



POLICE

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WA State Office of Attorney General
1125 Washington Street SE
Olympia, WA 98504

RE: AGO Model Use of Force Policy

To Whom It May Concern.

I am pleased to attest that the Kent Police Department (KPD) Use of Force Policy is now fully consistent with the Attorney General's Model Use of Force Policy.

Originally, we had two sections of our policy that differed from the Attorney General's Model Use of Force Policy. The two sections were:

1. Model Policy: Select Force Tools - Electronic Control Weapons, Standards of Use, Section 3.a "Officers shall carry an ECW on the support side of the body, and in all but extreme circumstances, shall draw, exhibit and use the device with the support (non-pistol firing) hand." We have now adopted this language.
2. Model Policy: Select Force Tools - Electronic Control Weapons, Restricted Uses, Section 4.b "On a person who is handcuffed or otherwise restrained unless deadly force is authorized." We have now adopted this language.

I want to thank the AGO for producing a model policy that both re-affirms long standing best practices, while at the same time challenges outdated protocols. The incorporation of the model policy into KPD's Policy has elevated the manner and circumstances in which our officers use force.

Sincerely,

Rafael Padilla
Chief of Police

Kent PD	WASPC	Title
#3.00	#3.1	Use of Force Core Principles and Definitions

Overarching Principles

In codifying permissible uses of force, the Washington State Legislature declared its intent that, when practicable, police officers will use the least amount of physical force necessary to overcome active resistance under the circumstances and that it is the fundamental duty of law enforcement to preserve and protect all human life. (RCW 10.120.010, Laws of 2021, ch. 234 § 1).

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

Core Principles

Duty to De-Escalate: When possible, officers shall use all de-escalation tactics that are available and appropriate under the circumstances before using physical force. (RCW 10.120.020 [2022 c 4 §3]).

Duty to Use Reasonable Care: A peace officer shall use reasonable care when determining whether to use physical force or deadly force and when using such force against another person. (RCW 10.120.020(3)).

Perform Community Caretaking Functions: Nothing in this policy limits or restricts an officer's ability to respond to a call for community caretaking or protection of health and safety, and to use the appropriate and least amount of physical force to execute those functions. (RCW 10.120.020(5) [2022 c 4 §3]). The same standards for using physical force apply. However, incidental touching, verbal commands, or compliant handcuffing, which may occur in the course of community caretaking, is not defined as physical force. (RCW 10.120.010(7)).

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Kent PD	WASPC	Title
#3.00	#3.1	Use of Force Core Principles and Definitions

Use Only the Least Amount of Force Necessary to Safely Achieve a Lawful Law Enforcement Objective Under the Circumstances: When using physical force, an officer uses reasonable care when they use the least amount of physical force necessary to overcome resistance under the circumstances. (RCW 10.120.020(3)).

Each type of physical force used must be a reasonable and proportionate response to the legal purpose intended or the threat posed: Force is necessary when, under the totality of the circumstances, a reasonably effective alternative to the use of force does not appear to exist, and the type and amount of force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others. (RCW 10.120.010(5)).

Duty to Intervene and Duty to Report Wrongdoing (RCW 10.93.190). All on duty employees upon recognition, and when in a position to do so, must act upon the duty to intervene to prevent or stop any employee from committing criminal misconduct or using excessive force. When such conduct is being committed by another employee, given the totality of the circumstances, employees shall safely intervene to prevent and/or stop the criminal misconduct or excessive force.

Duty to Provide or Facilitate First Aid and Avoid Accidental Asphyxiation. All law enforcement personnel must provide or facilitate first aid such that it is rendered at the earliest safe opportunity to injured persons at a scene controlled by law enforcement. (RCW 36.28A.445).

Use the Least Amount of Physical Force Necessary to Overcome Resistance Under the Circumstances. (RCW 10.120.020).

When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force. (RCW 10.120.020).

Deadly force is authorized only when necessary to protect against an

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immediate threat of serious physical injury or death to the officer or another person. An “immediate threat of serious physical injury or death” means, based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person (RCW 10.120.020 [2022 c 80 §3 and 2022 c 4 §3]).

Good Faith Standard: Good Faith is an objective standard which shall consider all the facts, circumstances, and information known to the officer at the time to determine whether a similarly situated reasonable officer would have believed that the use of deadly force was necessary to prevent death or serious physical harm to the officer or another individual.

Definitions

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

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

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

De-escalation tactics: actions used by a peace officer that are intended to minimize the likelihood of the need to use force during an incident. (RCW 10.120.010 [2022 c 4 §2]). Using physical force is not a de-escalation tactic. De-escalation tactics are detailed in the section “De-escalation.”

Feasible: reasonably capable of being done or carried out to achieve the arrest or lawful objective without increasing risk of harm to the officer or another person.

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

Great Bodily Harm/Serious Bodily Injury: injury which creates a probability of death or which causes significant permanent loss or impairment of the function of any body part or organ. For the purpose of this policy, these two terms are interchangeable.

Immediate threat of serious bodily injury or death: based on the totality of the circumstances, it is objectively reasonable to believe that a person has the present and apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the peace officer or another person. (RCW 10.120.020 [2022 c 80 §3]).

Imminent Threat: imminent threat can be described as danger from an individual whose apparent intent is to inflict serious bodily injury or death and the individual has the perceived ability and opportunity to realize this intention.

Law enforcement agency: any "general authority Washington law enforcement agency" and any "limited authority Washington law enforcement agency" as defined by RCW 10.93.020.

Less lethal alternatives: includes, but are not limited to, verbal warnings, de-escalation tactics, conducted energy weapons, devices that deploy oleoresin capsicum, batons, and beanbag rounds. (RCW 10.120.010).

Necessary: under the totality of the circumstances, a reasonably effective alternative to the use of physical force or deadly force does not appear to exist, and the type and amount of physical force or deadly force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others. (RCW 10.120.010 [2022 c 80 §2]).

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

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Objectively Reasonable: the determination that the necessity for using force and the level of force used is based upon the officer's evaluation of the situation in light of the totality of the circumstances known to the officer at the time the force is used and upon what a reasonably prudent officer would use under the same or similar situations.

Peace officer: includes any "general authority Washington peace officer," "limited authority Washington peace officer," and "specially commissioned Washington peace officer" as those terms are defined in RCW 10.93.020. "Peace officer" does not include any corrections officer or other employee of a jail, correctional, or detention facility, but does include any community corrections officer. (RCW 10.120.010). Peace officers are referred to as officers in this policy.

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

Projectile Impact Weapon: a less lethal weapon that fires projectiles such as 40mm sponge or foam rounds, PepperBall or similar projectile, blast balls or bean bags designed to temporarily incapacitate a person.

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

Reasonable Belief: facts, circumstance, or knowledge perceived to the officer sufficient to justify a thought or feeling.

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

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

Warning Shot: discharge of a firearm for the purpose of compelling compliance from an individual, but not intended to cause physical injury.

Wrongdoing: conduct that is contrary to law or contrary to the policies of the witnessing officer's agency, provided that the conduct is not de minimis or technical in nature. (RCW 10.93.190).

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#3.10	#3.1	Use of Force

Use of Force

Law enforcement encounters rapidly evolve and are not static. Thus, officers must continuously assess the necessity and effectiveness of their actions, including their initial response to calls, their tactical positioning or using other de-escalation tactics, to decrease the likelihood of needing to use physical force.

Use of Force Training

All officers and supervisors shall receive training consistent with the Kent Police Department's use of force policy at least annually, and training on the policy should be incorporated into the department's defensive tactics curricula.

Training should:

- Be a combination of classroom and scenario-based learning,
- Include community partners, when relevant and feasible,
- Officers will complete ongoing cultural competency and related racialized experience training facilitated by the Criminal Justice Training Commission and the Kent Police Department Training Unit to understand disproportionately impacted communities.

Critical Decision Making

When safe and feasible, officers shall, when making, or considering whether to make, contact with a member of the public:

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

Nothing in the use of force policies precludes officers from taking quick action when faced with a life-threatening or violent situation. When safe and feasible, officers shall not unnecessarily jeopardize their own safety or the safety of others through tactical decisions that unreasonably place themselves or others at risk. Officers

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will follow their training when faced with tactical decisions. These tactical decisions could include but are not limited to:

- Evaluating the situation before approaching.
- Ensuring proper space is between an officer and the person.
- Providing time for a person to comply with commands; or
- Keeping the situation calm without unnecessarily escalating the situation.

When safe and feasible, prior to the use of physical force, officers shall:

- Be reasonably identifiable as Kent Police officers and identify themselves as such prior to the use of physical force. Under state law, an officer is "reasonably identifiable" when their uniform clearly displays the officer's name or other information that the public can see and the agency can use to identify the officer (RCW 10.116.050).
- Consider whether the person has a special characteristic or condition that may impact their ability to understand and comply with officer commands, including a mental condition, physical limitation, developmental disability, language barrier, or other similar factor that may impact their ability to understand and comply with officer commands;
- Provide clear instructions and warnings;
- Use de-escalation tactics described in KPD policy 3.81;
- Warn a person that physical force will be used unless they comply; and
- Give the person a reasonable opportunity to comply with the warning that physical force may be used.

