject to applicable laws.

Department Directors and supervisors are to ensure that any form of threat (direct, confrontational, or veiled) be immediately confronted/acted upon by management, then documented and assessed. The respective Department Director and the City Administrator are to be informed immediately of any threats that have been made and the response that has been taken.

It is not the intent of this policy to infringe upon or negate any rights afforded by the United States constitution.

19.03 Definitions.

Workplace Violence - means a violent act or threatening behavior that is directed at an employee or member of the public at a work location. Workplace violence does not include the use of reasonable force in self-defense or the defense of others.

Violent Act - means any non-consensual touching (such as hitting, pushing, kicking, holding or blocking the movement of another person) that results in physical harm or would cause a reasonable person to feel threatened with physical harm.

Threatening Behavior - means any physical or verbal communication that would cause a reasonable person to feel threatened with physical harm.

Unauthorized Weapon - means any firearm, knife (such as a switchblade), explosives, dangerous chemical or any object that is not necessary and authorized for a City employee's job (e.g., commissioned police officers), and has the potential to cause substantial injury to others, as determined by the appropriate Department Director.

Prohibited Activities - include but are not limited to: violent acts and threatening behavior; destruction of property belonging to the City of Grandview or its employees; the possession or use of unauthorized weapons in or on any City premise or vehicles; frightening or annoying behaviors in the workplace including stalking or continuous unwelcome contact, in any form, by an employee towards another, and bizarre or offensive comments regarding violent threats or events.

19.04 Procedures.

1. All City employees shall:
 - A. Not engage in workplace violence;
 - B. Not bring unauthorized weapons to work locations. For purposes of this restriction, City-owned parking lots adjacent to City buildings shall constitute a work location;
 - C. If they are involved in prohibited activities or witness workplace violence:
 - (1) Protect themselves or others based on their best judgment under the circumstances; or
 - (2) Call 9-1-1 for police assistance if necessary in light of the circumstances.
 - D. After being involved in a prohibited activity or witnessing workplace violence, immediately report the incident to the employee's supervisor, who in turn shall inform the Department Director;
 - E. Immediately provide to their supervisor a copy of court-issued protective or restraining orders (either temporary or permanent) that include any City work areas/locations as protected areas; and
 - F. Participate in periodic training sponsored by the City on identifying and defusing workplace problems or conflicts that could potentially lead to workplace violence.

For the safety of co-workers, employees should give serious consideration to making their supervisor aware of potential threatening or violent situations occurring in their personal life that may become problematic for the safety and security of the workplace. The purpose for this notification is to heighten the supervisor's awareness of any possible dangerous and preventable violent situations that may occur in the workplace.

2. All supervisors and managers shall:
 - A. When work place violence occurs, make every reasonable effort to ensure that persons involved are safe;
 - B. Notify police if necessary, if notification has not already occurred;
 - C. Immediately provide verbal notification of incidents of prohibited activities and workplace violence to their Department Director and confirm the incident in writing as soon as reasonably possible;
 - D. Provide to the Department Director a copy of any court-issued protective/restraining order that includes any City work areas/locations as protected areas;

- E. Take appropriate steps to diffuse workplace violence that they witness; and
 - F. Consult with the Human Resources Assistant and Department Director regarding communication with the affected work group and others regarding potential workplace violence situations.
3. Department Directors shall:
- A. Immediately upon observing or receiving a report of an incident of prohibited activity or workplace violence:
 - (1) take every reasonable effort to ensure that persons involved are safe;
 - (2) notify the police, if necessary;
 - (3) notify the City Administrator;
 - (4) ensure the incident is appropriately documented;
 - (5) contact the Human Resources Assistant to jointly initiate an investigation.
 - B. Take appropriate corrective action against any employee who engages in a prohibited activity or workplace violence, up to and including termination. Factors such as the nature of the conduct, past disciplinary action and work history of the employee, and other mitigating or aggravating circumstances may be considered in the disciplinary process.
 - C. Notify both the Human Resources Assistant and the Police Department of any court-issued protective/restraining order that includes any City work areas/locations as protected areas. Other department/office management staff in the location where the individual works should also be notified. If the order is violated, those in positions of responsibility will be aware of the issue and can notify the police and ask the person who violated the order to leave.
 - D. Where appropriate and in consultation with law enforcement in the City, take steps to provide security measures at work locations where violence is anticipated or threatened.
4. The Human Resources Assistant shall:
- A. Review, monitor, and recommend necessary modifications to this policy to ensure its effectiveness and compliance with employment trends and laws;
 - B. Design and implement periodic workplace violence prevention/awareness training for City personnel;

- C. Assist Department Directors, office managers and supervisors in investigating incidents involving prohibited activities and workplace violence;
- D. Review job applications and references of prospective employees in the applicant recruitment/screening process for any indications of workplace violence in prior employment; and
- E. Ensure a quality Employee Assistance Program (EAP) is available for all City employees and immediate family members as a resource to assist with anger management, stress, conflict management, and/or alternative dispute resolution.

Chapter 20

ANTI-HARASSMENT POLICY

20.01 Policy Statement. As an employer, the City values the dignity of all employees and is committed to providing a respectful workplace, one that is harassment free and in which all individuals are treated with respect. The expectation is that managers, supervisors and employees will create and maintain a work environment that is respectful of all persons in it.

20.02 Application. This policy applies to all workplaces and employees of the City, volunteers working on behalf of the City, and individuals under contract to the City.

20.03 Roles and Responsibilities. Harassment is a concern for everyone and maintaining a harassment-free workplace is everyone's responsibility. The City has a responsibility and a legal obligation to ensure employees are not exposed to harassment in the workplace and for the implementation of this policy. Supervisors and managers are responsible for ensuring a harassment-free workplace and adherence to the policy. This includes taking appropriate preventive or corrective action and stopping any harassment of which they are aware. Supervisors and managers should ensure that all employees' rights are protected and should support employees in the conflict resolution process.

Employees have a responsibility to create and support a workplace that is free of harassment by complying with this policy and by ensuring their behavior meets acceptable standards. Employees must refrain from discriminatory or harassing behavior. Employees who feel they have been harassed should make their objections known to the alleged harasser or other appropriate person, document incidents of harassment, and bring them to the attention of management as described below. Employees witnessing harassment are encouraged to take action to bring the incident to the attention of an appropriate City official.

20.04 Policy. Harassment in the workplace will not be tolerated. The abuse of one's authority or position to intimidate, coerce or harass is forbidden and is considered absolutely intolerable in the City workplace. Harassment constitutes a disciplinary infraction that shall be dealt with through appropriate measures up to and including termination.

This policy does not limit or constrain the City, as the employer, in the right to manage the workplace. For example, work assignments, operational reviews, performance reviews, coaching, work evaluation and disciplinary measures taken by a manager or supervisor, in good faith for valid reasons, do not constitute harassment in the workplace. These supervisory and management actions must remain respectful of the individual. This policy will not, under any circumstances, be used to impede the supervisory relationship, nor is it intended to inhibit normal and acceptable day-to-day social interaction in the workplace.

20.05 Definitions.

Discrimination - Discrimination is defined in civil rights law as unfavorable or unfair treatment of a person or class of persons in comparison to others who are not members of the protected class because of race, creed, sex, color, religion, national origin, age, disability, sexual orientation, marital status, reprisal for opposition to discriminatory practices or participation in

the Equal Employment Opportunity (EEO) process, or any other legally-protected status. Federal and state law prohibit an employer from discriminating against persons in all aspects of employment, including recruitment, selection, evaluation, promotion, training, compensation, discipline, retention and working conditions, because of their protected status. Discrimination can be intentional or unintentional, direct or indirect.

Discrimination based on any legally-protected status is prohibited in City employment.

Harassment - Harassment is a form of discrimination. This policy defines harassment as any objectionable conduct, comment or display by a person that:

1. is made on the basis of an individual's race, creed, religion, color, sex, sexual orientation, marital status, disability, age, national origin, or other legally-protected status;
2. is unwelcome; and
3. creates an intimidating, hostile, or offensive working environment or interferes with an individual's work performance or employment opportunities.

Examples of Harassment - Harassment can include, but is not limited to, the following examples:

1. Unwelcome remarks, jokes, innuendoes, or taunts causing embarrassment or offense;
2. Displaying objectionable materials, graffiti or pictures;
3. Insulting gestures, comments, and disparaging written materials;
4. Unwelcome sexual advances, propositions, or inquiries and/or comments about a person's sex life;
5. Persistent, unwanted contact or attention;
6. Inappropriate touching;
7. Shunning and ostracizing;
8. Threats, bullying, coercion, isolation;
9. Actual or threatened physical assault;
10. Verbal assault;
11. Malicious gestures or actions; and
12. Stalking.

Workplace - For the purposes of this policy, the workplace includes, but is not limited to, the physical work site, break rooms, training sessions, business travel, field locations, conferences, work-related social gatherings or any other place where the employee is in service to the City.

20.06 Unfair Treatment versus Unlawful Discrimination. Unfair treatment is not necessarily unlawful discrimination. Treating a person unfavorably in comparison to others may violate the law only when that person's protected status is a factor in the treatment.

Employment decisions should be based only on job-related merit factors. All employees should avoid conduct which undermines fair and equal treatment. Although all unfair treatment may not be discriminatory, it is poor personnel management and should be avoided.

20.07 Confidentiality. The City will not disclose the name of a complainant or an alleged harasser or the circumstances related to the complaint to any person except where disclosure is necessary for the purposes of investigating the complaint or taking corrective action with respect to the complaint or required by law.

20.08 Processes and Procedures for Addressing Harassment in the Workplace.

1. Dispute Resolution Options - There are several ways to resolve conflict and disputes that involve harassing behavior. The ideal resolution takes place quickly and is handled solely by the individuals directly involved. This is not always possible, however. If this option is not acceptable or satisfactory, an employee who believes he/she is being harassed should take one or more of the other actions described below.
 - A. Individual Problem Solving - If conflict resulting from the harassing behavior can be resolved by those directly involved, it reduces the disruption in the workplace and contributes to better relationships in the future. Some people are not aware that their behavior is perceived as harassing. Often, simply telling them about the offensive nature of their behavior is enough to end it. Employees who believe they are being or have been subjected to harassment are encouraged to clearly and firmly make known to the perceived harasser that the behavior is objectionable and must stop. Refer to this policy if necessary. If an employee wishes assistance in planning his/her approach with the other employee, the employee should contact his/her supervisor, Department Director, or the Human Resources office.
 - B. Facilitated Problem Solving - If an employee is uncomfortable with confronting the perceived harasser or the confrontation does not improve the situation, the employee should discuss the problem with his/her supervisor, Department Director, or the Human Resources office. These individuals can help assess options, develop an action plan for resolution, and implement the plan. Alternatively, they may help identify and access a facilitator who may assist the parties to work out an acceptable resolution, and they can also be responsible for following up to ensure that the conflict has been resolved.
 - C. Mediation - If the conflict cannot be resolved by the individuals, their

supervisor(s), Department Director(s) or Human Resources, mediation or a similar third-party intervention can be requested upon the mutual agreement of those involved in the conflict. Trained and experienced mediators should conduct the mediation process. They can assist two or more parties to reach a resolution to their differences and can also help to resolve conflicts among groups.

- D. Formal Complaint and Investigation - When it is not possible to resolve a conflict through individual or facilitated problem solving or mediation, or if the conduct involved is of sufficient severity or a recurring nature that less formal steps are not appropriate, an investigation may be initiated through a formal complaint, or at a supervisor's, Department Director's, Human Resources', or the City Administrator's own initiative (see Formal Complaint Procedures, below). A formal complaint should never be undertaken frivolously. It requires careful consideration and should usually be the last resort. This process may take longer and involve more people (witnesses).
2. What to Do if Accused of Harassment - The Anti-Harassment Policy is based upon the principles of fairness and due process. Employees will be notified in the event that a complaint is made against them. The accused employee should review this policy chapter and develop an action plan for restorative resolution of the complaint. However, unless directly spoken to by the accuser about his/her perception that he/she is being harassed, the accused should not take it upon himself/herself to talk to the accuser without first consulting his/her supervisor or the Human Resources office. These individuals will help the employee determine how to begin the resolution process.

Once an employee becomes aware that a complaint has been made against him/her, he/she is encouraged to become involved in order to resolve the conflict constructively. This will require the willingness to listen and be open to the other person's perspective. The restorative process focuses on conflict resolution rather than blame or punishment. If this approach is unacceptable to either party or inappropriate due to the seriousness of the allegations, an investigation may take place.

3. Other Situations Involving Harassment

- A. What to do if Harassment is Observed Toward Others in the Workplace - If an employee observes another individual experiencing humiliating, degrading or disrespectful behavior, the observer may offer support, for example by referring to this policy to help the person assess options. If the matter is not resolved and the harassing conduct continues, the observer-employee is encouraged to contact his/her supervisor or the Human Resources office. If an employee observes any incident that involves assault, sexual assault, a threat to cause bodily harm, or any other risk to another individual, the observer-employee must report it to his/her supervisor, Department Director, or Human Resources immediately.

Supervisors, directors, and other management employees who observe or are informed of workplace harassment are required to take immediate corrective action to address,

investigate, and/or report the conduct to their supervisor or Human Resources, depending on the circumstances. Failure to do so constitutes misconduct and is grounds for disciplinary action.

B. Harassment by Clients and Members of the Public - The employer's obligation to provide a harassment-free workplace extends to circumstances where employees may be subjected to harassment by persons external to the workforce, e.g., clients or members of the public. The following process and procedures apply to circumstances of harassment of City employees by clients or members of the public.

1. Employees who believe they have been subject to harassment by clients or members of the public should report the incident(s) to their supervisor or Department Director if the harassment is of a serious nature or made in circumstances where the employee feels the harassment may continue or re-occur.
2. Upon receipt of such a harassment complaint, the supervisor or Department Director shall, in consultation with the employee, take such action as is appropriate and reasonable in the circumstance to ensure that harassment does not continue.

The Department Director shall consider what, if any, policies and procedures are appropriate at the workplace to minimize or control harassment of employees by clients and members of the public. The Department Director is encouraged to consult with Human Resources.

20.09 FORMAL COMPLAINT PROCEDURES. Formal harassment complaints may be made to the employee's supervisor, Department Director, Human Resources Assistant, or the City Administrator. Any supervisor or director receiving a complaint should contact the City Administrator and Human Resources Assistant. In cases where the complaint is in regards to the City Administrator, the employee should file the complaint with the Mayor. Human Resources, the City Administrator, or the Mayor will determine the appropriate investigation steps and assign an investigator.

1. Discipline - If a formal complaint and investigation take place, the Department Director will make the final decision, based on the investigator's report, as to whether or not harassment has occurred and will determine the appropriate action to recommend or be taken. If the Department Director is the employee alleged to be harassing another individual, the City Administrator shall determine appropriate action based upon the investigation report. If the City Administrator is alleged to be harassing another individual, the Mayor will determine appropriate action based on the investigation report.

If it is determined, after investigation, that harassment has occurred, the offending party will be subject to disciplinary action, up to and including termination. All disciplinary action will follow the appropriate Personnel Policy Manual reference or collective bargaining agreement clause.

2. Evidence and Documents Relating to the Investigation - Due to the possibility of subsequent action, e.g., legal proceedings, arbitration, or judicial review, materials related to the investigation will be retained for the appropriate records retention period through the Human Resources Office.
3. Bad Faith Complaints – Formal complaints should be undertaken with care because they may result in pain and damage to the accused individual's reputation. Complaints made frivolously or in bad faith and without factual basis may constitute defamation and may be actionable by the respondent. Such complaints may result in disciplinary action, up to and including termination.
4. Employee Assistance Program - Employees who require or could benefit from counseling are encouraged to contact and utilize the Employee Assistance Program that is available through the City benefits program.

20.10 RETALIATION PROHIBITED. Retaliation is strictly prohibited against anyone that has reported harassment, filed a complaint, or participated in an investigation. Any signs of retaliation should be reported immediately to the employee's supervisor, Department Director, or Human Resources. Retaliatory conduct will be grounds for disciplinary action, up to and including termination.

Chapter 21

NO SMOKING POLICY

21.01 Policy Statement. The object of this policy is to provide a healthy and productive work environment for all City employees. The policy responds to the growing medical and scientific evidence showing the detrimental effects of smoking on personal health and work performance. The policy also responds to public laws related to smoking in public facilities and to the strong desire of many City employees to work in a smoke-free environment. This policy intends to provide a smoke-free work environment for all employees. It does not intend to infringe upon the personal right and decision of an employee to smoke.

21.02 Definitions.

Smoking or To Smoke - Inhaling, exhaling, or carrying any burning tobacco or other plant matter. This includes, but is not limited to, cigarettes, cigars, or pipes.

Enclosed Work Area - An area enclosed by a roof and walls with at least one opening for ingress and egress. The area is owned, leased, or rented by the City with intended use by officers and employees of the City.

Common Area - Includes, but is not limited to, employee lounges, lunch rooms, conference rooms, stairways, elevators, hallways, and rest rooms.

Smoking Debris - Includes, but is not limited to, smoke, ash or any other residue resulting from smoking. "Smoking debris" also includes cigarette or cigar butts, cigarette paper, or products packaging tobacco.

City Facility - An enclosed facility, including any automobile, that is owned, leased, or operated by the City and that is frequented by the public or represents the work station of an employee.

Automobile - Any car, truck, pickup, or other equipment or vehicle owned by the City.

21.03 Uniform Smoking Policy. Smoking and the chewing of tobacco is prohibited twenty-four (24) hours of the day, every day, in all City enclosed work and common areas, facilities, and automobiles. This prohibition applies to all City officers, employees, and contractors, and to members of the general public.

