

6.00.000 USE OF FORCE

(November 2023)

Purpose

Establishes policy, requirements, limits, and expectations related to the use of force by commissioned personnel.

Scope

All commissioned employees.

Definitions

Deadly Force: means the intentional application of force through the use of firearms (other than less lethal) or any other means reasonably likely to cause death or serious physical injury.

De-escalation: refers to actions used by a peace officer that are intended to minimize the likelihood of the need to use force during an incident through communication, tactics, and actions. The goals of De-escalation include calming agitated subjects, providing additional time for responses, and positioning to reduce risk. De-escalation tactics include but are not limited to:

- Presence - physical presence and placement.
- Communication – using clear instructions and verbal persuasion.
- Time – slowing or stabilizing the situation to allow for more time, options and resources to resolve the incident without using physical force.
- Distance – positioning to decrease exposure by using time, distance, and cover.
- Shielding – using cover, concealment and barriers;
- Designating one deputy to communicate in order to avoid competing commands;
- Requesting and using available support and resources, such as a crisis intervention team, a designated crisis responder or other behavioral health professional, or back-up deputies.

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.

Less Lethal Alternatives: means alternatives to the use of lethal force. Includes, but is not limited to; verbal warnings, de-escalation tactics, Taser energy weapons, devices that deploy oleoresin capsicum, batons, less lethal munitions including, but not limited to, rubber, soft nose, sponge, or other nonpenetrating impact rounds.

Necessary: means that, 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.

Physical force: means 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.

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.

Proportional: 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.

Reasonable: 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 immediacy of the threat, the actions of the person against whom force is used, the actions of the officer, and the seriousness of the law enforcement purpose. Determining whether physical force is reasonable includes assessing whether the officer made tactical decisions to minimize unnecessary risk to themselves and others, used all available and appropriate de-escalation tactics when possible, prior to using physical force and exercised reasonable care when using physical force.

Totality of the Circumstances: means all facts known to the peace officer leading up to, and at the time of, the use of force, and includes the actions of the person against whom the peace officer uses such force, and the actions of the peace officer.

Policy

The King County Sheriff's Office believes that it is the fundamental duty of law enforcement to preserve and protect all human life. Deputies shall respect and uphold the dignity of all persons and use their authority in a bias-free manner. They shall act with reasonable care when carrying out their duties, including using de-escalation tactics and alternatives to force. Clear direction and verbal commands shall be given when feasible. Deputies shall use the least amount of physical force necessary to overcome actual resistance under the circumstances.

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

The use of force has long been analyzed under the constitutional lens set forth in Graham v. Connor, 490 U.S. 386 (1989), which holds that all use of force must be objectively reasonable. Under Graham, force is adjudged by balancing the “nature and quality of the intrusion” with an individual’s “Fourth Amendment interests”, considering the severity of the crime at issue; whether the suspect poses an imminent threat to the safety of the officers or others; whether they are actively resisting arrest or attempting to evade arrest by flight; and the totality of the circumstances.

These “Graham Factors” continue to serve as an important constitutional overlay in the decision to use force, but Washington law provides additional guidelines regarding when force is authorized and how it is to be carried out. These guidelines are consistent with Graham, but they set forth very specific statutory requirements for the use of force and are the foundation of this policy. Officers are required to abide by this policy.

Critical Decision Making: Use of critical decision making can help deputies achieve the expectations outlined in this policy. When deciding whether to contact a member of the public, and throughout the contact, if safe and feasible officers shall:

- Begin assessment and planning using available facts before arriving at the scene;
- Request available resources, as needed, such as a crisis intervention team or other appropriate specialty unit or professionals;
- Continue collecting information while 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.

Deputies shall not unnecessarily jeopardize their own safety or the safety of others through tactical decisions that unreasonably place themselves or others at risk, including, but not limited to:

- Immediately approaching a person without proper evaluation of the situation;
- Leaving insufficient space between an officer and the person;
- Not providing time for a person to comply with commands; or
- Unnecessarily escalating a situation.

Nothing in this policy precludes officers from taking quick action when faced with a life-threatening situation, such as an active shooter.

Physical Force: a deputy may use physical force against a person when necessary to:

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

Deadly Force: a deputy 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.

When possible, deputies shall use less lethal alternatives that are available and appropriate under the circumstances before using deadly force. The department shall make less lethal

alternatives reasonably available for use. Deputies who are trained and equipped to use less lethal force alternatives shall ensure that those less lethal alternatives are reasonably available for their use while on duty.

