

**LEMAP**

**Loaned Executive Management Assistance Program**

**Review of the**

***TBD***

**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.

Methodology employed by assessors was primarily through one-on-one interview using the WASPC Accreditation standards as a starting point for discussion. Volunteer assessors, made up of command and supervisory staff from Washington law enforcement, were invited to the LEMAP assessment based on experience and subject matter expertise. Interviews of officers working both day and night shifts as well as most employees working business hours were gracious enough to participate in the interviews which provided the team an authentic backdrop to gather information and draw conclusions about agency policy, protocols, and operations.

# The goal of this LEMAP review is to provide the TBD with a critical look at the organization through the eyes of peer professionals. The resulting report should serve as a guide to identify areas in need of strengthening and highlight positive and innovative programs and practices. It is hopeful the TBD may 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:**

**GENERAL OBSERVATIONS**

SECTION I

ADMINISTRATIVE STANDARDS

SECTION I—ADMINISTRATIVE STANDARDS

**CHAPTER 1 – GOALS & OBJECTIVES**

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| 1.1 | The agency has written vision and/or mission statements that define the agency’s role. |
| 1.2\* | The agency has a strategic plan or written goals and objectives that are reviewed and updated at least annually and are available to all personnel. |

## Observations:

TBD

**Recommendations**:

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**CHAPTER 2 – ROLE & AUTHORITY**

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| 2.1 | The agency requires all law enforcement personnel to take and abide by an Oath of Office to support, obey, and defend the Constitution of the United States and the Washington Constitution and the laws of Washington and the governmental subdivisions. |
| 2.2 | Statutory authorization for the agency to perform law enforcement services is identified by the laws of the state of Washington and/or local ordinance.***Purpose:*** *The legal authority of the law enforcement agency is established in state statute and in most cases local legislation. The legal authority of the agency law enforcement officers may be found in this same legislation.* |
| 2.3 | The agency has policies specifying legal requirements and procedures for any physical arrest completed with or without an authorized warrant.***Purpose:*** *To ensure arrests are made in compliance with all statutory and constitutional requirements.* |
| 2.4 | The agency has policies assuring compliance with all applicable constitutional requirements for in-custody situations including:* Interviews and interrogations
* Access to Counsel; and
* Search and seizure

***Purpose:*** *Interviews and interrogations, questioning, or any other term used to describe in-custody verbal examinations are conducted in compliance with constitutional requirements. These constitutional requirements, federal and state, are vital to the role and function of law enforcement in a free society. By complying with these requirements, law enforcement officers and agencies ensure fair, legal, and equitable treatment of all people.* |
| 2.5 | The agency has search and seizure policies that adhere to state and federal law.***Purpose:*** *To provide clear and basic guidelines for evaluating search and seizure issues and conducting searches within existing legal parameters that ensure the constitutional right of persons to be free from unreasonable government intrusion. Proof of compliance may include copies of incident reports that detail stop and frisk incidents; search by consent, search of a vehicle and searches that are part of a crime scene or are part of an inventory process.*  |
| 2.6 | The agency has policies for conducting strip and/or body cavity searches that include:* Authority for conducting such searches with and without a search warrant;
* Privacy provisions with search by same gender; and
* Any required reporting procedures when such searches are conducted.

***Purpose:*** *Strip searches and body cavity searches by law enforcement personnel, even when legally permissible, are controversial. They should be done out of public view, with appropriate regard for the dignity of the suspect, and shall be considered legally necessary and reasonable. When possible, all such searches should be witnessed. Body cavity searches should be conducted in a hygienic setting and by qualified medical personnel.*  |
| 2.7 | The agency has policies and procedures concerning the arrest or detention of foreign nationals.***Purpose:*** *To ensure compliance with Article 36 the Vienna Convention on Consular Relations that provides certain rights to foreign nationals when arrested.* |
| 2.8 | The agency has policies that ensure any juvenile (under age 18) will have access to an attorney for consultation before the juvenile waives any constitutional rights if the officer/deputy: * Questions a juvenile during a custodial interrogation,
* Detains a juvenile based upon probable cause of involvement in criminal activity, or;
* Asks a juvenile to authorize a consent search of their person, property, dwelling or vehicle under the juvenile’s control.
 |
| 2.9 | The agency has policies that require electronic recording of custodial interrogations of both adults and juveniles that conform with state law.  |
| 2.10 | The agency has a policy that prohibits no knock warrants and directs officer actions when forcing entry into a dwelling, house, enclosure or building as part of their law enforcement duties in compliance with RCW 10.31.040.  |

## Observations:

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**Recommendations**:

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**CHAPTER 3 – USE OF FORCE**

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| 3.1 | The agency has policies directing personnel to utilize force as prescribed by federal, state, and local laws. ***Purpose:*** *To provide clear direction to peace officers that complies with the law and provides a clear understanding of the limitations on their authority to use force.*  |
| 3.2 | The agency has a policy governing the use of warning shots.***Purpose:*** *If the law enforcement agency permits the use of firearm “warning shots” by agency personnel, the agency shall have a written directive governing their use. Otherwise, the agency shall have a written directive prohibiting the discharge of “warning shots” by agency personnel.* |
| 3.3 | The agency has a policy governing the use of non-lethal weapons.***Purpose:*** *To establish consistent procedures for the authorization and training by a certified instructor in the use of non-lethal weapons and control devices.* |
| 3.4 | The agency has a policy requiring appropriate medical aid after the use of force, when an injury is known, suspected, or is alleged.***Purpose:*** *This standard should reduce the severity of injury resulting from law enforcement action by requiring medical aid and attention for an injured individual. Appropriate medical attention may be as basic as keeping the person under observation to immediately having the person treated by medical professionals.* |
| 3.5 | The agency has a policy requiring personnel to submit a use of force report to the agency Chief Executive Officer or designee when they:* Discharge a firearm (other than routine training or recreational purposes);
* Take any action that can injure a person.

***Purpose:*** *To ensure that any force used that can cause injury is recorded and that a formal review process is established to review use of force incidents for compliance with existing policy and law. The collection of use of force incidents should be analyzed to determine if there are training issues, equipment issues, or policy issues that should be addressed.* |
| 3.6 | The agency has an officer involved shooting/deadly force response policy that includes steps for first responders and includes a comprehensive independent investigation and review of the event. ***Purpose:*** *To ensure the agency has in place a formal response, review and investigative process for officer involved shootings that result in injury or loss of life, which complies with state law and protect interests, rights, and mental health of involved officers.* |
| 3.7 | The agency has a policy that requires only authorized weapons and ammunition shall be carried and/or used on-duty.  |
| 3.8 | The agency has policies that direct employees in the use of neck restraints that conform to state law. |
| 3.9 | The agency has policies that require officers to intervene, and attempt to end actions, anytime they witness another officer using or attempting to use excessive force. The policy must further require mandatory reporting of the intervention or wrongdoing to a supervisor in accordance with agency policy. ***Purpose:*** *Agencies must adopt policy that requires supervisor notification in accordance with agency policy and should be as soon as practical following the intervention.*  |
| 3.10 | The agency has a policy that clearly defines the circumstances when a peace officer may discharge a firearm at a moving vehicle. ***Purpose:*** *Albeit rare, circumstances may require a peace officer to discharge a firearm at a moving vehicle (i.e., to protect against an imminent threat of harm by the operator’s use of the vehicle as a deadly weapon). The agency shall have policies that define the circumstances when it is permissible to use force in this manner.* |

## Observations:

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**Recommendations**:

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**CHAPTER 4 – MANAGEMENT, STAFFING, ORGANIZATION,
& UTILIZATION OF PERSONNEL**

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| 4.1 | The agency has a protocol and procedures for situations including the following:* Absence of the Chief Executive Officer
* Exceptional situations involving different specialty units deployed in a common joint operation
* Routine, day-to-day operations

***Purpose:*** *There is always a need to have a member of the agency designated as being responsible for the operation of the agency. This process provides continuity of command and allows agency personnel to know who has been designated to manage, lead, and administer the agency.* |
| 4.2 | The agency has a policy that requires personnel to obey any lawful order of a superior officer and addresses conflicting or unlawful orders. |
| 4.3\* | The agency has a policy that requires an annual management review and analysis, with final review approved by the chief executive officer, of the following incidents:* Vehicle pursuits
* Use of force events
* Internal investigations
* Biased based profiling incidents
* PREA allegations and investigation

***Purpose****: It is the intent that agencies require ongoing first level supervisory and administrative review of these high liability incidents. Additionally, an annual review and analysis of these incidents shall be conducted at the command level, with approval by the CEO, and can be used as an early warning system. Agencies should address policy, procedure, training and/or personnel issues that are identified during this review process.* |
| 4.4 | The agency has a system of written directives that includes procedures for developing, approving, and disseminating directives to all personnel. The system will include:* Methods for tracking changes and archiving prior versions of policies.
* A process that confirms receipt of directives by affected personnel.