Smoking is only allowed in designated outside areas that are at least 25 feet from building entrances and exits, windows that open, and ventilation intakes. Employees are expected to exercise common courtesy and to respect the needs and sensitivities of coworkers with regard to the smoking policy. Smokers have a special obligation to keep smoking areas litter-free.

21.04 Violations. Discipline may be imposed, in accordance with the Personnel Policy, on any employee who violates the City smoking policy. The primary objective of discipline is to correct the behavior in violation of the policy, not to punish employees who smoke.

Chapter 22

WHISTLEBLOWER POLICY

22.01 Policy Statement. It is the policy of the City to encourage its employees to report improper governmental action taken by City officers or employees. It is also the policy to protect City employees, who in accordance with City policies and procedures have reported improper governmental actions, from retaliatory action.

22.02 Definitions.

Improper Governmental Action - Any action by a City officer or employee that is undertaken during the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment, and does the following:

1. violates any federal, state, or local law or rule;
2. abuses authority;
3. is of substantial and specific danger to public health or safety; or
4. is a gross waste of public funds.

Improper governmental action does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, re-employment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or Civil Service laws, alleged violations of labor agreements, or reprimands.

Retaliatory Action - An adverse change in the employment status or terms and conditions of an employee's employment.

Emergency - A circumstance that, if not immediately changed, may cause damage to persons or property.

22.03 Reporting Procedures. An employee who becomes aware of an improper governmental action should raise the issue first with the employee's immediate supervisor. If the supervisor requests, the employee must submit a written report to the supervisor or to a person designated by the supervisor. The written report should state in detail the basis for the employee's belief that an improper governmental action has occurred. When an employee believes that the action involves the immediate supervisor, the employee may raise the issue with the Department Director, City Administrator, or any such person whom the City Administrator designates to receive reports of improper governmental action. An employee may also report improper governmental action in the first instance to the County Prosecuting Attorney.

The immediate supervisor, Department Director, City Administrator, or City Administrator's designated representative will take prompt action in assisting the City to properly investigate

the report of improper action. Employees involved in the investigation (to the extent possible under law) must keep the identity of reporting employees confidential, unless an employee authorizes, in writing, the disclosure of his/her identity.

After an investigation has been completed, the employee reporting the improper governmental action will be given a summary of the results of the investigation. However, personnel actions taken as a result of the investigation may be kept confidential.

In the case of an emergency, an employee may, without following the steps above, report improper action directly to the federal, state, or local governmental agency responsible for investigating improper governmental actions of the kind the employee believes has occurred. In addition, if an employee believes the City's investigation of or response to the improper action is inadequate, or believes the improper action is likely to recur, the employee may then report the action to the applicable government agency . A list of agencies is attached.

If an employee fails to make a sincere attempt to follow the City procedures in reporting an improper governmental action, the employee will not receive the protection provided by the City in these procedures.

22.04 Protection from Retaliatory Actions. Employees are prohibited from taking retaliatory action against an employee who, in good faith and in accordance with the proper procedures, has reported an improper governmental action.

An employee who believes that they have been retaliated against shall advise the employee's Department Director, the City Administrator, or the City Administrator's designated representative. The Department Director, the City Administrator or representative shall take appropriate action to investigate and address complaints of retaliation.

If the employee's Department Director, the City Administrator, or the City Administrator's designated representative does not satisfactorily resolve an employee's complaint concerning retaliation, the employee may obtain protection under this Policy and in accordance with state law by providing a written notice to the City Council. The notice must specify the alleged retaliatory action and the relief requested.

An employee shall provide a copy of their written charge to the City Council, with a copy to the City Administrator, no later than thirty (30) calendar days after the occurrence of the alleged retaliatory action. After receiving the charge of retaliatory action, the City Council shall respond within thirty (30) calendar days.

Hearing - After receiving the response from the City Council or thirty (30) calendar days after the delivery of the charge to the Council, the employee may request a hearing before a administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing must deliver the request to the City Administrator within the earlier of these dates: either fifteen (15) calendar days after the delivery of the City Council's response to the charge, or forty-five (45) calendar days after the charge was given to the City Council for response.

Hearing Procedure - Upon receiving a request for a hearing, the City Administrator, within five (5) working days shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
P.O. Box 42488, 4224 Sixth S.E.
Row Six, Building 1
Olympia, WA 98504-2488
PH: (360) 664-8717
Fax (360) 664-8717

The City shall consider any recommendation that the retaliator be suspended, with or without pay. As provided by the administrative law judge, the City shall also consider that the retaliator be discharged.

22.05 Whistleblower Responsibilities. The City Administrator is responsible for implementing the City's policies and procedures for reporting improper governmental action and for protecting employees against retaliatory actions. The City Administrator's responsibilities include: ensuring that this policy and these procedures are permanently posted where all employees shall have reasonable access to them; ensuring that this policy and these procedures are made available to an employee upon request; and ensuring that this policy and these procedures are provided to all newly appointed employees.

Department Directors and supervisors are responsible for ensuring that the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including discharge.

A list of agencies that are responsible for enforcing federal, state, and local laws and for investigating other issues involving improper governmental action is attached as Appendix A of this Manual. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the City Administrator.

Chapter 23

VEHICLE USE POLICY

23.01 Policy Statement. The City of Grandview is committed to the safe operation of City-owned vehicles. It is the City's policy to provide vehicles for business use, to allow employees to drive on City business when necessary, and to reimburse employees for business use of personal vehicles.

23.02 Assignment of City Vehicles. The City Administrator may assign City vehicles to those departments that have demonstrated a continued need for them. The City Administrator may also assign vehicles for use by employees who need transportation in the course of their normal work. All other employees needing transportation for City business may use vehicles assigned to their department or those made available as needed.

23.03 Use of City Vehicles. No employee may drive a City vehicle without prior approval of their Department Director. No Department Director may authorize an employee to drive a City vehicle without (1) checking the employee's driving record, (2) confirming the existence of a valid Washington State driver's license, and (3) confirming that the employee is eligible for coverage under applicable insurance.

23.04 Use of Personal Vehicles. If no City vehicles are available, a Department Director may authorize an employee to use their own vehicles for business purposes. Employees who use personal vehicles for approved business purposes shall receive a mileage allowance at the Internal Revenue Service rate upon submittal of a complete expense reimbursement claim. Employees who operate personal vehicles for City business should obtain auto liability coverage for bodily injury and property damage with a special endorsement for Business Use, when necessary as determined by representing insurance agent. The employee's auto insurance will be primary and the City's auto liability insurance may provide excess coverage only if necessary.

23.05 Taking City Vehicles Home. The City Administrator may authorize an employee to take home a City vehicle for emergency response. No employee may take home a City vehicle without written authorization of the City Administrator. Such authorization shall be granted only for employees who reside within 15 miles of the City of Grandview. The vehicle is to be used for City business only, to include travel to/from the employee's home and employment with the City. Use of a City vehicle for personal business is prohibited. Personal business includes but is not limited to taking children to school or recreational activities, running personal errands such as going to the store or dry cleaners, and going to church. Family members are prohibited from riding in a City vehicle absent prior written approval of the City Administrator. An employee who violates this section forfeits their authorization to take home a City vehicle and may be subject to other disciplinary action as outlined in this policy.

The City Administrator may authorize an employee to use a City vehicle for limited personal business when on "stand by" duty.

23.06 Employee Conduct while on City Business. Employees who drive a personal or City vehicle on City business must exercise due diligence, drive safely and maintain the security of the vehicle and its contents. Employees are prohibited from operating any vehicle for City

business when physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of injury, illness, or medication. Employees must use the seatbelt/safety restraint device and require any passengers to do the same. Employees must comply with state laws pertaining to the use of cell phones and texting while operating motor vehicles.

23.07 Employee Conduct while Driving a City Vehicle. Employees are prohibited from driving a City vehicle anywhere which has no job-related function. No employee may allow a non-employee, non-business passenger to ride in City vehicles without prior approval of the City Administrator.

23.08 Responsibility for Driving Infractions. Employees are personally responsible for payment of any driving infractions or fines that result from their operation of a motor vehicle while on City business.

23.09 Zero Tolerance Policy on Drugs and Alcohol. No employee may operate a vehicle on City business with any detectable amount of illegal drug (specifically to include marijuana) or alcohol in their system. Tobacco use is prohibited in all City vehicles and equipment. Any employee who uses City vehicles and receives a citation for Driving Under the Influence (DUI) must notify his/her Department Director immediately.

23.10 Travel Expenses. Employees driving on City business may claim reimbursement for parking fees, tolls and other expenses directly incurred for business purposes upon submitting a complete expense reimbursement claim.

23.11. Driving Abstract. The Human Resource Assistant shall obtain a driving abstract for every employee whose job description requires operation of a City commercial vehicle or school bus.

23.12 Mandatory Reporting. Employees shall immediately report to their Department Director any incidents or accidents causing injury to employees or members of the public or damage to public or private property or equipment occurring during working hours or involving City equipment or property. In case of a motor vehicle accident involving City equipment or occurring during an employee's work hours, the employee(s) involved shall also immediately notify the Police Department. The City Administrator shall be notified of all accidents involving City employees and equipment as soon as possible and not later than the next work day on which the accident occurred. Employees shall compile any incident and/or accident reports requested by their Department Director or City Administrator.

23.13 Drivers Licenses as Job Requirement. Employees holding jobs designated as requiring regular driving for business must, as a condition of employment, be able to meet the driver approval standards of this policy at all times. These driver approval standards include maintaining a valid Washington State driver's license, retaining eligible coverage under applicable insurance and complying with the provisions of this policy. For all other jobs, driving is considered a non-essential function of the position.

23.14 Reporting Requirement. Any employee whose work requires the operation of a City vehicle and whose license is expired, suspended, or revoked, is subject to disciplinary action including demotion or termination, unless that employee is able to obtain an occupational permit from the State Department of Licensing. Should the employee fail to immediately report such a revocation or suspension of his/her license to the Department Director and continue to operate a City vehicle under such circumstances, that employee may be subject to disciplinary action up to and including termination.

23.15 Commercial Drivers Licenses. City employees who hold commercial driver's licenses ("CDLs") and who operate commercial motor vehicles while employed by the City are subject to additional rules and regulations imposed by the federal government. These regulations require urine drug testing and alcohol breath testing in the following circumstances: (1) Pre-employment; (2) Reasonable suspicion; (3) Post-accident; (4) Return to duty testing; (5) Random testing. CDL holders who test positive must be removed from service and are subject to discipline, up to and including termination. See Chapter 18, Substance Abuse and Physical Examination Policy.

23.16 Reporting Mechanical Issues. No employee shall operate a City vehicle without first conducting a pre-trip inspection. Employees are responsible for notifying their Department Director of any mechanical or physical deficiencies with a vehicle they have driven, for example, malfunctioning headlight or taillight or unusual noises, by completing the Driver's Vehicle Condition Report (VUP 1).

23.17 Maintenance File. Department Directors are responsible to ensure that City vehicles receive appropriate routine maintenance and repair. Department Directors shall keep a maintenance file on all City vehicles and equipment that records all maintenance, tire changes, major repairs, etc. See Service Maintenance Report (VUP 2).

23.18 Police Department Vehicles. Because the use of police vehicles may involve rapidly evolving emergency situations, and because officers routinely operate using their vehicles as their "office", some additional responsibilities may apply. Police Department employees will abide by Police Department written policy (Chapter 9) covering police use of vehicles. The Police Chief may grant exceptions to the Grandview City Vehicle Use Policy, to police department employees, in emergency* situations. The Police Chief may authorize incidental personal use (i.e., meal breaks) of vehicles during the conduct of an employee's main job functions.

*Emergency for the purpose of this section is defined as emergent or exigent circumstance(s).

23.19 Violations Subject to Discipline. Violations of this policy may result in disciplinary action up to and including termination.

Chapter 24

ELECTRONIC MAIL & INTERNET USE POLICY

24.01 Policy Statement. As an employee, you are likely to use computers extensively in your job. A few rules are necessary so that everyone can get the maximum benefit from the City's investment in technology.

In order to protect the City's computer system from viruses and ensure that the software used is compatible with the City's computers, only software purchased or approved by the City may be installed on City computers. Before installing any software not provided by the City, employees must check with their Department Director. Games and other non-business related software may not be installed on City computers or used during City work time.

Software is protected from unauthorized duplication by law. The City respects the legal rights of software developers and expects employees to do the same. No employee may duplicate software, or otherwise use software other than in accordance with the terms of its license. Software that has been duplicated without authorization may not be installed on City computers.

City-supported Internet use is the property of the City and also should only be used for official business purposes. E-Mail, as well as voice mail, may be used only for business. E-mail and Internet access should not be used to solicit others for commercial ventures, religious or political causes, outside organizations or other non-job-related purposes. All electronic media communications should be professional and business-like in tone. Use of electronic media for jokes, gambling, games, or discriminatory, derogatory, sexual, or otherwise inappropriate remarks is strictly prohibited. Remember, management has access to all electronic media, and you should not consider E- mail or voice mail communications private.

Any violation of this electronic media policy may result in disciplinary action, up to and including termination.

24.02 CONSENT AND PRIVACY WAIVER

I hereby consent that the City of Grandview, or its authorized representative(s), may monitor, review, and/or copy any information on the electronic data processing system, including the electronic mail system, whether stored or in transit, at any time, and may, without further notice, disclose such information to any third party or parties, including government and law enforcement agencies.

Prevention of Unauthorized Access

I will maintain the confidentiality of my computer and electronic mail system password(s) and will not permit access to my network account or to my electronic mail account by any person unless such access has been approved in advance by my immediate supervisor. If my password is disclosed to any individual other than an approved supervisor, for whatever reason, or if to my knowledge the security of my account is otherwise breached, I will immediately notify my supervisor.

Acknowledgment of Policies

I acknowledge receipt of the policy on Electronic Mail and Internet Access and agree to comply with all stated policies. I further acknowledge that the City depends upon users to bring to its attention abuses of the system and I agree to promptly notify my supervisor or the Information Services department if such abuse comes to my attention.

Employee Name (Please Print)

Department

Employee Signature

Date

*****PLEASE NOTE*****

Only those individuals who have signed and submitted a copy of this form are authorized to use the employer's electronic mail system. Unauthorized access is a violation of law and City policies and may result in disciplinary action, up to and including termination.

Chapter 25

CELLULAR TELEPHONE USE POLICY

25.01 Policy Statement. The purpose of the Cellular Telephone Use Policy is to provide guidance regarding the purchase and use of cellular telephones and establish the protocol for reimbursement by employees for personal use of City cell phones.

It is the policy of the City to entrust employees with communications equipment for productivity and safety reasons; and it remains employees' responsibility to use such equipment prudently such that the safety of themselves, their co-workers and the general public is always their top priority.

Employees who abuse this policy for whatever reason may be subject to disciplinary action, up to and including termination.

City-Owned Cell Phones

1. Protocol for Assignment of City-Owned Cell Phones. A cell phone is considered a requirement under one or more of the following conditions:
 - A. Job Responsibilities require an employee to be away from regular land line access for long periods of time and communication by the employee is necessary to fulfill job objectives.
 - B. Cellular telephone use enhances the employee's personal safety on the job.
 - C. The employee's role carries responsibilities such that the ability to conduct two-way communication is necessary at all times.
2. No Right to Privacy. Employees have no right to privacy with respect to the use of City-Owned Cell Phones. This includes any and all voicemails, social media messaging, emails, text messages, call history and/or any other information stored on a cell phone, regardless of whether stored in the device or in remote sites and/or with remote services. The City has the right to inspect any and all City-Owned Cell Phones used by employees for such information at any time and without notice.
3. Authorized use of City-Owned Cell Phones. Cell phones provided by the City are the property of the City and are to be used to conduct City business as outlined below:
 - A. Cell phones should not be used for personal use, except for necessary work-related situations such as unanticipated overtime or family emergencies. Calls of this nature should be infrequent in number and brief in duration.
 - B. Employees must report non-work related, local and long-distance personal cell phone charges to the City and reimburse the City at the per-minute rate the City pays for minutes billable to the phone in excess of the "free-time" minutes.

- C. Cell phone use in violation of any local, state, or federal law is prohibited. Cell phone use in violation of City or department work policies or for the purpose of personal financial gain is prohibited. Cell phones may not be used for blogging, jokes, gambling, games, or social networking (e.g., Facebook, MySpace, Twitter). Cell phone use for any discriminatory, derogatory, sexual, illegal, unethical or otherwise inappropriate remarks or purposes is strictly prohibited.
 - D. Cell phone use and text messaging with a City-owned or privately-owned cell phone is prohibited while the employee is operating a City-owned motor vehicle, except as provided in RCW 46.61.667. Speaking on the cell phone while driving should be done so only with a hands-free device. If no hands-free device is available, the driver shall pull to the side of the road in a safe location prior to answering or initiating cell calls. The use of hands-free technology is encouraged.
3. Employee Responsibilities Regarding City-Owned Cell Phones.
- A. Protect the City-owned cell phone from theft, loss or damage.
 - B. Immediately report loss or theft of a City-owned cell phone to your supervisor or Department Director.
 - C. As cell phone calls are not secure, use discretion while making calls of a sensitive or confidential nature.
 - D. Immediately return the telephone to your supervisor or Department Director if it is determined that the phone is no longer necessary for your job or upon leaving employment with the City.

Use of Personal Cellular Telephones to Conduct City Business

The City recognizes that some staff members carry personal cell phones for their personal use. Use of those cell phones during business hours should be kept at a minimum to discourage adverse impact on employee or co-worker performance and safety.

