

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

3060 Willamette Dr NE Lacey, WA 98516 PHONE (360) 486-2380 FAX (360) 486-2381
WEBSITE - www.waspc.org

Serving the Law Enforcement Community & the Citizens of Washington

August 14, 2008

Chief Bruce Brending
Bingen-White Salmon Police Department
PO Box 1369
White Salmon, WA 98672

Dear Chief Brending:

The Washington Association of Sheriffs and Police Chiefs (WASPC) would like to applaud you and the entire Bingen-White Salmon Police Department for taking a step toward excellence by participating in the Loaned Executive Management Assistance Program (LEMAP). WASPC realizes that for a department to subject itself to a complete review of its organizational structure there must be desire to provide quality services to the Bingen and White Salmon communities at all levels of department staffing.

Accompanying this letter you will find the complete and final report from the LEMAP review of your Department. The recommendations made in the report are the collective opinions of the LEMAP assessors. Recommendations reflect the best opinions of the evaluators using the information available to them at the time of the review. The LEMAP assessors are available and more than willing to assist you should you have any questions regarding the final report.

The LEMAP assessment team and WASPC hope that you will find the recommendations both practical and valuable to your agency. If you have any questions about the report or need additional assistance, please do not hesitate to contact WASPC at 360.486.2380.

Sincerely,

Donald G. Pierce
Executive Director

President COLLEEN WILSON
Chief - Port of Seattle
President Elect JOHN DIDION
Sheriff - Pacific County
Vice President SCOTT SMITH
Chief - Tulalip

Past President RICHARD LATHIM
Sheriff - Franklin County
Treasurer
BRUCE BJORK
Chief - WA Fish & Wildlife
Executive Board
ED HOLMES
Chief - Mercer Island
TOM SCHLICKER
Chief - Swinomish
MIKE KLINE
Marshal - U.S. Marshals, ED-WA
JOHN BATISTE
Chief - WA State Patrol
SAMUEL GRANATO
Chief - Yakima
MIKE HUMPHREYS
Sheriff - Walla Walla County
MIKE HARUM
Sheriff - Chelan County
SUE RAHR
Sheriff - King County
LAURA LAUGHLIN
SAC - FBI, Seattle
DONALD PIERCE
Executive Director

WASHINGTON ASSOCIATION OF
SHERIFFS & POLICE CHIEFS

LEMAP

LOANED EXECUTIVE MANAGEMENT
ASSISTANCE PROGRAM

REVIEW OF THE
BINGEN-WHITE SALMON
POLICE DEPARTMENT

INTRODUCTION:

The purpose of the Washington Association of Sheriffs and Police Chiefs (WASPC) Loaned Executive Management Assistance Program (LEMAP) is to provide management consulting and technical assistance to Association members. LEMAP is an opportunity for administrators to receive a professional review of their organization's operations and management systems.

The goal of this LEMAP review is to provide the Bingen-White Salmon Police Department with a critical look at the organization through the eyes of peer professionals.

The ensuing report should serve as a guide to identify areas that need strengthening and highlight positive and innovative programs and practices. It is hoped that the Bingen-White Salmon Police Department will use the information provided from this review to motivate the organization, improve internal and external services, and gain additional community support.

The LEMAP team consisted of the following members:

Manager Jeanne Johnson Jacobs, Everett Police Department
Deputy Chief Mitch Barker, Vancouver Police Department
Garry Anderson, Management Services Coordinator, WASPC

General Observations:

The LEMAP team conducted this review on June 3 and 4, 2008. A team meeting was conducted prior to meeting with Chief Brending and White Salmon Mayor, David Poucher. Mayor Poucher greeted the team and expressed his desire for a well trained, well equipped and well managed Police Department that met or exceeded basic law enforcement industry standards.

The team found the Department to be motivated and interested in the process, expressing a uniform desire to improve the Department. Department personnel appeared pleased with the appointment and performance of Chief Brending.

As the team began its review, the following observations were made:

1.

The Department Policy Manual is technically complete, however; it is old and not reflective of current, contemporary standards. The policy manual is an older, "boiler plate" manual that is not reflective of Bingen-White Salmon current conditions or organizational structure. Unfortunately, the manual contains a lot of superfluous non-policy specific information. Additionally, while personnel are aware that a policy may exist, they are not necessarily trained in the manual's

contents.

2.

The Department appropriately relies on the Chief of Police to provide leadership and overall management. However, the Chief of Police is a "working" Chief,

with the additional duties of providing shift coverage, responding to calls for service, supporting staff functions, and managing records and reporting requirements.

3.

The LEMAP Team members were impressed with the Bingen-White Salmon Police Department. The predominant impression was that the Department is engaged in correct practices and "doing things right". The Team found that Chief Brending appears to have broad-range of knowledge in many areas that police chiefs usually delegate to support and operations staff, such as records management and evidence and property control.

4.

A number of recommendations have been made in this report. It is hopeful that this review can be used as a long-range, strategic plan. Members of the Bingen-White Salmon Police Department should prioritize these recommendations and begin implementation in a manner consistent with community and elected officials expectations and law enforcement professional standards.

SECTION 1-ADMINISTRATIVE STANDARDS

CHAPTER 1-GOALS AND OBJECTIVES

WASPC accreditation standards for the chapter are:

1.1.1

The agency has written vision and mission statements that defines the agency's role.

1.1.2

The agency has written goals and objectives that are reviewed and updated at least annually and are available to all personnel.

Findings:

The Department has not yet developed a current mission, vision, or goals for the organization.

A Mission Statement was provided in 2002 when the Department's policies and procedures manual were established. This Mission Statement reads:

The mission of the Bingen-White Salmon Police Department is:

1.

To provide highly trained and professional members who will protect life and property through enforcement of city ordinances, state and federal laws, and to maintain peace and order within the cities of Bingen and White Salmon.

2.

To deter and detect criminal activity as well as to conduct investigations and initiate prosecutions within the court system.

3.

To fulfill a commitment to public service by providing assistance of a nonenforcement nature to people in need.

Recommendations:

1.1

The Department should develop a written mission statement that defines its role. The Department should include input from officers, as well as considering input from a committee that could be made up of members from the community such as concerned citizens, high school students, business owners, and service club members.

1.2

The Department should develop measurable goals and objectives that are reviewed and evaluated annually to determine if they were attained. Information regarding goals and objectives should be available to all personnel.

CHAPTER 2—ROLE AND AUTHORITY

WASPC accreditation standards for this chapter are:

2.1.1

The agency requires all law enforcement personnel to take and abide by an Oath of Office.

2.1.2

Statutory authorization exists for the agency to perform law enforcement services by local ordinance.

2.1.3

The agency has policies specifying legal requirements and procedures for any physical arrest completed with or without an authorized warrant.

2.1.4

The agency has policies assuring compliance with all applicable constitutional requirements for in custody situations.

2.1.5

The agency has policies governing search and seizure.

2.1.6

The agency has policies for conducting strip and/or body cavity searches;

2.1.7

The agency has policies and procedures concerning the arrest or detention of foreign nationals.

Findings:

Officers of the Bingen-White Salmon Police Department take an Oath of Office at the Washington State Criminal Justice, Basic Training Academy. Some officers stated that they had taken an Oath of Office from a local judge.

The Department arrest policy states that arrests can be made for "on view" misdemeanor violations at the member's discretion, except domestic violence. Probable cause arrests will be made for felony situations, unless unusual circumstances exist.

Searches will be made incident to arrest "for the purpose of officer safety."
There are no
guidelines for person or vehicle searches for evidentiary purposes.

There is no policy assuring compliance with all applicable constitutional requirements for in-custody situations, nor is there an appropriate policy regarding search and seizure.

Recommendations:

2.1

The Department should consider a formal swearing in ceremony for officers hired to the Bingen-White Salmon Police Department. An oath of office that is tailored to the mission, vision and goals of the communities of Bingen and White Salmon should be considered.

2.2

The Department should update the policies governing constitutional protections, laws of arrest, search and seizure (with or without warrants), and strip and body cavity searches.

2.3

The Department should implement a policy that governs officer actions relating to arrests and detention of foreign nationals.

CHAPTER 3—USE OF FORCE

The WASPC accreditation standards in this chapter are:

3.1.1

The agency has policy directing personnel to only utilize that force necessary to effect lawful objectives and authorizing use of force options and their appropriate application.

3.1.2

The agency has policy stating Washington State Peace Officers shall only utilize deadly force when necessary and justified to effect lawful objectives.

3.1.3

The agency has policy governing the use of warning shots.

3.1.4

The agency has policy governing the use of less-than-lethal weapons.

3.1.5

The agency has a policy requiring the request of appropriate medical aid after the use of force by personnel when an injury is known, suspected or is alleged.

3.1.6

The agency has a policy requiring personnel to submit a use of force report to the Chief Executive or designee when a firearm is discharged or personnel take any action that results in injury to another person.

3.1.7

The agency has a formal response in place to investigate and review officer-involved shootings.

3.1.8

The agency has a policy that addresses authorized weapons and ammunition.

Findings:

When force is used, officers document the facts and circumstances in incident reports. In addition to incident reports, the Department also has a use of force report form. The use of force report form is specific to the use of tasers and is not designed for other uses of force.