***Purpose:*** *To ensure the agency has a consistent and current policy and procedures manual that provides clear employee performance expectation and constraints. A system of written directives provides command direction to the agency and its personnel relating to their duties and responsibilities. That system should allow for quick access and retrieval of agency policies, procedures, rules, and regulations.* |

## Observations:

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**Recommendations**:

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**CHAPTER 5 – RECORDS MANAGEMENT**

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| 5.1 | The agency has a standardized records management system.***Purpose:*** *This standard requires a standardized records management system for the law enforcement agency. This will ensure that the agency has a consistent process to record law enforcement incidents and activities such as report writing, property management, inmate tracking, permits, and licensing.* |
| 5.2 | The agency has a system to record and maintain a record of every call for service.***Purpose:*** *To ensure that the Law Enforcement agency has a system, CAD or otherwise, to record all calls for service. The record should contain the date, time, and location, nature of the incident, responding units and a disposition for the call for service.* |
| 5.3 | The agency has polices governing its compliance with all rules for ACCESS participation, to include:* The agency can show 100% compliance or has made corrections to comply with any ACCESS findings from the previous triennial audit, and;
* The agency can show that all personnel have been trained and certified

***Purpose****: To ensure compliance with ACCESS regulations and operates ACCESS* *terminal(s) in a secure, professional, and legal manner. The agency should provide* *the documentation from their previous triennial audit by WSP/ACCESS or the FBI. Any compliance issues must have been addressed and documentation should be provided to show that the agency has corrected any noted deficiencies.*  |
| 5.4 | The agency physically protects the privacy and security of agency records in a manner that assures that only authorized personnel with the appropriate need to know - and right to know – can access those records. |
| 5.5 | The agency complies with Washington State law governing dissemination of records.***Purpose:*** *To ensure that the agency is in compliance with the Washington State Public Records Act, RCW 42.56. Policy governing compliance as well as common practice should be demonstrated.* |
| 5.6 | The agency complies with Washington State law governing preservation and destruction of records.***Purpose:*** *To ensure that the agency is in compliance with Washington State law governing preservation and destruction of records to include identification and maintenance of essential/permanent records. Policy governing compliance as well as common practice should be demonstrated. All law enforcement agencies shall submit eligible sex offense cases to WASPC per RCW 40.14.070* |
| 5.7 | The agency has procedures for processing and maintaining notice of infractions and citations.***Purpose:*** *Agencies must be accountable for all notice of infractions and citations issued their timely delivery to the court system, and retention for audit purposes.* |
| 5.8 | The agency has guidelines to address the release of public information to the media.***Purpose:*** *Agencies should clearly identify who is authorized to release public information and what type of information the agency is comfortable with releasing through a PIO or other means.* |
| 5.9 | The agency has policy and procedures for community notifications of registered sex offenders.***Purpose:*** *The agency shall have policy and procedures in place that allow for notification in accordance with RCW 4.24.550.* |
| 5.10 | The agency has policy and procedures for investigating and verifying missing persons, including updating ACCESS databases with additional identifying features as they become available.***Purpose:*** *Agencies shall have a process for verifying that a missing person is still missing, periodically updating the status of the case, and ensuring that as much information as possible is packed into the WACIC/NCIC record. Policy and Procedure should include provisions for a person missing for 30 days or more and compliance with RCW 68.50.320 for investigation.* |
| 5.11 | The agency has policy and procedures for:* The lawful impounding of vehicles
* The recovery of stolen vehicles, to include attempts to notify vehicle owners

***Purpose:*** *Agencies should have policy on how to handle evidence, impounds, notifications of owners, and ACCESS Locates for the recovery of a stolen vehicle.* |
| 5.12 | The agency participates in Uniform Crime Reporting and/or NIBRS by reporting to WASPC as required. |

## Observations:

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**Recommendations**:

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**CHAPTER 6 – INFORMATION TECHNOLOGY**

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| 6.1 | Access to the agency’s computer system is secure with restricted access to those who are authorized and who have a passed background investigation. |
| 6.2 | The agency can show 100% compliance or that it has made corrections to comply with any ACCESS/CJIS findings from the previous technical triennial audit and/or FBI audit.***Purpose:*** *To show that the agency is complying with requirements to provide a safe and secure environment for the transmission of ACCESS data.* |
| 6.3 | The agency has policies governing appropriate use of agency technology.***Purpose:*** *Agencies need policies to address appropriate use of technology to define what acceptable practice for that agency is.* |
| 6.4 | Each fixed and mobile computer workstation has an up-to-date copy of agency-approved, security software installed and running while the equipment is in use. ***Purpose:*** *Agencies should attempt to secure and protect their data from potential harm from outside sources with security such as anti-virus, anti-malware, anti-spyware, firewalls, etc.* |
| 6.5 | Electronic information is routinely backed-up at least once a week. Back-up data is kept in secure storage and is completely destroyed when no longer needed.***Purpose:*** *Agencies should protect their data. Backing up a system on a regular basis is recommended. Proper data destruction so that it does not become available to unauthorized users is required.* |

## Observations:

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**CHAPTER 7 – UNUSUAL OCCURENCES**

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| 7.1 |

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| Every sworn member of the agency has completed the National Incident Management and Incident Command System(s) introductory training course(s).***Purpose:*** *To ensure all sworn personnel has completed both IS700 and ICS100* |

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| 7.2 | The agency has plans for responding to natural and man-made disasters, civil disturbances, and other unusual occurrences.***Purpose:*** *To ensure the agency has a current plan in place and is prepared to respond to any disaster immediately.* |
| 7.3 | The agency works with the County and/or regional agencies in developing a county or regional disaster or emergency response plan. |
| 7.4 | The agency has a policy for requesting and providing mutual aid |
| 7.5 | The agency provides personal protective equipment to minimize exposure to potentially infectious material including sharps. |
| 7.6 | The agency has a policy requiring first aid supplies are readily available in the jail at all times, first aid supplies are inspected at least monthly, and expired or depleted items are replenished. |

## Observations:

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**Recommendations**:

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**CHAPTER 8 – HEALTH & SAFETY**

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| 8.1 | The agency has written guidelines that inform employees of the threats and hazards associated with airborne and blood borne pathogens. |
| 8.2 | The agency provides personal protective equipment, which shall include latex gloves (or equivalent), eye protection and protective shoe covers to minimize exposure to potentially infectious materials and objects. |
| 8.3 | The agency provides soft body armor and requires its use for personnel engaged in uniform field duties or high-risk situations.***Purpose:*** *The agency is responsible for ensuring that personnel engaged in field duties or high-risk situations are wearing necessary protective equipment.* |
| 8.4 | The agency provides reflective clothing and requires its use.***Purpose:*** *The agency provides OSHA approved reflectorized vests to increase the visibility of employees while exposed to traffic hazards. Use of reflectorized vests is mandated for personnel while directing traffic, or at the scene of a traffic accident (ANSI Class II – 2009).* |
| 8.5 | The agency has procedures for disposal and decontamination when there is an event or contact involving biohazard material including blood or bodily fluids. |
| 8.6 | The agency has procedures for post-exposure reporting and follow-up after suspected or actual exposure to infectious diseases. |
| 8.7 | Non-commissioned police employees are physically separated from the public by a physical barrier in the lobby area. |
| 8.8 | The agency requires all personnel to use safety restraint/seat belts while operating agency vehicles. |
| 8.9 | The agency has a policy covering the financial method of maintenance, disbursement, and transfer of inmate trust funds for applicable transactions. |