Employees using privately-owned cellular phones may be reimbursed by City for direct air time for calls to conduct authorized City business when evidenced by a billing detail. Reimbursement is made through the City's expense claim process with the billing detail attached. City business calls should be identified, including the name of the person/agency called and the reason for the call.

Any violation of this Cellular Telephone Use Policy may result in disciplinary action, up to and including termination.

Public Records Act – Employees should be aware that work-related texts and voice messages on cell phones are public records subject to the Public Records Act. Employees have a duty to maintain such records in accordance with the Washington Local Government Record Retention Schedules.

Chapter 26

EMPLOYEE RECOGNITION

26.01 Policy Statement. The purpose of this policy is to provide for the recognition of employees and volunteers.

26.02 Policy. This policy shall apply to all departments of the city, employees and volunteers. The city and its various departments may provide awards and hold special events to recognize and acknowledge publicly the contribution of employees and volunteers to the successful conduct of the city's business. Recognition events may include any of the following elements:

- A. Public acknowledgment of excellence and/or achievement by elected officials or department heads.
- B. Presentation of individual awards such as certificates, plaques and other recognition mementoes.
- C. Recognition of group success and achievement.
- D. Meal and light refreshments whose purpose is to honor volunteers and/or employee service awards in recognition of exemplary service, notable achievements, i.e., course completion, length of service, outstanding safety performance, cost saving suggestions, exemplary service above and beyond the normal job requirements, and other achievements in support of the city's mission.

Such awards may be made by the Mayor upon recommendation by the City Administrator and should be a budgeted item in each department. The cost of individual awards shall not exceed \$100.00 each.

Chapter 27

CREDIT CARD USE POLICY

27.01 Policy Statement:

To establish a policy on the use of City credit cards to transact official City business.

27.02 Departments Effected:

City Administrator, Department Directors and Employees

27.03 References:

RCW 43.09.2855

27.04 Policy:

A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:

- Travel: Credit cards may be used by the above assigned individuals (section 2) for official business – related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Department Head to obtain the Mayor's pre-approval.
- Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk's credit card shall be utilized for on-line purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
- Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.
- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The City Clerk's credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.

B. Credit Cards may be issued to Departments as follows:

- Administration: City Administrator, City Clerk and City Treasurer
- Police Department: Police Chief and Assistant Police Chief
- Fire Department: Fire Chief and Fire Captain
- Library: Library Director
- Public Works: Public Works Director and Public Works Assistant

C. The City has the following credit cards:

1. Visa Cards for each Department as identified in (B)
2. Chevron Fuel Card
3. CNH Capital Credit Card
4. Office Max Credit Card
5. Office Depot Credit Card
6. Safeway Credit Card
7. Sears Commercial One Credit Card
8. Staples Credit Card
9. Wal-Mart Credit Card

27.05 Procedures:

A. Authorization: Payment of all credit card expenditures is contingent upon the City Administrator's or Department Director's approval of the monthly statement of transactions. If expenditure is deemed inappropriate, the assigned credit card holder will be responsible for reimbursing the City.

B. Receipts/Verification:

1. Receipts **must be obtained** for each credit card transaction.
2. The purpose of the charge and the name of the individual(s) involved must be clearly written on the receipt. Meal receipts must note who ate and the purpose of the meeting.
3. Receipts or purchase verification for on-line charges are to be saved and retained by the assigned individual or designee.

C. The Department Director will reconcile and voucher the credit card transaction as scheduled with a completed purchase order and all corresponding credit card receipts attached.

D. The Accounting Clerk will:

1. Verify all credit card expenditures against the monthly transaction summary.
2. Notify the Department Director of missing receipts within 5 days of receiving the monthly statement.

27.06 Control:

A. The assigned department is responsible for contacting the vendor when supplies purchased with the credit card are not acceptable (incorrect order, damaged, etc.) and for arranging a return for credit or exchange.

B. The City Clerk is responsible for administration of the cards to include, but not limited to, selection of the card provider, payment of credit card bills, managing the issuance of cards and ensuring proper use.

C. The City Administrator will disallow the use of the assigned City credit card for violation or misuse of the credit card in accordance with this policy. The following will be considered an unauthorized purchase or use of any City purchasing/credit card:

1. Cash advances
2. Payment of invoices or statements
3. Purchases where an open charge account would be utilized without prior approval from the City Administrator
4. Personal purchases of any kind even if the cardholder intends to reimburse the City
5. Purchases where no or inadequate documentation is provided substantiating the necessity, nature and cost of the purchase

D. Any exceptions to this policy must be approved in writing in advance by the City Administrator.

E. Assigned individuals will sign a Credit Card User Agreement (Attachment A) before they are eligible to use the card.

F. Credit cards are to be returned to the City immediately upon ending employment with the City.

G. Misuse of a City credit card may result in disciplinary action, termination and/or legal action.

H. Failure to provide detailed documentation as required by the policy will at a minimum result in the user being responsible for the charge and may result in disciplinary action.

27.08 Credit Card User Agreement

I, _____, as an employee of the City of Grandview accept personal responsibility for the safeguard and proper use of the City credit card

which has been assigned to me for use in the performance of my job, in accordance with the terms outlined below.

Credit cards are to be used solely for travel related business expenses (within and outside the city), and conference/class registrations incurred by the assigned individual only.

Credit cards may be used for purchasing department supplies up to \$1,000 only if prior approved by the assigned card holder's Department Director.

I have read and understand the credit card policies and procedures as set forth in the Credit Card Use Policy.

I understand the City Administrator will disallow my use of a City credit card for violation or misuse of the credit card and/or credit card policies and procedures. I understand that such violation or misuse may subject me to discipline, including termination, under the City's Personnel Policies and/or legal action.

I understand that each time I use, or authorize the use thereof, that I am adhering to the following statement:

"I hereby verify that this is a true and correct claim for necessary expenditures incurred by me and that no payment has been received by me on account thereof."

I understand that I will be held personally liable for inappropriate charges I incur to the City credit card, and payment for any such inappropriate charges is hereby authorized to be withheld from my paycheck. For represented employees there will be a meeting between the City Administrator or designee, the employee and the Union representative within 10 days from when the misappropriation was discovered to discuss the charges and terms of repayment.

The undersigned individual has read and understands the above statements.

Employee Name Printed: _____

Employee Signature: _____

Date: _____

DEFINITIONS

The following terms, if not previously defined in the body of the Personnel Policy, are defined as follows:

Accrued or Accumulated Vacation Leave – The hours/shifts an employee has in their records and that are added on a monthly basis.

Advancement – A salary increase within the limits of the pay range established for a classification.

Appointing Authority – The City Administrator or the City Administrator's designee has the authority to make appointments to fill positions.

Appointment – The offer to and acceptance by a person for a position according to this Policy.

Armed Forces – Includes the Army, Navy, Marine Corps, Coast Guard, Air Force and their auxiliaries.

At-Will Employment – The employment relationship for all employees not covered by a collective bargaining agreement or Civil Service rules and regulations may be terminated at any time by either party with or without cause or notice.

Bereavement – The death of a member of the employee's immediate family and/or the death of a loved one which may require the presence of the employee.

Budgeted Position – A position that is funded in the City's annual budget.

Candidate – An applicant who is participating in the recruitment for a position.

Child – Biological or adopted child, or a stepchild, who is financially dependent on and/or living with an employee.

City – The City of Grandview, Washington.

City Council – The City Council of the City of Grandview.

City Department – A major functional sub office of City government that is accountable through the Department Director to the City Administrator.

City Service – The performance of official duties and responsibilities for the City.

Classification – A group of positions with similar or equal duties, responsibilities, and pay ranges.

Classification Title – A name assigned to a position that indicates a particular level of rank and specific duties and responsibilities.

Compensation – The salary/wage and all other forms of valuable consideration earned by, or paid to, any employee in remuneration for services in any position. [“compensation is used in other contexts within the Policy, such as in the context of Worker’s Compensation, and compensation an employee receives for jury duty and mileage].

Demotion – A reassignment to a position or classification with a lower pay range. Demotions may be involuntary if associated with a disciplinary action or voluntary which includes changes by employee preference (location, hours, environment, etc.) and demotion to avoid layoff. In either case, the demotion shall be approved only if the employee is qualified to assume the duties of the new position/classification.

Department Director – The professional employee who administers the operation of a City department and is directly responsible to the City Administrator.

Department Guidelines – Guidelines issued by a Department Director and approved by the City Administrator designed for specific types of activities within a department's operation.

Discharge – A disciplinary termination of employment.

Disciplinary Action – There are several types of disciplinary action that may include, either individually or in combination; an official reprimand (verbal or written), disciplinary probation, suspension, reduction in salary, demotion or discharge.

Disciplinary Probation – A form of disciplinary action for a period that generally will not exceed six (6) months.

Eligibility – A candidate whose name is recorded on an eligibility or reinstatement list. [“Eligibility” is used elsewhere in the Policy to speak about employees’ eligibility for benefits, vacations, etc.]

Emergency – As it relates to City operations, an unforeseen circumstance beyond the control of the municipality that either: (a) present a real, immediate threat to the proper performance of essential functions; or (b) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Emergency Employee – A person employed to meet unexpected operational emergencies for a temporary period in a position not specifically authorized or funded in the budget.

Employee or Incumbent – A person legally occupying a position in the City service.

Exempt Employee – A person in a budgeted position exempt from the overtime provisions of the Fair Labor Standards Act as an executive, administrative, or professional employee. Exempt employees include the City Administrator and Department Directors.

Fair Labor Standards Act (FLSA) – A federal law that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees who are covered by the Act (www.dol.gov/elaws/flsa.htm).

Grievance – A written statement of dissatisfaction about the administration of the Personnel Policy of the City as it affects an individual employee or group of employees.

In loco parentis – In place of a parent.

Military Duty – Training and service performed by an inductee, enlistee, reservist, or any entrant into any of the Armed Forces of the United States and their auxiliaries.

Non-Exempt Employee – A person in a position covered by the overtime provisions of the Fair Labor Standards Act, also referred to as a "non-exempt" employee.

[Note: there are references to the Human Resources "Office" and "office" throughout the Policy, without apparent reason for using one or the other form.

Official Reprimand – An oral or written notice to an employee informing the employee of an action or course of conduct on their part that is cause for disciplinary action.

Parent – Biological or adoptive parent, or a step-parent.

Performance Appraisal – An appraisal of the quality, quantity, effectiveness, and efficiency of work performed. The appraisal is to communicate with the employee about performance, expectations, departmental standards, provide positive feedback, define specific areas needing improvement, and to develop a specific growth plan to address learning needs. At minimum, informal appraisals are encouraged frequently; formal appraisals are made annually.

Personnel – All persons employed in City service.

Personnel Management – The process of defining and proposing policies for managing City staff and the implementation of those policies in collaboration with responsible managers and supervisors.

Policy – An approved course of action established by the City Administrator or other appropriate authority.

Position – The official rank within a given classification and held by an employee with a descriptive title.

Position Description – A complete and detailed statement about the general responsibilities, essential functions, specific duties, and minimum qualifications of a specific position within a given classification, as well as decision-making responsibilities, level of supervision received and exercised, working conditions, and equipment operated.

Promotion – A change in the employment status of an employee to a position in a higher classification with a higher rate of pay and increased responsibility.

Range – The distance between the minimum and maximum rates of pay within a given classification.

Rate of Pay – See Compensation. [See note on “Compensation”].

Regular Full-Time Employee – A person employed to work forty (40) hours (or the designated work week for fire and police-shift personnel) per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions.

Regular Part-Time Employee – A person employed to work less than forty (40) hours per week in a budgeted position. This person has successfully completed the trial service period and has been retained according to the Personnel Policy provisions. Regular part-time employees are paid at the equivalent hourly rate of the range and step in the classification to which they are appointed and receive benefits on a pro-rated basis commensurate with their budgeted part-time hours.

Revised Code of Washington (RCW) – A compilation of all permanent laws now in force in the state of Washington.

Reclassification – The process of reassigning a position to a different classification as a result of a position audit.

Recognized Employee Organization (REO) – A collective bargaining unit.

Recruitment – Activity intended to attract, inform, evaluate, and appoint persons to City service under the provisions of this Personnel Policy.

Rejection – The separation from employment during the employee's trial service period. [Note: this word is also used in the context of the “rejection” of a job applicant. I proposed changing it to termination in the context of employees let go during their trial service period].

Relative – Any person related to the employee including spouses, children, brothers, sisters, half-brothers and sisters, step-brothers and sisters, parents, step-parents, aunts, uncles, nephews, nieces, first cousins, grandparents, grandchildren, and the spouses of the above.

Represented Employees – All employees appointed to budgeted positions who are covered by collective bargaining agreements.

Retirement – Official retirement from a budgeted position and City service that is available when the requirements of the employee's retirement system are met.

Separation Date – The last day of an employee's work in City service, after which no vacation or sick leave is accrued or used.

Shall – As used in this Personnel Policy "shall" is mandatory, and is reserved generally for policies governed by federal or state laws.

Step Date – The date in which the employee moves within their assigned classification pay range to the next higher pay step. An employee's step date is established by the following personnel actions:

- Initial appointment - upon successful completion of the non-represented employees trial service period, the initial step date shall be established; the step date for represented employees will be one year following their appointment date;

Supervisor – An employee hired and/or appointed by the City Administrator at the recommendation of the director of the employee's department to assign/direct and evaluate the work of other employees within the designated work unit or Office of the same department.

Suspension – The temporary separation of an employee from their position, with or without loss of pay, for pending disciplinary action, disciplinary action, or for another reason as determined necessary by the employee's supervisor, and for a defined period of time.

Temporary Employee – A person appointed to a temporary position or temporarily appointed to a regular position. A temporary position means a position budgeted for a set period of time on an hourly, daily, weekly, seasonal or call-in basis. This period of time will normally not exceed six (6) consecutive months of continuous employment.

Termination – The separation of an employee from City service. Termination may be by discharge, death, lay-off, resignation, retirement, work completion, contracting out City services, or lack of work or funds. The termination date is the last day of an employee's work in City service. No vacation or sick leave is accrued or used from that date forward.

Transfer – A reassignment of an employee from one position to another position in the same classification or another classification having the same pay range, involving the performance of similar duties, and requiring substantially the same basic qualifications.

Trial Service Period – A working test or orientation period during which an employee demonstrates, by actual performance, the employee's suitability for the duties of the position to which the employee has been appointed. The trial service period is for a minimum of six (6) months unless otherwise designated by a collective bargaining agreement.

Workday – An employee's scheduled daily hours of employment.

Workweek – An employee's schedule of work hours within an appointed week.

APPENDIX A

CITY OF GRANDVIEW

Grandview City Administrator
207 West Second Street
Grandview, WA 98930
(509) 882-9200

Grandview Police Department
207 West Second Street
Grandview, WA 98930
(509) 882-9223

YAKIMA COUNTY

County Prosecutor
County Courthouse
(509) 574-1210

Yakima County Sheriff's Department
Yakima, WA 98901
1-800-572-7354

STATE OF WASHINGTON

Attorney General's Office
1125 Washington St. SE
PO Box 40100
Olympia, WA. 98504-0100
(360) 753-6200
(360) 586-9667

State Auditor's Office
Assistant Attorney General
State Attorney General's Office
PO Box 40108
Olympia, WA 98504-0108

State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
(360) 407-6000

Human Rights Commission
402 Evergreen Plaza Building FJ-41
711 South Capitol Way
Olympia, WA 98504-2490
(206) 753-6770

Department of Labor & Industries
1 (800) 354-5423

UNITED STATES

USDA, Office of Inspector General
75 Hawthorne Street, Suite 200
San Francisco, CA 94105-3920
(415) 744-2851 Office
(415) 744-2871 Fax

General Accounting Office
Fraud Hot Line 800-424-5454
Consumer Product Safety
Commission
(800) 638-2772 Hotline

Environmental Protection Agency
Criminal Investigations
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-1200 or (800) 424-4EPA

Equal Employment Opportunity Commission
909 First Ave, Suite 400
Seattle, WA 98102-1061
(206) 220-6883

Department of Labor
Occupational Safety & Health (OSHA)
200 Constitution Avenue
Washington, D.C. 20210
(800) 321-OSHA (6742)

REVISIONS

<u>Section</u>	<u>Date of Revision</u>	<u>Authority</u>
3.08	April 12, 2011	Resolution No. 2011-19
3.09	April 12, 2011	Resolution No. 2011-19
7.07	April 12, 2011	Resolution No. 2011-19
8.06	April 12, 2011	Resolution No. 2011-19
10.03	April 12, 2011	Resolution No. 2011-19
10.04	April 12, 2011	Resolution No. 2011-19
10.09	April 12, 2011	Resolution No. 2011-19
11.10	April 12, 2011	Resolution No. 2011-19
11.11	April 12, 2011	Resolution No. 2011-19
11.12	April 12, 2011	Resolution No. 2011-19
12.03	April 12, 2011	Resolution No. 2011-19
25.01	April 12, 2011	Resolution No. 2011-19
28	April 12, 2011	Resolution No. 2011-19
7.07	November 22, 2011	Resolution No. 2011-49
12.03	January 10, 2012	Resolution No. 2012-3
12.04	January 10, 2012	Resolution No. 2012-4
17.04	January 22, 2013	Resolution No. 2013-14
17.06	January 22, 2013	Resolution No. 2013-14
12.04	February 12, 2013	Resolution No. 2013-24
7.07	January 14, 2014	Resolution No. 2014-1
26.03	April 8, 2014	Resolution No. 2014-28
27	April 8, 2014	Resolution No. 2014-29
27.04	May 13, 2014	Resolution No. 2014-30
27.07	May 13, 2014	Resolution No. 2014-30
23	August 26, 2014	Resolution No. 2014-43
10.10	September 23, 2014	Resolution No. 2014-50
13.03.01(A)(1)	December 9, 2014	Resolution No. 2014-64
9.01	November 24, 2015	Resolution No. 2015-48

Prescription or OTC Medication Use Form.pdf

Date: _____

To: _____

From: _____

RE: Use of Prescription or OTC (over-the-counter) Medications

This is to notify you per the City of Grandview Personnel Policy Manual Section 17.04.2 of my taking the following medications that may impact my ability to perform my job duties.