The Chief is responsible for the down-loading procedure when a taser is used; this process captures information surrounding the taser application. Only members who have been certified in the use of tasers are authorized to carry them.

Other less-lethal force including pepper spray and batons is authorized by policy. Warning shots and neck restraints are prohibited by agency policy.

Recommendations:

3.1

The Department should update and implement policies and procedures for the necessary, reasonable and legal use of force. Policies should ensure that decisions to use force are made in a professional, impartial, and safe manner and that there is an understanding and appreciation for the limitations on the authority to use force.

3.2

The Department's policies should clearly identify those circumstances that may warrant the use of deadly force. Policies should provide officers with guidance in the use of force during life-threatening situations.

3.3

Currently, Department policy prohibits the use of warning shots. The Department may choose to re-visit this prohibition and revise the policy. However, a Department policy that governs the use of warning shots should exist regardless of whether or not the Department maintains the prohibition or authorizes under specific circumstances.

3.4

The Department should establish consistent procedures for authorization and training by certified instructors in the use of less-than-lethal weapons and control devices beyond the use of tasers.

3.5

The Department should implement policy and procedure that requires the request of appropriate medical aid after the use of force by personnel when an injury is known, suspected, or alleged.

3.6

The Department should consider the use of a stand-alone use of force report form. The purpose is to: ensure that any force used that is capable of causing injury is recorded and that a formal review process is established to incidents for compliance with existing policy and law. The collection of use of force incidents should be analyzed to determine if there are training, equipment, or policy issues that should be addressed.

3.7

The Department should update its policy and procedures for establishing a formal

process in response to, investigation of, and review of any incident where an officer discharges a firearm, or other weapon, with the intent to use deadly force.

This update should address outside agency expectations that may be asked for assistance. It should ensure that the agency has a formal response, review and

investigative process for officer involved shootings that result in injury or loss of life, in order to protect the interests, rights and mental health of involved officers.

3.8

The Department should update the current policy that addresses authorized weapons and ammunition approved for on-duty use. The policy should specifically address personally owned weapons approved or prohibited for on-duty use. Consideration could also be given to implementing a policy that addresses flying while armed and possession of a concealed weapon outside Washington State.

3.9

The Department should implement a written directive that addresses the use of firearms from or at any moving vehicle.

3.10

The Department should implement written directives specifying the use of restraints or hobbles, in addition to the use of handcuffs.

CHAPTER 4—MANAGEMENT, STAFFING, ORGANIZATION AND
UTILIZATION OF PERSONNEL

WASPC accreditation standards for this chapter are:

4.1.1

The agency has protocol and procedures for Officer in Charge and exceptional situations.

4.1.2

The agency requires personnel to obey lawful orders of superior officers.

4.1.3

The agency reviews Pursuits, Use of Force events, and Internal Investigations.

4.1.4

The agency has a system of written directives.

Findings:

All personnel report directly to the Chief of Police.

Previously, the Chief of Police appointed an officer in charge during his absence, on a rotating basis. Recently, the Chief has appointed the senior officer to be in charge during the Chief's absence.

The Chief of Police and Acting Sergeant generally review all police reports, especially traffic pursuits, use of force events and complaints or allegations of misconduct.

There is no formal review process or analysis that is conducted on pursuits, uses of force, or complaints.

The Departments grievance process is defined by current policy and the collective bargaining agreement.

Recommendations:

4.1

Although small, the Department should consider maintaining an organizational chart that articulates the Department's components, functions, and assignments, i.e. firearms, FTO, internal investigations, etc.

4.2

The Department should establish a written command protocol that clarifies who is in charge in the absence of the Chief of Police, who is in charge in exceptional situations, and who is in charge in situations involving other agency personnel.

4.3

The Department should have written directives that identify authority and responsibility to issue directives, a process for updating directives and methods

for reviewing proposed directives.

CHAPTER 5-RECORDS MANAGEMENT

The WASPC accreditation standards in this chapter are:

5.1.1

The agency has a Central Records function.

5.1.2

Agency employees using the ACCESS system are appropriately trained and certified.

5.1.3

The agency has a system to record and maintain a record of every call for service.

5.1.4

The agency protects the privacy and security of agency records in a manner that assures that only authorized personnel with the appropriate need to know - and the right to know - can access those records.

5.1.5

The agency complies with Washington State Law governing criminal history receipt, dissemination and destruction of records.

5.1.6

The agency complies with ACCESS requirements.

5.1.7

The agency has procedures for processing and maintaining traffic citations.

5.1.8

The agency has systems to separate files, fingerprints, and photos relating to juvenile offenses from those relating to adult offenses.

5.1.9

The agency has guidelines to address the release of public information.

5.1.10 The agency has procedures for community notifications of registered sex offenders.

5.1.11 The agency has policy and procedure for completing seizures and forfeitures in compliance with state law.

5.1.12 Officer safety files include a copy of the signed order authorizing entry into the records management system by an authorized person.

5.1.12 Missing Person Verification - The agency has a process to verify the status of

missing persons and update the data base.

5.1.13 Vehicle Impounds - The agency attempts to notify vehicle owners when a stolen vehicle is recovered.

5.1.15 Uniform Crime Reporting - the agency participates in Uniform Crime Reporting by reporting to WASPC in a timely fashion.

Findings:

The Department has no administrative support staff or records information specialists to maintain, process, retain, perform quality control audits, destroy, disclose, process the sealing of juvenile records or vacate its records. The Chief of Police is responsible for all support services tasks.

Paper files are maintained in an open area within designated file cabinets. It appears this is done with some sense of order. However, some police reports and 3 x 5 cards appeared not to be maintained in any type of record series nor within a filing system. All employees of the Department can and do access all records for review and research. This area is protected from the public.

The agency has no automated RMS system; all records are in hard copy form. The Police Chief stated that the Department is hopeful that it will enter into an agreement for a computerized records management system in the future. However, if the agency is able to move forward with a computerized data entry and records management system it will have no support staff to input, track or retrieve the data.

The Chief is responsible for the review and forwarding of all criminal citations, police reports, etc., to both the City and County Prosecutors for charging purposes.

The Department has no method in place for depositing monies collected until the money can be taken to the City Clerk's Office for deposit. During the on-site visit, cash was found in an envelope that was placed in a hanging wall rack that was waiting to be deposited. This cash had no tracking method once it was received by the Department. There was no audit trail for parties who may have touched the money during its collection. The Chief advised the money could sit (in the described manner) over the weekend or after normal business hours until it is deposited at the City Clerk's Office.

The Police Chief is responsible for the Department's Uniform Crime Reporting (UCR) and processes reports by a hand tally of applicable reporting crimes. He submits it to the Washington Association of Sheriffs and Police Chiefs (WASPC) in a timely manner.

The agency is not forwarding copies of sex offense cases to WASPC in accordance with RCW 40.14.070.

The Police Chief is responsible for all public disclosure requests and seeks guidance from the City's Legal Advisor. The only way for a report to be designated as "not disclose" is if the responding officer so notes in the summary of incident report.

The Police Chief is responsible for the retention and destruction of the Department's records. Records that are stored for archive purposes are stored in a locked closet with access only by the Chief or his designee. The Department is following the State of Washington Records Retention and Destruction Guidelines. The Police Chief advised that he does have a certificate of destruction for the last records destruction completed.

Recommendations:

5.1

The Department should explore options to employ an administrative assistant, a records specialist, or a civilian employee to oversee the day to day operations and responsibilities of the legislatively mandated law enforcement records unit.

5.2

The Department must ensure the integrity and accuracy of its police records by limiting access to the Chief of Police and a designee. Additionally, all 3 x 5 cards and other police records should be filed appropriately.

5.3

The Department should continue to explore adopting an automated records management system. It should implement an automated records management system that can process the UCR reports electronically, in addition to capturing, storing and analyzing other necessary data for agency management and administration.

5.4

Support personnel should be responsible for the review and forwarding of all charging decision materials to both the City and County Prosecutors.

5.5

The Department should implement an alternative procedure for storing cash awaiting deposit at the Clerk's Office.

5.6

The agency should develop a procedure for forwarding copies of sex offense cases to WASPC in accordance with RCW 40.14.070 (b) (i), which states: Records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenders contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW

71.09.020 that are not required in the current operation of the law enforcement agency or for pending judicial proceedings shall, following the expiration of the applicable schedule of the law enforcement agency's retention of the records, be transferred to the Washington Association of Sheriffs and Police Chiefs for permanent electronic retention and retrieval . . ."

The Department could manually identify these sex offense case reports with a tickler system. When the Department becomes automated, it can create an electronic record with a case number that can be readily pulled when necessary and forwarded to WASPC.

5.8

Trained records personnel should be responsible for public disclosure mandates, records retention, destruction, purging, and other legislatively mandated records requirements. This dimension of law enforcement has become increasingly complicated in recent years. It places a serious burden on commissioned personnel who have a multitude of other enforcement-related responsibilities.

CHAPTER 6—INFORMATION TECHNOLOGY

The WASPC accreditation standards in this chapter are:

6.1.1

Electronic File Security - Access to the agency's computer server for electronic files is locked at all times with restricted access to those who are authorized and who have passed background investigation.