Nothing in this policy limits or restricts a deputy's authority to perform lifesaving measures, community caretaking functions, or to assist other first responders or medical professionals or from responding to requests for assistance or service from first responders, medical professionals, behavioral health professionals, social service providers, designated crisis responders, shelter or housing providers, or any member of the public. The same standards for using physical force apply. However, incidental touching, which may occur in the course of community caretaking, is not defined as physical force.

Types of Force: Deputies shall use only the type and amount of force that is a reasonable and proportional response to effect the legal purpose intended or to protect against the threat posed to the deputy or others. For the purposes of this policy, force is broken down into three categories (deputies are not required to exhaust one type of force before moving to greater force):

1. Lower-Level Physical Force (Level I): This type of force 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, lower-level force options may include:
 - a. Techniques to direct movement (e.g., push back, escort, lift, carry);
 - b. Control holds (e.g., wrist locks, finger locks, joint manipulation);
 - c. Open hand techniques;
 - d. Takedowns; or
 - e. Use of a hobble restraint.
2. Intermediate Physical Force (Level II): This type of physical force poses a foreseeable risk of significant injury or harm but is neither likely nor intended to cause death. Depending on the totality of the circumstances, intermediate physical force may be reasonable when a person threatens imminent assault upon the officer or others. Examples of intermediate force options include, but are not limited to:
 - a. Oleoresin Capsicum (OC) spray;
 - b. Taser Energy Weapons (EW);
 - c. Projectile Impact Weapons;
 - d. Canine bite or injury caused by physical contact between a canine and a subject;
 - e. Impact weapon strikes (except impact weapon strikes to the head, neck, throat, or spine); or
 - f. Punches, kicks, or other strikes with parts of a deputy's body.
 - i. Deputies shall only use striking techniques directed at a subject's head as a means of self-defense, or in the defense of others.

- ii. Striking at a person's head using fists, elbows, knees, and feet, shall not be used as a means of pain compliance.
- 3. **Deadly Force (Level III):** The intentional application of force using firearms (other than less lethal) or any other means reasonably likely to cause death or serious physical injury. A deputy may use deadly force against another person only when deadly force is necessary to protect against an immediate threat of serious physical injury or death to the deputy or another person (RCW 10.120.020). deputies 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 deputy. Deadly force includes, but is not limited to:
 - 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.
 - e. Any physical application or maneuver to the neck region that restricts blood or air flow (i.e., choke holds, sleeper holds, carotid submission holds, lateral vascular neck restraint, etc.)

Identification, Warning, & Opportunity to Comply Prior to Use of Force: If safe and feasible, members shall identify themselves as a police officer or sheriff's deputy, issue a verbal warning, and give the person a reasonable opportunity to comply before discharging their firearm or using other force options.

De-escalation and Duty to Use Reasonable Care: When possible, a deputy shall use all de-escalation tactics that are available and appropriate under the circumstances before using any force, such as:

- Using time, distance, and shielding;
 - Employing tactical positioning and repositioning to maintain the benefit of distance and cover, such as backing away from the person to re-assess and determine which tactics to use.
 - Placing barriers or using existing structures to provide a shield or other protection between officers and a person.
 - Attempting to slow down or stabilize the situation so that more time, options, and resources become available to resolve the incident;
- Calling for additional resources, including back-up officers and/or crisis intervention teams or mental health professionals;
- Designating one officer to communicate with the subject;

- Using clear instructions and verbal persuasion;
- Employing verbal and non-verbal communication techniques to calm a person such as:
 - speaking slowly,
 - regulating tone and body language,
 - uncrossing one's arms,
 - minimizing hand gestures, and
 - reducing bright, flashing lights and sirens;
- Attempting to communicate in non-verbal ways when verbal instructions would be inadequate such as, when the person and officer speak different languages, or the person is unable to hear or understand instructions;
- Communicating in a way that demonstrates respect for people's dignity such as:
 - clearly explaining the officer's actions and expectations;
 - listening to the person's questions and concerns and responding respectfully; and
 - being neutral and fair when making decisions;
- Exhibiting patience while using all available and appropriate tactics and resources to provide as much time as needed to resolve the incident without using physical force.

When using any force, deputies shall use the least amount of force necessary to overcome resistance under the circumstances, in consideration of characteristics and conditions such as:

- medical condition;
- pregnancy;
- age;
- signs of mental, behavioral, or physical impairments or disabilities;
- perceptual or cognitive impairments related to drug or alcohol use;
- suicidal ideations;
- language barrier; or
- the presence of children

Deputies shall terminate the use of force as soon as the necessity for such force ends.