Under Washington State law, officers may use physical force when:

- An officer has a "lawful purpose" as provided for in RCW 10.120.020.
- Physical force is necessary in that, under the totality of the circumstances, no reasonably effective alternative to physical force appears to exist.
- The physical force used is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the officer or others.
 - Reasonableness shall be evaluated based on the totality of circumstances known to the officer leading up to, and at the time of, the use of physical force, including the severity of the crime or the seriousness of the law enforcement purpose, the immediacy of the threat, the actions of the person against whom force is used, the actions of the officer, and whether the person against whom force is used is actively resisting or attempting to evade arrest by flight.

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- Proportionality shall be evaluated based on whether the use of physical force corresponds to the immediacy and severity of the threat or resistance the officer encounters at the time force is applied, as well as the seriousness of the law enforcement objective that is being served. The threat or resistance may change over the course of the incident. Proportional force does not require officers to use the same type or amount of physical force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be proportional.
- An officer exercises reasonable care as required by RCW 10.120.020(3) in using physical force.

Use of Physical Force Must Be for a Lawful Purpose

Per RCW 10.120.020, an officer may use physical force against a person to the extent necessary to:

- Protect against an imminent threat of bodily injury to the officer, another person, or the person against whom physical force is being used;
- Protect against a criminal offense when there is probable cause that the person has committed, is committing, or is about to commit the offense;
- Effect an arrest;
- Take a person into custody when authorized or directed by statute;
- Prevent an escape as defined under chapter 9A.76 RCW;
- Prevent a person from fleeing or stop a person who is actively fleeing a lawful temporary investigative detention, provided that the person has been given notice that he or she is being detained and is not free to leave;
- Take a person into custody, transport a person for evaluation or treatment, or provide other assistance under chapter 10.77, 71.05, or 71.34 RCW;
- Take a minor into protective custody when authorized or directed by statute;
- Execute or enforce a court order authorizing or directing an officer to take a person into custody;
- Execute a search warrant;
- Execute or enforce an oral directive issued by a judicial officer in the courtroom or a written order where the court expressly authorizes an officer to use physical force to execute or enforce the directive or order; or
- Execute any other community caretaking function, including but not limited to performing welfare checks, assisting other first responders and medical professionals, behavioral health professionals, social service providers, designated crisis responders, shelter or housing providers, or any member of the public.

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Reasonable Care

A peace officer shall use reasonable care when determining whether to use physical force or deadly force and when using such force against another person (RCW 10.120.020[3]). Reasonable care means the officer shall:

- When possible, use all de-escalation tactics that are available and appropriate under the circumstances before using physical force (RCW 10.120.010).
- Use the least amount of physical force necessary to overcome resistance under the circumstances. This includes considering the characteristics and conditions of a person for the purposes of determining whether to use physical force or deadly force against that person and, if physical force is necessary, determining the appropriate and least amount of physical force possible to effect a lawful purpose. Such characteristics and conditions to consider may include, for example, whether the person:
 - Is visibly pregnant, or states that they are pregnant;
 - Is known to be a minor, objectively appears to be a minor, or states that they are a minor;
 - Is known to be a vulnerable adult, or objectively appears to be a vulnerable adult as defined by RCW 74.34.020;
 - Displays signs of mental, behavioral, intellectual, developmental or physical impairments or disabilities;
 - Is experiencing perceptual or cognitive impairments typically related to the use of alcohol, narcotics, hallucinogens, or other drugs;
 - Is suicidal;
 - Has limited English proficiency; or
 - Is in the presence of children.
- Terminate the use of physical force as soon as the necessity for such force ends, while still maintaining control of the subject.
- When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force.
- Make less lethal alternatives issued to the officer reasonably available for his or her use.

Levels of Force

Officers are not required to exhaust one type of force before moving to a greater force. The examples listed below are not exclusive lists that might be available to the officers. They are also not listed in a hierarchy or continuum of force.

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#3.10	#3.1	Use of Force

Level 1 - Non-Deadly Physical Force:

This type of force uses an officer's bodily force to gain control of a person. The force used is not intended to, and has a low probability of, causing injury but may cause momentary discomfort or pain. Depending on the circumstances, including the characteristics and conditions of the person, non-deadly force options may include:

- (a) Techniques to direct movement (e.g., push back, escort, shove);
- (b) Control holds (e.g., wrist locks, finger locks, joint manipulation);
- (c) Open hand techniques;
- (d) Take downs;
- (e) Swarming; or
- (f) Use of a restraint device, other than compliant handcuffing;

Level 2 - Intermediate Physical Force:

This type of physical force may involve the use of non-deadly weapons, which present a significant risk of injury to the subject but are neither likely to nor intended to cause death. It is the most severe force authorized short of deadly force. Depending on the totality of the circumstances, intermediate physical force may be reasonable when there is active resistance or a threat of harm to officers or the public and lower levels of physical force were either unsuccessful or not reasonable under the circumstances. Intermediate force options include:

- (a) Oleoresin capicum (OC) spray;
- (b) Electronic control weapons;
- (c) Projectile impact weapons;
- (d) Pepperball;
- (e) Canine bite or injury caused by physical contact between a canine and a subject;
- (f) Impact weapon strikes (excluding impact weapon strikes to the head, neck, throat, or spine, which are exercises of deadly force); or
- (g) Punches, kicks, or other strikes with an officer's body. Officers shall only use striking techniques directed at a subject's head as a means of self-defense or in the defense of others.

Level 3 - Deadly Force:

Under Washington law, an officer may use deadly force against another person only when necessary to protect against an "immediate threat of serious physical injury or death" to the officer or another person.

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Kent PD	WASPC	Title
#3.10	#3.1	Use of Force

Officers shall not use deadly force against persons who present a danger only to themselves and do not pose an immediate threat of death or serious bodily injury to another person or officer.

Deadly force includes:

- (a) Impact weapon strikes to the head, neck, throat, or spine;
- (b) Striking a person's head onto a hard, fixed object;
- (c) Discharge of a firearm loaded with lethal ammunition at a person; or
- (d) Intentionally striking with a vehicle a person who is not inside a vehicle.

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Kent PD	WASPC	Title
#3.20	#3.2	Warning Shots

Kent Police Department Officers shall not fire a warning shot.

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Kent PD	3.20
WASPC	3.2
Previous Kent PD Policy	1.3.3

Kent PD	WASPC	Title
#3.30	#3.3	Less Lethal Weapons

Core Principle: When possible, use less lethal alternatives that are available and appropriate under the circumstances before using deadly force. (RCW 10.120.020).

The Kent Police Department will make less lethal alternatives reasonably available for officers' use. (RCW 10.120.020 [2022 c 4 §3]).

Officers will be trained in department approved less lethal weapons. This training will be conducted by training staff through our department approved training programs. This training will occur every year by certified instructors. Officers who cannot demonstrate proficiency with assigned less lethal weapons will have their authorization to carry them restricted by the assigned instructor until remedial training is successfully completed. Remedial training in the use of these weapons will be formulated by the instructor based on the officer's need.

Officers in uniformed patrol or officers in an enforcement capacity will keep all agency-issued equipment with them or in their assigned vehicles as appropriate.

Officers shall use all department approved less lethal weapons in accordance with training and the equipment manufacturer's instructions.

Officers will notify their chain of command when equipment is non-operable or damaged.

Each application of a less lethal weapon must be justified.

Department approved less lethal weapons include batons, flashlights (If used as an impact weapon, Oleoresin Capsicum (OC) pepper spray aerosols, Taser and projectile impact weapons approved by the Rangemaster and authorized by the Chief.

Impact Weapons

- Agency-issued and authorized impact weapons typically include batons. Officers shall not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney unless deadly force is authorized.

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Kent PD	WASPC	Title
#3.30	#3.3	Less Lethal Weapons

- Officers shall not use an impact weapon to intimidate a person when an impact weapon warning is not justified by the threat presented.
- Officers shall reassess the effectiveness of impact weapon strikes as soon as safe and feasible, and if not effective, move to another appropriate target or to another tactical or physical force option.

Oleoresin Capsicum (OC) Spray

- OC is an inflammatory agent that causes an intense burning sensation of the eyes, nose, mouth, and skin, which may result in closing, tearing and swelling of the eyes, and swelling of the mucous membranes that link breathing passages that may cause temporary restriction in a person's breathing to short, shallow breaths.
- OC spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where OC spray is the only available and appropriate force option. Officers deploying OC will attempt to avoid or minimize incidental exposure to non-involved persons.

Pepperball

- The pepperball launcher is a non-lethal system that uses high pressure air and CO2 to deliver PAVA powder projectiles from a safe distance.
- It's used when you need to deliver PAVA powder from a distance greater than you can get from the OC spray.
- PAVA stands for "pelargonic acid vanillylamide" which is the synthetically produced version of the naturally occurring capsaicinoid (OC) found in chili peppers.
- The preferred target area for the pepperball is the area below the sternum, avoiding genital area.
- Projectile Impact Weapons (40 mm) A Projectile Impact Weapon (PIW) fires less-lethal ammunition and is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating the person's body. Officers must be trained to use a PIW before deploying one during the course of law enforcement operations.
- When safe and feasible, an officer about to discharge a PIW should advise other officers at the scene prior to the discharge.