List medication(s) and attach any warning labels:

I will be taking this/these medications for the following period:

_____ to _____.

If applicable, my physician or the drug warning label advises that I should avoid the following activities while taking this medication:

Employee Name (Print)

Employee Signature

Police Collective Bargaining Agreement.pdf

ORIGINAL

By and Between

**THE CITY OF GRANDVIEW
POLICE DEPARTMENT AGREEMENT
SERGEANTS – PATROL**

And

TEAMSTERS LOCAL No. 760

JANUARY 1, 2019, THROUGH DECEMBER 31, 2021

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ARTICLE 1 - PURPOSE OF AGREEMENT

- 1.1 This Agreement is made by and between the CITY OF GRANDVIEW, WASHINGTON, a Municipal Corporation, hereinafter referred to as the "Employer," and TEAMSTERS LOCAL NO. 760, hereinafter referred to as the "Union," for the purpose of fixing the scale of wages, schedule of hours, and the general working conditions affecting the employees.

ARTICLE 2 – RECOGNITION

- 2.1 The Employer recognizes the Union as the certified collective bargaining representative for all regular full-time and regular part-time uniformed police personnel of the City's Police Department, with the exception of the Police Chief and Assistant Police Chief.

ARTICLE 3 - UNION SECURITY AND DUES CHECK-OFF

- 3.1 Joining the Union: All employees in this bargaining unit have the right to voluntarily join the Union. The Union as the Exclusive Bargaining Representative agrees to carry out its responsibilities under RCW 41.56.080.
- 3.2 Questions About Union Membership: If an employee has questions about Union membership, the Employer will remain neutral and direct the employee to discuss this topic with a Union Staff Representative. The Union's Staff Representative shall address the employee's inquiry as soon as possible.
- 3.3 New Employee Orientation: These provisions shall be carried out in conformity with RCW 41.56.037. The Employer agrees to notify the Union Representative in writing of any new employee orientation date within a reasonable period of time. The Employer shall provide the name of the employee, corresponding job title, and Department. A Union official shall be granted up to thirty minutes to provide each new employee a basic overview of the employees' rights and responsibilities regarding Union membership and dues authorizations.
- 3.4 Signed Dues Deduction Authorization: Current union members and those who choose to pay monthly dues via a signed payroll deduction authorization will have their dues deducted once each month from their pay by the Employer. The signed payroll deduction authorization may be submitted electronically or by paper writing and must be presented to the Employer's Human Resources/Clerk position. The deduction will begin in the payroll period after submission of the due's deduction authorization card or as soon as administratively possible if not submitted with enough time to make the next payroll period. If the employee chooses to discontinue union membership and payment of dues, said employee must provide notification to the Union and the Employer. Such discontinuance shall be effective in the next payroll period after notification. The Employer is not a party to the authorization for payroll deduction as that is between the employee and the Union.
- 3.5 Amounts Deducted: The amounts to be deducted shall be certified to the Employer by Teamsters Local 760 and the aggregate deductions shall be remitted to Teamsters Local 760 together with an itemized statement including the employee name, department, hours

worked, monthly base wage and the amount of union dues deducted, after such deductions are made. If an employee terminates his/her employment on or before the 15th of the month, dues will not be deducted for that month; if the termination is after the 15th, dues will be deducted.

- 3.6 **Hold Harmless and Indemnification:** The Union agrees to defend and hold harmless the Employer from all claims, demands, lawsuits, orders, or judgments, etc., brought or issued which may arise from the Employer making a good faith effort to administer the provisions of this Article.

ARTICLE 4 - RIGHTS OF PARTIES

- 4.1 **Management Rights:** The Union recognizes and agrees that the Employer has core management rights to manage and direct the affairs of the Employer without bargaining about the decisions in all its various aspects, including, but not limited to, the right to manage, direct, and supervise all operations of the work force; to assign overtime; to plan, direct, control, and determine all the operations and services of the Employer; to determine the means, methods, organization, and number of personnel by which operations and services are to be conducted; to establish the qualifications for employment; to hire, assign, transfer, and promote employees; to demote, suspend without pay, discipline, or discharge employees for just cause (Probationary Employees without just cause); lay off employees due to lack of work, lack of funds, or reorganization; to make and enforce reasonable rules and regulations for the Department; to change and/or eliminate existing methods, equipment, and/or facilities; to make any and all decisions pertaining to budgetary and fiscal matters; and to take whatever action is necessary in the event of an emergency.
- 4.2 **Union Rights:** Except as indicated in Section 4.1 above, the Union does not waive any right the Union has under applicable State Laws including, but not limited to, the right to require the Employer to bargain collectively concerning any subject matter held by State Laws to be mandatory which is not otherwise covered by this Agreement.
- 4.3 **Employee Rights:** All employees shall be entitled to and afforded the rights common to any citizen, regardless of occupational position and as set forth by State law and any constitutional amendment against self-incrimination. These rights shall include, but are not limited to, the opportunity to contact and consult with an attorney of his or her own choosing, or with a representative of the Union, before and/or during any interrogation which could lead to disciplinary action.

ARTICLE 5 - DEFINITIONS OF EMPLOYEES

- 5.1 **Regular Part-Time Employee:** A regular part-time employee is one who has successfully completed his or her probationary period for a duration of the months necessary to obtain the appropriate certifications to perform the work of the classification, and who may work less than eight (8) hours per day or forty (40) hours per week. Such employee(s) shall be paid hourly in accordance with the applicable job classification. A regular part-time employee shall be entitled to a pro-rata share of sick leave, vacation and holiday benefits.

For each month a regular part-time employee works or is compensated for at least eighty-five (85) hours, said employee will receive pro-rata sick leave and vacation benefits in ratio to that of a regular full-time employee. Regular part-time employees are entitled to medical benefits pursuant to Article 15. Employees who are hired as regular full-time employees while serving in a regular part-time employee capacity shall receive credit for all time served as a regular part-time employee towards satisfying the necessary probationary period.

5.2 Regular Full-time Employees: A regular full-time employee is one who has successfully completed his probationary period and is employed on a full-time basis of forty (40) hours per workweek. Nothing in this section shall guarantee a forty (40) hour work week. A regular full-time employee is entitled to accrue the full benefits of the conditions of this Agreement and shall be paid in accordance with the salary schedule of this Agreement.

5.3 Probationary Employee: A probationary employee shall be defined as any new hire (including lateral transfer) that has never been employed by the Employer during the previous twelve (12) calendar months, and has not completed twelve (12) calendar months of service with the Employer since the first day of employment; or eight (8) months of service since receipt of Peace Officer Certification, whichever is later. Probationary employees shall work under the provisions of this Agreement but shall be only on a trial basis, during which period said employee may be discharged without just cause and without recourse. The probation period may be, by mutual agreement between the Employer and the Union, extended up to an additional one hundred eighty (180) calendar days if the employee's performance warrants such action. The extended probation period may also be waived by mutual agreement between the Employer and the Union.

5.3.1 In cases of extreme emergency (sudden serious illness or injury to employee or a family emergency) a probationary employee may use sick leave with approval of the Police Chief or his designee. If the employee fails to pass probation, he or she will have such sick leave used deducted from his or her final paycheck.

5.4 Employer: Wherever the term Employer is used in this Agreement, it shall mean the City Administrator and the Chief or his designee.

ARTICLE 6 - SENIORITY

6.1 No employee shall acquire seniority until he or she has become a regular employee under this Agreement. Said regular employee is one who has successfully completed his or her probationary period as referenced in Article 5, Section 5.3.

6.2 The lists of employees arranged by classification in order of seniority within the classification shall be provided to the Union annually upon request by the Union. If a sergeant served as a police officer, then the years of service as a police officer will be listed separately as well, but the years of service as a police officer shall not count towards sergeant classification seniority. Should more than one employee have the same seniority classification date, the individuals involved will determine seniority by use of their Civil

Service examination ranking. If there is a dispute about the seniority listing, said dispute shall be addressed through the grievance procedure.

- 6.3 Classification seniority shall be determined by Civil Service classification and shall be in accordance with the Rules and Regulations of the Grandview Civil Service Commission.
- 6.4 The seniority of an employee shall be considered broken, all rights forfeited, and there is no obligation under this Agreement to rehire when the employee:
 - 6.4.1 Voluntarily leaves the service of the Employer.
 - 6.4.2 Is discharged for just cause.
 - 6.4.3 Is laid off for a period in excess of twelve (12) consecutive calendar months.
 - 6.4.4 Is absent from work because of an illness or injury not to exceed twelve (12) consecutive calendar months, unless extended by the Employer or as provided by LEOFF.
 - 6.4.5 Fails to return to work upon recall from a layoff within seven (7) calendar days after receipt of written notice from the Employer at his or her last known address appearing on the Employer's records.
- 6.5 There shall be no deduction from continuous service from any time lost which does not constitute a break in service as set forth herein, except as provided in Article 7.10, Leaves of Absence.
- 6.6 **Layoff and Recall:** The Employer has the sole discretion to determine when a layoff is necessary. The Employer has the right to determine which particular classification (police officer or sergeant) will be affected by the layoff. When the Employer makes the determination that a layoff is necessary and has determined which particular classification will be the subject of the layoff, the Employer will lay off the least senior employee in that classification. If the classification chosen by the Employer is the sergeant classification, then the least senior sergeant shall be laid off in that classification provided; however, if the least senior sergeant was a police officer with the Grandview Police Department, then the sergeant could bump down into the police officer classification and dovetail into the police officer seniority list, where applicable, and the least senior officer would be laid off. The Employer (City Administrator and Police Chief) will communicate and coordinate with the Union representative to address the bumping process. Layoffs shall not be subject to the grievance procedures.
 - 6.6.1 In the event of a layoff, the Employer agrees to give the employees a minimum of seven (7) calendar days' notice, and each employee shall give the Employer at least seven (7) calendar days' notice prior to leaving City employment. This shall not apply to dismissals carried out under Article 16.

- 6.6.2 Should either party fail to give the seven (7) calendar days' notice, that party shall be subject to the penalty of wages at the contract rate for each day not so notified to the maximum of seven (7) calendar days, holidays excepted.

ARTICLE 7 - DEFINED LEAVES

- 7.1 **Sick Leave:** Employees shall accrue one (1) working day of sick leave for each month of continuous employment and may accumulate to a limit of one hundred eighty (180) working days. Regular full-time employees hired prior to January 1, 2007, shall receive fifty percent (50%); employees hired after January 1, 2007, shall receive twenty-five percent (25%) of their accrued sick leave paid out in hours upon death, retirement, or upon leaving employment under good terms after twenty (20) years of service with the City of Grandview provided they have a minimum of 360 hours in said bank.
- 7.1.1 **Accrual:** Employees earn one (1) day of sick leave, commensurate with his or her scheduled shift, for their first month of employment if they are placed on the payroll on or before the fifteenth (15th) of the month and actually work continuously through the rest of that month. Terminating employees do not receive leave credits for the month in which they terminate unless they actually work continuously through the fifteenth (15th) of the month.
- 7.1.2 Regular part-time employees as defined in Article 5, Section 5.1, shall accumulate sick leave on the basis of forty-six thousandths (.046) times the regular hours worked per month (exclusive of overtime), not to exceed ninety-six (96) hours annually. Sick leave for regular part-time employees may accumulate to a limit of three hundred sixty (360) hours.
- 7.2 A deduction of the number of sick leave hours equivalent to the length of the shift shall be made for each full day's absence due to the following reasons: non-occupational personal illness or physical disability or quarantine of an employee by a physician for non-occupational related disability. Deduction for the use of sick leave shall be the equivalent of the length of the shift to which an employee is assigned. For example, if an employee is assigned to an 8-hour shift, then 8 hours will be deducted; if assigned to a 10-hour shift, then 10 hours will be deducted; and/or if assigned to a 12-hours shift, then 12 hours will be deducted. The rate of sick leave pay shall be the same per day as that paid the employee per working day. Should an eligible employee use less than ONE (1) FULL shift of sick leave, such sick leave will be deducted for the actual time away from the job on an hour-for-hour basis.

- 7.3 If unable to report to work because of illness or injury, the employee shall report his reason for absence to his or her immediate supervisor or the dispatcher on duty at least one (1) hour prior to his or her scheduled work shift, unless the exigency of the circumstances dictate otherwise. Failure to provide proper notification may constitute abandonment of duties. After three (3) days of sick leave usage per calendar year, the Police Chief or his designee may require a doctor's statement from the employee verifying the employee's condition which prevented him or her from working. Said doctor's statement if required shall be paid for by the Employer unless fully covered by medical insurance.
- 7.3.1 Any employee found to have abused the provisions of a defined leave privilege by falsification or misrepresentation shall be subject to disciplinary action.
- 7.4 **Emergency Family Leave:** When a regular full-time or regular part-time employee suffers a serious illness/injury of a member of his immediate family, he or she may, with the approval of his or her Department Head, be absent from duty not more than five (5) consecutive working days on any one (1) occasion. Serious illness/injury shall be defined as that requiring immediate emergency treatment, or which is potentially incapacitating or life threatening, including injury/accident or comparable illness. Such absence shall be withdrawn from the employee's emergency/sick leave bank. Immediate family shall be defined as spouse, child, parent, brother, sister, father-in-law, mother-in-law, or other relative living in the employee's household.
- 7.5 **Bereavement Leave:** Bereavement leave may be granted up to forty (40) work hours per occurrence for immediate family members of the employee. (The following is the definition for immediate family of the employee or spouse of the employee: parent, child, spouse, brother, sister, son-in-law, daughter-in-law, grandparent, grandchild, and equivalent step relatives); up to 24 work hours per occurrence for other extended family members, *i.e.*, aunts, uncles, nieces, nephews, or cousins, where out of town that includes overnight travel is required; up to four (4) hours per occurrence for close friends and acquaintances that may have resided within the normal commute area of the employee's residence. Employees may make written request to their respective department directors asking for exceptions to these guidelines which describe the justification for a request to deviate from the bereavement time off.
- 7.5.1 When an employee is an actual participant in a funeral ceremony, he or she may be granted a reasonable time off to perform such duty. Time not worked because of such absence shall not affect vacation or sick leave accrued.
- 7.6 **Childbirth Leave:** A regular full-time or regular part-time employee may be absent for the birth of a child by the employee's spouse. Under normal circumstances, the absence will be limited to not more than three (3) consecutive days, with Department Head approval, and shall be withdrawn from the employee's emergency/sick leave bank.
- 7.7 **Maternity Leave:** Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery therefrom, shall apply equally to married and unmarried women; and are for all job-related purposes to be considered temporary disabilities. Accrued sick leave

may be used for childbearing or related circumstances as set forth above. If the period of disability because of childbirth or related circumstances extends beyond the employee's accrued sick leave, then she may request a leave of absence as per Article 7, Section 7.10. To be eligible for sick leave because of childbearing or related circumstances, a female employee shall give her Employer two (2) weeks' notice, if possible, of her anticipated date of departure and intention to return. For purposes of this policy, a four (4) week period of recovery after childbirth or related circumstances shall be considered as reasonable in the absence of extenuating circumstances. Female employees cannot categorically be denied the opportunity to work during the entire period of pregnancy but may continue working as long as the individual and her physician concur in her ability to work, and the demands of the job are satisfied. A doctor's certificate of release may be required upon her return to work. The employee's return to work shall be governed by R.C.W 49.60 and W.A.C. 162-30-020.

- 7.8 **Worker's Compensation:** All employees of the bargaining unit will be covered by State Worker's Compensation or some program with equal or better benefits. Any employee who is eligible for time off because of an on-the-job injury shall be paid sick leave. Any State Industrial benefit received by the employee shall be endorsed to the Employer. Upon receipt of this compensation by the Employer, the employee shall be credited with sick leave on a pro-rata basis of the State Industrial benefit to the original amount of sick leave taken. Sick leave benefits shall be limited to that amount which the employee has accumulated.
- 7.9 **Military Leave:** A regular employee who is an active member of any organized reserve of the Armed Forces of the United States shall be entitled to and granted a military leave of absence from his or her employment for a period not exceeding twenty one (21) days during each year, beginning October 1 and ending the following September 30. Such leave shall be granted in order that the employee shall be able to participate in his or her mandatory active training duty. Such military leave shall be in addition to any vacation or sick leave to which the employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. Verification of military orders may be required. The employee shall, in advance, provide an official copy of his or her military orders, if available.
- 7.10 **Leaves of Absence:** A leave of absence is an approved absence, including medical leave of absence, from employment without pay and without loss of seniority. The Employer may grant a leave of absence for a period of up to twelve (12) calendar months. Such leaves shall be in writing with a copy to the Union. Requests for leave renewal will be granted at the discretion of the Employer. The request must be in writing and must be submitted sixty (60) calendar days prior to the effective date. Employees granted a leave of absence in accordance with this provision shall suffer an adjustment in seniority equal to the length of leave. Exception: Where the leave is for thirty (30) calendar days or less, no adjustment in seniority shall occur.