## Observations:

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**Recommendations**:

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**CHAPTER 9 – FISCAL MANAGEMENT**

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| 9.1 | The Chief Executive Officer has the authority to spend funds in the approved budget for day-to-day operation of the agency. |
| 9.2 | The Chief Executive Officer makes regular reviews of the agency budget. |
| 9.3 | The agency has a system for review and approval of expenditures. |
| 9.4 | The agency has a policy requiring supervisor approval of all overtime. |
| 9.5 | The agency requires supervisor approval for all employee timesheets. ***Purpose:*** *Elected**officials (Sheriff) are exempt from filling out timesheets.* |
| 9.6\* | The agency has a system to document and record the use of cash funds that include receipts, supervisory approval, and periodic audit.***Purpose:*** *To ensure that control measures are in place for all cash activities in the agency, specifically the common areas of petty cash, cash received in records, and investigative funds.* |

## Observations:

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**Recommendations**:

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**CHAPTER 10 – RECRUITMENT & SELECTION**

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| 10.1 | The agency has written standards and hiring criteria for sworn and non-sworn employees and, if applicable, reserve, part-time, or limited commission personnel.***Purpose:*** *To create a professional, fair, and equitable recruitment and selection process that attracts qualified candidates meeting minimum requirements as established by state training standards and applicable laws.* |
| 10.2 | The agency requires that background investigations be conducted on each candidate for a sworn position prior to appointment and requires that proof be submitted to the Washington State Criminal Justice Training Commission.***Purpose:*** *The critical and important nature of law enforcement employment require that only the most qualified people are hired to work as law enforcement officers. One of the most important aspects of the selection process is the background investigation. A comprehensive background investigation, conducted by competent investigators is beneficial in determining the most qualified candidates for selection.* |
| 10.3 | The agency requires that a medical examination, including drug screening, be performed by a licensed physician for each candidate for a sworn position, prior to appointment.***Purpose:*** *A full and complete medical examination is necessary to ensure the health and physical condition of candidates for law enforcement employment.* |
| 10.4 | The agency requires that a licensed psychologist or psychiatrist conduct a psychological fitness examination for each candidate for a sworn position, prior to appointment.***Purpose:*** *The mental and psychological health of a law enforcement officer is essential. This is important to the officer candidate and to the law enforcement agency. The Washington State Criminal Justice Training Commission’s psychological testing requirements satisfy this accreditation standard.* |
| 10.5 | The agency requires that a polygraph examination be administered, by a qualified technician, for each candidate for a sworn position and prior to appointment. |
| 10.6 | Applicant files are secured and available only to those who are authorized to participate in the selection process. |
| 10.7 | Employee personnel files are separate and secured from other files. Medical tests, psychological evaluations and polygraph results are kept separate from personnel files in secure locations.***Purpose:*** *To ensure that records related to agency personnel are legally maintained and purged as needed, and that dissemination criteria are established, and confidentiality is maintained.* |
| 10.8 | The agency has a policy which requires all full-time and part time corrections officers to successfully complete the Washington State Criminal Justice Training Commission Corrections Officers’ Academy and requires that they begin attending the academy within six months from their date of hire |

## Observations:

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**Recommendations**:

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**CHAPTER 11 – TRAINING**

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| 11.1 | 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.***Purpose:*** *All newly hired peace officers shall comply with all requirements of the Washington State Criminal Justice Training Commission.* |
| 11.2 | The agency has established a formal field training program for all newly sworn officers that includes:* Field training officers who are specially trained for that purpose;
* Regular documentation of the progress of the student officer; and
* Requiring the student officer to successfully complete the training program prior to assuming law enforcement duties.

***Purpose:*** *To ensure that new police officers complete a formal field training evaluation program that complies with requirements and provides officers with actual, critical, field experience prior to solo assignment. A well-designed field training program must be planned, managed, and assessed in a careful manner. This program provides the new law enforcement officer with the structured initial exposure to the role and functions of the law enforcement occupation. It is also important because it incorporates the basic training program with the practical application of that training in actual law enforcement situations.* |
| 11.3 | The agency maintains and updates training records of all employees.***Purpose:*** *It is important to the law enforcement agency and its employees to record all training programs and courses that agency personnel attend. The information should be recorded for each employee and should include the type of training, the date(s) of the training, any certificates received, and any available test scores.* |
| 11.4 | The agency maintains records of each formal training it conducts, to include:* Course content/lesson plans.
* Performance of attendees.
* Credentials of the presenter or instructor.

***Purpose:*** *This standard deals with the training programs that the law enforcement agency conducts. In addition to the listed minimum requirements, the law enforcement agency may consider additional information for personnel consideration and possible legal needs in the future.* |
| 11.5\* | The agency can show 100% compliance with the annual WSCJTC requirement for training.***Purpose:*** *To ensure the agency is providing necessary and required training to all personnel in accordance with WAC 139-05-300 and industry best practices.*  |
| 11.6 | Agency personnel are required to demonstrate satisfactory skill and proficiency with agency authorized weapons before being approved to carry and/or use such weapons.***Purpose:*** *Law enforcement officers who carry and use agency-authorized weapons shall be required to demonstrate proficiency with the weapons. The officers should also be trained about the authorized use of force options, their appropriate applications, and the legal requirements on the justified use of force and deadly force.* |
| 11.7 | Staff members who are designated as full-time supervisors or managers have earned the appropriate certification by the Washington State Criminal Justice Training Commission.***Purpose:*** *Agencies must comply with RCW 43.101.350.*  |
| 11.8\* | At least annually, agency personnel receive in-service training on the agency’s use of force and deadly force policies. |
| 11.9 | In-service training for non-lethal weapons shall occur at least once every two years. |
| 11.10  | The agency provides violence de-escalation training to peace officers as required by the Washington Criminal Justice Training Commission.  |

## Observations:

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**Recommendations**:

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**CHAPTER 12 – PERFORMANCE EVALUATION**

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| 12.1\* | The agency has an evaluation policy that requires formal written review of the work performance of each employee and is conducted annually.***Purpose:*** *To ensure that regular evaluations of employee performance take place that includes identification of levels of performance, supervisory responsibility, and disposition of completed evaluations.* |
| 12.2 | The agency has a system for evaluating the performance of all probationary employees. |

## Observations:

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**Recommendations**:

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**CHAPTER 13 – CODE OF CONDUCT**