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#3.30	#3.3	Less Lethal Weapons

- An officer should target the buttocks, thigh, calf, and large muscle groups.
- Officers deploying a PIW shall assess the effectiveness of the PIW after each shot. If subsequent PIW rounds are needed, officers should consider aiming at a different targeted area.
- Restricted Uses. The PIW should not be used in the following circumstances unless the use of deadly force is justified:
 - Intentionally aiming a PIW at the head, neck, chest, or groin unless deadly force is authorized.
 - At ranges that are inconsistent with the PIW manufacturer's guidelines.
 - At a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.) unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).

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WASPC	3.3
Previous Kent PD Policy	1.3.4

Kent PD	WASPC	Title
#3.40	#3.4	In Custody Care/Providing or Facilitating Medical Aid

Core Principle: Duty to Provide or Facilitate First Aid

All law enforcement personnel must provide or facilitate first aid such that it is rendered at the earliest safe opportunity to injured persons at a scene controlled by law enforcement. (RCW 36.28A.445).

General Scenes

In any scene under law enforcement control, when safe to do so, officers are required to provide first aid or facilitate medical aid for injuries other than superficial minor injuries or when such aid is declined.

In Custody Care

Once the scene is safe and as soon as practical after using force, an officer shall transition to in custody care and provide appropriate medical care consistent with his or her training to any individual who has a known, suspected, alleged injury, or requests medical attention. This may include, but is not limited to, providing first aid, rechecking restraints, putting subjects into a recovery position to aid in breathing, removing Taser darts in non-sensitive areas, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.

In situations where officers are required to use force resulting in an injury that is known, suspected, or alleged, the officer is required to provide the appropriate medical aid to the injured person. Normally, officers should request an aid car to examine the injured party. The aid crew then determines if further medical treatment is needed.

In situations where the injury is known or believed to be severe, the officer should also request a medic unit in addition to the request for an aid car.

Anytime a subject is injured from a use of force, an on-duty supervisor will be notified and will respond to the scene.

Consistent with training, officers shall take the following actions to reduce the risk of positional asphyxiation and compression asphyxiation:

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Kent PD	WASPC	Title
#3.40	#3.4	In Custody Care/Providing or Facilitating Medical Aid

- As soon as safe and feasible after handcuffing or otherwise restraining a person taken to the ground, roll the person to the side and move them to an upright position that does not impede the mechanism of normal breathing, except if they are unconscious. This requirement is especially important when the person is handcuffed in the prone position.
- Do not put prolonged pressure on the chest, neck or back, including by sitting, kneeling, or standing.
- Continuously monitor the person's condition while being restrained, as death can occur suddenly and develop beyond the point of viable resuscitation within seconds. Monitoring includes, but is not limited to, assessing the adequacy of the individual's breathing, color, and any impairment as verbalized by the individual.
- Whenever feasible and when manpower allows, the ranking officer shall designate a "Safety Officer." The Safety Officer shall monitor the health and welfare of the person until:
 - Responsibility is transferred to a health care professional (e.g. EMT, paramedic); or
 - The person is placed in a seated position in a transport vehicle and the person appears to the Safety Officer to not be in distress. .
- If the Safety Officer becomes aware of an issue with the person's breathing, color, or any impairment, they shall immediately begin first aid.
- Do not transport a restrained person in the prone position.

Officers must provide or facilitate first aid specific to the following particular force tools.

Oleoresin Capsicum (OC) spray: At the earliest safe opportunity at a scene controlled by law enforcement, an officer shall take action to address the effects of the OC by flushing the person's eyes out with clean water and ventilating with fresh air, if possible.

PepperBall Launcher: At the earliest safe opportunity at a scene controlled by law enforcement, an officer shall take action to address the effects of the PAVA by flushing the person's eyes out with clean water and ventilating with fresh air, if possible. PepperBall launchers are a type of Projectile Impact Weapon (PIW) but have differing requirements for in custody care than are listed for other PIWs. All persons struck by PepperBall, unless struck in a sensitive area, such as the head,

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Reviewed	
Kent PD	3.40
WASPC	3.4
Previous Kent PD Policy	1.3.5

Kent PD	WASPC	Title
#3.40	#3.4	In Custody Care/Providing or Facilitating Medical Aid

neck, breast, or groin, will be monitored for respiratory distress. All Persons struck with PepperBall in a sensitive area, such as the head, neck, breast, or groin, will be transported to a medical facility for examination. Color photographs of the impact area will be taken as soon as practical and entered into evidence.

Electronic Control Weapon (ECW): At the earliest safe opportunity at a scene controlled by law enforcement, officers shall remove ECW probes, unless probes are in a sensitive area, such as the head, breast, or groin. Probes in sensitive areas shall be removed by an EMT, paramedic or other health care professional. ECW probes should be treated as a biohazard. Color photographs of the impact area will be taken as soon as practical and entered into evidence.

Projectile Impact Weapons. All persons struck by a beanbag/baton projectile will be transported to a medical facility for examination. Color photographs of the impact area will be taken as soon as practical and entered into evidence.

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Reviewed	
Kent PD	3.40
WASPC	3.4
Previous Kent PD Policy	1.3.5

Kent PD	WASPC	Title
#3.50	#3.5	Reporting Use of Force

Core Principles

To be accountable to the public and assess agency policy development and training needs, every use of physical force and deadly force, as well as instances of pointing a firearm at a person, shall be reported internally and receive meaningful review by first line supervisors and command staff.

All use of force data will be collected and compiled in an annual Kent Police Department Use of Force Report. The Kent Police Department will report certain uses of force, as required by RCW 10.118.030, to the statewide use of force data program.

Reporting Uses of Force: Officer Responsibilities

Officers are sometimes required to use force to make investigative stops, effect arrests and control situations, including "physical force" and "deadly force" as those terms are defined in RCW 10.120.010 and as provided for under KPD Policy #3.10 and KPD Policy #3.80. Anytime officers use force, they shall notify their supervisor immediately following the use as soon as it is safe and practical to do so.

When officers use force, they will complete both a case report (with narrative) and a use of force report form. The combined reports shall provide specific facts to explain their decision to use force and to employ a particular force tool or tactic. Reports shall be descriptive, and officers will avoid generic or vague phrases for observed behavior, such as "made a furtive movement" or "took a fighting stance." The combined reports shall include the following information:

- (a) The date, time, and location of the incident;
- (b) A summary of the incident that explains the reason for the initial contact between the officer and the person upon whom force was used, that person's and the officer's actions leading up to and during the use of force, and the specific type and amount of force used;
- (c) The manner in which officers identified themselves;

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Kent PD	3.50
WASPC	3.5
Previous Kent PD Policy	1.3.6/1.3.7/1.3.8/28.3.4

Kent PD	WASPC	Title
#3.50	#3.5	Reporting Use of Force

- (d) Officer's status at time of the incident (i.e., wearing uniform or in plainclothes, driving a marked or unmarked vehicle, alone or accompanied by other officers);
- (e) Facts supporting a detention, arrest, or enforcement action, when applicable;
- (f) De-escalation efforts used or attempted, or the reasons none were used or attempted;
- (g) Any warning provided and time to comply before force was used, or the reasons none were provided;
- (h) Reason for each use and type of force, including but not limited to, any threat to the officer or another person;
- (i) Whether the person against whom force was used was armed or unarmed;
- (j) Whether the person against whom force was used was believed to be armed;
- (k) The type of weapon the person against whom force was used was armed with, if any;
- (l) The number of suspects who were present when force was used;
- (m) Information about the person upon whom force was used, including the person's name, age, sex, race, ethnicity, and tribal affiliation, if known;
- (n) Whether the person against whom force was used exhibited any signs associated with a potential mental health condition or use of a controlled substance or alcohol based on the observation of the officer;
- (o) Description of any injuries or complaints of injuries to the officer, the person upon whom physical force was used, or other persons;
- (p) The first aid and medical assistance provided at the scene, if known by the officer;
- (q) The name, age, sex, race, and ethnicity of the officer, if known;
- (r) The officer's years of service;
- (s) Whether any minors were present at the scene of the incident;
- (t) Whether body worn camera (BWC) or in-car video (ICV) footage was recorded for the incident; and
- (u) Notification to a supervisor and whether a supervisor responded to the scene or was consulted before or during the incident.

The case report and use of force form should be completed prior to the end of the

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Kent PD	3.50
WASPC	3.5
Previous Kent PD Policy	1.3.6/1.3.7/1.3.8/28.3.4

Kent PD	WASPC	Title
#3.50	#3.5	Reporting Use of Force

officer's shift unless extenuating circumstances, such as an injury to the officer, precludes this. In such a case, a supervisor shall complete the use of force form and a supplemental report explaining why the supervisor completed the form. The supervisor will then route it like any other use of force form up the chain of command. In the event of a deadly force incident, the use of force form will be completed by a supervisor.

Supervisor Responsibilities: Investigation

In the event an officer uses intermediate physical force or deadly force, or any level of force resulting in an observed injury or complaint of injury to the suspect or an officer (not momentary discomfort), an on-duty supervisor will immediately respond to the scene. The supervisor will oversee an appropriate investigation. This shall include ensuring the interviewing of witnesses, obtaining third party video, and that photos are taken of the scene and of any injuries to the suspect or officers. Any misconduct or potential criminal conduct observed by, or reported to, the supervisor shall be immediately reported to the appropriate command staff officer.