Medical Treatment after Use of Force: At the earliest safe opportunity, commissioned members at the scene of a use of force shall provide first aid to injured persons when there is an obvious, suspected, or alleged injury.

At the earliest safe opportunity, deputies shall allow Emergency Medical Services personnel into the scene to administer first aid to injured persons. Deputies shall assist by providing

first aid to injured persons if the EMS resources are inadequate.

Injured persons and restrained persons shall be monitored while in law enforcement custody. Consistent with training, deputies shall take the following actions to reduce the risk of positional asphyxiation and compression asphyxiation:

1. 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.
 - a. Exception: If the person is conscious and expresses a desire to be placed in a different position, the deputies shall place them in that position unless doing so poses a substantial risk of safety to the individual, officers, or others.
2. Do not put prolonged pressure on the chest, neck or back, including by sitting, kneeling, or standing.
3. 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 and any other signs of medical impairment.
4. Whenever possible during team restraint, when manpower limitations allow, the ranking deputy shall designate a "Safety Officer." The Safety Officer shall monitor the health and welfare of the person until:
 - a. Responsibility is transferred to a health care professional (e.g. EMT, paramedic); or
 - b. The person is placed in a seated position in a transport vehicle and verbalizes to the Safety Officer that they feel okay, and the person appears to the Safety Officer to be well and speaking normally.
5. If the Safety Officer becomes aware of an issue with the person's breathing, color, or any other health impairment, they shall inform the ranking officer.
6. Do not transport a restrained person in the prone position.

The details regarding injuries and first aid treatment provided shall be thoroughly documented in the incident report.

Show of Force (display of a weapon): A show of force is the intentional drawing or displaying of a pistol, rifle, or less lethal weapon, for the purpose of establishing constructive

authority.

For firearms, display of the weapon is considered a show of force when not pointed or aimed at a person. For less lethal weapons, display constitutes a show of force even if aimed at a person.

A show of force as described above does not constitute a use of force but shall be documented with a CAD entry per GOM 6.01.015.

Pointing or Aiming a Firearm: Pointing or aiming means to intentionally direct the muzzle of a firearm at a person. Firearms shall not be pointed or aimed at a person unless a member has reason to believe there is an immediate threat of serious physical injury or death.

Pointing or aiming a firearm at person constitutes a use of force and must be reported.

Prohibitions: The following uses of force are prohibited:

- Warning shots - Discharging a firearm as a warning is prohibited.
- Shooting from a moving vehicle, except to protect the deputy's life or the life of another person from an immediate threat of serious physical injury or death.
- Shooting at a moving vehicle, unless:
 - Necessary to protect against an immediate threat of serious physical harm resulting from the operator's or a passenger's use of a deadly weapon. For the purposes of this directive, a vehicle is not considered a deadly weapon unless the operator is using the vehicle as a deadly weapon and no other reasonable means to avoid potential serious harm are immediately available.
 - Deputies shall attempt to move out of the path of an oncoming vehicle, if safe and feasible, rather than discharge their firearm; and
 - Deputies shall not intentionally place themselves in the path of an oncoming vehicle nor attempt to disable the vehicle by discharging their firearms.
- Any physical application or maneuver to the neck region that restricts blood or air flow (i.e., choke holds, sleeper holds, carotid submission holds, lateral vascular neck restraint, etc.).

Deputies may use force tactics prohibited by departmental policy, or otherwise by law, only if necessary to protect their life or the life of another person from an imminent threat RCW 10.120.020(4).

Duty to Intervene: Any member who witnesses another peace officer using or attempting to

use force inconsistent with this policy shall, when in a position to do so, intervene to stop the use of force as outlined in GOM 3.00.035.

Policy Modification or Repeal: Any modification or repeal of this policy after December 1, 2022 shall be submitted to the Washington State Attorney General by the department legal advisor within 60 days of such modification or repeal. The Inspectional Services Unit shall be responsible for ensuring that the notification takes place within 60 days and for maintaining a record of those notifications.

Training: All deputies and supervisors shall receive training consistent with this policy at least annually. Training should:

1. Be a combination of classroom and scenario-based learning.
2. Include community partners, when relevant and feasible.
3. Incorporate cultural competency to understand disproportionately impacted communities, and how racialized experiences of policing and the criminal justice system may impact interactions with police
4. This policy should be incorporated into defensive tactics curricula.