- 7.11 The parties jointly and separately agree to follow the mandatory features of the State Family Care and Family Leave Acts and the Federal Family Leave Act. The parties specifically understand and agree that permissive aspects of the State Family Care and Family Leave Acts as well as the Federal Family Leave Act shall not be enforceable, nor shall the Employer be obliged to conform to such permissive provisions, except as has been the practice or as otherwise mutually agreed.

ARTICLE 8 - COMPENSATION FOR WITNESS OR JURY DUTY

- 8.1 When a regular employee covered by this Agreement is summoned for Jury Duty or is subpoenaed as a witness in any matter during or arising out of his employment in any municipal, county, state, or federal court, he or she shall advise the Employer upon receipt of such call or subpoena; and, if taken from his or her work for such service, shall be reimbursed as provided herein for any loss of wages while actually performing such service. The employee will sign over to the Employer his or her jury duty pay excluding those monies for travel and meal allowances. An employee who is suing the Employer or who is party to such a suit shall not receive compensation as mentioned above but shall instead do so entirely on his or her own.
- 8.1.1 Should an employee report for such service and be excused for the balance of that day, he or she shall report as soon as possible to his Employer for the purpose of working the balance of his or her special (jury duty or subpoenaed witness) shift. This special shift shall be consistent with the court-appointed time.
- 8.2 **Voting Leave:** When an employee's work schedule is such that he or she would not be able to vote prior to or after his or her normally scheduled working hours, he or she shall be granted a reasonable time off duty to vote without loss of pay, accrued vacation, or sick leave.

ARTICLE 9 - VACATIONS

- 9.1 Effective in the pay period immediately following ratification and signing by all parties, all eligible employees shall accrue and be granted the following vacation benefits.

VACATION SCHEDULE:

Upon hire.....	6.67 hours per month
Seventy-two (72) months of service.....	10 hours per month
One hundred thirty-two (132) months of service...	13.33 hours per month

A five (5) day, eight (8) hour employee shall receive eight (8) hours additional vacation for each year over twenty (20) years, and a four (4) day, ten (10) hour employee shall receive ten (10) hours additional vacation for each year over twenty (20) years.

- 9.2 Accrued vacation shall be paid to all employees at their regular rate of pay pursuant to the above schedule, when the employee is discharged, is laid off, quits, or retires.

- 9.3 The vacation period of each qualified employee shall be set with due regard to the desire, seniority, and preference of employees, consistent with the efficient operation of the Department, as determined by the Police Chief. Further, the employee's vacation year will be the same as his or her employment year.
- 9.4 Vacation leave may be used as accumulated. As of December 31st of each year no employee shall be permitted to have an accumulated amount of accrued vacation leave in excess of two hundred forty (240) hours. Vacation not taken will be forfeited, unless it is deferred at the employee's request and approved by the City or deferred at the City's request. On a voluntary basis an employee may request and receive cash in lieu of up to eighty (80) hours of vacation in each calendar year with the approval of the Police Chief.

ARTICLE 10 - HOLIDAYS

- 10.1 Legal paid holidays to be observed by the City are:

New Year's Day	January 1
M. L. King, Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day following Thanksgiving	Fourth Friday in November
Christmas Day	December 25
Floating Holiday (1)	At employee's choice

- 10.1.1 In addition, all other holidays recognized by the City will be paid for and observed as those listed above.
- 10.2 The "floating" day shall be chosen by mutual agreement of the employee and the Department Head. If any such holiday falls on a Saturday, it shall be observed on the preceding Friday. If any such holiday falls on a Sunday, it shall be observed on the following Monday.
- 10.3 If any of the above holidays are specified State legal holidays and are also Federal legal holidays but observed on different dates, only the State legal holidays shall be recognized as a paid legal holiday.
- 10.4 Holidays which occur during vacation or sick leave shall not be charged against such leave.
- 10.5 Regular full-time employees shall be credited with eleven (11) shifts of holiday time with pay effective January 1st annually. Said time must be taken during the calendar year earned or the leave time will lapse December 31st. If an employee leaves employment for any reason prior to the occurrence of any of the holidays referenced in Section 10.1 above, the

employee shall not be paid for the holidays yet to occur. If the employee has taken holidays prior to their occurrence and leaves employment for any reason, the appropriate amount shall be deducted from the employee's last paycheck. Likewise, the employee will be paid for all holidays which occur but are not taken prior to leaving.

- 10.6 All worked performed on one of the above-mentioned holidays shall be compensated at one and one half (1 ½) times the employees regular hourly rate excluding the floating holiday.

ARTICLE 11 – EMPLOYEES’ RIGHTS

- 11.1 This article does not apply to Probationary Employees.

No employee shall, by reason of his employment, be deprived of any rights or freedoms which are afforded to other citizens of the United States by the United States Constitution, subject to Policies and Procedures of the Grandview Police Department. In addition, the Department shall inform the employee of, and provide the employee with, the protection afforded him or her under the doctrines set forth in *Garrity v. New Jersey*, 386 U.S. 993 (1967), *Gardner v. Broderick*, 392 U.S. 273 (1968), and their progeny, should this report (statement) be sued for other than disciplinary purposes.

The employee will be required to answer any questions involving non-criminal matters under investigation. Prior to any questioning, the employee will be notified in writing and acknowledge receipt of the following:

“You are about to be questioned as part of an internal investigation being conducted by the Grandview Police Department. Today’s date is Current Time is Location of interview. You are hereby ordered to answer the questions which are put to you which relate to your conduct and/or job performance and to cooperate with this investigation. Your failure to cooperate with this investigation can be the subject of disciplinary action in and of itself, including dismissal. The statements you make, or evidence gained as a result of this required cooperation may be used for administrative disciplinary purposes but will not be used or introduced into evidence in a criminal proceeding.”

Section 1 – Bill of Rights. All employees within the bargaining unit shall be entitled to the protection of what shall hereafter be termed as the “Police Officers Bill of Rights.” The wide-ranging powers and duties given to the Department and its members involve them in all manner of contacts and relationships with the public. Of these contacts come many questions concerning the actions of members of the force. These questions often require an immediate investigation by superior officers designated by the Police Chief. In an effort to ensure that these investigations are conducted in a manner which is conducive to good order and discipline, the following guidelines are promulgated.

(a) Notification of formal internal investigation.

1. Within forty-eight (48) hours of the Department starting a formal internal investigation, said employee who is the subject of the complaint shall be informed in writing of the nature of the investigation, and advised of his or her rights, unless notification may prejudice the integrity of the investigation.
2. Any employee who is the subject of the complaint shall be informed in writing of the nature of the investigation and advised of his or her rights at least forty-eight (48) hours before any interview of the employee begins.
3. The affected employee may waive the requirement to wait forty-eight (48) hours. Written notice shall include sufficient information necessary to reasonably apprise the employee of the allegations of such complaint.
4. No employee will be interviewed over a subject that the Employer knows or should know will result in an economic sanction without providing the notice required by this subsection.
5. This does not preclude the Employer from asking the employee general questions to see if there is a need for a formal internal investigation.

(b) Recording Interviews. The Union stipulates that the interview of an employee during an investigation may be audio-recorded and, if so, a copy shall be provided to each party. Upon mutual agreement between the City and the Union representative, including agreement on the placement of the audio-visual equipment, the interview of an employee may be audio-visually recorded. The City will provide a copy of the audio-visual recording to the Union representative immediately or within twelve (12) hours following the completion of the interview.

1. Any interview of an employee shall be at a reasonable hour, preferably when the employee is on duty, unless the exigencies of the investigation dictate otherwise. Where practicable, interviews shall be scheduled for the daytime.
2. The interview shall take place at the Police Station facility, except where impractical. The employee shall be afforded the opportunity and facilities to contact and consult privately with an attorney of the employee's own choosing and/or a representative of the Union. Said employee's attorney and/or Union representative and/or Union attorney may be present during the interview but shall not participate in the interrogation except to counsel the employee, provided that the Union representative, employee attorney, or Union attorney may participate to the extent permitted by the law.
3. The questioning shall not be overly long, and the employee shall be entitled reasonable intermissions as the employee shall request for personal necessities, meals, telephone calls, and rest periods.

4. Prior to the disclosure of investigation made in subsection (c) of this section, the employee shall not be subjected to any offensive language, nor shall the employee be threatened with dismissal, transfer, or other disciplinary punishment as a guise to obtain the resignation of the employee, nor shall the employee be intimidated in any manner. No promises or reward shall be made as an inducement to answer questions. This does not preclude allowing us, as an Employer, to suggest resignation as an option should circumstances dictate.
 5. It shall be unlawful for the City to require any employee covered by this agreement to take or be subjected to any polygraph or any polygraph type of examination as the condition of continued or continuous employment or to avoid any threatened disciplinary action. By mutual agreement, the parties may stipulate to a polygraph examination.
- (c) Disclosure of Investigation. An employee who is the subject of an investigation shall be provided written notice if the investigation is not concluded within sixty (60) calendar days. The notice shall include a projected completion date and a brief and informative explanation of the delay. If it is determined that the investigation will take longer than an additional sixty (60) calendar days, the Chief or his designee shall notify the Union. The preceding requirement does not apply to criminal investigations. No later than five (5) business days (Monday through Friday) prior to a pre-disciplinary meeting (Loudermill), the employee shall be advised of the results of the investigation and the recommended disposition and shall be furnished a complete copy of the investigation report, provided that the Employer is not required to release statements made by persons requesting confidentiality where the request was initiated by such persons, and provided further, such confidential statements may not be relied upon to form the basis of discipline. The employee and his or her representative shall be allowed up to fourteen (14) calendar days to perform an independent investigation prior to the pre-disciplinary meeting (Loudermill), with additional time for good cause, as determined by the Police Chief or his designee. The employee and any representative of the employee are prohibited from contacting any witnesses or complainants in the investigation until such time as the disclosure of investigation described in this subsection occurs.
- (d) Use of Deadly Force Situations. When an employee, whether on or off duty, uses deadly force which results in the injury or death of a person, or discharges a firearm in which no injury occurs, the employee shall not be required to make a written or recorded statement for forty-eight (48) hours after the incident except that immediately following the incident the employee shall verbally report to a superior a brief summary of the incident and any information necessary to secure evidence, identify witnesses, or apprehend suspects. The affected employee may waive the requirement to wait forty-eight (48) hours.

- (e) Psychological or Medical Evaluations. When the Chief or his designee believes that an employee is psychologically or medically unfit to perform his or her duties, the Employer may require the employee to undergo a psychological or medical examination in accordance with current standards established by the Washington Association of Sheriffs and Police Chiefs, the International Association Chiefs of Police, the American with Disabilities Act, and other applicable State or Federal laws. Consultations with the City's Employee Assistance Program are not considered psychological or medical examinations. If the first psychological and/or medical examination by the Employer's medical provider results in a finding of unfit for duty, the Employer has the right to immediately place the employee on administrative leave pending further proceedings. If the Union and/or employee desire that a second psychological and/or medical examination be conducted by a medical provider who is qualified to conduct such examinations, then the Union and employee shall notify the Employer within five (5) calendar days of release of the results of the first examination and shall arrange for the second examination to be conducted and concluded within ten (10) calendar days of release of the first examination results. The second examination shall be at the expense of the Union and/or employee. If the second examination disagrees with the results of the first examination (one indicates unfit and the other fit for duty), then a third examination will be performed by a medical provider who is qualified to conduct such examinations and who is selected by mutual agreement between the Employer and the Union. The expenses of such third examination shall be shared equally by the Employer and the Union. The third examination shall be conducted and concluded within ten (10) calendar days of the release of the second examination results. The outcome of the third examination concurring with either the first examination results or the second examination results shall be final and binding on the Employer, the Union, and the employee. The examinations' process and the results shall not be subject to the grievance procedures. If the employee is found to be unfit for duty, then the employee shall be terminated unless treatment can rehabilitate the employee to fit for duty status within six (6) months of the last examination results, except where such treatment timing (6 months) would create an undue hardship on the City in which case the employee shall be terminated.

ARTICLE 12 - HOURS OF WORK - OVERTIME

- 12.1 The work week shall consist of the number of shifts during the applicable work period as determined, from time to time, by the Chief or his designee based on the following options:
- 12.1.1 Eight (8) consecutive hours for five (5) consecutive shifts for a total of forty (40) hours in a 7-day work period.
 - 12.1.2 Ten (10) consecutive hours for four (4) consecutive shifts for a total of forty (40) hours in a seven (7) day work period.
 - 12.1.3 Ten (10) hour and forty (40) minute shifts based on a twenty-eight (28) day work period averaging no more than 160.05 hours. This schedule will consist of working five (5) shifts/days followed by four (4) shifts/days off of work, followed by

another five on/four off, and then five shifts on and then five consecutive days off. Following these last five days off, the shifts will go back through the same cycle as mentioned above.

- 12.1.4 Work shifts shall be scheduled consecutively taking into consideration the type of schedule (e.g., all work shifts cannot be consecutive if 14- or 28-day work period is used) with the exception of emergencies and shift rotations.
- 12.1.5 The Police Chief or his designee has the right to modify the shifts and work periods referenced in 12.1.1, 12.1.2, 12.1.3 and 12.1.4 based on the Chief's assessment of the needs as it relates to public police services.
- 12.2 Each work shift shall include a thirty (30) minute meal period as near to the middle of the shift as possible and two (2) fifteen (15) minute rest periods, to be taken at the employee's discretion so as not to interfere with the normal business of the Department.
- 12.3 The shifts to which employees are assigned on a regular rotating basis shall be stated on the Department schedule as determined by the Chief from time to time. Should it be necessary in the interest of efficient operations to establish shifts departing from the assigned shift, the Police Chief will give notice of such change to the individual as far in advance as is reasonably practical. Employees may exchange shifts when unforeseen circumstances arise, provided they first request and receive approval in writing from the Police Chief or his designee. Such exchange in shifts shall not by itself constitute a basis for entitlement to overtime compensation.
- 12.4 **Overtime:** Employees covered by this Agreement shall be paid one and one-half (1½) times their regular applicable hourly rate for all hours worked outside their normally scheduled shift(s), providing that their scheduled hours are either worked or compensated for through either sick leave, vacation leave, or other acceptable compensatory means.
 - 12.4.1 All overtime shall be paid for in increments of one-half (1/2) hour, with the major portion of one-half (1/2) hour being paid as one-half (1/2) hour.
 - 12.4.2 There shall be no pyramiding of overtime.
- 12.5 **Callback:** An employee who is required to return to work less than two (2) hours prior to the beginning of a regularly assigned shift shall receive one and one-half (1 ½) times his regular straight-time hourly rate of pay for such actual time as occurs prior to his regular shift. Off-duty employees who are called to appear at any scheduled court trials in the Grandview Municipal Court or at any other court proceedings or Department of Motor Vehicle's proceedings to which the off-duty employee has been subpoenaed in his or her official capacity shall be compensated at regular time and one-half (1 ½) for a minimum of two (2) hours. Overtime work performed continuous with the end of an employee's regularly assigned work schedule shall not be subject to the two (2) hour minimum.

12.5.1 **Callout:** An employee who is required to return to work after having completed his or her regular shift, and having left the premises, shall be paid a minimum of two (2) hours of pay at the overtime rate.

12.6 **Compensatory Time:** Upon approval of by the Chief or his designee, an employee may choose to receive compensatory time at one and one-half hours for each hour worked in excess of forty hours (40) per week. The maximum accrual of compensatory time shall not exceed 40 hours, except for the School Resource Officer where the maximum accrual shall be 80 hours at any given time. The accumulation and use of compensatory time by an employee is documented on the employee's time sheet.

ARTICLE 13 - CLASSIFICATIONS - WAGE RATES - OTHER PROVISIONS

13.1 See attached **Appendix A** – Sergeant and Patrol Employees

- Effective January 1, 2019, employees will receive a three percent (3%) wage increase;
- Effective January 1, 2020, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2021, employees will receive a three percent (3%) wage increase.

13.2 See attached **Appendix B** - Educational Incentive Pay

13.3 See attached **Appendix C** - Longevity Pay

13.4 See attached **Appendix D** - Substance Abuse Policy & Testing Procedure

13.5 See attached **Appendix E** - Post Incident Trauma Response to the Employee

(The above-mentioned Appendices are attached hereto and incorporated by this reference.)

ARTICLE 14 - PAY ARRANGEMENTS

14.1 All employees shall be paid all monies earned by the end of their regular shift no later than the last working day prior to the first (1st) and sixteenth (16th) of each month for the preceding semi-monthly payroll period. There shall be no deductions other than required by law or authorized in writing by the Employee.

14.2 Each employee shall be entitled to an itemized statement of earnings and deductions, specifying hours paid and other compensation payable, as well as any and all deductions from gross wages for the pay period.

14.3 Upon separation from employment for any reason, all monies due and owing to the employee shall be paid on the next pay day following the pay period in which the separation occurs.

- 14.4 Upon thirty (30) days' written notice to the Union, the City retains the right to alter the above schedule of pay days.