6.1.2

Security - The agency's network is not connected to any external network, either directly or indirectly, without a firewall.

6.1.3

The agency has no dialup modems or workstations with dialup modems connected to a network without additional authentication techniques beyond login name and password.

6.1.4

Controls - The agency has policies governing appropriate use of agency technology.

6.1.5

Computer Viruses - Each fixed and mobile computer workstation as an up-to-date copy of agency approved, anti-virus software installed and running while the equipment is in use.

6.1.6

Electronic information is routinely backed up at least once a week. Back up media is kept in secure storage and is completely destroyed when no longer needed.

Findings:

The Department currently utilizes Expeditor software as its records management system (RMS). A local, private vendor is the agency's Information Technology provider and implemented the Expeditor system. This RMS system does not capture necessary computer aided dispatch data and cannot provide data for analysis such as calls for service, dates, times, locations of incidents, etc., making it quite difficult for the Department to conduct any form of the crime analysis function.

A background investigation that included criminal history and Department of Licensing checks was conducted on the current software vendor. However, no "Triple I" checks were conducted.

Data back-ups are conducted every Sunday. The Chief oversees storage and disposal of back-up tapes.

Recommendations:

6.1

The Department should continue to pursue implementation of the Spillman RMS;

this could greatly enhance the Department's functionality in this area.

CHAPTER 7 - UNUSUAL OCCURRENCES

The WASPC accreditation standards for this chapter are:

7.1.1

Every sworn member of the agency has completed the National Incident Management System introductory training course.

7.1.2

The agency has contingency plans for responding to natural and man-made disasters, civil disturbances, and other unusual occurrences.

7.1.3

The agency consults with the County and/or regional agencies in developing a county or regional plan. The agency participates in county, regional and/or statewide plans when designated by the county, regional or statewide mobilization plans.

7.1.4

The agency has a policy for requesting and providing mutual aid.

Findings:

At the time of this review, it was unclear if every sworn member of the Department has completed the National Incident Management System introductory training course.

The Department has contingency plans for responding to natural and man-made disasters, civil disturbances, and other unusual occurrences. This plan has not been distributed nor has the appropriate training been conducted.

The Department consults with the County and/or regional agencies in developing a county or regional plan. The agency participates in county, regional and/or statewide plans when designated by the county, regional or statewide mobilization plans.

The Department has mutual aid agreements with Washington State regional agencies as well as with local Oregon State regional agencies.

Recommendations:

7.1

The regional disaster response plan indicates it was drafted in 2005. It may now be in a finished form. The Department should obtain the completed plan, distribute it to all Department personnel, train personnel on the contents, and update the plan annually.

CHAPTER 8-HEALTH AND SAFETY

The WASPC accreditation standards in this chapter are:

8.1.1

The agency has guidelines that inform employees of the threats and hazards associated with airborne and blood borne pathogens.

8.1.2

The agency provides personal protective equipment to minimize exposure to potentially infectious material including sharps.

8.1.3

The agency provides soft body armor and requires its use.

8.1.4

The agency provides reflective clothing and requires its use.

8.1.5

The agency has procedures for disposal and decontamination when there is an event or contact involving biohazard material including blood or bodily fluids.

8.1.6

The agency has procedures for post-exposure reporting and follow-up after suspected or actual exposure to infectious diseases.

Findings:

Chapter 18 of the Department Policy Manual specifies a comprehensive approach to blood borne and infectious disease protection, reporting, and exposure response. Training has not been provided to all Department members on an annual basis as is required by Department policy and Federal Law.

Department Policy 5.21.00 requires the wearing of soft body armor when members are in uniform. The Department provides soft body armor to commissioned officers.

Reflective vests are provided in each patrol vehicle for use by Department members.

A receptacle for biohazard items and sharps is located in the police building. Not all police vehicles have containers or bags for disposal of biohazard items and sharps.

Post-exposure reporting is specified in Department Policy 18.02 inclusive. Not all Department members have been trained in the procedures to follow in case of exposure.

Recommendations:

8.1

The Department should assure that their blood borne pathogens policy is up to date and that all Department members are trained on an annual basis. There is some excellent on-line training available on this subject matter.

8.2

The Department should maintain an easily accessible and secure container for disposal of hazardous materials or sharps in the police facility, or find a partner such as a fire department or medical facility that will accept these items and assure legal and safe disposal.

8.3

The Department should assure that all members know proper procedure in case of a biohazard exposure. The Department should consider having the forms and a written process for post-exposure actions readily available to all Department members.

8.4

The Department should place sharps containers in each vehicle.

8.5

The Department should provide personal protective equipment to all Department members. These items should be readily available to officers in the field.

CHAPTER 9—FISCAL MANAGEMENT

The WASPC accreditation standards in this chapter are:

9.1.1

Budget Control - The Chief Executive Officer has the authority to spend funds in the approved budget for day-to-day operation of the agency.

9.1.2

Budget Control - The Chief Executive Officer makes regular reviews of the agency budget.

9.1.3

Budget Control - The agency has a system for review and approval of expenditures.

9.1.4

Payroll - The agency has a policy requiring supervisory approval of all overtime.

9.1.5

Payroll - The agency has a policy requiring non-exempt employees to complete a timesheet listing the number of hours worked during the pay period.

9.1.6

Payroll - The agency has a policy requiring timesheets to be approved by a supervisor prior to payment.

9.1.7

Cash Control - The agency has a system to document and record the use of cash funds that include receipts, supervisory approval, and periodic audit.

Findings:

The City of White Salmon is a member of the Association of Washington Cities.

The City operates under the State of Washington "BARS" system. It has recently experienced significant attrition amongst directors, including the City Clerk/Finance

Director's office. This has resulted in a lapse in overall budget management and monthly

evaluation. Monthly budget summaries have not been provided for sometime and department directors don't have access to formal budget reports, including disbursements, expenditures and overtime.

According to Department staff, there were "findings" during the last audit conducted by the Washington State Auditor. No additional internal or external audits have been conducted for the Department or the City.

Neither the Department nor the City employs an equipment replacement schedule.

The Chief has access to petty cash, totaling \$25, although he asserts he has never used it.

The Chief of Police and other Department members find themselves spending personal funds, without reimbursement, for some basic operational needs and improvements, such as painting and equipping the new police headquarters facility.

Department personnel are required to complete time sheets for payroll that are reviewed by the Chief of Police.

Recommendations:

9.1

The Department will benefit when the city is able to provide an accounting system that includes provisions for monthly status reports showing initial appropriation for each account, balances at the commencement of the monthly period, expenditures and encumbrances made during the period, and the unencumbered balance.

9.2

Annual, independent audits of the Department's fiscal activities should be scheduled.

9.3

Procedures for requesting supplemental or emergency appropriations and fund transfers should be established and members of the Department should not be expected to use personal funds to augment the operation. A policy and procedure should be established for reimbursement when personal funds are used.

CHAPTER 10—RECRUITMENT AND SELECTION

The WASPC accreditation standards for this chapter are:

10.1.1 The agency has written standards and hiring criteria for sworn and non-sworn

employees and, if applicable, reserve, part-time, or limited commission personnel.

10.1.2 The agency requires that background investigations be conducted on each candidate for a sworn position prior to appointment, and requires that proof is submitted to the Washington State Criminal Justice Training Commission.

10.1.3 The agency requires that medical examinations, including drug screening, be performed by a licensed physician for each candidate for a sworn position, prior to appointment.

10.1.4 The agency requires that a licensed psychologist or psychiatrist conduct a psychological fitness examination for each candidate for a sworn position, prior to appointment.

10.1.5 The agency requires that a polygraph examination be administered by a licensed technician for each candidate for a sworn position, prior to appointment.

10.1.6 Applicant files are secured and available only to those who are authorized to

participate in the selection process.

10.1.7 Employee personnel files are separate and secure from other files.

Medical tests, psychological evaluations and polygraph results are kept separate from personnel files in secure locations.

Findings:

A Civil Service Commission has been established and the State's Civil Service Rules and

Regulations have been adopted. Applicants are required to successfully pass a written,

oral and physical test.

Background investigations are conducted on new hires. Medical, psychological and polygraph examinations are required. The Chief of Police did not believe that applicants were required to submit to a drug screen during the physical examination.

The Chief of Police is responsible for applicant files, which are separated from personnel files. Files are locked in the Chief's office.

Recommendations:

10.1

Personnel responsible for background investigations should be appropriately trained in this complicated and important dimension. Information received from background investigations must remain confidential and only be available to those who have a right and need to know the information.

CHAPTER 11-TRAINING

The WASPC accreditation standards for this chapter are as follows:

11.1.1 The agency requires all full-time, sworn members to successfully complete the

Basic Law Enforcement Academy or Equivalency Academy, as certified by the Washington State Criminal Justice Training Commission prior to assuming law enforcement duties, and requires that they begin attending the Academy within six months of their date of hire.

11.1.2 The agency has established a formal Field Training program for all newly sworn officers.

11.1.3 The agency maintains and updates training records of all employees.

11.1.4 The agency maintains records of each formal training it conducts.

11.1.5 The agency requires all sworn members to successfully complete an annual in-

service training program that includes material on Federal and Washington State Court cases, legal updates, and as required by the Washington State Criminal Justice Training Commission, or at least 24 hours.