Supervisors do not need to respond to the scene when non-deadly physical force is the only force used during an incident and no injuries or complaints of injury have occurred. For a use of physical force greater than non-deadly physical force, if the supervisor is not available to respond immediately to the location, he or she will document the reason for not responding in that supervisor's review of the matter.

In the case of a deadly force incident, supervisors will follow the instructions listed under KPD Policy #3.60 and SOP #H.01.08. The Washington State Office of Independent Investigations and/or the Valley Independent Investigation Team will conduct the investigation into any deadly force incident.

Supervisor Responsibilities: Review

The first line supervisor conducting the initial use of force review will forward the

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Kent PD	3.50
WASPC	3.5
Previous Kent PD Policy	1.3.6/1.3.7/1.3.8/28.3.4

Kent PD	WASPC	Title
#3.50	#3.5	Reporting Use of Force

report up the chain of command to that division's assistant chief or designee. Each reviewing supervisor in the chain of command is responsible for reviewing case reports and the use of force report form. Supervisors will complete a timely review of all documents and evidence of the incident, to include body worn camera footage, to ensure their completeness, accuracy, and timeliness. If reports are unclear, incomplete, or inadequate, they will be returned to the officer for additional details or clarification.

Supervisors will verify that the use of force complied with policy and law. They should identify and document any policy, training, tactical, supervision, planning and coordination, choice of force options, equipment, post-incident conduct, or performance issues raised by the incident. These concerns and recommendations are documented in the supervisor's use of force report review. Any misconduct or potential criminal conduct observed by, or reported to, the supervisor shall be immediately reported to the appropriate command staff officer.

A supervisor who used physical force or who directed or ordered a use of physical force shall not perform the functions and responsibilities of the investigating or reviewing supervisor for the incident. When this situation occurs, a non-involved supervisor will be assigned to perform the functions and responsibilities of the investigating or reviewing supervisor.

The Kent Police Department training cadre will review all use of force reports to determine trends and guide development of in-service training.

The review of deadly force incidents are covered separately in Kent Police Policies #3.60 and #3.140 and Patrol SOP #H.01.08.

Allegations of Misconduct or Policy Violations

For incidents in which a supervisor has deemed the use of force was not within policy or law, or there is a complaint of misconduct by the person upon whom physical force was used, the incident will be investigated in accordance with KPD Policy #14.20.

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Kent PD	3.50
WASPC	3.5
Previous Kent PD Policy	1.3.6/1.3.7/1.3.8/28.3.4

Kent PD	WASPC	Title
#3.50	#3.5	Reporting Use of Force

If, during the use of force review, a reviewing supervisor observes violations of policy that are otherwise unrelated to the use of force itself, the reviewing supervisor should document these observations in his or her review notes. The supervisor will be guided by KPD Policy #14.20 and will document how the violation(s) were corrected by the supervisor, unless, by direction of policy or in the supervisor's judgement, the matter should instead be referred up the chain of command.

If the use of force review indicates that a death or serious injury was caused by an officer's use of force, or the review results in an initial disciplinary decision finding that an officer engaged in alleged behavior or conduct that may result in revocation of the officer's peace officer certification, command staff will make proper notification to the Washington State Criminal Justice Training Commission as required by RCW 43.101.135.

Other Discharge of Firearms by Officers

Firearm discharges intending to result in an injury or death to an animal only will be reviewed by the appropriate division commander or assistant chief. An officer shall report such firearm discharge in a case report and a city injury/incident report.

Unintentional firearms discharges are handled according to the procedures outlined in KPD Policy #3.90.

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WASPC	3.5
Previous Kent PD Policy	1.3.6/1.3.7/1.3.8/28.3.4

Kent PD	WASPC	Title
#3.60	#3.6	Response to Deadly Force Incidents.

Definitions

Deadly force – Has the same meaning as provided for in RCW 10.120.010.

Discuss – To talk about with another person or a group of people, regardless of the form of communication used, which may include without limitation oral, written, and electronic communication.

Valley Independent Investigative Team (VIIT) – Refers to the regional investigations team formed by the police agencies of the cities of Auburn, Des Moines, Federal Way, Renton, Tukwila, and the Port of Seattle, to investigate, among other things:

- (i) uses of force that result in death, serious bodily harm, or great bodily harm;
- (ii) when death, substantial bodily harm, or great bodily harm occurs while a subject is in-custody;
- (iii) when an accident utilizing a weapon occurs that results in death, substantial bodily harm, or great bodily harm; or
- (iv) other incidents, at the discretion of the agency's chief that are of an extraordinary nature and involve an agency's police officer.

Involved Agency – The agency that employs or supervises the officer(s) who used deadly force. There can be more than one "involved agency."

Involved Agency Liaison – A member of the involved agency who is the local point of contact for the VIIT commander to provide access to local resources and facilities.

Involved Officer - A Kent police officer:

- (1) who uses "deadly force" against a person, as that term is defined by RCW 10.120.010; or
- (2) who had custody of a person and that person suffered serious bodily injury or death while in the Kent police officer's custody; or

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Kent PD	3.60
WASPC	3.6
Previous Kent PD Policy	New

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#3.60	#3.6	Response to Deadly Force Incidents.

- (3) whose conduct was not the cause in fact of a person's serious bodily injury or death, but who used physical force against that person, as that term is defined in RCW 10.120.010, during the same incident and prior to or after another Involved Officer's use of deadly force¹; or
- (4) who has an objective and reasonable basis to believe, as determined by the Chief or the Chief's designee after hearing from the officer, the officer's attorney, or the officer's union representative, that their conduct during the deadly force incident may subject the officer to criminal charges on more than a remote basis or possibility.

Witness Officer - Any Kent police officer or employee of the City of Kent with information relevant to another officer's use of deadly force, but who themselves is not defined as an Involved Officer.

Office of Independent Investigations (OII) - An office of the state, created through Ch. 43.102 RCW, authorized to conduct investigations of law enforcement uses of deadly force independent from any law enforcement agency.

Initial Response

Deadly force incidents are dynamic and circumstances evolve rapidly. The following priorities should guide officers as to the order of work that should be done to successfully manage a deadly force incident. However, these guidelines are not absolute, and the specifics circumstances of a particular incident may warrant deviation.

Priority #1 – Secure the Scene – Officers should first assess the situation to determine whether a threat to safety exists and take action to stop/control that threat.

Priority #2 – Provide Medical Aid – Once the threat to safety is resolved, officers should take action to provide/obtain lifesaving and first aid care for victims, officers, and suspects.

¹ Examples include: (i) an officer who used physical force with a suspect prior to another officer using deadly force with that same suspect, so long as the chain of events are continuous and therefore considered to be the "same incident"; and (ii) an officer who used a PIT maneuver on a vehicle driven by the suspect prior to another officer using deadly force with that same suspect, so long as the chain of events are continuous and therefore considered part of the "same incident". Excluded are incidents similar to the following: (i) an officer who handcuffed a suspect after another officer used deadly force; (ii) an officer who aimed their firearm at a person but did not shoot their firearm.

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Kent PD	WASPC	Title
#3.60	#3.6	Response to Deadly Force Incidents.

Priority #3 – Preserve Evidence – Once all threats to safety are resolved and life saving measures have been initiated, officers should take steps to locate, protect, and document evidence.

Once these three priorities are completed, the scene will be held until officers are relieved by members of the state Office of Independent Investigations (OII) or the Valley Independent Investigations Team (VIIT). A more in-depth list of tasks to be completed after a deadly force incident can be found in Patrol Standard Operating Procedure (SOP) H.01.08.

Priority #4 – Identify Involved and Witness Officers. The sergeant and Watch Commander/Commander Duty Officer (CDO) will preliminarily determine which officers are considered “involved officers” and which officers are “witness officers”, as those terms are defined in this policy. The Chief or their designee will make the final determination as to an officer’s classification. Body Worn Camera footage may be reviewed to assist with this determination.

Classification as an “involved officer” or a “witness officer” will determine which officers will complete their case reports in normal course as provided for by SOP F.05.04 Holding Reports and which officers will not complete their case reports until the Chief determines whether to compel those case reports as provided for by *Garrity v. New Jersey*, 385 U.S. 493 (1967). As facts become known, the Chief may change an officer’s classification from an “involved officer” to a “witness officer”, and vice versa. These definitions, however, do not apply to any investigation conducted by the OII or the VIIT, as those investigations are subject to the definitions provided for by Chapter 43.102 RCW.

Public Safety Statement

Officers may be asked to give a public safety statement to determine existing threats to public safety and identify transitory evidence that must be preserved. The scope of questions asked will be limited to the collection of critical and fleeting information in the immediate aftermath of a deadly force incident.

Investigative Response

The OII and the VIIT will be notified of all incidents in which deadly force is used. The VIIT will respond and the OII will either decline to respond or acknowledge the incident and give an estimated time of arrival. The OII or the VIIT will conduct a comprehensive-independent investigation, and review of the event in accordance with RCW 10.114.011

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WASPC	3.6
Previous Kent PD Policy	New

Kent PD	WASPC	Title
#3.60	#3.6	Response to Deadly Force Incidents.

It is the policy of the Kent Police Department to adhere to the protocols outlined by VIIT and OII.