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| 13.1 | The agency has a code of conduct that provides clear expectations for all employees and includes guidelines for speech, expression, and social networking. ***Purpose****: To establish professional guidelines for all employees that provide consistency and conformity of appearance and operation, minimize, or eliminate conflicts of interest, and comply with legal mandates.* |
| 13.2 | The agency has a policy prohibiting sexual and any other forms of unlawful or improper harassment or discrimination in the workplace. 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.***Purpose:*** *To prevent discriminatory and/or harassing practices and ensure conformance with Title VII of the Civil Rights Act of 1964.* |
| 13.3 | The agency has a policy prohibiting biased-based profiling, which also has been known as “racial profiling.”***Purpose:*** *Biased-based profiling, which also has been known as racial profiling, is any traffic stop, field contact, vehicle search, asset seizure/forfeiture, or enforcement action based solely on a common trait of a group. Common traits include, but are not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, or cultural group.* |
| 13.4 | The agency has written policy and procedure for responding to and investigating allegations of domestic violence involving employees of law enforcement agencies.***Purpose:*** *To establish clear procedures, protocols, and actions for investigating, reporting, and responding to domestic violence involving agency employees and law enforcement officers from other agencies and to thereby discourage and reduce acts of domestic violence by sworn law enforcement personnel. (RCW 10.99.090)*  |
| 13.5 | The agency has written policy governing disclosure of potential impeachment information to prosecutors involving police employees who may be called to testify under oath.***Purpose:*** *To comply with Brady v. Maryland and U.S. v. Olsen regarding law enforcement’s duty to provide potentially exculpatory or impeachment information to prosecutors, including information that is discovered during an ongoing investigation.*  |
| 13.6  | The agency has an alcohol and drug use policy, or language contained in local collective bargaining agreement(s) that addresses drug and alcohol use and includes language that covers testing of employees suspected of drug and/or alcohol where the employee’s fitness for duty is questioned.  |
| 13.7 | The agency has a policy that provides officer wellness training and resourcesto all employees. ***Purpose:*** *To provide resources encouraging the agency toward best practices and supports employees who may be experiencing stress, crisis, or other mental health challenges including substance abuse, suicidal ideation, and other reactions to trauma or tragedy.* |

## Observations:

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**Recommendations**:

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**CHAPTER 14 – INTERNAL AFFAIRS**

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| 14.1 | The agency requires the documentation and investigation of all complaints of misconduct or illegal behavior against the agency or its members.***Purpose:*** *To establish procedures for the reporting, investigation, and disposition of complaints received against the agency or any employee of the agency.* |
| 14.2 | The agency identifies which complaints supervisors investigate and which types of complaints are investigated by an internal affairs function. |
| 14.3 | The agency has procedures for relieving an employee from duty during an internal investigation. |
| 14.4 | The agency has a policy where complainants are provided with notification concerning the disposition of their complaint. |
| 14.5 | The agency maintains records of complaints and their dispositions in accordance with Washington State Retention Guidelines.***Purpose:*** *To ensure the agency retains complaint/disposition records for at least the minimum retention period appropriate for any particular complaint category.* |

## Observations:

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**Recommendations**:

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SECTION II

OPERATIONAL STANDARDS

SECTION II—OPERATIONAL STANDARDS

**CHAPTER 15 – PATROL FUNCTION**

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| 15.1 | 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. |
| 15.2 | The agency has procedures for response to emergency and non-emergency calls.***Purpose:*** *To provide guidelines for response to calls for service, and to ensure agency responses conform to state law. It is important that law enforcement agencies classify responses for service according to the seriousness of the call. This will provide guidelines as to when emergency lights and siren should be used and the method of response to an incident.* |
| 15.3 | The agency has written guidelines for the use of authorized vehicle emergency equipment. |
| 15.4 | The agency has policies governing the pursuit of motor vehicles that conforms to Washington State law. ***Purpose:*** *In compliance with state laws to establish clear direction on the initiation and conduct of police pursuits that includes on-going training requirements and a review/analysis process (also see WASPC model policy).* |
| 15.5 | The agency has procedures for investigating vehicle collisions on public and private property and uses the current Washington State Patrol authorized accident reporting, or e-reporting (SECTOR), forms.***Purpose:*** *To ensure that traffic crashes are consistently reported and investigated in accordance with the Revised Code of Washington, specifically identifying the type of crashes that require investigation.* |
| 15.6 | The agency has procedures to take timely action to address hazardous road conditions. |
| 15.7 | The agency has procedures for responding to and investigating domestic violence calls. ***Purpose:*** *To ensure that response to domestic violence incidents meets requirements established by applicable Revised Codes of Washington.* |
| 15.8 | The agency has procedures for utilizing Public Alert Systems.***Purpose:*** *The policy should include Amber Alert, Endangered Missing Person Advisory and Blue Alert.* |
| 15.9 | The agency has procedures for the handling of mentally ill individuals, including those with pending criminal charges and mental health commitments.***Purpose:*** *To provide written guidelines for handling mentally ill persons which are compliant with state laws and provide opportunity for the appropriate evaluation and treatment of mentally ill persons.* |
| 15.10 | The agency has a policy that addresses referral of subjects to a mental health agency after receiving a report of threatened or attempted suicide***Purpose:*** *To comply with RCW 71.05.457.* |
| 15.11 | The agency has policy(s) covering eyewitness identification including the presentation of photo arrays and physical lineups. |
| 15.12 | Agency has policy and provides training on the service of protection orders, Extreme Risk Protection Orders (ERPOs), and orders to surrender weapons. Policy directs personnel to attempt service within 24 hours of receipt of order whenever practicable but not more than 10 days after the agency has received the order (RCW 7.94.060). |

## Observations:

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**CHAPTER 16 – INVESTIGATIVE FUNCTION**

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| 16.1 | The agency utilizes a case management system for screening and assigning incident reports for follow-up investigations. |
| 16.2 | The agency has written guidelines for investigating elder abuse.***Purpose:*** *To identify the role of agency members in the prevention, detection, and intervention in incidents of elder abuse, and ensure that mandatory state reporting requirements are completed within specified guidelines.* |
| 16.3 | The agency has written guidelines for investigating child abuse.***Purpose:*** *To provide guidelines and procedures for timely reporting and investigating of suspected child abuse in accordance with the Revised Code of Washington (RCW 26.44.030). The procedures should include the taking of minor children into protective custody.* |
| 16.4 | The agency requires that interviewers of child victims of sexual abuse cases have received the mandated training from the Washington State Criminal Justice Training Commission.***Purpose:*** *The Washington State Legislature has determined that each county shall revise and expand child sexual abuse protocols, to include child fatality, child physical abuse, and criminal child neglect cases (RCW 43.101.224).* |
| 16.5 | The agency has written guidelines for investigating hate crimes.***Purpose:*** *To provide guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or bias.* |
| 16.6 | The agency has written guidelines for investigating identity theft. |
| 16.7 | The agency has policies and procedures governing the use of informants. |
| 16.8 | Victims and witnesses are interviewed in locations that are separated by sight and sound from the public areas of the facility. |
| 16.9 | Persons with a vested interest in property and evidence are provided the legal reason for the seizure and intended forfeiture as defined by state law. The agency has procedures for notification, appeal, and disposition.***Purpose:*** *To establish guidelines for agency personnel to ensure applicable state and legal procedures are followed, (i.e., drug cases, money laundering cases, DUI’s etc.).* |
| 16.10 | The agency has clearly defined deconfliction procedures in place when conducting felony level investigations that pose greater than normal risk to officers, citizens and/or property.***Purpose:*** *To enhance officer safety and efficiency of criminal investigations by consulting with established information clearinghouses, such as the Western States Information Network (WSIN), prior to execution of high-risk criminal investigations to ensure multiple agencies are not targeting the same criminal enterprises.* |