11.1.6 Agency Personnel are required to demonstrate satisfactory skill and proficiency with agency authorized weapons before being approved to carry and/or use such weapons.

11.1.7 Staff members who are designated as full-time supervisors or managers have earned the appropriate certification by the Washington State Criminal Justice Training Commission.

11.1.8 At least annually, agency personnel receive in-service training on the agency's use of force and deadly force policies. In-service training for less-than lethal weapons shall occur at least every two years.

Findings:

The Department requires all full-time, sworn members to successfully complete the Basic

Law Enforcement Academy or Equivalency Academy, as certified by the Washington

State Criminal Justice Training Commission prior to assuming law enforcement duties.

Members must begin attending the Academy within six months of their date of hire.

The Department has established a formal field training program for all newly sworn officers and the trainer is certified through the Washington State Criminal Justice Training Commission.

The Department does not employ non-sworn employees.

The Department maintains and updates training records of all employees. The agency utilizes in-house trainers to conduct firearms, radar, first aid, and CPR training. Trainers keep a roster of training attendees and some of the course curriculum.

The Department requires all sworn members to successfully complete an annual in-service training program that comprises at least 24 hours of training.

Department Personnel are required to demonstrate satisfactory skill and proficiency with Department authorized weapons before being approved to carry and/or use such weapons.

The Department does not have full time supervisors except for the Chief. CJTC career level certification is not required for any current Department employee.

Department personnel do not currently receive in-service training on the Department's use of force and deadly force policies.

The Department provides annual in-service training for tasers. There is no in-service training for other less-than lethal weapons.

Recommendations:

11.1

The Department should include annual, in-service training pertaining to the use of force, the Department's deadly force policy, and the use of all issued less-lethal weapons.

11.2

The Department should require all sworn members to successfully complete an annual, in-service training program that includes material on Federal and Washington State Court cases, legal updates, and high liability activities as well as any instruction required by the Washington State Criminal Justice Training

Commission.

11.3

All training conducted by Department members, whether internal or external, should be documented. This should include a roster of attendees, a comprehensive outline of the course of instruction, and any related documents such as test results. This documentation should be maintained by the Department in a central location and not held individually by the instructor.

CHAPTER 12—PERFORMANCE EVALUATION

The WASPC accreditation standards for this chapter are:

12.1.1 The agency has an evaluation policy that requires formal written review of the work performance of each employee and is conducted annually.

12.1.2 The agency has a system for evaluating the performance of all probationary employees.

Findings:

The Department's policy on evaluations states that written performance evaluations are conducted on all non-exempt employees at least semi-annually. By policy, the evaluations are to be utilized by the Department and Civil Service Commission to determine promotional qualifications, job assignments, and continued tenure. The evaluation process is intended to be "formal."

According to the policy, the Chief of Police is exempt from evaluation.

Recommendations:

12.1

All members of the agency should be evaluated on an annual basis, including the Chief of Police.

12.2

Employees responsible for completing performance appraisals should be appropriately trained on how to complete evaluations and what information should and should not be included.

12.3

Employees should be held accountable for performance through the performance appraisal process. Employees who receive evaluations documenting that improvement is needed should be required to show performance improvement.

Chapter 13—Code of Conduct

The WASPC accreditation standards in this chapter are:

13.1

The agency has a code of conduct that outlines specific conditions of work that apply to all agency personnel.

13.2

The agency has a policy prohibiting sexual and any other forms of unlawful or improper harassment or discrimination in the work place. The policy provides guidelines for reporting unlawful or improper conduct, including how to report if

the offending party is in the complainant's chain of command. The policy includes "whistleblower" protection.

13.3

The agency has a policy prohibiting biased-based policing, also known as "racial profiling."

13.4

The agency has a written policy and procedure for responding to and investigating allegations of domestic violence involving employees of law enforcement agencies.

13.5

The agency requires all personnel to use safety restraint/seat belts while operating agency vehicles.

Findings:

The Department's code of conduct outlines conditions of work that apply to all officers.

The Department's biased based policing policy is written to conform to former WASPC model policy language and does not comply with legislative requirements.

The Department's policy addressing unlawful harassment does not address the process an officer must follow to make a report, proper procedures if the offending party is in his or her chain of command, or protections for "whistleblowers".

Recommendations:

The Department's code of conduct needs to be reviewed and updated.

13.1

The Department needs to substantially rewrite its unlawful harassment policy. The Association of Washington Cities (AWC) should be able to assist the Department with appropriate policy language. It may also be able to provide financial assistance for required training.

13.2

The Department needs to comply with the legislative requirement that agencies report on complaints regarding biased based policing or racial profiling.

13.3

The Department should update its policy and procedures governing domestic violence investigations and officer involved domestic violence investigations during their policy and procedure manual update.

13.4

It is unknown if Department members have the opportunity to seek assistance from an Employee Assistance Program. If such a program does not exist in Bingen-White Salmon, the cities should consider contracting with such a service.

13.5

During policy manual updates, the Department should incorporate directives that govern the use of agency technology, including computers, copiers, and fax machines.

Chapter 14—Internal Affairs

The WASPC accreditation standards for this chapter are:

14.1.1 The agency requires the documentation and investigation of all complaints of misconduct or illegal behavior against the agency or its members.

14.1.2 The agency identifies which complaints supervisors investigate and which types of complaints are investigated by an internal affairs function.

14.1.3 The agency has procedures for relieving a member from duty during an internal investigation.

14.1.4 The agency has a policy regarding providing complainants with written notification concerning the conclusion of fact and disposition of their complaint.

14.1.5 The agency requires that records of complaints and dispositions be maintained.

Findings:

Department Policy 07.02.00 states that formal complaints will be thoroughly reviewed.

The Department will apply all accepted investigatory techniques in accordance with

current Department policy and State and Federal Laws. Fortunately, the Department

receives very few formal complaints. However, personnel are not trained or aware of

accepted investigatory techniques relating to complicated, internal investigation of

allegations of misconduct.

Recommendations:

The WASPC Team recognizes that the Bingen-White Salmon Police Department already incorporates many of the recommendations listed below. Nevertheless, these recommendations are listed for the purpose of providing the Department a global perspective for organizational accountability regarding the complaint process and internal discipline.

14.1

The Department should consider using performance audits that track the following incidents: use of force, injuries to prisoners, arrests for resisting or

obstructing, firearm discharges, complaints, criminal/civil claims, vehicle pursuits, disciplinary actions imposed, automobile accidents, and attendance/absenteeism.

Complaint Intake:

14.2

Create a policy and procedure governing the complaint and disciplinary process.

14.3

Complaint forms should be simple, straightforward, and prepared in appropriate

languages.

14.4

Assistance should be available to persons incapable of filing complaints.

14.5

Legal counsel for the Cities should promptly notify the Department whenever civil claims are filed arising out of alleged misconduct. The Department should investigate every significant claim.

Investigation:

14.6

All complaints and allegations of misconduct should be thoroughly investigated and not just reviewed.

14.7

Complaint processing should be consistent throughout the organization.

14.8

Investigative personnel should receive specific training focused on internal investigative practices, including organizational requirements on labor agreements

and procedures. Investigation files should be completed and organized in a consistent manner. Classifications include:

-

Complaint

-

Allegation Summary

-

Findings of Fact

-

Statements

-

Reports

-

Correspondence

-

Disposition/Penalty Recommendations

-

Classification Summary (i.e. Allegation #1 - Sustained, Allegation #2 - Not Sustained, etc).

14.9

If the Cities wish to use an external review system, investigations should be forwarded to the audit authority, whose responsibility is to determine that the investigation is thorough and complete.

14.10

Certain investigative practices should not be allowed. Group interviews of officers and pre-interviews before recorded statements should be prohibited.

14.11

All interviews should be recorded.

14.12

All officers witnessing, but not participating in the alleged misconduct, should be investigated as to the role they played.

Adjudication:

14.13

Initial complaints should be forwarded to the Chief of Police for classification.

14.14

Findings that are not sustained are insufficient to administer discipline. However, the complaints should be available for review in future investigations and employee evaluations.

14.15

All findings should be available for the purposes of training, counseling and assignment.

14.16

All complaints of misconduct should be investigated. Not sustained findings should be minimized. Decisions must be based on all available evidence using a "preponderance of the evidence" standard, not a "beyond a reasonable doubt" standard.

14.17

Information should be utilized in performance evaluations and officers should be evaluated on their ability to correct unacceptable behavior.

Discipline:

14.18

To ensure accountability to the community, the Chief of Police must be responsible for the administration of discipline. Based on this belief, the Chief

should be given the right to mitigate discipline in appropriate cases.

Mitigation

should be subject to an audit review.

14.19

Following every sustained complaint, the Department should take affirmative action to ensure the officer modifies his or her behavior. Along with discipline, training and counseling should be considered in such cases when the officer is not dismissed.

14.20

Officers who violate Department rules and regulations by failing to truthfully report known instances of misconduct should be punished severely. Attention should be focused on officers who corroborate the story of another during investigations where allegations of misconduct are eventually sustained.

SECTION 2—OPERATIONAL STANDARDS

CHAPTER 15—PATROL FUNCTION

The WASPC accreditation standards for this chapter are as follows:

15.1.1 The agency provides response to emergency events 24/7 by sworn employees who

have completed Basic Training per the Washington State criminal Justice Training Commission.