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Kent PD	3.60
WASPC	3.6
Previous Kent PD Policy	New

Kent PD	WASPC	Title
#3.70	#3.7	Authorized Weapons and Ammunition

It is the policy of the Kent Police Department that commissioned officers will only carry and utilize firearms, ammunition, and duty holsters that have been authorized by the Chief of Police or his designee.

Commissioned officers are authorized to remain armed while off-duty for their own personal protection unless their activities would prevent or make the wearing of a handgun impractical or unwise. The handgun carried off-duty, authorized by department credentials, should be the issued service pistol. Alternate off duty handguns may be carried but must conform to the specifications of a back-up or secondary weapon.

Authorized Firearms

The Kent Police Department will endeavor to provide its commissioned officers with the most effective firearms and ammunition for self-defense and the defense of the public.

Primary Handguns: The department will issue a reliable firearm of reputable manufacturing and testing, chambered in 9mm Luger.

Rifles: The standard service rifle is an AR pattern rifle/carbine of reputable manufacturing and testing, chambered in 5.56 Nato.

Sound Suppressors: Each officer issued a rifle are issued a sound suppressor to attach to their rifles. The SureFire SOCOM series suppressors have been selected as the standard issues suppressor. Officers are required to have the suppressors properly attached to their issued rifles at all times unless directed otherwise by the rangemaster or range staff.

Sergeants will inspect issued rifles/suppressors/pistol monthly for serviceability/function/maintenance and document on the Officer/Vehicle inspection sheet. Individually issued rifles will be stored/secured in the officer's assigned locker and the locker will be locked while the officer is off duty. Officers are not authorized to store or transport rifles at home unless assigned a take-home car or authorized by their assigned sergeant.

Patrol officers and patrol sergeants will deploy a rifle to their patrol vehicle at the beginning of their shift. Both FTO and student officers will each have a rifle during patrol operations. Deployment of patrol rifles is mandatory to ensure that all patrol

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Kent PD	WASPC	Title
#3.70	#3.7	Authorized Weapons and Ammunition

personnel can fully conduct all aspects of their duties.

Officers will use the patrol vehicles locking mount to store their issued rifles while on duty. With two officers assigned to one vehicle, one officer will use a soft case to store the rifle in the vehicle.

This rifle issued to each sergeant vehicle is to be stored in a locked mount in the front portion of that vehicle within reach of the driver. At the beginning of each shift the officer inspects the rifle/mount as follows:

1. Rifle rack lock functions both electrically and manually.
2. Chamber empty, safety ON.
3. One 30 round magazine loaded with 30 rounds and locked in place.
4. Sling secured.

Shotguns: VSWAT team members may be issued a shotgun for use as a breaching tool.

Specialized Weapons: The VSWAT team, Civil Disturbance Unit, and Designated Marksman Unit have certain specialized weapons assigned to it, such as precision marksman rifles, 40MM launchers, pyrotechnics, and chemical agents. When a department member is assigned as a sniper on the VSWAT team or Designated Marksman Unit, they shall use either .223/5.56mm or .308 caliber ammunition for their long gun.

Only properly trained and authorized personnel are permitted to carry and use these weapons in accordance with their training and provisions outlined in Kent PD policy#11.60.

Personal Firearms Authorized For Use: Officers may choose to carry a personal handgun instead of the department issued handgun as their primary duty service pistol, with rangemaster approval. Officers choosing to carry a personal handgun as their primary duty service pistol that is not a KPD standard service caliber shall be required to utilize duty ammunition as directed by the rangemaster and will be responsible for the purchase of that ammunition.

Back-up/secondary handguns may be carried in addition to the primary service

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Kent PD	WASPC	Title
#3.70	#3.7	Authorized Weapons and Ammunition

pistol. This weapon is intended for self-defense of the officer when the primary pistol is unavailable. Back-up guns will be carried in a concealed manner.

Personal firearms and backup/secondary weapons must be inspected by the rangemaster/armorer and approved in writing by the Chief or designee. Any modifications made to the personal firearm must be approved by the rangemaster and inspected prior to being put back into service.

Proficiency Levels: Commissioned officers will demonstrate proficiency with each of their authorized weapons in accordance with Kent PD policy #11.60.

Unsafe Weapons: If officers discover a mechanical problem with any of their assigned weapons, they must notify the rangemaster immediately. The rangemaster inspects the weapon to determine what repairs are needed. If necessary, the rangemaster replaces the unsafe weapon until the repairs have been completed.

Authorized Duty Holsters

As part of their authorized duty equipment, officers will utilize a department approved holster. The holsters will be part of the standard equipment issue and are to be maintained in a safe and serviceable condition by the officer. The holsters will be inspected as part of any operational readiness inspection conducted by the officer's immediate supervisor and after being used in any weapons retention training classes.

The rangemaster is the primary authority on which holsters will be approved for departmental use. The rangemaster will maintain and provide a list of authorized holsters to the Quartermaster. All recommendations will be forwarded up the chain of command for approval. Some circumstances may dictate the purchase of specialty holsters. These requests will be reviewed on a case-by-case basis.

Prior to purchase, the holster(s) must be approved by the rangemaster and his recommendation forwarded up the chain of command. Officers may elect to purchase their own holster for departmental use. The type of holster the officer wants to purchase must first be approved by the rangemaster for authorized use and be compatible with the weapon that is carried.

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Kent PD	3.70
WASPC	3.7
Previous Kent PD Policy	1.3.9

Kent PD	WASPC	Title
#3.70	#3.7	Authorized Weapons and Ammunition

Laser Sighting Systems Authorized for Handguns

As part of their authorized duty equipment, officers may use a department approved laser sighting system (LSS). The laser will be considered a piece of the handgun/rifle and is to be maintained in a safe and serviceable condition by the officer. Laser sighting systems will be inspected as part of the firearms qualification process.

The range master is the primary authority for identifying which laser sighting system will be approved for department use. Officers assigned to VSWAT team may use an alternate LSS system when approved by the range master.

A Laser Sighting System may be procured by one of two methods:

- An officer may request that the department furnish and install a laser sighting system on an agency-owned firearm. A request will be considered when the officer has a documented history of diminishing firearms proficiency and a diagnosis of degrading visual acuity. Upon receipt of the request, the range master will administer a series of trial tests to determine if an LSS will correct the diminished firearms proficiency. If such a determination is made, the department will provide, install, and train the officer on this system.
- An officer may elect to purchase a laser sighting system for duty use; however, the LSS must be the unit identified and approved by the range master. The purchase and maintenance of an LSS for a department or personally owned firearm is the exclusive responsibility of the officer. No department owned LSS will be installed on a personally owned firearm.

Installation and maintenance of any laser sighting systems will be completed by the department range master or designated armorer. Officers authorized to use an LSS will attend and complete an approved training class to be delivered by the range master or designated armorer.

A record of laser sighting system installation and training will be maintained by the range master. A statement of this record will be included in the operational readiness report, and a copy of the recorded results will be forwarded to the appropriate Division Commander and Accreditation Officer.

Ammunition

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Kent PD	3.70
WASPC	3.7
Previous Kent PD Policy	1.3.9

Kent PD	WASPC	Title
#3.70	#3.7	Authorized Weapons and Ammunition

The only ammunition authorized to be carried on or off-duty is that ammunition issued or inspected by the rangemaster and approved for purchase by the Chief. Only commercially manufactured ammunition will be approved for use.

Handloaded ammunition will not be carried or fired in any KPD firearm. Handloaded ammunition is not authorized for carry in any personal firearm used during police action by KPD officers.

Firearms Inventory

The rangemaster keeps a complete inventory of all firearms carried by commissioned officers during their duty hours. This inventory tracks both personal and department issued firearms.

This inventory includes the make, model, serial number, caliber, description, date of purchase/issue, and owner or assignee.

The Kent Police Department provides a safe method of home storage for the duty weapons that are issued to each commissioned police officer. This is not only for the security of the weapon but also for the safety of that officer's family.

Each officer has the option of receiving a locking, metal security lock box, capable of securing his or her duty firearm. The lock box is an optional part of their issue of department equipment. It is an expectation of the officers that they will secure his/her duty weapon in the provided lock box or in another suitable secured location (i.e. gun safe, privately-owned lock box, etc) when the weapon is taken home.

The lock boxes will be returned to the department upon the officer's leaving the City's employment or when they no longer desire to make use of the box.

Less Lethal Weapons

A less lethal weapon is any weapon other than a firearm used to control persons or defend officers and others from harm, as outlined in Kent PD Policies #3.30 and #3.110.

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Kent PD	3.70
WASPC	3.7
Previous Kent PD Policy	1.3.9

Kent PD	WASPC	Title
#3.80	N/A	Limitations of Use of Deadly Force

Under Washington law, an officer may use deadly force against another person only when necessary to protect against an "immediate threat of serious physical injury or death" to the officer or another person.

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

When officers are about to use deadly force, they will, when feasible, issue a verbal warning to the suspect.

Deadly force should not be used in the following circumstances.

- When it appears likely that an innocent person may be injured by the officer discharging their firearm in the direction of the innocent person.
- Discharging a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.
- Discharging a firearm at a person who presents a danger only to property and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.

A peace officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer, (RCW 10.116.020) unless it is necessary to protect the officer's life or the life of another person from an imminent threat (RCW 10.120.020).

Firearms

A firearm is a weapon with lethal ammunition carried by an officer that meets the firearm specifications of the agency or that has been authorized as a specialty firearm by the leadership of the law enforcement agency.