## Observations:

TBD

**Recommendations**:

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**CHAPTER 17– EVIDENCE & PROPERTY CONTROL FUNCTION**

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| 17.1 | The agency has procedures for the proper collection and identification of evidence and property consistent with the Washington State Patrol Crime Lab guidelines.***Purpose:*** *To establish written guidelines for agency personnel that ensure evidence and property are properly collected, handled, and secured in field operations to maintain the integrity of the chain of custody.* |
| 17.2 | The agency has policies requiring efforts are made to identify and notify the owners, or custodians, of property and evidence in the agency’s custody. |
| 17.3 | The agency has a policy that requires property and evidence is placed under the control of the property and evidence function before the officer completes their shift.***Purpose:*** *To establish guidelines for agency personnel to follow that prohibit property from being stored anywhere other than under the control of evidence section upon the completion of their shift.*  |
| 17.4 | The agency has the means to temporarily separate and secure property and evidence while it is waiting processing into the permanent storage facility. |
| 17.5 | The agency has the means to properly preserve and secure perishable property both temporarily and after it is received in the permanent storage facility. |
| 17.6 | The agency has the means to temporarily separate and secure evidence containing hazardous materials while it is waiting processing into the appropriate permanent storage facility. |
| 17.7 | The permanent storage facility has controls to keep property protected from unauthorized entry, fire, moisture, extreme temperature, and pests. At a minimum, alarms for unauthorized entry and fire must be monitored 24/7.  |
| 17.8 | 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. |
| 17.9 | Access to the agency’s property and evidence facilities is restricted to authorized employees only.***Purpose:*** *To ensure that access to the property room and/or property/evidence storage area(s) is limited to property room personnel, unless by escort from property room staff or with CEO permission.* |
| 17.10 | The agency records the name, date, time, and purpose of persons who enter and leave the storage facility who are not assigned to the property/evidence function. |
| 17.11 | 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.***Purpose:*** *High liability evidence items must not be comingled with general evidence.*  |
| 17.12 | Evidence and property are packaged, individually tagged, and logged into a centralized tracking system as soon as possible. The tracking system must accurately describe the current location of every piece of property and evidence.***Purpose:*** *A meaningful records and tracking procedure for the evidence and property system is a requirement for the protection and integrity of the evidence and property in the custody of the law enforcement agency.* |
| 17.13 | Every piece of property and evidence is related to a report describing the circumstances of the seizure or custody by the agency. |
| 17.14 | Drugs are weighed using a calibrated scale whenever they enter or leave the secured facility unless they are being prepared for destruction. The agency also has processes for the destruction of drug evidence that includes, at a minimum, a visual inspection of the property item to detect possible tampering and weighing of random selections***Purpose:*** *Agencies should provide additional processes to ensure that drug evidence is not tampered with prior to destruction. This process and the destruction are witnessed by at least one other person who does not have access to the property room.* |
| 17.15 | The agency has written proceduresfor the destruction of drug evidence that includes the visual inspection of all packages and the weighing of random packages to detect possible tampering.  |
| 17.16 | The agency has policies governing the release and disposition of property and evidence in accordance with applicable state law. |
| 17.17 | Property containing hazardous materials, biological hazards or other materials restricted by State or local health regulations is disposed of properly.***Purpose:*** *To ensure that the disposal of police evidence dangerous waste conforms to standards established by the Washington State Department of Ecology.* |
| 17.18 | When property is sold, the disposition of the money received is accounted for and recorded according to State law.  |
| 17.19 | 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. ***Purpose:*** *To ensure that the disposal of police evidence dangerous waste conforms to standards established by the Washington State Department of Ecology.*  |
| 17.20\* | The agency ensures that an unannounced audit of evidence and property, including drugs, money, jewelry, and firearms is conducted at least annually by personnel not directly in the evidence unit’s chain of command. ***Purpose:*** *Inspections, inventories and audits of the property room are necessary for a secure and reliable system for the evidence and property functions of the law enforcement agency. This provides a means of accountability for the system and ensures agency oversight of the process. The scope of the audit is at the discretion of the CEO.* |
| 17.21 | A full inventory of sensitive items, to include money, jewelry, drugs, and guns, is conducted whenever a change of the Property Room Manager occurs.***Purpose:*** *The agency should also consider an audit of general property, in which the scope of the audit is at the discretion of the CEO.* |
| 17.22  | The agency has procedures to clear eligible property/evidence from the property room. The property room manager will provide an annual written report to the Chief Executive on the number of items cleared during the prior year.  |
| 17.23 | The agency has policy complying with RCWs 7.94 and 9.41 regarding the acceptance, storage, and release of firearms surrendered to the Department. ***Purpose:*** *Surrendered firearms are only returned if they are not required to be held, are not prohibited from being released, and are only released to persons who are eligible to possess them. If a firearm cannot be released, the agency provides written notice to the requestor specifying the reason(s) the firearm cannot be released within five business days of receiving the request. Surrendered firearms that are unclaimed are disposed of in accordance with agency procedures.* |
| 17.24 | The agency has policy complying with RCWs 7.94 and 9.41 for notification of family or household members when firearms held pursuant to a court order are released.***Purpose:*** *All surrendered firearms must be held in police custody at least twenty-four hours before they are released. Family or household members may use an incident or case number to request notification when a firearm is to be returned. The agency provides notice, when requested, within one business day of verifying the firearm(s) and respondent in question have met the requirements for release and then the firearm(s) are held in the agency’s custody for at least seventy-two hours after notification has been provided.*  |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 18– PRISONER SECURITY**

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| 18.1 | The agency has written guidelines governing the methods and use of restraining devices used during prisoner transports.***Purpose:*** *To establish procedures for the transport of prisoners that ensures the safety of the transporting officer and the general public and provides for the security of the prisoner in transport and arrival at destination.* |
| 18.2 | The agency has written guidelines for transporting the sick, mentally ill, injured, or disabled prisoners. |
| 18.3 | The agency requires transporting officers to conduct a thorough search of prisoners prior to transport. |
| 18.4 | The agency requires a thorough search of all vehicles used for transporting prisoners before and after transport.***Purpose:*** *At the beginning of each shift any vehicle used for prisoner transportation must be thoroughly searched for contraband, weapons, or implements for escape. The search of the vehicle must also be done before and after each prisoner transport.* |
| 18.5 | The agency’s temporary holding facility includes access to shelter, warmth, potable water, and a toilet.***Purpose:*** *This standard identifies the required minimum physical conditions that are necessary for a law enforcement agency to operate temporary holding facilities.* |
| 18.6 | The agency has procedures for using temporary holding facilities that requires:* Prisoner checks every 30 minutes.
* Separation by gender and status (i.e., adults/juveniles).

***Purpose:*** *To ensure appropriate operation of a temporary holding facility in a professional and legal manner and to establish policies and procedures governing booking, housing, maintenance of prisoners, and required annual inspections.* |
| 18.7 |  The agency has policies and procedures for compliance with federal and state laws governing the secure detention of juveniles:* No status offenders (e.g., runaways) are securely detained
* Juveniles charged with criminal offenses are separated by sight and sound from adult prisoners
* Juveniles are detained for no longer than 6 hours.
 |

## Observations:

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**Recommendations**:

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SECTION III

JAIL OPERATIONAL STANDARDS

**CHAPTER 14 – AGENCY FACILITIES**

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| 14.1 | The agency has a published telephone number that is answered by a trained employee during regular business hours. |
| 14.2 | In reception areas, employees are physically separated from the public by a physical barrier. |
| 14.3 | The agency has written policies for the use of authorized vehicles. |

## Observations:

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**Recommendations**:

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**CHAPTER 15 – ADMISSION AND RELEASE**

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| 15.1 | The agency shall have written policies and procedures which address the requirements of the admission process, which are communicated to law enforcement agencies that commonly bring arrestees to the jail for booking and include: * Medical, dental, and mental health/suicide screening
* Identification of those with developmental disabilities and/or traumatic brain injuries
* Determination of force used and duration during arrest.
 |
| 15.2 | The agency shall have written policies and procedures requiring that inmates brought to the jail should be properly restrained. |
| 15.3 | The agency shall have written policies and procedures requiring all officers to remove and secure all firearms and other dangerous weapons before entering the jail. |
| 15.4 | The agency shall have a policy that states, before accepting custody of an inmate brought to the jail for booking, a reasonable attempt to determine that the inmate is being lawfully committed to the jail shall be made. ***Purpose:*** *Compliance with this standard is required to protect against liability for accepting custody of an inmate who cannot lawfully be committed or admitted to the jail.* |
| 15.5 | The agency shall have a policy that Juveniles shall not be confined in jails except in accordance with the provisions of RCW 13.04.116 and federal guidelines. |
| 15.6 | Persons brought to the jail who are urgently in need of medical attention shall not be admitted to the jail until given medical clearance for admission to the jail by a physician or other qualified medical professional. |
| 15.7 | A jail file shall be maintained for each inmate booked into the jail for the purpose of storing all official documents concerning the inmate. |
| 15.8 | The agency shall have a policy that provides an arrestee access to a telephone, as soon as possible after arrival at the jail.***Purpose:*** *This guideline is necessary to comply with Superior Court Criminal Rules 3.1 (c) and the arrestee’s constitutional right to counsel in criminal proceedings.*  |
| 15.9 | The agency shall maintain a jail register, open to the public, consistent with the requirements of RCW 70.48.100.  |
| 15.10 | The agency shall have written policies and procedures for the release of inmates covering bail/security release, preparation for release, the release process, processing prison commitments, and transfer to other correctional facilities.* Verification of identity
* Identification of outstanding warrants, wants, or detainers
* Verification of release documents and release arrangements
 |
| 15.11 | The agency has policies and procedures concerning the arrest or detention of foreign nationals.***Purpose:*** *To ensure compliance with Article 36 the Vienna Convention on Consular Relations that provides certain rights to foreign nationals when arrested, including access to the diplomatic representative of their country of citizenship.* |
| 15.12 | The agency has written guidelines for proper inventory and storage of inmate property. |