15.1.2 The agency has procedures for response to emergency and non-emergency calls

that conform to state legal requirements.

15.1.3 The agency provides 24-hour, two-way radio capability providing continuous

communication between a communication center and the officer(s) on duty.

15.1.4 The agency has the means to access immediate playback of recorded, emergency

telephone and radio communications

15.1.5 The agency has guidelines for the use of authorized vehicle emergency equipment.

15.1.6 The agency has policies governing motor vehicle pursuits that conform to Washington State Law.

15.1.7 The agency has procedures for response and investigation of domestic violence.

15.1.8 The agency has procedures for response and investigation of missing persons, including procedures specific to missing adults, missing children, and the utilization of the Amber Alert System.

15.1.9 The agency has procedures for the handling of mentally ill individuals, including those pending criminal charges and mental health commitments, pursuant to the Revised Code of Washington.

Findings:

The Department provides response to emergency events 24/7 by sworn employees who have completed Basic Training per the Washington State Criminal Justice Training Commission.

Department Policy 16.01 outlines procedures for response to emergency and non-emergency calls.

The Department contracts with the Klickitat County Sheriff's Office which provides 24hour, two-way radio capability providing continuous communication between a communication center and the officer(s) on duty.

The contract dispatch center has the means to access immediate playback of the prior 12 hours of recorded, emergency telephone and radio communications.

The Department has guidelines for the use of police vehicles. The policy does not include guidelines for the use of emergency equipment. The vehicular pursuit portion of Chapter 9 does not contain all 13 elements of current Washington State Law.

Department Manual Chapter 20 outlines a comprehensive policy outlining domestic violence response including response to officer involved domestic violence incidents.

The Department has procedures, in Department Manual 16.11.00, for response and investigation of missing persons and runaways. The Policy does not include direction specific to missing adults, missing children, and the utilization of the Amber Alert System.

The Department does not have procedures comporting with the Revised Code of Washington for the handling of mentally ill individuals, including those with pending criminal charges or mental health commitments.

Recommendations:

15.1

Although the domestic violence policy appears to be more current than most other parts of the manual, improvements can be made. The Department should assure

that: the policy is reviewed by the City's legal counsel and risk management authority; the policy is reviewed by representatives of the City and County Prosecutor's Offices; the final policy is drafted in accordance with the recommendations of the listed officials; all Department members are properly trained on the final policy; and forms or related documents listed in the policy are available to all Department members.

15.2 The vehicle pursuit policy should be re-written to include the elements required under state law. As part of that process the agency should assure that: the policy is reviewed by a the City's legal counsel and risk management authority; the policy is reviewed to assure it is compatible with surrounding police agencies; the final policy is drafted in accordance with the recommendations of those consulted; and all Department members are properly trained on the final policy.

15.3 The Department should create written policies that govern the use of emergency equipment during routine and emergency use of Department vehicles.

15.4

The Department should write, train, and follow written guidelines specific to the handling of mentally ill individuals, including those with pending criminal charges and mental health commitments, pursuant to the Revised Code of Washington.

15.5

The Department should implement and train on policy and procedure governing missing persons, including participation and utilization in the Amber Alert process.

CHAPTER 16—TRAFFIC FUNCTION

The WASPC accreditation standards for the chapter are:

16.1.1 The agency has procedures for investigating vehicle crashes on public and private property and uses the current Washington State Patrol, authorized accident report forms.

16.1.2 The agency has procedures for the lawful impounding of vehicles.

16.1.3 The agency has procedures to take timely action to address hazardous road conditions.

Findings:

Chapter 21 of the Department Manual specifies criteria for determining when the Department will investigate school bus collisions and when the Washington State Patrol will do so.

The Department has a written policy pertaining to the investigation of vehicle crashes, including fatality accidents.

LEMAP Report

The Department does not have written policies related to impounding vehicles.
The Department does not have written policies related to hazardous road conditions.

Recommendations:

16.1

The Department should write, train, and follow written guidelines specific to impounding vehicles.

16.2

The Department should write, train, and follow written guidelines specific to dealing with hazardous road conditions.

16.3

The Department should enter into agreements with neighboring jurisdictions to create plans for investigating traffic-related matters that require specific training and equipment, such as the use of Total Stations, to ensure that appropriately trained personnel can investigate and re-construct serious accident incidents.

CHAPTER 17—INVESTIGATIVE FUNCTION

The WASPC accreditation standards for this chapter are:

17.1.1 The agency utilizes a case management system for screening and assigning incident reports for follow-up investigations.

17.1.2 The agency has guidelines for investigating elder abuse.

17.1.3 The agency has guidelines for investigating child abuse.

17.1.4 The agency requires that interviewers of child victims or sexual abuse cases have

received the mandated training from the Washington State Criminal Justice Training Commission.

17.1.5 The agency has guidelines for investigating hate crimes.

17.1.6 The agency has guidelines for investigating identity theft.

17.1.7 The agency has policies and procedures governing the use of informants.

Findings:

Chapter 16 of the Department Manual provides very specific guidelines for general case management. The chapter is not up to date. It delegates certain responsibilities to a

Sergeant's position even though the Department does not currently have a Sergeant.

The Department does not have written guidelines specific to the investigation of elder abuse cases.

The Department does not have written guidelines specific to the investigation of child abuse cases.

The Department does not have written guidelines specific to conducting interviews of child victims.

The Department does not have written guidelines specific to hate crime investigations.

The Department does not have written guidelines specific to identity theft investigations.

The Department does not have written guidelines specific to the use of informants. They do not use informants and would refer informants wishing to provide drug information to the regional drug task force.

Recommendations:

The Bingen-White Salmon Police Department needs to recognize what it is able to do well. However, in the area of sensitive investigations, it is more important that it recognize what it may not have the knowledge, skill, ability, or experience to investigate. It is the LEMAP team's belief that a quality working relationship with neighboring agencies should be fostered and plans for mutual aid should be created prior to critical incidents. Included with this report are sample policies and procedures governing investigations and case screening methodology that will guide the Department in making improvements.

17.1

The Department should write, train, and follow written guidelines specific to the investigation of elder abuse cases.

17.2

The Department should write, train, and follow written guidelines specific to the investigation of child abuse cases.

17.3

The Department should write, train, and follow written guidelines specific to conducting interviews of child victims. The Department should enter into agreements with other agencies that are trained in, and frequently conduct, child interviews. This is a highly specialized skill that is seldom called for in smaller agencies but is essential when required in an investigation.

17.4

The Department should write, train, and follow written guidelines specific to the reporting and investigation of hate crimes cases.

17.5

The Department should write, train, and follow written guidelines specific to the

investigation of identity theft cases.

17.6

The Department should write, train, and follow written guidelines specific to the

use of informants. Forms specific to the use of informants, including cash handling processes, should be initiated and utilized as directed in the written policy.

CHAPTER 18—EVIDENCE AND PROPERTY CONTROL FUNCTION

The WASPC accreditation standards for this chapter are:

18.1.1 The agency has guidelines for the proper collection and identification of evidence.

These guidelines conform to the policies and procedures outlined in the current Washington State Patrol Evidence Collection Manual.

18.1.2 Notification - Property owners are provided the legal reason for the seizure and

state law is followed on notification, appeal and disposition.

18.1.3 Notification- The agency has policies requiring efforts are made to identify and

notify owners or custodians of recovered property.

18.2.1 Booking - Property and evidence is placed under the control of the property and

evidence function before the officer completes their shift.

18.2.2 Booking - The agency has the means to temporarily separate and secure property

and evidence while it is waiting processing into the permanent storage facility.

18.2.3 Booking - The agency has the means to properly preserve and secure perishable

property both temporarily and after it is received in the permanent storage facility.

18.2.4 Booking - The agency has the means to temporarily separate and secure evidence

containing hazardous materials while it is awaiting processing into the appropriate permanent storage facility.

18.3.1 Facility Controls - The permanent storage facility has controls to keep property

protected from unauthorized entry, fire, moisture, extreme temperature and pests.

18.3.2 Facility Controls - The permanent storage facility containing biohazards or

organic matter has systems in place to prevent the exposure of hazards and noxious odors to agency employees and the public.

18.3.3 Physical Security - The agency's evidence and property facilities are alarmed

and monitored 24/7.

18.3.4 Physical Security - Access to the agency's property and evidence facilities is

restricted to authorized employees only.

18.3.5 Physical Security - The agency records the name, date, time, and purpose of

persons who enter and leave the storage facility.

18.3.6 Physical Security - The agency provides additional security for guns, drugs, cash,

jewelry, or other sensitive or valuable property, that is over and above that provided for other property and evidence.

18.4.1 Tracking - Evidence and property is packaged, individually tagged and logged

into a centralized tracking system as soon as possible.

18.4.2 Tracking - Every piece of property and evidence is related to a report describing

the circumstances of the seizure or custody by the agency.

18.4.3 Tracking - A tracking system accurately describes the current location of every

piece of property and evidence.

18.4.4 Tracking - The tracking system accurately records the movement of every piece of

property and evidence by date, location, reason, and person.