ARTICLE 15 - HEALTH CARE BENEFIT PROGRAMS

- 15.1 On behalf of each employee, the Employer shall pay each month into the following employee health and welfare benefit plans:

- 15.1.1 Effective January 1, 2019, and through the term of this Agreement, employees shall be covered by the Washington Teamsters Welfare Trust (WTWT) Health and Welfare Medical Plan A, or negotiated alternative for medical insurance if Teamsters Plan A becomes a "Cadillac" plan then the parties agree to reopen on health insurance. The Employer will pay ninety percent (90%) of the premium and employees will pay ten percent (10%) of the premium by payroll deduction. Employee payroll deduction shall be from pre-tax wages.
- 15.1.2 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay towards Group Dental Plan (AWC Dental Plan E), including the City's employee's and dependents' orthodontia coverage in an amount sufficient to pay the premiums for the employee's and his or her dependents' coverage for the current plan.
- 15.1.3 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay towards Group Vision Plan (AWC Vision Service Plan) in an amount sufficient to pay the premiums for the employee's and dependents' coverage for the current plan.
- 15.1.4 Effective January 1, 2019, and through the term of this Agreement, the City of Grandview will pay the premium towards the current Group Life Insurance Plan in the amount of Twenty-Five Thousand Dollars (\$25,000.00) per employee.
- 15.1.5 After the completion of six (6) months of service and satisfaction of the eighty-five (85) hour per month requirement, non-consecutively, a regular part-time employee will be eligible for employee only, medical only, insurance, in accordance with AWC eligibility requirements.
- 15.1.6 Qualification for WTWT Medical Plan A, AWC Dental Plan E, AWC Vision Service Plan, and Group Life Insurance Plan for full-time and regular part-time employees shall be subject to the eligibility requirements of the relevant providers.
 - (a) Eligibility threshold for WTWT medical insurance requiring an Employer contribution shall be for each regular full-time employee who has eighty (80) compensable hours in the previous month. Compensable hours include, but are not limited to regular hours, overtime, vacation, sick, holiday, and severance pay.

- (b) Regular part-time employees satisfying the eighty (80) compensable hours eligibility threshold for WTWT medical insurance in the previous month shall be eligible for medical insurance coverage contributions only.

Part-time employees must satisfy the eighty (80) hour requirement in a given month to have the above-mentioned coverage the following month.

- 15.1.7 Regular part-time employees who meet the eligibility requirements for medical coverage pursuant to Section 15.1.8 or 15.1.19 may elect to purchase dental and/or vision (employee only) coverage pursuant to AWC Trust rules. If such election is made by the employee(s), the premium(s) for the coverage will be deducted on a monthly basis from the employee's wages.
- 15.2 Each employee has been provided a copy of this Labor Agreement and a current copy of the benefit booklet for each health care coverage named above. It is the responsibility of the employee to read these health care booklets, to determine when he or she will become eligible for each benefit. If an employee misplaces any of the booklets, he or she should contact the City Clerk's office for a replacement copy.

ARTICLE 16 – DISCIPLINE - DISCHARGE-SUSPENSION-WRITTEN WARNING NOTICE-LOUDERMILL

- 16.1 The Employer may discipline an employee subject to just cause. Examples of just cause for discipline are as follows:
 - (a) Consuming intoxicants on duty; illegal use or possession of a controlled substance at any time; using prescribed medication on duty which affects the employee's ability to perform his or her duties. Reporting for duty with the presence of alcohol, controlled substances, and/or prescribed medication in the officer's bodily system (blood, breath and/or urine) which affects the officer's ability to perform his or her duties.
 - (b) Disobedience to a lawful order given by a superior officer.
 - (c) Incompetence.
 - (d) Deliberate destruction of the Police Department's or another employee's property.
 - (e) Neglect of duty.
 - (f) Refusal to comply with any lawful departmental rule, provided that such rule shall be posted in each department where it may be read by all employees.
 - (g) Sleeping on duty excluding pre-approved "stand-down time." Form/memo of such is to be forwarded to the Police Chief.

- (h) Dishonesty.
- (i) Giving or taking of bribes.
- (j) Failure to report for duty without authorization from his or her immediate supervisor.
- (k) Excessive absenteeism which has no lawful reason and/or which is not subject to protected status leave. Abuse of sick leave by falsification and/or misrepresentation.
- (l) Borrowing or taking tools, equipment, or other property of the Police Department for private or personal use;
- (m) Criminal conviction or alternative disposition as a result of a criminal case involving moral turpitude (bearing upon credibility and/or integrity) or affecting qualifications to perform duties.
- (n) Those items included in the Grandview Civil Service rules and regulations and the Grandview Police Department Policies and Procedures Manual.

16.2 Disciplinary action or measures shall include only the following:

- (a) Written counseling / coaching statement;
- (b) Verbal reprimand, which may be documented in writing;
- (c) Written reprimand;
- (d) Suspension without pay;
- (e) Demotion (where applicable);
- (f) Discharge (termination).

The Employer has the right to administer a combination of the above disciplinary action(s) such as: a suspension without pay and PIP; or demotion and PIP; or demotion, PIP and last chance agreement, etc.

16.3 The parties agree that progressive and escalating levels of discipline are preferable for minor violations of work rules in order to allow an employee notice of misconduct and to allow the Employer to document prior disciplinary matters. The parties agree that for serious violations, progressive and escalating levels of discipline are not necessary, and the Employer can proceed directly to the higher levels of disciplinary action up to and including discharge, regardless of whether the employee has any prior disciplinary actions in his or her file. When progressive and escalating levels of discipline for minor violations are being considered, the level or degree of discipline imposed may be appropriately based on an employee's prior record of service, length of service, severity of offenses, and prior record of

discipline; the order in which these criteria appear is not indicative of their priority. Subject to the tenets of just cause, all previous disciplinary actions in an employee's file may be evaluated and considered in a disciplinary action.

- 16.4 **Administrative Leave.** When the Police Chief has reasonable belief that circumstances are such that retention of the employee will likely result in disruption of Employer services, damage to or loss of Employer property, or be injurious to the employee, fellow employees, or the services provided by the Employer, the Police Chief has the right to place the employee on administrative leave with pay immediately, pending an internal affairs investigation and potential discipline. In such cases, the suspected reasons shall be made available to the employee and the Union, in writing, by the Police Chief when the employee is placed on administrative leave with pay.
- 16.5 The employee shall have the right to inspect his or her personnel file. The employee shall have the right to add their written comments to materials added to the personnel file.
- 16.6 Any written reprimand in an employee personnel file will be removed from the file after three (3) years if there has been no recurrence of the type or kind of conduct giving rise to the reprimand. If there is a recurrence, the written reprimand will remain in the file for three (3) years from the date of the recurrence. Suspensions without pay, demotions, last chance agreements, yearly evaluations, and discharge shall remain permanently in the employee's personnel file.
- 16.7 **Suspension without Pay, Demotion and Discharge:** The Employer has the right to suspend without pay, demote, or discharge/terminate an employee for cause. Prior to implementing disciplinary action, the Employer will present to the Union and employee a letter/written notice of pre-disciplinary action meeting which shall contain a description of the violation(s), misconduct(s), and/or performance problems, as well as the departmental policies, procedures, rules, regulations, etc., being relied upon by the Employer. The written notice will indicate that the employee has the right to have their Union representative present at the pre-disciplinary action meeting. The notice will set forth the date, time, and location of the pre-disciplinary action meeting.
- 16.8 The purpose of the pre-disciplinary action meeting is to provide the employee with an opportunity to explain his or her side of the facts, misconducts, violations, and/or performance problems before the Employer implements disciplinary action. The Employer will issue a written decision regarding disciplinary action(s) that will be implemented within a reasonable time after the pre-disciplinary action meeting. The timing of issuance of the written decision is dependent on the complexity of the facts, investigations, and whether the Employer believes further investigation is necessary.
- 16.9 **Notification and Representation:** The limitations relating to notification of disciplinary action are only for employee notification purposes and shall not adversely affect the validity of disciplinary action taken by the Employer. The duration of the investigation shall not adversely affect the validity of the charges, findings and resultant discipline.

ARTICLE 17 - GRIEVANCE AND ARBITRATION PROCEDURE

17.1 **Grievance Defined.** For the purposes of this Agreement, a grievance is defined as a dispute about the meaning or interpretation of a particular clause of this Agreement or about an alleged violation of the Agreement.

17.2 **Grievance Adjustment Steps.** Grievances shall be processed within ten (10) calendar days of the date on which the grievance occurred or when the employee reasonably should have known about the occurrence thereof in the following manner:

Step 1: An employee and/or the Union shall discuss the grievance with the Assistant Police Chief or Police Chief. The employee may meet with or without a Union representative and shall document the meeting with a memorandum signed by the employee and the Assistant Police Chief or Police Chief. The Assistant Police Chief or Police Chief shall respond to the grievance as quickly as possible, but not later than ten (10) days after the grievance is first discussed. If the Assistant Police Chief or Police Chief fails to timely respond, the grievant has the right to move the grievance to Step 2 no more than ten (10) days after the Assistant Police Chief or Police Chief response was due. If the basis of the grievance involves actions of the Police Chief, then the parties shall start the grievance process at Step 2.

Step 2: If, within ten (10) days from receipt of the Assistant Police Chief's or Police Chief reply, the grievance remains unresolved, the employee or the Union shall submit written notice to the Police Chief with a copy to the Union if submitted by the employee, including: 1) statement of the grievance and relevant facts; 2) specific provisions of the Agreement violated; and 3) remedy sought. The Police Chief shall meet with the grievant and the Union to attempt to resolve the grievance. The Police Chief shall respond to the employee or the Union in writing within ten (10) days after the meeting with a copy to the Union.

Step 3: If, within ten (10) days from receipt of the Police Chief's reply, the grievance remains unadjusted, the grievance may be submitted to the City Administrator. The City Administrator may meet with the aggrieved party, the Police Chief, and the Union representative, and shall respond within ten (10) days of the meeting, with a copy to the Union.

Step 4: If the grievance still remains unsettled, the Union may, within ten (10) days after the reply of the City Administrator is due, serve written notice to the City Administrator of the Union's intention to arbitrate the grievance.

Step 5: The parties may mutually agree to refer a pending grievance to grievance mediation through the Public Employment Relations Commission (PERC) before proceeding to grievance arbitration. If the parties elect to proceed with grievance mediation, then the representatives shall coordinate to file a request with PERC as soon as practicable.

- 17.3 **Arbitration.** After the grievance has been so submitted, the parties will attempt to mutually agree on an arbitrator within fifteen (15) calendar days of submission. If the parties are unable to agree then either party may request from PERC a list of nine (9) arbitrators. The parties shall select an arbitrator from the list by alternatively striking a name, with the first strike being determined by lot. The final name left on the list shall be the arbitrator. The arbitrator's decision shall be final and binding, but the arbitrator shall have no power to alter, modify, add to, or detract from the terms of the agreement. The arbitrator shall not have the authority to award punitive damages. The arbitrator's decision shall be within the scope and terms of the contract and in writing including detailed findings and conclusions, together with an explanation of the reasoning utilized in making the decision. The arbitrator shall be asked to submit his or her decision within thirty (30) days of the date of the hearing.
- 17.4 **Grievance Administration Issues.** Each party shall be responsible for paying the costs of presenting its own case in arbitration, including the payment of the party's own attorney fees, any non-employee witnesses and expert witnesses. The costs of the arbitrator and hearing room shall be borne by each party paying fifty percent (50%) of any and all arbitrator fees, costs, etc. Either party has the right to request a court reporter and transcript and, if such a request is made, each party shall share fifty percent (50%) of the court reporter's fees and the costs. Days shall be counted as calendar days.
- 17.5 **Time Limits.** Failure of an employee and/or Union to submit a grievance in accordance within the time limits listed above and failure of the employee and/or Union to timely pursue a grievance to the next step shall constitute abandonment and dismissal of the grievance. This does not preclude the parties from extending the grievance time limits by mutual agreement.
- 17.6 **Election of Remedies.** The Union, on behalf of an employee, shall have the right to have a disciplinary action against the employee reviewed for just cause in accordance with this Agreement either by the City's Civil Service Commission or through the grievance procedure of this Agreement. Once the Union, on behalf of an employee, elects the forum for review, the employee and the Union are both bound by the procedural requirements of that forum. That selection shall be final and the Union and said employee cannot pursue the matter under the other forum.

If the Union, on behalf of an employee, or the employee on his or her own, elects to have a disciplinary action against the employee reviewed by the City's Civil Service Commission, the Union, or the employee on his or her own, must make the request within ten (10) working days of the disciplinary action; otherwise, the disciplinary action shall be final and binding. The Union, or the employee on his or her own, must file a written demand for an investigatory hearing regarding the disciplinary action through the City's Civil Service Commission, and the matter shall be handled in accordance with applicable procedures as contained in the Rules and Regulations of the City's Civil Service Commission.

ARTICLE 18 - STRIKES AND LOCKOUTS

- 18.1 The Employer and the Union have agreed that the public interest requires efficient and uninterrupted performance of all Employer services; therefore, the Union agrees that it shall not authorize, cause, or condone any work stoppage, strike, slowdown, picketing (while on duty) or any other interference with Employer functions by employees covered by this agreement. Employees who engage in any of the above activities shall not be entitled to any pay or fringe benefits during the period he or she is engaged in such activity. The Employer may discharge or discipline any employee who violates this Article.

ARTICLE 19 - LIABILITY INSURANCE

- 19.1 The Employer agrees to either provide insurance coverage on behalf of the employees or provide legal representation for employees as may be reasonably necessary to defend any claims and/or litigation resulting from any conduct, acts, or omission of employees arising from the scope or course of their service with the Employer; provided, however, that the provisions of this Article shall be inapplicable and of no force and effect if the employee refuses to cooperate with the Employer with respect to said defense; nor shall it apply to any dishonest, fraudulent, criminal, or malicious act of an employee which is outside of the scope and course of his or her employment with the Employer. Any legal representation provided by the Employer shall not apply in any accident, occurrence, or circumstance where the employee or Employer are individually insured.

ARTICLE 20 - UNIFORMS, EQUIPMENT & SAFETY

- 20.1 The Employer shall provide all regular employees with the required uniforms and equipment needed in the performance of his duties as determined by the Employer. In addition, the Employer shall also provide normal cleaning up to two (2) uniforms per week or additional cleaning to include extraordinary circumstances and maintenance and repair of items damaged or worn through normal use in the performance of departmental duties.
- 20.2 All protective clothing and safety equipment required of employees in the performance of their duties shall be purchased by and remain the property of the Employer. Upon quitting or discharge, all property of the Employer shall be returned to the Police Chief or his designee.
- 20.3 It shall be the responsibility of all employees to represent the City to the public in a manner which shall be courteous, efficient, and helpful. Personal appearance shall always be neat, with clean clothing and with hair and beards trimmed, in accordance with the Police Department Procedure Manual.
- 20.4 The Employer recognizes the need for the development of safe working practices for every employee and desires to promote on-the-job safety, encouraging the proper design and use of buildings, equipment, and other devices. Safety equipment and clothing supplied by the Employer should be utilized by employees while engaged in all duties for the City of Grandview where practical or as directed by the Chief or his representative, and as prescribed by State and Federal laws regarding safety.

- 20.5 An officer in good standing who retires after 20 years of service may be allowed to keep a regular duty handgun that was assigned to him during that period. An award of a handgun shall only include one handgun that was assigned to that officer. At the City's discretion, a handgun awarded to a retiring officer under this section may or may not be the actual handgun assigned to the officer at the time they retire. This provision is subject to and does not limit the City Council's authority to declare, and to decline to declare, any item as City property, including a handgun, to be surplus property of the City. Any transfers shall comply with any state or federal firearms laws applicable at that time.
- 20.6 The value of the handgun shall not exceed Four Hundred Dollars (\$400.00). If the value of the handgun exceeds that amount, the retiring officer shall be given the option of reimbursing the City for the value in excess of \$400.00 in order to obtain the handgun.
- 20.7 The Mayor shall be notified of any proposed award by a written request from the Police Chief. Upon written approval by the Mayor, the Police Chief shall prepare a Notice of Surplus Property to be presented to the City Council.

ARTICLE 21 - GENERAL PROVISIONS AND UNION ACTIVITY

- 21.1 **Union Investigative and Visitation Privileges:** Authorized agents of the Union shall have access to the Employer's establishment during working hours for the purpose of adjusting disputes, investigating working conditions, and ascertaining that the Agreement is being adhered to, provided there is no undue interruption of the Employer's working schedule. The Employer will be notified by the Union Representative of his presence on the premises.
- 21.2 **Bulletin Board:** The Employer agrees to provide suitable space to be used as a Union bulletin board. Posting by the Union on such board is to be confined to official business of the Union.
- 21.3 **Non-Discrimination:** It is mutually agreed that there shall be no discrimination because of lawful union activity, union membership, race, color, religion, sex, age, marital status, sexual orientation, national origin, genetic information (Title II of the Genetic Information Nondiscrimination Act of 2008), or disability that does not prevent proper performance of the job (bona fide occupational qualification). The Union and Employer representatives shall work cooperatively to carry out these principles. Employees who believe they have been discriminated against shall use the process established in City policy.
- 21.4 **Political Activity:** The rules governing activities of employees shall adhere to the provisions of RCW 41.06.250.
- 21.5 **Gender:** Where the masculine gender has been used in any provision of this Agreement, it is used solely for the purpose of illustration and shall not in any way be used to designate the sex of the employee eligible for any position, classification, or the benefits provided in this Agreement.

- 21.6 **Outside Employment:** An employee shall not engage in employment other than his or her City job if such employment interferes with the efficient performance of his or her City job or constitutes a conflict of interest.
- 21.7 **Reserve Unit:** There shall exist, at the option of the Employer, a reserve unit of law enforcement reserve officers to which the provisions of this labor agreement shall not apply. The Employer will notify regular employees by posting the status of reserve law enforcement officers regarding commissioned versus non-commissioned. Regular employees as required by the Employer shall work with reserve law enforcement officers regardless of commissioned versus non-commissioned status. This unit of law enforcement officers may be utilized as determined by the Employer to perform those duties normally performed by bargaining unit personnel. Usage of reserve law enforcement officer would include circumstances involving temporary replacement of regular employees in case of vacations, holidays, sickness, and any type of schooling, circumstances involving short handedness in personnel, and those circumstances involved in a bona fide emergency.