## Observations:

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**Recommendations**:

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**CHAPTER 16 – INMATE MANAGEMENT**

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| 16.1 | The agency has policies and procedures for providing inmates the jail rules and regulations, including access to medical care. Access to these written rules and regulations are available during the inmate’s confinement. Any written materials are translated into those languages spoken by a considerable number of inmates.*Purpose:* *Inmates cannot be expected to act appropriately and avoid misconduct if they are not provided a means of understanding which actions are required and which is prohibited. The rules should outline the inmate’s rights, how to file grievances and make appeals. Typically, the jail rules and regulations are provided to the inmates using an inmate handbook.* |
| 16.2 | The agency has policies and procedures which provide for an objective inmate classification system, which identifies the: * Appropriate level of custody and housing assignment
* Inmate’s interest and eligibility to participate in available programs
* Process for review and appeal of classification decisions
 |
| 16.3 | The agency has designated staff who are trained and responsible for all aspects of the prisoner classification process. **Purpose:** *Designating staff member(s) to administer the classification system is necessary to ensure that the classification process operates in a consistent and uniform manner and makes it difficult for inmates to manipulate the system.* |
| 16.4 | The agency has policies and procedures establishing an inmate grievance system with at least one level of appeal.***Purpose:*** *The Prisoner Litigation Reform Act requires that an inmate exhaust all administrative remedies before filing a lawsuit regarding their incarceration in that facility. Grievance mechanisms may address inmate concerns which might otherwise be aired through an inmate damage suit or class action challenge to jail conditions. Properly operated, the grievance system can also provide information from which the jail administration can evaluate the operational climate of the jail, and documentation generated by the grievance system provides.*  |
| 16.5 | The agency has policies and procedures which establish an inmate disciplinary process, which govern inmate behavior. *Purpose: These policies and procedures identify the degrees or levels of discipline for major and minor rule violations, criminal offenses and outlines a due process mechanism and approved sanctions. Prior to the imposition of discipline, jail staff should consult with health services staff to assess the appropriateness of the discipline for inmates with cognitive or behavioral health conditions.* |

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| 16.6 | The facility has written guidelines for the proper handling of evidence. |
| 16.7 | The agency shall have a policy outlining restrictive housing of inmates. The policy shall include limits of isolated in-cell time to no more than 22 hours per day, defines who has the authority to order restrictive housing, provide limits on timeframes for the use of segregation, and provides criteria for a periodic review of the restrictive housing decision.***Purpose:*** *Restrictive housing encompasses segregation (administrative or disciplinary, special, or intensive management, solitary confinement or any other term that used that fits the following definition. For these standards, restrictive housing is the isolated confinement of an inmate in a locked room or cell, where the inmate is removed from the general inmate population and cannot leave the room or cell for the vast majority of the day, typically for 23 to 24 hours a day. Inmates housed in this manner generally have extremely limited contact with others in the facility. Jails should strive to place fewer inmates in restrictive housing and limit the time of placement, while avoiding the placement of inmates with disabilities in restrictive housing based solely upon their disability. Jails should consult with behavioral health care staff in placement decisions.* |

## Observations:

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**Recommendations**:

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**CHAPTER 17– INMATE COMMUNICATION**

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| --- | --- |
| 17.1 | The agency has a written policy and procedures regulating the inmate personal mail system, which include:* Inmates are allowed to send and receive personal mail.
* Rejected and non-approved personal mail.
* Handling and disposition of contraband discovered in inmate mail.
* Inmate to inmate correspondence within the jail or between jails/prisons.

***Purpose:*** *Mail restriction may only be used as a disciplinary sanction for violations of the mail policy.* |
| 17.2 | The agency has a policy detailing how packages for inmates are sent or received. |
| 17.3 | The agency has a policy allowing publications within the following parameters: * Safety, security, treatment goals, and space limitations may be legitimate reasons to limit the receipt of publications.
* Restricted publications include those publications of a sexually explicit, inflammatory, or other nature contrary to the safe operation of the facility.
 |
| 17.4 | The agency has a policy which provides inmates with an opportunity to purchase or procure writing supplies, to include stationery and postage and includes the following considerations:* Procedures for handling the receipt of funds through the mail and the disbursement of inmate funds for the purchase of postage and related supplies.
* Procedures for the allowance of postage supplies for inmates who are indigent which include postage and supply limits, standards for indigence, preventing misuse of indigent supplies and any limits to the indigent mail system do not apply to the inmate’s ability to send legitimate privileged mail.
 |
| 17.5 | The agency has a policy regulating the inmate privileged mail system. * Inmates shall be allowed to send and receive privileged mail without restriction.
* Inmates shall be notified of what constitutes privileged mail as opposed to personal mail.
* If mail restriction is used as a disciplinary sanction, privileged mail shall not be restricted.
 |
| 17.6 | The agency has a policy outlining the handling and notification of inmates regarding rejected and non-approved privileged mail. |
| 17.7 | The agency has a policy allowing inmates to receive publications necessary to meet the due process rights of the inmate to include the operation of a law library or other means to satisfy due process requirements. |
| 17.8 | The agency has a policy regulating the inmate social visitation system, which includes: * Scheduling
* Screening of visitors
* Record keeping

***Purpose:***  *Social visitation is an important means to facilitate an inmate’s emotional stability, as well as to maintain their ties to family and the community. Visitation is also a critical issue related to facility security.* |
| 17.9 | The agency has policies addressing contact visits, escorted furlough visits, and other visiting issues having elevated security concerns.  |
| 17.10 | The agency has a written policy covering professional visitors, which should include, but are not limited to, attorneys, clergy, counselors, educators, and evaluators.***Purpose*:** *Professional visitors are highly utilized by jails to provide services not inherent to the facility staffing plan. Some of these professionals, such as attorneys, educators, and evaluators are mandated to have access to their clients by law. Since they are not trained security or support staff, it is important to maintain a consistent professional visitation policy which promotes safety and security while facilitating the needs of the inmates and the criminal justice system.*  |
| 17.11 | The agency has a written policy regulating the inmate use of telephones, which includes a notification to both the inmate and the person receiving those calls can be monitored and/or recorded. |
| 17.12 | The agency has a written policy stating inmate calls to attorneys and calls from attorneys to their clients are privileged and attorney client calls may not be monitored or recorded.  |

## Observations:

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**Recommendations**:

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**CHAPTER 18– SECURITY AND CONTROL**