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Reviewed	
Kent PD	3.80
WASPC	N/A
Previous Kent PD Policy	1.3.2

Kent PD	WASPC	Title
#3.80	N/A	Limitations of Use of Deadly Force

Officers are only permitted to discharge a firearm at a person in situations where deadly force is authorized. Each discharge of the firearm must be justified.

Pointing and Drawing a Firearm:

- Officers should only draw a firearm when, based on the totality of the circumstances, the situation may evolve to the point where deadly force would be authorized.
- Officers should only point a firearm at a person when they have an articulable and reasonable belief that the person poses an immediate threat of serious physical injury or death.
- When it is determined that the officer no longer has an articulable and reasonable belief that the person poses an immediate threat of serious physical injury or death to the officer or another person, officers should, as soon as safe and feasible, lower, holster, or secure their firearm.
- Pointing a firearm at a person is a reportable use of force and its justification and circumstances shall be documented in accordance with procedures set by the statewide use of force data collection program. (RCW 10.118.030).
- Officers will follow the four universal safety rules.
 - Always keep your firearm pointed in a safe direction
 - Treat all guns as though they are loaded
 - Keep your finger off the trigger until you are ready to shoot
 - Always be sure of your target and what's beyond it.

Discharging a Firearm at or from a moving vehicle.

- An officer may not fire a weapon upon a moving vehicle unless necessary to protect against an imminent threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon (RCW 10.116.060) or
- The operator is using the vehicle as a deadly weapon and no other reasonable means is immediately available to the officer to avoid potential serious harm other than through firing their weapon.
- Officers should take due consideration for the safety of others in the vicinity.
- In a case in which the vehicle is perceived to be driving at the officer, other reasonable means of defense may include the officer moving out of the path of vehicle, if feasible.

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Kent PD	3.80
WASPC	N/A
Previous Kent PD Policy	1.3.2

Kent PD	WASPC	Title
#3.81	N/A	De-escalation Required when Feasible

Core Principle: Duty to De-Escalate

When possible, officers shall use all de-escalation tactics that are available and appropriate under the circumstances before using physical force. (RCW 10.120.020 [2022 c 4 §3]).

Goal

The goal of all officers is to conduct interactions with the community, utilizing communication, procedures and tactics that will serve to de-escalate the potential for violence and reduce instances of uses of force or reduce the level of force used. The desired outcome for any arrest or enforcement situation is voluntary compliance on the part of the community members being contacted.

This policy recognizes that de-escalation, even when applied in the most effective way, will not always be successful. Ultimately, the compliance or non-compliance by a community member is the most influential determining factor as to the outcome of these incidents. It is also recognized that in dynamic, fast evolving and volatile situations, the time available to safely engage in de-escalation techniques, or the ability for officer(s) to perceive all potential de-escalation options or strategies that possibly could exist may not be available or feasible at that moment. Further, this policy recognizes that in certain circumstances, where lower-level de-escalation strategies have not been successful, a display of force or a show of force with a warning is an appropriate technique to gain compliance and control so actual force is not necessary.

De-escalation

It is the policy of the Kent Police Department that when all of the reasonably known circumstances indicate it is safe, prudent, and feasible to do so, an officer(s) shall attempt to slow down, reduce the intensity, or stabilize the situation so that more time, options and/or resources may become available for incident resolution in an effort to reduce the necessity and severity of force. Nothing in this policy is intended to compromise the safety of the officer or other person, nor result in the destruction of evidence, escape of a suspect, or commission of a crime.

When time and circumstances reasonably permit, an officer(s) shall consider

Effective	2/13/21
Revised	11/22/22
Reviewed	
Kent PD	3.81
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#3.81	N/A	De-escalation Required when Feasible

whether a subject's lack of compliance is a deliberate attempt to resist or is the result of an inability to comply. Officers may either escalate or de-escalate their response as the situation progresses or as circumstances change, unless immediately necessary to protect someone or to stop dangerous behavior.

Once force is determined to be necessary, control will be established as quickly as possible so that de-escalation may continue, and once the scene is safe and as soon as practical a transition to post custody care will begin.

The presence of multiple officers, or the display of police equipment or an authorized weapon may, under circumstances when lower level de-escalation strategies have not been successful, or insufficient time exists in which to determine the availability of or effectiveness of lower level de-escalation strategies, may be appropriate tactic options. Such display must be reasonably proportional to the threat presented by the suspect(s) as perceived by the officers on scene at the time of the incident.

The intent of this policy is to promote thoughtful resolutions to situations and to reduce the likelihood of harm to all persons involved. De-escalation is reviewed and evaluated under the totality of the circumstances present at the time of the incident. Officers' de-escalation efforts shall be judged from the Objectively Reasonable standard in compliance with law.

Officers will receive on-going training in pre-use of force and post-use of force de-escalation strategies and tactics.

Pre-force de-escalation is defined as communication, procedures, and tactics used by the officer(s) prior to applying physical control of a person. Post-force de-escalation is defined as communication, procedures, and tactics used by the officer(s) after force has been used and compliance or control is achieved.

All officers must complete a minimum of 40 hours of continuing de-escalation and mental health training every three years as provided in Washington Administrative Code (WAC) 139-11-020 AND WAC 139-11-060.

Failure to comply with this policy may result in discipline up to and including termination.

Effective	2/13/21
Revised	11/22/22
Reviewed	
Kent PD	3.81
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#3.82	N/A	Duty to Intervene

Purpose of Duty to Intervene

It is the purpose of this policy to explain and establish the obligation of the Kent Police Department employees known as the Duty to Intervene. The Department is committed to protecting its employees who, in good faith, act on their duty to intervene to prevent criminal misconduct, wrongdoing, or excessive force by another employee. Wrongdoing is defined in RCW 10.93.190 as being "conduct that is contrary to law or contrary to the policies of the witnessing officer's agency, provided that the conduct is not de minimis or technical in nature."

Duty to Intervene

All on duty employees upon recognition, and when in a position to do so, must act upon the duty to intervene to prevent or stop any employee from committing criminal misconduct, wrongdoing or using excessive force. When such conduct is being committed by another employee, given the totality of the circumstances, employees shall safely intervene to prevent and/or stop the criminal misconduct, wrongdoing, or excessive force.

Employees must take an active approach to intervene immediately. Appropriate actions include, but are not limited to:

- Verbal or physical intervention.
- Immediate notification to a supervisor; and
- A direct order by a supervisor to cease

Employees are required to report the commission of criminal misconduct, wrongdoing, or use of excessive force by another officer immediately or as soon as possible to the on-duty supervisor. The supervisor will then notify a command level officer as soon as possible.

Failure to comply with this policy may result in discipline up to and including termination. No employee may discipline or retaliate against another employee who acts in good faith to intervene, or report conduct as required by this policy. The department shall send notice to the criminal justice training commission of any disciplinary decision resulting from a peace officer's failure to intervene or report as required by RCW 10.93.190 to determine whether the officer's conduct may be grounds for suspension or revocation of certification outlined in RCW 43.101.105.

Effective	2/13/21
Revised	05/01/24
Reviewed	
Kent PD	3.82
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#3.110	N/A	Electronic Controlled Weapons

The Kent Police Department has authorized the use of electronic controlled weapons as a less lethal tool available to commissioned police officers and corrections officers. An electronic control weapon (ECW) is a portable device that fires darts/electrodes that transmit an electrical charge or current intended to temporarily immobilize a person. The authorized Kent Police Department electronic control weapon is the Taser. The use of the Taser is for the purpose of safely gaining compliance from a subject or stopping a threat and is a level 2 use of force. An officer who applies the Taser to a subject shall notify the on-duty sergeant as soon as practicable following the application.

The Taser 10 uses an air cartridge and deploys a single probe with each press of the trigger. A minimum of two, correctly spaced probes, are required to make a NMI (Neuro Muscular Incapacitation) connection. The initial deployment should consist of two probe deployments. The second probe should be deployed as quickly and accurately as possible to achieve a connection. Additional probes may be deployed if one of the initial probes fails or until a connection is completed. Probes deployed after a connection is created are an additional use of force application.

Officers will let the Taser cycle for the built in 5 second cycle. They may shut it off early if an emergency arises. Additional re-energizing of deployed probes will be for the 5 second duration and be documented as an additional use of force.

If a subject complies after a single probe is deployed, it is still considered a taser application.

A certified instructor is responsible for the classroom lecture and proficiency training in the use of electronic controlled weapons. This training is documented by the training coordinator as part of in-service training. Annual training is provided to the officers. Those officers who cannot demonstrate proficiency with the electronic controlled weapons will have their authorization to carry them restricted by the instructor until remedial training is successfully completed. Any officer who misses the yearly in-service training will not be able to carry and/or utilize the Taser until the training is up to date.

Issuance and carrying of the Taser:

- Uniformed Patrol Officers in an enforcement capacity issued a Taser are expected to carry them as a less lethal option.

Effective	1/31/08
Revised	04/02/2025
Reviewed	
Kent PD	3.110
WASPC	N/A
Previous Kent PD Policy	1.3.16

Kent PD	WASPC	Title
#3.110	N/A	Electronic Controlled Weapons

- Officers shall carry their Taser on the support side of the body. In all but extreme circumstances they shall draw, exhibit and use the Taser with their support hand.
- Officers carrying a Taser will perform a function check on the weapon and check remaining battery life prior to every shift. Officers should report any malfunction to a supervisor or other appropriate personnel.