18.4.5 Tracking - Drugs are weighed using a calibrated scale whenever they enter or

leave the secure facility.

18.5.1 Purging - The agency has a policy regarding the release of property.

18.5.2 Purging - The agency has policies requiring efforts are made to identify and notify owners or custodians of recovered property.

18.5.3 Purging - Property containing hazardous materials, biological hazards or other materials restricted by State or local health regulations is disposed of properly.

18.5.4 Purging - When property is sold, the disposition of the money received is accounted for and recorded according to State law.

18.5.5 Purging - The agency destroys illegal drugs, contraband and other illegal items by methods that are safe. Documentation of destruction is maintained according to the State's retention schedule.

18.6.1 Audits - The agency ensures that an audit of the property and evidence is conducted at least annually.

18.6.2 Audits - An audit of property and evidence is conducted whenever a new employee is assigned responsibility of the property and evidence function.

Findings:

The property and evidence function is overseen by a senior officer with other assigned responsibilities. The Department does not have the convenience of support personnel in any division.

The property and evidence storage area doubles as a storage facility for the Department's various equipment and office supplies. The storage area is on one side of the small facility, while property and evidence are stored on the adjacent side of the facility.

The Chief of Police and the officer overseeing the operation are the only two employees who have keys to the storage area. While there is a separate key system in place for this door, it should be noted the door is hollow and could easily be kicked in for quick access.

The property and evidence storage area lacks an alarm and system.

High risk items such as jewelry, narcotics, marijuana and money are co-mingled with all other property and evidence. Guns are placed in a separate file cabinet; however, the cabinet is left open and the guns are neither placed in boxes and sealed nor secured in any additional manner.

Current procedures are lacking and do not conform to the policies and procedures outlined in the current Washington State Patrol Evidence Collection Manual.

The Department has no area to dry bloody clothes for packaging or preservation of evidence.

Drugs are destroyed on an arbitrary basis by the officer who oversees the property and evidence function. The destruction process currently in place is the flushing of narcotics, marijuana, etc. down the toilet.

Drug pipes and knives are broken and placed in the general garbage at the agency. The agency stores hazardous materials at the PUD bunker. Fireworks are put in a garbage can full of water and either disposed of in the Department's general garbage, or an employee takes them home and throws them in his or her personal garbage.

The Department has no separate refrigerator or freezer to store perishable property and evidence, or blood. The agency usually stores these items in the Department's main refrigerator, which is used for all employees' day to day use. Occasionally the employee overseeing property has taken impounded blood to his residence, storing it in his personal refrigerator.

There are no internal or external audits of any kind performed on the property and evidence facility.

The Department does not maintain a log identifying who has entered the property and evidence facility, the purpose of their visit, whether the visitor is escorted, and the time of entry and exit.

Evidence records are maintained manually and no systematic process was found.

The Department's temporary lockers are in an open area and have no security system.

There is no on going purging or destruction of property.

Recommendations:

18.1

The Department should develop a standard operating procedure manual for property and evidence procedures as outlined in the current Washington State Patrol Manual.

18.2

The storage of high risk items such as money, narcotics, marijuana and jewelry should be extracted from the general property and evidence storage and secured separately with additional security measures. Firearms should be checked for stolen status in WACIC/NCIC and stored in more secure method such as a box, which is standard protocol for property and evidence.

18.3

The Department should explore options to assign a dedicated employee to property and evidence functions and mandates

18.4

The Department should dedicate a property area that stores only property and evidence items.

18.5

The Department should develop a tracking system and log identifying all persons who enter the property and evidence area, the reason for the visit, and the date and time of entry and exit. No visitors should be allowed entry without supervision.

18.6

The Department should discontinue using the employee refrigerator for the storage of blood and perishable evidence. It should also discontinue permitting use of an employee's residential refrigerator for storage. The Department should follow the procedures outlined in the current Washington State Patrol Evidence Collection Manual.

18.7

The Department should follow the procedures as outlined in the current Washington State Patrol Evidence Manual for the disposal of all narcotics, marijuana, and associated drug paraphernalia and discontinue current practice immediately.

18.8

The Department should conduct an inventory and audit trail of all items in the property and evidence storage area. A neighboring agency's property and evidence custodian would be a valuable resource for this function. Additionally, LEIRA has property and evidence personnel who are experts in this arena who may provide guidance and assistance.

18.9

The Department should encourage the employee responsible for property and evidence functions to attend LEIRA training conferences and participate in regional training.

18.10

The Department should consider contacting Kelly Donnelly, Mercer Island Property and Evidence Technician who serves as the LEIRA Property and Evidence Committee Chair. It should consider becoming part of the property and evidence networking group. This is a valuable group comprised of technicians from all size agencies across the state.

18.11

The Department should install an alarm system for areas housing property and evidence.

CHAPTER 19—PRISONER SECURITY

The WASPC accreditation standards for this chapter are:

19.1

The agency has guidelines governing the methods and use of restraining devices used during prisoner transports.

19.2

The agency has guidelines for transporting the sick, mentally ill, injured and disabled prisoners

19.3

The agency requires transporting officers to conduct a thorough search of prisoners prior to transport.

19.4

The agency requires a thorough search of all vehicles used for transporting prisoners before and after transport.

19.5

The agency has procedures for officer transporting prisoners for safety and security of firearms, removing restraining devices, delivering documentation to receiving personnel, and advising receiving personnel of any potential medical or security concerns or hazards posed by the prisoner.

19.6

The agency's temporary holding facility includes access to shelter, warmth, potable water, and a toilet.

19.7

The agency has procedures for using temporary holding facilities.

19.8

The agency has procedures for non-secure holding of juveniles who are status offenders.

Findings:

The Department does not have temporary detention facilities. Arrested subjects, both adult and juvenile, are transported to detention facilities and not the Police Department.

Recommendations:

19.1

Officers should not hold or detain persons under arrest inside the police facility for any reason. If detained, arrested subjects may have access to Department equipment, confidential information, personal property, etc. If the Department detains juveniles at the Police Department, it must follow The Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002, Office of Justice and Delinquency Prevention, Department of Justice.

19.2

The Department should develop and implement policy and procedures for the transport of prisoners that ensures the safety of the transporting officer, the prisoner and the general public. Those procedures should include:

- Methods and use of restraining devices
- Transporting the sick, mentally ill, injured or disabled
- Thoroughly searching prisoners and vehicles before and after transport.

CHAPTER 20-AGENCY FACILITIES

The WASPC accreditation standards for this chapter are:

20.1.1 The agency has a published telephone number that is answered by a trained employee during regular business hours.

20.1.2 Victim and witnesses are interviewed in locations that are separated by sight and sound from the public areas of the facility.

20.1.3 Police employees are physically separated from the public by either a three-foot minimum distance or a physical barrier.

Findings:

The Department has a published telephone number that is answered only when officers are in the station. Otherwise, the call is recorded and when officers return to the station

the call returned.

There are no interview rooms in the facility. Victims and witnesses are interviewed in officers' offices. These offices can be secured from other office areas in the Police Department.

Police employees are separated from the public by a locked door and visitors to the station are greeted by an officer who unlocks a door and enters into a common area of the building.

Recommendations:

None

Bingen-White Salmon Police Department LEMAP
Attachment #1-Sample Case Screening Form

CASE SCREENING FORM

Case Number: _____ Date: _____
Initial Officer: _____ Case Type: _____
Case Screening Guidelines

- The Investigative Lieutenant shall use the following solvability factors to determine which criminal offenses will be investigated.
- Solvability factors will be circled, where applicable, and their total weight determined, using the factors, regarding the possibility of solving the crime.
- If the total weight of the solvability factors equals 10 or more, the case shall be assigned to an investigator for further investigation.

SOLVABILITY FACTOR

1. Estimated time lapse of crime discovery
 - a. Less than 1 hour
 - b. 1-12 hours
 - c. 12-24 hours
 - d. More than 24 hours
2. Crime discovered on-view by officer
3. Witness to crime (weight depends on credibility)
4. Suspect can be identified
5. Suspect can be described
6. Suspect can be located
7. Suspect has been seen in area previous to offense
8. Suspect vehicle can be identified
9. Partial description of suspect vehicle
10. Stolen property can be traced
11. Stolen property has been recovered
12. Significant/unique method of operation
13. Significant amount of physical evidence recovered
14. Recovered latent fingerprints
15. Limited opportunity for offender to commit the crime
16. Other consideration/impact on community

Screened by: _____

WEIGHT

- 3
- 2
- 1
- 0
- 5
- 1 2 3 4 5
- 10
- 4
- 4
- 2
- 7
- 2

5

7

3

3

5

4

1 2 3 4 5

TOTAL: _____

Franklin County LEMAP
Attachment #2-Sample Case Screening Form

SANFORD RESEARCH INSTITUTE ROBBERY INVESTIGATION DECISION MODEL1

INFORMATION ELEMENT WEIGHTING FACTOR

Directions: Circle the weighing factors that appear in the incident report. If the sum of the factors is 10 or above, follow-up the case; otherwise suspend it.