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| 18.1 | The agency has written policies and procedures covering facility security and control systems.  |
| 18.2 | The jail shall have perimeter lighting which illuminates the area surrounding the facility. |
| 18.3 | Access into the non-public areas of the jail shall be restricted and controlled to prevent unauthorized persons from entering the secure areas of the jail. |
| 18.4 | All security doors should remain closed and locked when not in use.  |
| 18.5 | All firearms, shields, chemical agents designed for mass application, less lethal weapons, and other weapons shall be stored in a secure location, except when signed out to an officer for authorized use. The agency may permit approved chemical agent canisters worn on uniform belts. |
| 18.6 | The agency has a policy covering the use of any Chemical Agents.  |
| 18.7 | The agency has a written key control plan. ***Purpose*:** *Key control plans should include, but not limited to, storage of keys, procedures for repair and maintenance of keys and locks, procedures for key inventory and state that inmates shall never be permitted to use, control, possess, or have access to jail or vehicle keys.* |
| 18.8 | A set of emergency keys which can be quickly retrieved and made available in the event of an emergency shall be available and stored in a secure location. |
| 18.9 | The agency has a written tool and material control plan. Tools and material include maintenance tools, kitchen tools, cleaning compounds, flammable materials; and other items which in the possession of inmates are potentially hazardous.  |
| 18.10 | The agency has written policies and procedures governing the surveillance and supervision of inmates. The surveillance and supervision policies and procedures shall include, but not be limited to:* The jail shall be staffed 24 hours per day.
* Observation on a frequent and irregular basis, at least once every 60-minute period.
* Provisions to cover cross gender supervision.
 |
| 18.11 | The agency shall have written policies and procedures governing searches. of:* Cells and other living areas.
* Visitors entering a secure area.
 |
| 18.12 | The agency has policies for conducting strip and/or body cavity searches in accordance with RCW 10.79.  |
| 18.13 | The agency has a plan for the control, discovery, and removal of contraband from the jail. |
| 18.14 | The agency shall provide notice to persons entering the facility that certain items are prohibited inside the jail and that they are subject to search. |
| 18.15 | The agency has a policy requiring searches of vehicles before and after transporting inmates. |
| 18.16 | The agency has a policy outlining actions in response to criminal acts committed in the jail, identifying which agency will handle criminal investigations and procedures regarding the protection of crime scenes and the preservation of evidence. |

## Observations:

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**Recommendations**:

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**CHAPTER 19– INMATE SERVICES**

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| 19.1 | The agency has a policy which outlines how inmate access to :* Communicate with counsel.
* Access and communicate with the courts.
* File legal proceedings.

***Purpose:*** *Inmates in disciplinary or administrative segregation shall be allowed to communicate with the courts in a manner consistent with that available to other inmates.* |
| 19.2 | The agency has a policy covering the inmate use of paper, envelopes, postage, and pencils to ensure adequate access to courts and counsel. |
| 19.3 | The agency shall adopt a policy and procedures to provide inmates access to legal materials and includes provision for those inmates unable to use them.***Purpose:*** *The agency/facility must provide legal materials and provide accommodations for those not able to effectively use them due to limitations with literacy, inability to speak or read English and mental limitations.* |
| 19.4 | The agency shall have a policy regarding food services for inmates,which addresses: * Providing a nutritionally balanced diet, annually reviewed by a qualified nutritionist or dietician;
* Required sanitation standards; and
* Special, religious, and therapeutic diets
 |
| 19.5 | The agency has a written policy and procedures regarding the operation of a commissary for inmates. |
| 19.6 | The agency has written policies and procedures regarding laundry services for inmates.  |
| 19.7 | The agency has a written policy outlining the process to allow inmates to vote in elections. |

## Observations:

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**Recommendations**:

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**CHAPTER 20 – INMATE HEALTH CARE**

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| 20.1 | The agency has a written agreement with one or more health authorities licensed in the State of Washington to furnish health care services within the jail.***Purpose:*** *For small jails without in-house medical services, a memorandum or letter from their local medical treatment facility or doctor’s office indicating that treatment facility or doctor’s office provides services to jail inmates, as needed, will meet this standard.* |
| 20.2 | The agency shall maintain copies of the current licenses of in-house contracted or city/county medical staff. |
| 20.3 | The jail has written health services procedures which are reviewed by a licensed health care professional with correctional experience.***Purpose:*** *The procedures should cover, at a minimum, the following: medical screening; health appraisal; physical examinations; necessary medical, behavioral, and dental services; emergency medical, behavioral (mental health and substance use disorders), and dental services; suicide prevention services; notification of next of kin in cases of life threatening illness, injury or death; prenatal, peripartum, and postpartum care; delousing procedures; communicable disease; infection control; and pharmaceutical control.* |
| 20.4 | The agency has a policy requiring inmate medical screening at intake by a health care professional or employs a process that has been approved by a health care professional with corrections/jail experience when the screening is done by corrections staff. The screening shall include screening for traumatic brain injury and/or developmental disability in order to comply with RCW 70.48.245.***Purpose:*** *The screening should be a visual screening and include completion of a medical screening form covering current illnesses and health problems, including infectious disease; medications prescribed or recommended to taken and special health needs, including allergies; inquiry into any cough, lethargy, and weight loss; behavioral conditions and mental state, to include past and/or current suicidal tendencies; notation of observable deformities or injuries; skin and body condition, such as rashes, needle marks; and drug and alcohol use, to include date and time of last use and any previous signs or symptoms of withdrawal.* |
| 20.5 | The agency has a policy that all inmate medical records are kept confidential and separate from the inmate’s custody record. Medical records are maintained in accordance with the state retention schedule. |
| 20.6 | The agency maintains access to 24-hour emergency medical, dental, and behavioral health care services, including on-site first aid, AED, basic life support, and transfer to community-based services. |
| 20.7 | The agency shall always have on duty at least one staff member trained in the delivery of emergency first aid, CPR, and use of an AED. |
| 20.8 | The agency has a policy outlining how inmates gain access to health care for routine medical needs. |
| 20.9 | The agency has a written agreement with a licensed dentist to provide necessary dental care. |
| 20.10 | The agency has a policy stating that medications will be administered according to the directions of a physician or other licensed prescribing authority under WA state law. |
| 20.11 | The agency has a policy requiring inmate health record information be provided to health care providers, upon request of a physician or medical facility, for continuity of care purposes in accordance with the Health Insurance Portability and Accountability Act (HIPPA). |
| 20.12 | The agency has a policy and procedure for communicable or infectious disease prevention guidelines in accordance with RCW 70.48.480.***Purpose:*** *The policy should include a review of test results by a physician or ARNP; are kept confidential and exempt from release, except as required by law; and become a part of the inmate medical file.* |
| 20.13 | The agency has a policy addressing the transfer of an inmate with a serious health condition to other facilities, and includes:* A requirement for a health care summary report or similar document listing, at a minimum, all current diagnosis and medications prescribed, which is sent with the inmate or transmitted to the receiving facility upon intake; and
* When available at the facility, provide a minimum of three (3) days’ dosage of medication for inmates taking prescription medication for a serious health condition, unless declined by the receiving facility.