Taser standards of use:

- Officers should not hold an ECW and firearm simultaneously unless extreme circumstances exist.
- Officers should not target the head, neck, chest, or genitals.
- Officers should not intentionally deploy multiple ECWs at the same person, unless the first deployed weapon clearly fails.
- Officers should be aware that multiple applications of the ECW increase the risk of serious bodily injury or death.
- An ECW shall be used for one standard discharge cycle of five seconds or less, after which the officer shall reassess the situation. An officer shall use only the minimum number of cycles necessary to control the person.
- If, after using an ECW three times, the person continues to be physically non-compliant, officers may have to consider that the ECW may not be effective and consider transitioning to other force options.
- Officers must be able to clearly articulate and document the justification for each individual application of the ECW.
- Officer should be aware that the **primary** use of an ECW is not as a pain compliance tool.

Due to an increased potential for suspect injury, Officers must consider additional factors before applying the taser on a fleeing suspect who may fall or have an uncontrolled landing on a hard surface. These factors, in order of importance, are:

- Immediate threat to officer or others
- Severity of crime at issue with high governmental interest, generally not misdemeanor non-violent crime. (to include)

Effective	1/31/08
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Reviewed	
Kent PD	3.110
WASPC	N/A
Previous Kent PD Policy	1.3.16

Kent PD	WASPC	Title
#3.110	N/A	Electronic Controlled Weapons

- Class A felony or attempted class A felony
- All murder and manslaughter
- All assaults
- Drive by shooting
- Rape
- Robbery
- Kidnapping
- Burglary
- Arson
- Vehicular assault
- Vehicular homicide
- Human trafficking
- DUI
- Active resistance to a lawful purpose
- Circumstances that are tense, uncertain, rapidly evolving (split-second decisions/pace of events)

Officers are restricted from applying the Taser when the following circumstances are present:

- It is obvious to the officer at the time application is considered that the subject has a flammable liquid on his or her person or is in the vicinity of explosive compounds or gases which could reasonably be expected to ignite if the Taser is used. This includes police deployed chemical

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Reviewed	
Kent PD	3.110
WASPC	N/A
Previous Kent PD Policy	1.3.16

Kent PD	WASPC	Title
#3.110	N/A	Electronic Controlled Weapons

agents or pepper spray. The Kent Police Department issues a non-flammable oleoresin capsicum (O.C.) pepper spray. The Taser may be used in conjunction with the officer's use of department issued O.C. spray. The Taser should not be used when the officer has knowledge that someone outside of the department has applied O.C. spray onto a subject.

- On a person who is handcuffed or otherwise restrained unless deadly force is authorized.
- On a person who is situated on an elevated surface (e.g., a ledge, scaffold, near a precipice, etc.), unless reasonable efforts have been made to prevent or minimize a fall-related injury (e.g., deploying a safety net).
- On an operator in physical control of a vehicle in motion, including automobiles, trucks, motorcycles, ATVs, bicycles, and scooters unless deadly force is authorized.

Once the application has been completed and the subject is secured, the darts should be removed to avoid injury. In the event that a portion of the dart remains in the skin during removal or is in a sensitive area (groin, face, neck, breasts) they should be removed by medical personnel. Officers should treat the darts removed from the subject's skin as a biohazard.

Photographs of Taser application locations should be photographed while the subject is still on scene or as soon as possible thereafter when safe and practical. If photos cannot be obtained, it should be articulated in the report why not and a description (location/clothing/injury) of the locations.

In addition to the use of force report, officers are required to have the data from the Taser recovered by the end of their work week.

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Revised	04/02/2025
Reviewed	
Kent PD	3.110
WASPC	N/A
Previous Kent PD Policy	1.3.16

Kent PD	WASPC	Title
#3.120	N/A	Vascular Neck Restraint

A Kent Police Department Officer may not use a chokehold or neck restraint on another person in the course of his or her duties as a peace officer, (RCW 10.116.020) unless it is necessary to protect the officer's life or the life of another person from an imminent threat (RCW 10.120.020).

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Kent PD	3.120
WASPC	N/A
Previous Kent PD Policy	1.3.15/13.1.17

Kent PD	WASPC	Title
#3.150	#N/A	Restraints

The Kent Police Department authorizes the use of restraint devices, including, but not limited to, handcuffs (both hinged and chain), plastic flex cuffs, leg restraints, the WRAP, and spit guards. Restraint devices shall not be used to punish, as a display of authority, or as a show of force.

All Kent Police Department police officers, municipal court officers, and corrections officers are trained in the use of authorized restraint devices.

The use of handcuffs or plastic flex cuffs is not considered a use of force when the subject is compliant and there is no physical pain or injury involved (RCW 10.120.010). Momentary discomfort is not considered physical pain or injury. If in doubt, an officer should ask the subject if they have been injured. If a subject physically resists handcuffing and the officer must overcome such resistance, or the subject experiences pain or injury from the handcuffs, the officer shall document their use of a restraint device in both a case report and in a use of force form.

Use of other restraint devices, including leg restraints, the WRAP, and spit guards, is considered a non-deadly use of force. Officers shall document their use of a restraint device in both a case report and a use of force form.

Handcuffs and Plastic Flex Cuffs

Officers use handcuffs to restrain a person's hands to ensure officer safety. The handcuffs should be placed on each wrist behind the person's back. They will be double locked to prevent inadvertent tightening. In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable pain or discomfort due to the person's size or pre-existing injuries, officers should consider alternatives, such as an additional set of handcuffs or the use of plastic flex cuffs. Handcuffs should be removed as soon as it is reasonable, or for arrestees, at the direction of corrections staff.

Leg Restraints and the WRAP

A leg restraint, sometimes referred to as a "hobble restraint," is a strap designed to restrain a person's feet in order to control an assaultive person. Only Kent Police Department issued leg restraints will be used.

Once a leg restraint has been applied, officers shall not place the person face down.

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Kent PD	3.150
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#3.150	#N/A	Restraints

Officers shall monitor individuals who have been placed in a leg restraint and take immediate action, if necessary, to protect the person's health and safety, including encouraging them to remain on their side or in a sitting position, whenever feasible. Officers shall not connect a leg restraint to handcuffs or other types of restraints (i.e., to "hog tie" an individual).

The WRAP is a safe restraint system, designed to be used on violent or potentially violent subjects to prevent them from harming themselves or others. It will only be used after a subject is safely handcuffed. It provides a restraint system which allows the subject to be in an upright seated position to allow for oxygen recovery while creating no pressure against the chest.

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

- Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- Whether it is reasonably necessary to protect the suspect from his or her own actions (e.g., hitting his/her head against the interior of a patrol unit, running away from the arresting officer while handcuffed, or kicking at officers).
- Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

Officers shall discontinue use of a leg restraint or the WRAP once the necessity for its use ceases.

Spit Guards

A spit guard (sometimes referred to as "spit hood," "spit mask," or "spit sock") is a woven mesh device which can be placed over a person's head and face with the intent of preventing or reducing the transmission of infectious disease through saliva, mucous, and/or blood.

Officers shall only use department-issued spit guards and officers will be trained prior to their use. Prior to application of a spit guard, an officer shall warn the individual and provide a reasonable time for the person to comply with the officer's commands.

An officer may apply a spit guard when lawfully restraining or attempting to restrain an individual who is spitting or biting. Officers applying spit guards must ensure that the spit guard is fastened properly according to the manufacturer's instructions to allow for adequate ventilation so the restrained person can breathe normally.

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Kent PD	3.150
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#3.150	#N/A	Restraints

After application of a spit guard, and when safe to do so, officers shall move the individual into a seated or side recovery position and shall monitor the individual until the spit guard is removed. Officers shall assist when escorting the individual due to the potential for impaired or distorted vision.

Officers shall remove the spit guard as soon as the threat of spitting or biting has ended, or when the officer observes that the spit guard is no longer necessary. In the event of a medical emergency, spit guards should be removed immediately. Officers will discard and destroy the spit guard after use, placing it in a biohazard bin if necessary.

Officers should be aware of the following guidelines while employing a spit guard:

- Persons who have been sprayed with OC spray should be decontaminated so their breathing is not distressed prior to application of a spit guard.
- For individuals in mental health crisis, application of a spit guard may provoke an elevated level of distress. Officers should provide verbal reassurance and dynamically assess the situation to remove the spit guard as soon as appropriate.
- A spit guard will not be used if:
 - The restrained subject is bleeding profusely from the area around their mouth or nose and it is interfering with their breathing.
 - On an individual who is actively vomiting. If a person vomits while wearing a spit guard, the spit guard should be promptly removed and discarded.
 - On an individual who states that they have a medical condition that affects their breathing, or who demonstrates symptoms of labored or distressed breathing.

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Kent PD	3.150
WASPC	N/A
Previous Kent PD Policy	N/A

Kent PD	WASPC	Title
#13.10	#13.1	Conditions of Work

The purpose of this policy is to set reasonable guidelines for employee conduct both on and off duty. Violation of these rules by employees may be sufficient cause for counseling or discipline, up to and including termination.