ARTICLE 22 - PERSONNEL RECORDS

- 22.1 The Employer shall maintain personnel files for each employee. Such files shall show salary, change in employment status, training received, and such other information as may be considered pertinent. Employee records shall be considered confidential and shall be accessible only to the employee, his or her immediate supervisor, and such other officials or persons as may be authorized by the Employer or required by law.
- 22.2 Employees shall have the right to review material in their personnel files during regular business hours. The employee may have a representative of the Union accompany him or her, if so desired. Upon request, copies of documents in the personnel file shall be provided to the employee. The employee shall have the right to inspect his or her personnel file.
- 22.3 The personnel file will contain all evaluation reports that have been completed by an authorized supervisor.
- 22.4 Materials judged by the employee to be negative and/or derogatory may be answered by the employee in writing. Such written response shall be attached to the material in question and become a part of the personnel file.
- 22.5 The employee shall have the right to add their written comments to materials added to the personnel file.
- 22.6 Personnel files are the property of the Employer. The Employer agrees that the contents of the personnel files shall be confidential and shall restrict the use of information in the files to official use by the Employer. Employee disciplinary records may be subject to a public records request, and the Employer is obliged to comply with the legal requirements pertaining to such requests.

- 22.7 Any written reprimand in an employee personnel file will be removed from the file after three (3) years if there has been no recurrence of the type or kind of conduct giving rise to the reprimand. If there is a recurrence, the written reprimand will remain in the file for three (3) years from the date of the recurrence.
- 22.8 **Suspension without Pay, Demotion, Last Chance Agreements, and Discharge:** Any suspension without pay, demotion, last chance agreement, and discharge shall remain permanently in the personnel file, unless otherwise mutually agreed.
- 22.9 When an employee reviews his personnel file, he or she will sign and date said acknowledgment of the review.

ARTICLE 23 - ENTIRE AGREEMENT

- 23.1 All matters not specifically covered in this Agreement shall be deemed to have been raised and disposed of as specifically covered herein. It is agreed that this document contains the full and complete Agreement between the parties hereto and for all whose benefit this Agreement is made, and no oral statement shall add to or supersede any of its provisions; and no party shall be required during the term of this Agreement to negotiate or bargain upon any issues unless mutually agreed to by the parties.

ARTICLE 24 - SAVINGS CLAUSE

- 24.1 If any Article or section of this agreement should be held invalid by operation of law or by any tribunal of competent jurisdiction, or by mutual agreement, the balance of this agreement shall continue in full force and effect. The Article or section held invalid shall be modified as required by law or a tribunal of competent jurisdiction or shall be re-negotiated for the purpose of a replacement. In the event that the two parties do not agree that an item should be severed, then the Article or section in question shall be suspended from function or operation until the issue has been resolved by the appropriate legal authority.

ARTICLE 25 - SUPPLEMENTAL PENSION PLAN

- 25.1 The bargaining unit members' pre-tax wages shall be reduced each month by the amounts paid on account of each member pursuant to paragraphs 25.3 and 25.4 hereof. The Employer is not obligated to make any contributions beyond the amounts by which the contractual wage rates are reduced now or in the future.
- 25.2 In lieu of an identical amount of pre-tax wages of each bargaining unit member, the Employer shall pay each month into the Western Conference of Teamsters Pension Trust Fund the below referenced amounts on account of each member of the bargaining unit.
- 25.3 Effective January 1, 2019, as designated below, the Employer shall pay the amounts stated below to the Western Conference of Teamsters Pension Trust Fund on account of each member of the bargaining unit for every hour for which straight-time compensation was paid, not to exceed 173.33 hours per month. Said amounts are to be computed monthly, two

dollars and thirteen cents (\$2.13) per compensable hour, which includes \$0.13 for the Program for Enhanced Early Retirement (PEER/84), not to exceed Three Hundred Sixty-Nine Dollars and Twenty Cents (\$369.20) per month

The contributions required to provide the Program for Enhancement Early Retirement (PEER) will not be taken into consideration for benefit accrual purpose under the Plan. The additional contributions for PEER 84 must at all times be 6.5% of the basic contribution and cannot be decreased or discontinued at any time.

In the event an employee terminates prior to the end of the year, their total straight time hours worked, from January 1 until their last day of employment, shall be calculated to ensure each straight time hour has been paid to the trust, with the exception of cashed-out hours.

- 25.4 The total amount due for each calendar month for each of the bargaining unit employees as set forth in this provision shall be remitted in a lump sum not later than ten (10) business days after the last business day of such preceding month.
- 25.5 The Employer hereby acknowledges that he or she has received a true copy of the Western Conference of Teamsters Pension Plan Agreement and Declaration of Trust and Regulations and shall be considered a party thereto. The Employer further agrees that the Employer-Trustees named in this Trust, and their successors in trust, are and shall be his representatives, and consents to be bound by the action and determination of the Trustees.
- 25.6 The Employer does not make any representations as to whether or not the amounts by which wages are reduced and which are paid into the Trust Fund is non-taxable or taxable. Should it be determined at some later date that the above-referenced payments are taxable income, Teamsters Local No. 760 will indemnify and hold the Employer harmless against all claims of employees arising from such adverse tax consequence. Should existing tax law change with respect to this particular Pension Trust, the parties agree to meet to bargain a resolution to the matter.

ARTICLE 26 - VEBA MEDICAL SAVINGS ACCOUNT

- 26.1 Effective May 1, 1997, the full-time patrolman and sergeant bargaining unit members pre-tax wages shall be reduced each month by twenty dollars (\$20.00) paid on account of each member. The Employer is not obligated to make any contributions beyond the amounts by which the contractual wage rates are reduced now or in the future.
- 26.2 In lieu of an identical amount of pre-tax wages of each full-time patrolman and sergeant bargaining unit member, the Employer shall pay each month into the VEBA Medical Savings Account the above referenced amount on account of each full-time patrolman and sergeant bargaining unit member.
- 26.3 The total amount due for each calendar month for each of the bargaining unit employees as set forth in this provision shall be remitted in a lump sum not later than ten (10) business days after the last business day of such preceding month.

- 26.4 The Employer does not make any representations as to whether or not the amounts by which wages are reduced and which are paid into the VEBA Medical Savings Account is non-taxable or taxable. Should it be determined at some later date that the above-referenced payments are taxable income, Teamsters Local No. 760 will indemnify and hold the Employer harmless against all claims of employees arising from such adverse tax consequence. Should existing tax law change with respect to this particular Medical Savings Account, the parties agree to meet to bargain a resolution to the matter.

ARTICLE 27 - TERM OF AGREEMENT

- 27.1 This Agreement shall be binding on the City, the Union, and employees, and shall remain in full force and effect from January 1, 2019, except as otherwise indicated in this CBA to midnight, PST, December 31, 2021.
- 27.2 If no Agreement is reached for the calendar year following the effective dates of this Agreement, then the provisions of this Agreement shall remain in effect subject to Chapter 41.56, RCW.

[Signature page follows.]

CITY OF GRANDVIEW

By

Gloria Mendoza, Mayor

Date

06/26/19

By

Cus Arteaga, City Administrator

Date

7-11-19

Attest

Anita Palacios, City Clerk

Date

7/9/19

Represented by:

Anthony F. Menke, Management Attorney

TEAMSTERS LOCAL 760

By

Leonard J. Crouch, Secretary Treasurer

Date

6-26-19

ORIGINAL

APPENDIX "A" – CLASSIFICATIONS AND WAGE RATES

1.A.1 The following salary schedule for police department employees shall be effective as follows:

- Retroactive to January 1, 2019, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2020, employees will receive a three percent (3%) wage increase.
- Effective January 1, 2021, employees will receive a three percent (3%) wage increase.

CLASSIFICATIONS AND WAGE RATES WITH INCREASES						
Police Officer	Entry	12 Months	24 Months	36 Months	48 Months	60 Months
7/1/2018	4772	4992	5213	5434	5657	5875
Retroactive to January 1, 2019 – 3%	4915	5142	5369	5597	5827	6051
2020 – 3%	5062	5296	5530	5765	6002	6233
2021 – 3%	5214	5455	5696	5938	6182	6420

Sergeant	Entry	12 Months	24 Months	36 Months	48 Months	60 Months
7/1/2018	5368	5617	5866	6111	6360	6613
Retroactive to January 1, 2019 – 3%	5529	5786	6042	6294	6551	6811
2020 – 3%	5695	5960	6223	6483	6748	7015
2021 – 3%	5866	6139	6410	6677	6950	7225

Sergeant Differential	60 Months
Beginning following ratification and signing by all parties– 13% above Top Step Officer	6838
2020 – 13.5% above Top Step Officer	7074
2021 – 14% above Top Step Officer	7319

The Sergeant Differential shall be as follows:

- 2019 Effective beginning in the pay period following ratification and signing by all parties, thirteen percent (13%) above Top Step Officer.
- 2020 Thirteen and one-half percent (13.5%) above Top Step Officer.
- 2021 Fourteen percent (14%) above Top Step Officer.

- 1.A.2 The parties agree that the City may develop and implement a salary plan involving ranges within job classifications to which employees may advance, based upon merit. It is specifically agreed by the Union that any merit system implemented by the City or any payment or non-payment made to an employee shall be entirely discretionary with the City and shall be non-grievable.
- 1.A.3 Detective Duties: Effective beginning January 1, 2019, this will be a duty assignment rather than a new classification, with the Police Chief authorized to determine the employee to be assigned and to end or change the assignment at his sole discretion. The rotation of officers in and through the detective assignment will initially be each six (6) months but may be changed at the Chief's sole discretion. Effective beginning January 1, 2019, the parties agree that assignment pay of One Hundred Fifty Dollars (\$150.00) per pay period will be added to the regular pay of an officer who is actually serving as detective, or shall be pro-rated based on time served, if the assignment is changed within a pay period.
- 1.A.4 Lower Valley Drug Task Force Duties: Effective beginning January 1, 2019, those employee(s) assigned by the Police Chief or his designee to the Lower Valley Drug Task Force duties which are outside of their normal duties with the City of Grandview Police Department shall receive special assignment pay of One Hundred Fifty Dollars (\$150.00) per pay period in addition to their regular pay.
- 1.A.5 Specialty Pay: Effective beginning January 1, 2019, the following positions shall receive One Hundred Twenty-Five Dollars (\$125.00) per month for performing these additional duties: Evidence Officer, Defensive Tactics Instructor, Fire-Arms Instructor, Interpreter, Deputy Coroner, EMT, or SWAT team. The FTO position shall receive 10% above their hourly rate while performing FTO duties, including schooling related to such duties. There shall be a maximum of two (2) specialty pays per month at \$125.00 each. The number of employees needed in each specialty position will be determined by the Police Chief or the Assistant Police Chief.
- 1.A.6 Officer in Charge (OIC): Effective in the pay period following ratification and signing by all parties, the following shall be applicable.
- 1.A.6.1 An officer assigned to the position of Officer in Charge (OIC) by the Police Chief or his or her designee shall receive five percent (5%) above his or her base wage subject to the following conditions:
- (a) The assignment and time worked is four (4) hours or longer; and
 - (b) There is no sergeant or supervisor (that is, Police Chief or Assistant Police Chief) on duty.
- 1.A.6.2 The City shall not be required to pay any officer for OIC duties when all four sergeant's positions are filled, regardless of whether a sergeant is currently working or not.

- 1.A.6.3 To be considered for the position of OIC, an officer must have shown leadership capabilities in the past, including sound decision-making abilities, and have a history of above-average yearly evaluations, all as determined by the Police Chief or Assistant Police Chief. OICs must also have attended pre-supervisory or supervisory courses. The Police Chief or Assistant Police Chief will make these courses available as soon as it is practicable to do so.
- 1.A.6.4 In the event that two OIC-qualified officers work the same shift, the OIC with seniority (based on years of service) will be assigned the OIC role for that shift.
- 1.A.6.5 While working as an OIC, officers shall be responsible and accountable for assuring that Department policies are adhered to and that officers under their watch operate in accordance with local, state, and federal laws. An OIC is expected to recognize serious events that require administrator notifications, be able to call upon additional resources when needed, and manage such serious events with competence and accountability.
- 1.A.6.6 An officer who is placed on the list of qualified OICs shall be expected to maintain the minimum qualifications required to be considered for the position. If an officer fails to meet the minimum qualifications, he or she will be removed from the list of OICs.
- 1.A.6.7 An officer who is placed on the list of qualified OICs shall remain current in all Grandview Police Department mandatory trainings and certifications, which include, but are not limited to, Firearms, Less Lethal, and TASER. An officer shall not be removed from the list of qualified OICs if Grandview Police Department fails to offer the required trainings.
- 1.A.6.8 An officer who is placed on the list of qualified OICs will attend any scheduled trainings for which he or she is registered by the Grandview Police Department. These trainings may include, but are not limited to, classes in Human Resources, Cultural Awareness, Emotional Intelligence, and Risk Management. Failure to attend and/or pass any related tests shall be reported to the Police Chief to determine the fitness of the officer to continue to remain on the list of qualified OICs.
- 1.A.7 Take-Home Vehicle. See Section 23.05 of the City's Personnel Manual. The City Administrator will make the final decision after consultation with the Police Chief or the Assistant Police Chief.

APPENDIX "B" - EDUCATIONAL INCENTIVE PAY

- 1.B.1 Effective beginning January 1, 2019, each regular full time commissioned Police Officer in the bargaining unit shall receive One Hundred Dollars (\$100.00) per month additional pay after receiving an Associate Degree (2 year) of one of the listed fields in 1.B.3 from an accredited institution of higher learning.
- 1.B.2 Effective beginning January 1, 2019, each regular full-time commissioned Police Officer in the bargaining unit shall receive One Hundred Fifty Dollars (\$150.00) per month additional pay after receiving a four (4) year Bachelor of Arts or Science degree from an accredited institution of higher learning. Every couple of years after achieving a four (4) year degree, five (5) credits of continuing related education is required. This continuing education process, as well as the appropriate Police related education fields, are outlined below.
- 1.B.3 The following list shall be acceptable educational fields to qualify for the educational incentive: Police Science, Sociology, Psychology, Business, Computer Science, Education, or other degree as may be determined by the Police Chief which benefit the Police Department.

APPENDIX "C" - LONGEVITY PAY

- 1.C.1 Longevity Pay will be payable each November 30 based on yearly gross salary, for each full-time employee of record on November 30, to be calculated as follows.

**Effective
01/01/2009**

After the completion of:

- 60 months of service: 1%
- 120 months of service: 2%
- 180 months of service: 3%
- 240 months of service: 4%

APPENDIX "D" - SUBSTANCE ABUSE POLICY & TESTING PROCEDURE

I. OBJECTIVE

The City of Grandview Police Department has a strong commitment to provide a safe work environment for its employees and to establish programs promoting high standards of employee health and safety. Consistent with that commitment, this Substance Abuse Policy and Testing Procedure has been established.

II. POLICY

- A. The unauthorized use, sale, transfer, or possession of alcohol, drugs, controlled substances and/or "mood altering" substances (except the possession or use of prescribed medication, verifiable by a current, properly issued prescription) during work hours, (including meal and rest periods), on City property, in City vehicles, or in personal vehicles while conducting City business is prohibited. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment in accordance with Grandview Civil Service Rule 16.
- B. With the exception of employees authorized to consume alcohol and/or drugs while performing job functions; reporting for work impaired by the use of intoxicants, or becoming impaired by the use of intoxicants during working hours through the use of alcohol, drugs (including prescribed medication), controlled substances and/or "mood altering" substances is prohibited. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment.
- C. Knowledge of cautions and warnings printed on the prescribed and/or "over-the-counter" medication container labels are the sole responsibility of the employee. Consultation with the employee's attending physician, concerning the affects a substance may have on that employee, may be appropriate. An employee utilizing prescribed and/or "over-the-counter" medication(s) that could adversely affect job safety or performance must immediately report that fact to his or her supervisor. Violation of this section of the policy shall result in disciplinary action, which may include termination of employment.
- D. The City reserves the right to conduct searches of City property, City vehicles or equipment at any time or place. The City reserves the right to conduct searches of an employee or any vehicle used by the employee while on duty, when there are reasonable grounds to believe the employee is in violation of this policy. Failure to cooperate with these procedures, without just cause, may be grounds for dismissal.

- E. The City recognizes drug dependency as an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use our Employee Assistance Program (EAP) and health insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize any employee's job and will not be noted in any personnel record.
- F. Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on City premises while conducting City business. A report of a conviction must be made within five (5) days after the conviction. (This requirement is mandated by the Drug-Free Workplace Act of 1988.)

This policy supersedes any and all previously issued City Drug/Alcohol Policies and will be applied equally to all Police Department employees.

III. SUBSTANCE ABUSE TESTING

A. Reasonable Cause Testing Only

The applicable substance abuse testing procedures outlined below will be initiated if the following event occurs: A supervisor, through objective observation or investigation or evaluation concludes that an employee has consumed and/or used controlled substances. The supervisor must be trained and certified in the area of proper detection. All relevant facts pertaining to an investigation conducted pursuant to the event mentioned above will be documented in writing and preserved for future reference by the City and Union.

SUBSTANCE ABUSE TESTING PROCEDURES

1. The City will transport the suspected employee to a pre-determined testing facility near his or her work area.
2. The employee will be requested to submit to the testing procedures. The employee has the right to refuse to submit to the tests; however, refusal to submit to the tests may be grounds for termination.
3. The employee will provide a urine sample or breath sample. The urine sample will be provided for analysis to determine the amount, if any, contained in the employee's urine of all substances listed in paragraph six below, except ethyl alcohol. The breath sample will be provided for analysis to determine the amount, if any, of ethyl alcohol contained in the employee's blood. The urine sample results will be analyzed by a professional Medical Review Officer (MRO) selected by the City. The breathalyzer test will be administered by the City Police Chief or Assistant Police Chief, using up-to-date State-mandated methods.