***Purpose:*** *If any medical record is sent with the inmate, the documents should be placed in a sealed envelope marked, “Confidential Medical Information.” For these standards, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity; or continuing treatment by a health care provider.* |
| 20.14 | The agency has a policy requiring pregnant inmates receive prenatal, peripartum, and postpartum access to care. Pregnant inmates are exempt from work details as determined by the health care authority. |
| 20.15 | The agency has a policy requiring the maintenance of inmate hearing aids, eyeglasses, and dentures. |
| 20.16 | For jails who do not use licensed medical staff to deliver and administer medications or medication assistance for inmates, the agency has a policy that meets the requirements of RCW 70.48.490. |
| 20.17 | The agency has a policy outlining the safe handling and storage of medications, including a locked, secure storage area where individual prescriptions, bulk, refrigerated and over-the-counter medications are kept, except while being dispensed.***Purpose:*** *This does not apply to OTC’s that are allowed for purchase from the commissary.* |
| 20.18 | The agency has a policy requiring individual prescriptions be labeled in accordance with RCW 69.41.050. |
| 20.19 | The agency has a policy outlining the safe handling and storage of syringes, needles, and other sharps. |
| 20.20 | The agency maintains a log of all medications prescribed to each inmate, which is part of the inmate’s medical file.***Purpose:*** *The log should include the inmate’s name and prescription number; name and strength of medication; directions for use; initials or electronic signature of issuing person; amount of medication used; special instructions or limitations of use; if the inmate refuses medication during incarceration, or at the time of transfer or release, the refusal shall be documented in the log; and allergies.* |
| 20.21 | The agency has a policy requiring the disposal of unused controlled and uncontrolled medications in accordance with the WA Department of Ecology’s Interim Pharmaceutical Waste Policy, “Pharmaceutical Waste Management in Healthcare” or under WAC 173-303, if unused medications are not returned to the jail’s contracted pharmacy for disposal. |
| 20.22 | The agency has a policy that meets the requirements of Wakefield v. Thompson, 177 F.3d 1160 (1999) for inmates being released from the jail to the community with a serious health condition requiring medication to manage their serious medical condition.***Purpose:*** *The 9th Circuit held “that the state must provide an outgoing prisoner who is receiving and continues to require medication with a supply sufficient to ensure that he has that medication available during the period of time reasonably necessary to permit him to consult a doctor and obtain a new supply. A state's failure to provide medication sufficient to cover this transitional period amounts to an abdication of its responsibility to provide medical care to those, who by reason of incarceration, are unable to provide for their own medical needs.” Jails may satisfy this by one of four different ways: (1) Provide a prescription from the jail prescriber at release; (2) Provide a supply of medication sufficient for the individual to obtain a prescription from their primary care physician; (3) Transport the released individual to a medical treatment facility so the individual is able to obtain medically necessary treatment; or (4) Document in the inmate’s medical file that the inmate states he/she has access to their medication upon release.* |
| 20.23 | The agency has a policy requiring a daily, two-person and documented inventory of controlled substances and requiring they are stored in accordance with WAC 246-865060 (3a-e). |
| 20.24 | The agency has a policy to resolve conflicts between custody and medical staff to ensure any conflicts do not impact health care delivery.***Purpose:*** *Medical decisions should be made by licensed medical personnel and should never be overridden by non-medical or custody staff.* |

## Observations:

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**Recommendations**:

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**CHAPTER 21– SANITATION AND MAINTENANCE**

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| 21.1 | The agency provides inmates with soap, toilet paper, toothbrush and cleaning agent, comb and for women, sanitary hygiene items. |
| 21.2 | The agency provides inmates the opportunity to shower a minimum of three times per week, including those inmates in segregation, except for inmates whose movement would result in risk to staff or self. |
| 21.3 | The agency has policy or written procedures governing pest control. |
| 21.4 | All living areas are equipped with toilets, sinks, showers, and potable water. |
| 21.5 | The agency has policies or written procedures for handling and disposal of bio-hazardous waste materials and conducts staff training related to bio-hazardous materials, which conform to state law. |
| 21.6 | The agency has a policy outlining the control and the use of volatile, toxic, and caustic materials which complies with state and federal law. |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 27– INMATE PROGRAMS AND ACTIVITIES**

|  |  |
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| 22.1 | The agency has written policies and procedures which provide the reasonable opportunity for inmates’ exercise and recreation at least one hour daily. ***Purpose:*** The jail provides opportunity for inmate passive recreation which may include such things as library services, card and/or board games, and television and/or radio. |
| 22.2 | The agency has policies and procedures that cover:* Procedures for the local educational district to provide for the educational services to inmates under the age of 18 or as required by state and federal law and include those with special needs. (RCW 28A.194)
* Procedures for any educational programs that may be made available to inmates.
 |
| 22.3 | The agency has written policies and procedures for rehabilitation treatment programs for inmates. |
| 22.4 | The agency has written policies and procedures regarding work programs for inmates, which include:* Eligibility
* Facility work assignments
* Discretionary work programs in and out of jail, as authorized.

***Purpose:*** *Pretrial detainees may be permitted to work in the jail but may not be required to work beyond performing routine housekeeping, such as cleaning their living area. The work environment for inmates must meet all safe workplace requirements in compliance with state law.* |
| 22.5 | The agency has a policy governing partial confinement programs in accordance with state law. ***Purpose:*** *Work release is authorized for jail inmates by RCW 70.48.260**Electronic home monitoring is authorized by RCW 9.94A.731 and 9.94A.734.* |
| 22.6 | The agency has a policy providing access to religious activities for inmates and the opportunity for the exercise of their faith. * Inmate access to clergy, religious services/worship opportunities, and religious reading materials.
* Hair length and grooming guidelines.
* Clothing and religious diets.
 |
| 22.7 | The agency has a policy addressing the use of volunteers and community resources.  |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 23– GENDER IDENTITY**

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| --- | --- |
| 23.1 | The agency has a policy establishing guidelines that make reasonable efforts to minimize privacy intrusions that may occur as a result of cross gender supervision. |
| 23.2 | The agency has policies that address the housing, supervision, and management of lesbian, gay, bi-sexual, transgender, intersexed, and questioning (LGBTIQ) inmates.  |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 24– AMERICANS WITH DISABILITIES ACT**

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| 24.1 | The agency has a policy concerning implementing the requirements of the Americans with Disabilities Act (ADA) and for evaluating ADA claims, which requires legal counsel review.* A public entity (city or county) which employs 50 or more persons shall designate at least one staff member to coordinate its efforts to comply with and fulfill its responsibilities under Title II of ADA.
* Provide for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.

***Purpose:*** *Title II, Part 35, Nondiscrimination based on Disability in State and Local Governmental Services applies to jails.* |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 25– PRISONER SECURITY**

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| 25.1 | The agency has written policies and procedures for officers transporting prisoners.  |
| 25.2 | The agency has written policies and procedures governing the purpose, function, and use of restraints, to include:* The agency provides training in the use of restraints. Restraint devices include any device used to secure or control the hands, arms, feet, legs, head, or torso of an inmate. Restraints devices shall be authorized by the agency.
* The use of restraints on pregnant inmates, in accordance with RCW 70.48.500, 70.48.501, 70.48.502, and 70.48.800.
* Monitoring requirements for inmates in restraints.
 |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 26– EMERGENCY RESPONSE**

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| 26.1 | The agency has written policies and procedures for response to emergency and non-emergency calls that occur within the Jail and include:* Evacuation plans consistent with city/county Department of Emergency Management plans;
* Man-made situations, including fires, inmate disturbances, hostage situations, escapes, and attempts; and Civil or natural disasters, such as floods, earthquakes, chemical spills, weather related emergencies, and disruption of utilities or communications systems.
 |
| 26.2 | The agency provides 24-hour communications between the facility and local emergency services. |
| 26.3 | The agency has a policy for requesting and responding to requests for mutual aid.  |
| 26.4 | The agency has a policy authorizing the use of firearms and other emergency response weapons. |
| 26.5 | Agency policy outlines steps to control access in/out of the facility during and following an emergency. These steps:* Have limited dissemination and are restricted to those with a need to know.
* Include staff training on role/responsibilities during an emergency.
 |

## Observations:

TBD

**Recommendations**:

TBD

**CHAPTER 27– PRISON RAPE ELIMINATION ACT (PREA)**

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| --- | --- |
| 27.1 | The agency has a policy clearly prohibiting and setting a zero tolerance for the following:* Sexual harassment by staff or inmates (WAC 392-190-056).
* Sexual contact by staff or inmates (RCW 9A.44.010).
 |
| 27.2 | The agency has policies which implement the Prison Rape Elimination Act.***Purpose:*** *Given the emerging nature and requirements of PREA for Jails/Correction facilities, accrediting agencies are not required to complete a PREA audit to comply with this standard. However, they are expected to have required policies and practices in place to successfully navigate an audit if/when that time arrives.* |

## Observations:

TBD

**Recommendations**:

TBD