Suspect named 10
Suspect known 10
Suspect previously seen 10
Evidence technician 10
Places suspect frequented named 10
Offender's movement description

On foot 0.0
Vehicle (not auto) 0.8
Auto 1.5
Auto color given 1.5
Auto description given 2.3
Auto license given 3.8

Physical evidence
Each item 1.3
Weapon used 1.8

Vehicle registration
Query information available 1.1
Vehicle stolen 2.3
Useful information returned 3.4
Vehicle registered to suspect 4.6

Another variable of importance is the offender-victim race. If this variable were included, the weights listed next would be assigned. Since this variable is dependent on the population makeup for Oakland. It is included as a footnote primarily for Oakland and for general interest. Its value in increasing the probability of correct classification is nil.

Offender-Victim Race
Black offender, white victim 0.0
White offender, black victim 0.3
All other combinations or unknown 0.7
White offender, white victim 1.1
Black offender, black victim 1.5

Note: This instrument has been adapted and modified by many police departments in the United States and is part of a prescriptive package entitled Managing Criminal Investigations (MCI) prepared in 1978 for local law enforcement agencies under the auspices of the University Research Corporation of Washington, D.C. The objective of the MCI program was to improve on police investigative performance by increasing the number of arrests and convictions.

1 Greenberg, E. and Robert Wasserman. (1979). Managing Criminal Investigations. Washington, D.C.: National Institute of Law Enforcement and Criminal Justice. p.36.

Franklin County LEMAP
Attachment #3-Sample Policy

SUBJECT: INVESTIGATIONS ORGANIZATION AND ADMINISTRATION

This order consists of the following numbered sections:

- 42.1.1 Investigation - On-call Schedule
- 42.1.2 Investigations - Case Assignment Management
- 42.1.3 Investigations - Case File Management
- 42.1.4 Investigations - Case Assignment Responsibility
- 42.1.1 Investigations - On-Call Schedule

I.

Call-Out List

A. The Investigation's Division does not operate on a 24-hour basis. The Detectives' home phone numbers are listed on the Emergency Call-Out List.

B. The purpose of the on call-out schedule is to establish a call-up order list. Detectives listed are subject to call up but not required to be on standby.

II.

Call-Out Procedures for Detectives

A. In order to assist Patrol and add continuity to follow-up investigations, it is required that detectives be notified when any of the following complaints are received and verified as being founded:

1.

Homicide

2.

Any unusual incident or suspicious injury or illness which could result in death

3.

Assault 1st degree

4.

Assault 2nd degree

5.

Rape 1st degree

6.

Burglary 1st degree if involving assault 2nd degree or rape

7.

Arson 1st degree when requested by fire investigator

8.

Robbery 1st degree when involving shots fired or injury to persons

9.

Kidnapping

Franklin County LEMAP
Attachment #3-Sample Policy

10.
Extortion involving threats of bodily harm or substantial property damage

11.
Any officer-involved shooting

B.
Procedure for calling out detectives:

1. If no detective is working at the time, and it is felt by a sergeant or officer-in-charge that a detective is needed, the Detective Sergeant should be called; the Investigations Supervisor will determine if the Detective unit should be called to the scene.

42.1.2 Investigations - Case Assignment Management

I.
The Investigation's Division Sergeant will review all non-traffic incident reports, using case screening and solvability factors. Felony incident reports will be assigned for investigation when one or more of the following solvability criteria are present:

A.
Is the suspect known?

B.
Can a suspect be named?

C.
Can a suspect be identified?

D.
Can a suspect be located?

E.
Can a suspect vehicle be identified?

F.
Was there a witness to the crime?

G.
Is there significant physical evidence?

H.
Is the crime of a community-sensitive nature?

In addition to the use of solvability factors for assignment of cases, other factors may be of importance in considering case assignment. These factors may include:

A.
Documented departmental experience

B.
Documented experience of other law enforcement agencies

C.
Research and intelligence conducted within the department

Franklin County LEMAP
Attachment #3-Sample Policy

D.
Research and intelligence conducted in other law enforcement agencies

II.
Investigation's personnel are appointed to specific areas of assignment determined by that individual detective's knowledge, expertise, skills, experience, and qualifications. Cases for investigation will usually be assigned to a particular detective on an individual basis, within the specific area of assignment.

III.
Upon completion of investigation, all cases assigned will be forwarded to the Investigation's Supervisor for review and approval. Detectives suspending investigations on cases shall consider the following criteria:

- A.
Exhaustion of leads
- B.
Lack or absence of further leads or solvability factors
- C.
Unavailability of investigative resources
- D.
Degree of seriousness of the offense(s)

Upon review, the Supervisor will determine if additional follow-up investigation is to be assigned. Additional available resources, including manpower, equipment, and money as needed, will be considered on their availability.

42.1.3 Investigations - Case File Management

I.
The Police Department utilizes a system of case file management for the criminal investigation function, to include:

A.
Case Status Control System

1.
When a case file is forwarded to the Investigation's Division, it will be recorded in the Investigation's Division Case Management System, as well as the individual detectives' logs, which contains the case number, type of crime, complainant's name, date assigned and the assigned detective's name.

2

Due dates will be given to each assigned case. This due date will be reflected in both a due date file, and in each individual detective's current case files. Detectives' current case files will be checked at least weekly to ensure the cases are handled in a timely manner.

Franklin County LEMAP
Attachment #3-Sample Policy

B.

In order to facilitate case management and control, criminal cases will be reviewed by the Investigation's Division Supervisors and distributed to a particular detective as "assigned" or as "information".

1.

Assigned cases will be given a "case assignment sheet," specifying a review/return date. Assigned cases will be concluded only with one of the following designations:

a.

Cleared -Arrest/Warrant -Case has been satisfactorily concluded.

b.

Unfounded - Incident is false or baseless.

c.

Return to File (RTF) - Available leads have been exhausted and case has not been brought to a satisfactory conclusion.

d.

Exceptional Clearance -

1)

Lack of prosecution (L.O.P)

2)

Restitution

3)

Administrative - must meet all of the following criteria:

a)

The identity of the offender has been definitely established

b)

There is sufficient information to support an arrest, charge and turning over to court for prosecution

c)

The exact location of the offender is known and he could be taken into custody now

d)

Enforcement control that precludes arresting, charging and prosecuting the offender

2.

Information cases are those cases not assigned due to a lack of solvability criteria, and usually require no immediate follow-up investigation. Detectives maintain responsibility for

these cases should solvability factors develop.

Franklin County LEMAP
Attachment #3-Sample Policy

C.

Criminal Case Incident Reports processed by the Records Unit will be submitted to the Investigation's Division for review. All available documents pertaining to these incident reports will constitute the case file. After review, the Investigation's Sergeant will log each case file into the detective case management system, listing all cases received by case number. Also listed will be the date received, and the assigned investigator's name.

1.

Additional files will be maintained by the Investigation's Sergeant for each detective, listing the current cases assigned by case file number, along with a return/review date.

2.

Individual case files, once logged, will be distributed to the assigned investigating detective. Only active cases will be kept by the detective and once the investigation is complete/concluded, the entire case file will be turned over to the investigating detective's sergeant for review.

3.

Upon approval, the Sergeant will log the disposition of the case file in the Detective Case Management System, initial the case file indicating approval, and turn it over to the Records Unit for maintenance.

D.

Access to detective case files will be on a need-to-know basis, with permission of the assigned detective, or Investigation's Division supervisor.

E.

Upon completion/conclusion of the investigation, the entire case file will be returned to the Records Unit for permanent filing.

42.1.4 Investigations - Case Assignment Responsibility

I.

Uniformed patrol shall conduct preliminary investigations of all dispatched calls. Detectives will be called in the event a major crime has occurred. Once a preliminary investigation is conducted the case may be assigned for follow-up investigation

Franklin County LEMAP
Attachment #4-Sample Policy

SUBJECT: INVESTIGATIONS OPERATIONS

This order consists of the following numbered sections:

- 42.2.1 Investigations - Procedures
- 42.2.2 Investigations - Preliminary Investigation
- 42.2.3 Investigations - Follow-up Investigation
- 42.2.4 Investigative Check Lists
- 42.2.5 Rank Titles
- 42.2.6 Investigations - Attend Patrol Shift Briefing
- 42.2.7 Investigations - Investigative Task Force
- 42.2.8 Investigative Use of Polygraph
- 42.2.9 Informants
- 42.2.1 Investigations - Procedures

I.

Detectives will fairly and impartially investigate all cases assigned to them. They will conduct their investigations in the most discreet manner possible, and will be mindful not to endanger the reputation of any person under investigation.

II.

Detectives will contact victims and witnesses promptly upon receiving an investigation.

III.

Procedures used in criminal investigation may include:

A.

Information development - Information may be developed from an unlimited number of sources. These may include witnesses, victims, neighbors, friends, other public agencies, other law enforcement agencies and informants. All information will be gathered in compliance with the policies and procedures contained in this manual.

B.

Interviews and interrogations - Interviews may be conducted with persons that may have knowledge about a certain aspect of a criminal investigation. Interrogations may be used for suspects and those persons directly involved in a criminal investigation. Interviews and interrogations will be conducted in conformance with the guidelines established to protect the rights of a person.

1.