When on duty, employees will devote their time to the duties and responsibilities of their assignment. Whether on or off duty, employees shall obey all laws, department policies, and lawful court orders. Certain employees, due to their assignments, may be authorized to deviate from the following standards with supervisor approval.

Code of Conduct

Knowledge of Laws and Policies: Employees are expected to maintain a good working knowledge of all local laws and department policies/procedures.

Unbecoming Conduct: Employees of the Police Department shall conduct themselves at all times, both on and off duty, in a manner that does not reflect negatively on the Department. Employee conduct, which brings discredit on the Department, may subject the employee to discipline.

Use of Alcohol: No off-duty employee shall consume alcoholic beverages to an extent rendering them unfit to report for their assigned duty shift. No employee will report for a regular duty shift or off-duty job with alcohol on their breath.

Employees of the police department shall not appear for duty or be on duty while under the influence of alcohol. Employees who have consumed alcohol and are called to duty must notify their supervisor of the alcohol consumption. The supervisor will evaluate the situation and decide whether the employee should respond to duty.

No employee in recognizable uniform dress shall purchase or drink alcoholic beverages in public view.

Possession or Use of Drugs: Employees of the police department shall not unlawfully possess or use any illegal drugs or products that contain THC. On-duty employees using any prescription drugs which could affect or impair their ability to function will notify their supervisor.

Drug and Alcohol Testing: The testing for drug and/or alcohol use by an employee shall be governed by the employee's collective bargaining agreement. If the

Effective:	5/9/14
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Kent PD	13.10
WASPC	13.1
Previous Kent PD Policy	13.1.1

Kent PD	WASPC	Title
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affected employee is not represented by a collective bargaining agreement, the department shall follow City policy.

Use of Tobacco: Smoking is not permitted in public view, within any city owned or provided vehicle, within any building, or within 25 feet of any building.

The use of smokeless tobacco is not permitted within public view, within any city owned or provided vehicle, or within any classroom, meeting room, briefing room or on any range.

Employees must appropriately dispose of their smoking or tobacco by-products. Smokeless tobacco by-products must be disposed of into an empty container that shall be sealed with a cap and then placed into the garbage.

Officers will take reasonable steps to avoid being in public view. For the purposes of this policy, "public view" is any place where the employee can be seen or come into contact with the public.

Gifts and Gratuities: Department employees shall not solicit or receive any thing of monetary value that would, to a reasonable person, appear to have been accepted with the intent to give or obtain special consideration or influence. If circumstances arise where a gift or other item of value comes into the possession of an employee, the item will be forwarded to the Chief of Police. In the event an item of little value (example: coffee, meal, etc.) comes into the possession of an officer or where the refusal of such item would degrade the public image of the department, the officer may accept this item. An email to the Chief, via the chain of command, explaining the circumstances of receipt will then be required by the end of the officer's shift.

Neglect of Duty: On-duty employees of the police department will not engage in any activity or personal business which causes them to neglect their duties.

Abuse of Authority: Employees of the police department will not use their official position, identification cards, or badges for:

1. Personal or financial gain.
2. Obtaining privileges not otherwise available to them.

Treatment of Persons in Custody: Officers will not mistreat persons in their custody.

Equipment Care and Maintenance: Employees shall properly care for and maintain

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Kent PD	WASPC	Title
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all department equipment.

Courtesy: Employees shall at all times be courteous and civil to the public and to one another. At a minimum, employees should be attentive, respectful, and demonstrate patience and discretion in the performance of their duties.

Bias Free Policing: All employees shall use their authority in a bias free manner. All employees will show respect and make every effort to uphold the dignity of all persons.

Assistance: Employees will provide necessary assistance to co-workers. Employees will take appropriate actions toward aiding a fellow employee exposed to danger or in handling situations in which danger is likely.

Conduct Toward Fellow Employees: Employees, while on duty, will treat all personnel with respect and courtesy. While on duty and in the presence of the public, supervisory personnel shall be referred to by rank.

Association with Known Criminals: Employees will not knowingly socialize with any known active criminal suspect. This policy does not apply to members of an employee's family.

Organizational Membership: Employees shall not belong to or participate in any organization or other group that advocates the violent or unlawful overthrow of the United States government.

Personal Advertisement: Employees will not permit the use of work-related photographs or titles for advertising purposes, public or private, without the permission of the Chief of Police.

Misuse of Privileged Information: Employees shall not use information gained through their employment for their personal benefit or the benefit of others.

Department Letterhead: Department letterhead shall not be used for private correspondence.

Insubordination: Employees are required to promptly obey lawful orders of a supervisor. This includes those orders relayed from a supervisor through an employee of the same or lesser rank.

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Kent PD	13.10
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Previous Kent PD Policy	13.1.1

Kent PD	WASPC	Title
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Illegal Orders: Employees shall not obey any order they know is illegal.

Telephones/Addresses: Employees of the police department are required to have working telephones in their residences. Employees will immediately report any changes in home telephone numbers or residential addresses to the records section and complete the necessary paperwork, forwarding it to the Chief's office, via the chain of command. All officers have department issued cellular phones. Employees will notify the Chief's office when they change their security code and/or Apple ID password.

Release of Phone Numbers: Employees of the police department will only release employee phone numbers to other members of the department. If a source outside the department requests an employee phone number, the identity of the caller will be relayed to the employee being sought. That employee can decide whether to call the person requesting phone contact.

Court Appearances: Employees required to be in court shall be prompt in attendance and shall remain until excused by proper authority. Officers shall testify in a clear, concise, and distinct manner. Officers will answer all questions truthfully. The department Class A uniform or proper business attire will be worn for all Federal and Superior court appearances. Class B uniform or proper business attire shall be worn for all Municipal court appearances. Officers on duty at the time of court will be allowed to appear in their department issued jumpsuit.

Department Credentials: Official credentials will be displayed only in connection with police business or when requested to establish identity. No employee will permit any other person to use their credentials. Loss of credentials will immediately be reported to the Chief of Police via the chain of command.

Computer Software: Only City installed or approved software will be used on department owned computers. Employees shall not install any software without authorization from the department automation coordinator and Information Technology.

Truthfulness: Police department employees are expected to be truthful at all times on matters that affect the department.

Fraternization: The police department prohibits any dating or romantic relationship between one employee who is in either a supervisory or other position of authority, and another employee who is directly subordinate to the first employee or whose

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Kent PD	WASPC	Title
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work is managed or coordinated by the first employee.

An employee involved in a dating or romantic relationship with a candidate under consideration for hire, promotion, or specialty assignment shall not be involved in the selection or recruitment process, and shall take no action to influence the hiring, promotion, or recruitment process.

For purposes of this policy, the term "employee" shall include a regular or probationary employee, a temporary employee, a volunteer or intern, a person working for the department on contract, or a person working for or at the department who is employed by another government agency or private entity.

Reporting for Duty

Employees will report for duty at the time and place indicated by the department schedule. When employees report for duty they shall be appropriately attired, properly equipped, and ready to assume job responsibilities. Any employee who fails to appear for duty at the date, time, and place as scheduled will be deemed to be absent without authorization.

Use of Sick Leave

A request for leave from scheduled duty due to illness or injury will be made to the on-duty supervisor no less than two hours in advance of scheduled duty time. Members of the Patrol Division will make this request via telephone call in order for the Department to effectively manage staffing requirements. Incapacity due to sudden injury or illness or other emergency circumstances may be sufficient to allow departure from the two-hour limitation. Whenever possible, an employee should notify his/her supervisor well in advance of a request for leave to facilitate scheduling adjustments. KPOA or AFSCME labor agreements govern use and notification of sick leave.

Duty Responsibilities

Employees of the Kent Police Department will protect and preserve life and property, maintain community order, and enhance the peace and safety of the community.

All employees will perform their duties as required by law, department policy, or by

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order of a supervisor. On-duty employees will respond to the concerns of citizens as promptly as possible depending on the prioritization of services and available staffing.

A high level of performance is expected from each employee. Performance is evaluated using the performance evaluation system outlined in Kent PD policy #12.10.

Outside Employment

Outside agency employment is defined as employment outside the department that does not involve enforcement of laws or other police related activities.

The Kent Police Department recognizes that employees may choose to work outside the department. Restrictions to outside agency employment include:

- Employees may not work any place where it is known to them that illegal activities are conducted or any job which may be in conflict with their law enforcement duties.
- Employees may not work outside the agency to the extent that it affects their fitness for duty at the Kent Police Department.

The Chief of Police has advised that he does not need any notification of an employee's outside employment.

Reporting Requirements for Employees with pending criminal charges, a respondent on an order, or have been convicted/pled/or have another type of case disposition.

Officers are required to notify their immediate supervisor as soon as practical of any pending criminal charges and any conviction, plea, or other case disposition.

All employees will notify their immediate supervisor in writing if they are a party in any type of court order involving an allegation of domestic violence.

If an employee fails to notify their supervisor of any conviction or their involvement in a court order they will be subject to discipline.

If an employee (police officer) has a conviction or is party to an order that restricts them from performing their duties they may be subject to discipline up to and

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including termination.

Washington State and Federal Laws prohibit individuals that are convicted of certain crimes or are a respondent in certain court orders from lawfully possessing a firearm. All employees (police officers) are responsible for guaranteeing that they are not prohibited from possessing a firearm by either conviction or by a court order against them.

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Previous Kent PD Policy	13.1.1