4. Collection of the urine specimen will be under the direction of qualified medical personnel. All provisions of the attached "chain of custody" form will be adhered to. Collection of the urine specimen or breath sample will take place as soon as possible following the observation. The employee will cooperate fully in the collection of the specimen or sample. An employee tampering with the specimen or sample or refusing to submit to the test within a reasonable period of time may be terminated. If the employee refuses to provide the urine sample within a 24-hour time frame (unless physically unable), that action will result in disciplinary measures which may include termination of employment.

The employee has the right to an independent urine specimen analysis or blood test for alcohol at a facility of his or her choosing, at the employee's expense. To facilitate an employee's request for an independent analysis, at the time of the original specimen collection, two (2) samples must be taken. The original testing laboratory will place one (1) sample in secure refrigerated storage. If the first (1st) sample reveals a positive result, the employee will indicate which laboratory he wishes the second (2nd) sample be tested. If the independent analysis results are negative, the employee will be reimbursed for the cost of the second (2nd) test and for all lost wages and benefits (*i.e.*, sick leave hours restored to sick leave bank).

5. After collection of the specimen or sample, the employee will be transported to his or her residence or other safe location. The employee will not be allowed to continue work until the test results become available and are evaluated. Pay for this period of time shall be deducted from the employee's sick leave payable with the first day the employee was removed from the workplace.
6. The urine specimen will be forwarded to Smith Kline Beecham Clinical Labs, Seattle for analysis. Strict adherence to the chain of custody requirements will be followed during the transportation of the specimen to the laboratory. The laboratory through the MRO will analyze the specimen for the following substances (the positive level of detection is in parentheses following the name of each substance): amphetamines (700 ng/ml), barbiturates (300 ng/ml), benzodiazepines (300 ng/ml), cannabinoids (100 ng/ml), cocaine metabolite (300 ng/ml), methadone (300 ng/ml), methaqualone (300 ng/ml), opiates (300 ng/ml), phencyclidine (75 ng/ml), and propoxyphene (300 ng/ml). The laboratory will communicate the test results to the Medical Review Officer, who in turn will relate the results to the employee, City Supervisor and the Mayor. Positive test results will be communicated to the employee, by the MRO, for clarification.

The positive level of detection for ethyl alcohol as it relates to the breathalyzer test is .05 gr/210L of breath. * The positive level of detection for ethyl alcohol as it relates to the employee's independent blood test is 0.04gr/dl. *Per Part 383.5 (Federal Motor Carrier Regulations) definition of "alcohol concentration."

7. For purposes of this policy, being "impaired" or "under the influence" means being unable to perform work in a safe and productive manner, being in a physical or mental condition which creates a risk to the safety and well being of the individual, other employees, the public, or City property. The symptoms of influence and/or impairment are not confined to those

consistent with misbehavior or to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. AN EMPLOYEE WILL BE PRESUMED TO BE IMPAIRED AND IN VIOLATION OF THIS POLICY WHENEVER THE PRESENCE OF DRUGS OR ALCOHOL, AT OR ABOVE THE LEVELS SET FORTH IN PARAGRAPH SIX, IS DETECTED IN A SUBSTANCE ABUSE TEST ADMINISTERED UNDER THE TERMS OF THIS POLICY.

8. Test results will be stored at the Grandview City Hall in a secure file outside the regular personnel files. Access to the file will be extremely restricted--only the City Supervisor, Mayor, and the Police Chief will have access. All records will be treated in the most confidential fashion by the City and the Union.
9. All costs associated with substance abuse testing, other than a positive test result of an independent analysis requested by the employee, will be paid by the City.
10. Should analysis of the specimens indicate a negative level of a substance in an employee's system, the employee will be reinstated to his or her former position and compensated for lost wages and benefits, *i.e.*, sick leave hours restored to sick leave bank.
11. Should analysis of the specimens indicate a positive level of a substance in an employee's system, the employee will have the following options:
 - (a) Terminate employment with the Employer, or
 - (b) The employee shall be evaluated by a qualified drug/alcohol counselor to determine the extent of his/ her chemical dependency. If, in the opinion of the counselor, the employee requires rehabilitation services (on a one (1) chance only basis unless mutually agreed otherwise), the employee will be placed on a leave-of-absence for a period not to exceed ninety (90) days and enroll in a certified alcohol and/or drug rehabilitation program. The employee will be allowed to use Sick Leave during this leave period. The City reserves the right of concurrence on the selection of the rehabilitation counselor, facility and program content. Cost of the rehabilitation program will be paid by the employee or medical insurance provider (within contractual limitations). The employee will submit semi-weekly written progress reports from his or her counselor during the entire treatment program. The employee will be reinstated to his or her former position without prejudice when the following conditions have been met: (a) The employee has completed the treatment program; and (b) the attending counselor has formally released the employee to return to work; and (c) The employee agrees to submit to a substance abuse test. During the next twenty-four (24) months following reinstatement, the employee consents to be tested for the presence of alcohol, drugs, and/or controlled substances no more than four (4) times, with or without cause. Any subsequent violation of this policy will be grounds for immediate discharge.

IV. SELF-RECOGNIZED SUBSTANCE ABUSE

Employees with a substance abuse problem must immediately notify their supervisor of their condition. For evaluation purposes, a substance abuse test may be appropriate. If, in the opinion of a qualified drug/ alcohol counselor, the employee requires rehabilitation services, the employee will have an option to enroll in a rehabilitation program and be subjected to the guidelines as outlined in Section III (11) above.

OCCUPATIONAL HEALTH SERVICES

802 MILLER AVE
SUNNYSIDE, WA 98944
Phone: (509) 837-1564
Fax: (509) 837-8434
Pager No: (509) 836-6112

CONSENT AND RELEASE FORM

Pursuant to the stated Drug and Alcohol policy of the City of Grandview, I hereby give my consent and authorize OCCUPATIONAL HEALTH SERVICES and any laboratory designated by OCCUPATIONAL HEALTH SERVICES to perform testing and/or medical procedures necessary to determine the presence and/or levels of drugs/alcohol in my body.

I further give my consent to release to the City of Grandview's Medical Review Officer the results of any medical testing performed pursuant to this consent form, including any test or medical procedures to determine the presence and or level of drugs/alcohol and indemnify and hold the employer listed above, harmless in acting upon the information supplied to them as a result of these drug/medical test results.

I HEREBY ACKNOWLEDGE THAT I HAVE BEEN REQUESTED BY THE CITY OF GRANDVIEW TO SUBMIT A VALID URINE SPECIMEN, TO BE ANALYTICALLY TESTED TO DETERMINE THE PRESENCE OR USE OF DRUG OR ALCOHOL. I AGREE AND CONSENT TO THE TESTING AND TO THE RELEASE OF THE RESULTS TO AUTHORIZED MANAGEMENT. I UNDERSTAND THAT MANAGEMENT MAY RELY UPON THE TEST RESULTS IN MAKING DECISIONS TO MY EMPLOYMENT, AS OUTLINED IN THE ALCOHOL AND DRUG ABUSE POLICY. FAILURE TO COMPLETE THE DRUG OR ALCOHOL SCREENING PURSUANT TO THE ALCOHOL AND DRUG ABUSE POLICY MAY RESULT IN DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION.

APPLICANT MUST PRESENT PHOTO I.D. AT THE CLINIC (DRIVERS LICENSE, MILITARY/SCHOOL I.D., ETC).

APPLICANT MUST REPORT IMMEDIATELY TO OCCUPATIONAL HEALTH SERVICES & REMAIN UNTIL A VALID URINE SPECIMEN IS COLLECTED. FAILURE TO COMPLY WITH THE TESTING REQUIREMENTS WILL RESULT IN THE WITHDRAWAL OF THE JOB OFFER.

_____ Employee name (printed)		_____ Employee signature	
000-00 LAST 4 DIGITS OF EMPLOYEE SS #	() _____ Day time Telephone #	_____/_____/_____ Date of Birth	
INSTANT TEST REQUESTED YES NO (PLEASE CIRCLE)			
REASON FOR TESTING: ☐ PRE-EMPLOYMENT ☐ POST ACCIDENT ☐ RANDOM ☐			
RETURN TO DUTY ☐ REASONABLE SUSPICION/FOR CAUSE ☐ OTHER ☐			
TYPE OF TESTING: URINE DRUG SCREEN ☐ HAIR DRUG SCREEN ☐ BREATH ALCOHOL ☐			
REPORT TO: O.I.S. @ 802 MILLER AVE, SUNNYSIDE, FOR DRUG SCREEN TESTING (837-1564)			
DATE: ____/____/____ TIME SENT TO: O.H.S. ____:____ A.M. ☐ P.M. ☐			
_____ Arrival Time & Date			

SIGNATURE OF SUPERVISOR AUTHORIZING TESTING

**EMPLOYEE BRIEFING AND INSTRUCTIONS
FOR
DRUG TESTING**

YOU HAVE BEEN SELECTED FOR URINE DRUG TESTING

The collection of your urine will be conducted under the procedures listed below. These regulations allow for individual privacy unless there is reason to believe that a particular individual may alter or substitute the urine specimen to be provided. The collection site persons will take precautions to ensure that your specimen is not adulterated or diluted during the collection procedure. Your specimen collection must also follow strict chain of custody and security procedures.

In addition:

Photo identification must be presented at the collection site or personal individual identification is necessary.

You will be asked to remove any unnecessary outer garments such as a coat and jacket.

All personal belongings like briefcases will remain with the outer garments. You may retain your wallet.

You will be instructed to wash and dry your hands prior to providing a specimen.

You will be provided a sealed collection container or bottle, or it will be unwrapped in your presence.

Your specimen will be provided in the privacy of a stall or otherwise partitioned area that allows for individual privacy.

After handing the specimen bottle to the collector, you should keep the specimen in full view at all times until it is sealed and labeled. This protects you against the wrong label being put on your bottle or someone possibly tampering with your specimen.

If the collection site person has reason to believe that you may have altered or substituted the specimen, the person will notify the City's Medical Review Officer. Should you tamper, adulterate, or in any way attempt to dilute the specimen, the collection site person will request authorization to collect a second specimen under direct observation by the same gender collection site person.

You will be asked to initial the identification label on the specimen container for the purpose of certifying that it came from you.

You will also be asked to provide information on the chain of custody form, Section VII on copies 3 through 6 only, and certify that the urine specimen identified as having been collected from you is in fact the specimen you provided. You will receive copy 4 of the chain of custody form on which you may want to make a list of medications you are taking.

After the laboratory analysis, the results will be forwarded to the Medical Review officer working for your employer. Prior to making a final decision to verify a positive test result to your employer, the Medical Review Officer will give you an opportunity to discuss the test results and submit medical documentation of legally prescribed medications.

A complete listing of the collection procedures may be found in Title 49 CFR Part 40.25.

APPENDIX "E" - POST INCIDENT TRAUMA RESPONSE TO THE EMPLOYEE

The City recognizes that employee involvement in specific work-related incidents may cause serious trauma to the employee. This trauma, more specifically Post Traumatic Stress Syndrome, is a psychological and/or physiological response associated with traumatic events that are generally outside the range of usual human experience. The resulting trauma can create immediate, short term, and/or long-term symptoms.

The goal of this program is to provide an outline for response to an employee who has been involved in a death or serious injury incident. This outline is an attempt to recognize some of the legal and societal needs of the employee and his family.

This outline applies to all departmental personnel.

- A. When an employee is the cause of a death or serious injury incident, he will be placed on mandatory administrative leave with pay for a minimum of forty-eight (48) consecutive hours if the employee was scheduled to work. Administrative leave is in the interest of the employee and the department and shall not be waived.
- B. The employee will be afforded the opportunity to name a fellow employee to assist with transportation needs, companionship, and moral support.
 - 1) If a fellow officer is named, that officer will also be placed on concurrent administrative leave of forty-eight (48) hours duration.
 - 2) Communications between the two employees will be considered confidential and privileged for the purpose of any departmental investigation or review. However, nothing herein should be construed to circumvent the Court's subpoena authority in any resulting criminal matter.
- C. The City and/or Police Chief shall designate a post-trauma provider for evaluation, care, and counseling of any employee who has been the cause of a death or serious injury incident. This counseling is mandatory, cannot be waived, and will include a "fit for duty" evaluation. Initial counseling should take place within forty-eight (48) hours if at all possible.
- D. The City and/or Police Chief may seek and consider the professional opinion of any PTSD qualified psychological counselor and/or treating physician as to whether the employee is affected in such a way as to make the employee a substantial risk to himself or to substantially interfere with his ability to perform the job. Recommendations with regard to modified duties and/or extended leaves are subject to LEOFF and/or L&I disability procedures.
- E. If the post-trauma provider believes that an employee needs more in-depth or extended assistance, he will refer the employee to a source qualified to provide such assistance. The referral must be coordinated with the City and/or Police Chief and be

consistent with LEOFF and/or L&I requirements.

- 1) The responsibility for payment of continued treatment must be specified prior to the first appointment. This responsibility should fall first to the appropriate LEOFF or L&I program, then to the employee's medical insurance, and finally to the City. In cases where the City assumes the cost of further care, the provider must clearly understand the scope of services expected.
- F. The Police Chief should do his best to assist the affected employee in matters of relevant concern such as expeditious repair/replacement of damaged equipment or clothing, response to inquiries relating to personnel adjustments, payroll, defined leaves, etc.
- G. The City attorney shall be available to provide information to the employee regarding various legal actions which may arise in connection with the death or serious injury incident. He may assist the employee in determining when to retain legal counsel and what the employee's rights to legal counsel are under contract and city ordinance. He may also provide other legal assistance as possible with the understanding that he, as an attorney employed by the City, cannot ethically represent the employee in certain proceedings.
- H. If an employee, while acting as an agent of the City, is witness to or involved in a Critical Incident - but not the direct cause of a death or serious injury - shall, on request, be provided initial consultation with a department designated post-trauma PTSD Qualified provider.

Should the incident involve a number of emergency services personnel, the City shall offer access to a Critical Incident Debriefing Meeting. This meeting should take place within seventy-two (72) hours following the incident if at all possible. All conversations between the employees and debriefing personnel are to be considered confidential.

- 1) For purposes of this section, a Critical Incident is defined as any situation, which may cause a person to experience unusually strong emotional and/or physiological responses that have the potential to interfere with the ability of the employee to perform his duties.

Grandview PD Early Impound Release Form.pdf



Grandview Police Department
201 W 2nd St
Grandview, WA, 98930
Phone 509 882 2000

Early Vehicle Release Request

This form is used to request a hearing with the Chief of Police or his designee for an early release of a vehicle that was impounded under RCW 46.55.120 and authorized by WAC 204-96-010, Suspended Driver Impound Hold. The vehicle was impounded and held due to the driver of the vehicle having a suspended license. This process offered by the Grandview Police Department does not preclude all rights given by RCW 46.55.120 and WAC 204-96-010 to request a hearing with a judge.

Vehicle Description (Make, Model, License Plate #): _____

Legal Owner/Financial Institution: _____

Registered Owner: _____ Date of Birth: _____

Address: _____ City: _____

State: _____ ZIP Code: _____ Phone: _____

Towing Company: _____ Case #: _____

Name of Driver: _____ Relationship: _____

Please explain the reason for your early release request on a separate piece of paper and attach to this form.

Proof of Insurance and a valid driver's license must accompany the person requesting the vehicle to be released.

*****For Grandview PD use only*****

Reason for Vehicle Impoundment:

☐ The driver of the vehicle was at the time:

☐ DWLS 3rd degree with a prior conviction for DWLS within the past 5 years (30 day hold)

☐ DWLS 1st or 2nd degree and with a prior conviction for DWLS 1st or 2nd degree within the past 5 years
(60 day hold)

☐ DWLS 1st or 2nd degree without a prior conviction (30 day hold)

☐ DWLS 1st or 2nd degree with two or more convictions for DWLS 1st or 2nd in the past 5 years (90 days)

☐ Approved ☐ Denied Person Authorizing: _____ Date: _____

Reason:

☐ Economical/Personal Hardship to spouse ☐ RO did not know driver's license was suspended at the time

Comments: _____

☐ Registration Clear

☐ Current Proof of Insurance

Please Read and Initial the following:

_____ I am the registered owner of the vehicle listed on the front of this form, which was driven by a person whose license was suspended/revoked at the time of stop.

_____ At the time I allowed this person to drive my vehicle I did not know that he or she had a suspended license.

_____ I understand that any vehicle driven by a person with a suspended/revoked license is subject to being impounded and held for up to 90 days depending on the driver's suspension status and driving history.

_____ I understand that it is my responsibility to not allow suspended driver's to drive my vehicle.

_____ I understand that an early release from impound is only allowed once under RCW and if my vehicle is impounded again and a hold is placed on it that early release will not be available again even if I again did not know that the person allowed to drive has a suspended/revoked license.

_____ I understand that I can find a person's driving status by calling Dept of Licensing at (360) 902-3900 or by visiting www.dol.wa.gov

_____ As the registered owner, I understand that this vehicle will not be released from impound until all towing and storage charges along with any administrative fees are paid in full to the towing company.

_____ I understand that this vehicle can only be released to a person with a valid driver's license and proof of insurance.

_____ I understand that according to RCW 46.55.120 I have a right to request a tow hearing through District Court regardless of the outcome of this request.

Please explain the reason for your request of early release. If more space is needed please attach a separate piece of paper.

I certify under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Signed _____ Date _____

Print name _____ Place Signed _____

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