It is important to remember that in the course of an investigation, officers are not to enter into plea negotiations with a suspect. Plea negotiations should be handled by the prosecutors and should not involve police officers. Input or recommendations during plea negotiations are more

Franklin County LEMAP
Attachment #4-Sample Policy

appropriately made by the prosecutor and victim. This does not mean that police officers should not present the facts of the case, including facts relating to surrounding circumstances, the defendant's conduct, statements, expression of attitude, etc. Allowing officers to make recommendations in plea negotiations, however, would create an illusion to the suspect and public that officers play a substantial role in determining if charges are to be dropped, reduced, or diversion granted. Such an illusion lessens the professionalism this Department strives to maintain.

C.

Collection, preservation and use of physical evidence - Physical evidence may be searched for, collected and preserved when investigating any crime scene. Criminal investigators will be mindful of physical evidence that is collected from a crime scene and ensure that it is used in the development of the case.

D.

Criminal investigations frequently involve background investigations of persons particularly as they relate to white collar crime, organized crime, and vice activities. The Police Department will conduct background investigations of persons only in correlation with an ongoing criminal investigation. This section does not apply to background investigations in the selection process.

1.

Various sources of information are available in conducting a background investigation. Some potential sources include:

- a) Financial institutions
- b) Business associates
- c) Former employers
- d) Informants
- e) Utility companies
- f) Public records
- g) Intelligence reports
- h) Criminal history
- i) Other law enforcement agencies

2.

All information obtained in a background investigation will be incorporated into the criminal case file and reviewed by an Investigations Supervisor.

3.

All case files, except intelligence files, will be subject to departmental records' policy.

Franklin County LEMAP
Attachment #4-Sample Policy

E.

Surveillance - Surveillance may be used in the investigation of a crime when it is necessary to observe suspects or conditions in an unobtrusive manner. Surveillance may create additional information involving the investigated crime, gather additional intelligence information, or observe new crimes being committed.

42.2.2 Investigations - Preliminary Investigation

I.

All criminal complaints received by the Police Department will be recorded in a case report when the incident took place within the City, even if the complainant does not want to file charges or make a formal complaint.

II.

Officers conducting preliminary investigations will, when appropriate and depending on the nature of the complaint:

A.

Observe all conditions, events and remarks;

B.

Attempt to identify and locate witnesses;

C.

Protect the crime scene and evidence;

D.

Interview the complainant and witnesses;

E.

Identify, locate, interview and arrest suspects if appropriate;

F.

Complete a full and accurate incident report; and

G.

Notify the Investigations Division supervisory personnel.

42.2.3 Investigations - Follow-up Investigation

I.

The following steps will be used in conducting follow-up investigations; at a minimum:

A.

Reviewing and analyzing all reports prepared in the preliminary investigation. Review of departmental records;

B.

Conduct additional interviews and interrogations that are necessary;

C.

Gather additional information from available sources;

D.

Plan, organize, conduct searches, and collect physical evidence;

E.

Submit evidence to laboratory and review laboratory results;

Franklin County LEMAP
Attachment #4-Sample Policy

- F. Disseminate information to appropriate agencies and persons;
- G. Check suspects' criminal histories;
- H. Prepare the case for presentation to the court and/or prosecutor;
- I. Identify and apprehend suspects;
- J. Assist in prosecution of those persons charged with criminal offenses;
- K. Determine if suspects are involved in other crimes.

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

42.2.4 Rank Titles

I. Sworn positions in the Investigations Division will be the same as the patrol position, with respect to rank and salary. This policy will make it possible to transfer sworn personnel from patrol to investigations, or vice-versa, without rank or salary considerations. The only difference in title will be that Patrol Division personnel will be known as patrol officers, and Investigations Division personnel will be known as detectives.

42.2.5 Investigations - Attend Patrol Shift Briefing

I. It is the intent of the Police Department to provide a format for interaction and exchange of information between Patrol and Investigations Divisions.

A. It shall be the responsibility of the Investigations Sergeant to appoint detectives from Investigations Division to periodically attend and present material at patrol briefings.

1. This attendance shall be scheduled not less than once a week;

42.2.8 Investigative Use of Polygraph

I. Use of polygraph as a technical aid for the detection of deception in criminal investigations shall be governed by procedures.

II. Polygraph operators and/or examiners must be graduates of institution(s) providing training for this purpose.

42.2.9 Informants

Franklin County LEMAP
Attachment #4-Sample Policy

I.

Police Department personnel will follow these policies and procedures when using/handling informants:

A.

The Investigations Division will maintain a master file of informants. This file will be kept locked when not in use.

B.

Informant files will contain:

1.

Police Department informant sheet;

a) Biological and background information

b) Informant number

2.

Photograph;

3.

Criminal History;

4.

Receipt of moneys signed for by the informants;

5.

Correspondence relative to the informant.

6. A signed copy of an agreement if informant is gaining consideration for any pending criminal case.

C.

Informant Status

1.

Informants will be placed into one of three status categories:

a.

ACTIVE-Informants will initially be assigned as ACTIVE and may be reassigned between ACTIVE and INACTIVE as the informant may be used in investigations.

b.

INACTIVE-Informants will be deactivated with the approval of the narcotics supervisor when that informant no longer has the potential or ability to assist law enforcement in the successful prosecution of individuals or organizations, or when there has been a substantial time lapse since the last assistance by the informant.

c.

TERMINATED-Informants should have their status terminated when the informant is no longer willing to cooperate, or the cooperation has been deemed

Franklin County LEMAP
Attachment #4-Sample Policy

unsatisfactory, or any portion of any agreement between the department and informant has been broken, or information comes to light that the informant has been involved in any misconduct while assisting the department in any investigation of any type. Informants that have been terminated will no longer be able to assist the department in any investigation.

D.

The Investigations Sergeant is responsible for the maintenance of the informant file.

E.

Security of informant file codes

1.

Informant files will be kept in a locked area.

2.

Informant files are subject to inspection only by the Investigations Division Sergeant and Chief of Police.

Informant files are not required to be available to any other person.

3.

Sworn personnel may, during the course of an investigation assignment, obtain an informant file for review only on approval of the Investigations Sergeant. Any person reviewing an informant file will fill out an informant file review sheet, listing the reasons for review, and/or other pertinent information. The informant file will consist of a letter-sized binder with only the confidential informant number (C.I.#) visible on the front. The confidential informant number will be assigned by the Investigation Unit Sergeant, and will be in the next sequential number available.

F.

Requirements and duties in establishing an informant, and protecting identities.

1.

When the officer wishes to establish an informant file, he will obtain the next open sequential number available from the Investigations Sergeant. All reports related to that specific informant will be referred to by that number in order to protect the informant's identity.

2.

A photograph should be obtained, and the Police Department informant sheet completed prior to actual use of the informant.

Franklin County LEMAP
Attachment #4-Sample Policy

3.

The Police Department informant sheet will designate if the informant is a "one-time paid" informant, or a "regularly used" informant.

4.

If perspective informant has "active" status with Department of Corrections (D.O.C.), members shall gain permission from D.O.C. prior to using informant under the member's control.

G.

Disbursement of informant money

1.

When an officer desires to pay an informant for services, he must advise his supervisor of the need and the amount of funds required. Requests for payment must be approved in advance by the Investigations Sergeant or the Chief of Police. Under no circumstances will an informant be paid for services until an informant file has been established. The officer will investigate the reliability of the informant's information before payments are made.

2.

If payment has been approved by the supervisor;

a)

A confidential money receipt form must be completed in duplicate, indicating the amount, and purpose of the payments, officer's name, informant's name, C.I. number, information or material purchased, date, case number, and shall be signed by the informant.

3.

Payment for services by an informant will not be made to all informants. This procedure applies after the informant has proven reliable, and must have money paid for additional information.

H.

Precautions and Censuring

1.

Informant contacts will be made by at least two officers, or one officer with a covering officer, when possible and practical.

2.

When a lone officer must make contact, the supervisor will be notified for assistance. If a lone detective or officer makes the contact, and the Unit Supervisor or Assistant Section Supervisor is not available, another detective or officer must be contacted.

3.

An informant of the opposite sex should not be contacted by a lone officer unless an additional detective/officer is within listening distance.

Franklin County LEMAP
Attachment #4-Sample Policy

4.

When debriefing an informant, any information relating to violations of law which would be of interest to other agencies or sections of the Police Department, will be explored and appropriate notification or correspondence forwarded. Debriefing statements or interviews will be made part of investigative report folders.

I.

When using a juvenile as an informant, an authorized release form is to be completed and signed by the parent or guardian giving permission. The parent or guardian shall be kept fully informed.

1.

Use of a juvenile as an informant must be approved in advance by a supervisor.

2.

Use of a juvenile as an informant is discouraged.

J.

Although detectives generally make use of informants more frequently, patrol officers may also use informants, particularly in light of their investigative responsibilities.

1.

Patrol officers are likely to develop a number of informants through routine day-to-day activities. These informants are used to gain information to assist in an investigation as opposed to actively assisting in an investigation. Generally these informants are not paid, are not gaining consideration for pending criminal charges, do not require or desire anonymity and, therefore, do not come under special procedure requirements. Patrol Officers shall verify the informant's information prior to acting on it.

2.

Should a patrol officer develop a confidential informant or make use of a paid informant, then, coordination through the Investigations Division must be accomplished to satisfy requirements in accordance with procedures in this General Order.