To the extent that Sheriff's Office policy may contain provisions more restrictive than the state law, such provisions are not intended, nor may they be construed or applied, to create a higher standard of care or duty toward any person or to provide a basis for criminal or civil liability against the County, the Sheriff's Office, or any of its officials or individual deputies.

Responsibilities

N/A

Procedures

N/A

Reference:

RCW [9A.16](#)

RCW [9A.16.010](#)

RCW [9A.76](#)

RCW [10.120](#)

Annual Review Responsibility:

Patrol Operations Chief

6.03.000 LESS LETHAL WEAPONS

6.03.005

POLICY STATEMENT: 12/19

Less lethal weapons are tools designed to assist deputies to gain control of a physically resistant, or aggressive or violent subject(s) who poses a threat of physical harm to themselves, to the deputy(s) or to other persons or property. Less lethal weapons have been adopted for use by the Sheriff's Office but are not intended to be a substitute when lethal force is necessary. Sworn personnel shall successfully complete training on less lethal weapons prior to using them. All applications of less lethal weapons shall conform to the principles outlined in the training and certification program, consistent with the RCW definition of necessary force (RCW 9A.16.010) and the Use of Force Policy (GOM 6.00.000).

6.03.010

TRAINING: 12/19

Prior to being authorized to carry or use any less lethal weapon, members shall successfully complete training and/or certification on that specific less lethal weapon. The training and/or certification shall include training on the policy pertaining to the type of weapon to be carried by the member. The member shall be issued a copy of the policy pertaining to the type of weapon to be carried and will be documented in the member's training record.

6.03.015

EW (Energy Weapon) - TASER: 11/23

1. The TASER X2 and TASER 10 is the EW issued by The Sheriff's Office.
 - a. It is a portable device that deploys darts that transmit an electrical charge or current intended to temporarily immobilize a person.
 - b. The Taser EW is deployed as an additional force option and is not intended to replace firearms, chemical agents, pepper spray or self-defense techniques.
2. The Taser EW and cartridges shall only be carried by fully trained authorized sworn personnel.

6.03.020

REQUIREMENT TO CARRY TASER EW: 11/23

1. Commissioned deputies, sergeants, and court marshals who are issued a Taser EW shall carry their department issued EW while working in a uniform assignment, including uniformed off-duty employment.
2. Members shall only use department issued and authorized Taser EWs.
3. The Taser EW shall be carried in a department issued holster.
4. Plainclothes personnel may carry the Taser EW as authorized, consistent with the needs of their assignment or with the approval of their supervisor.
5. Department members shall carry the Taser EW on their support side, opposite the handgun or strong side, for a support side draw only. A cross draw holster and carry is not permitted.

- a. This includes attaching the holster to belts, duty belts and being worn on any exterior vests including TAC 30 plate carriers, heavy vests, and detective raid vest.
6. Members are exempt from carrying the Taser EW while in class A Dress uniform at functions such as ceremonies or funerals.

6.03.025

TASER EW CERTIFICATION: 11/23

1. Sworn personnel must successfully complete a specific department authorized Taser EW training and certification course before they may carry and use a Taser EW and they shall recertify annually.
2. Sworn personnel shall only carry a department issued Taser EW.
3. Each Taser EW user shall recertify annually.
4. Failure to maintain annual certification shall require the user to retake the 8 hour Taser EW operator course.

6.03.030

USING THE TASER EW: 11/23

The Taser EW may be used to control a physically resistive, aggressive, or violent subject who poses a threat of physical harm to themselves, the deputy(s), or to other persons or property consistent with GOM 6.00.000. Members shall adhere to the following standards of use:

1. Members shall carry the Taser EW on the support side of the body and shall draw, exhibit, and use the device with the support (non-pistol firing) hand.
2. Members shall not hold a Taser EW and firearm simultaneously unless clearly articulable exigent circumstances exist and then only as a last resort.
 - a. This does not apply to the momentary transition time necessary while transitioning between the Taser EW and firearm.
3. When safe and feasible, members shall give a loud verbal warning of "Taser, Taser, Taser" before deploying the Taser EW.
4. The Taser EW may be used prior to impact weapons such as hands, feet, baton, or flashlight.
5. The Taser EW may be used prior to deadly force.
6. When safe and feasible, members should aim the Taser EW at the larger muscle groups of the body (front of the lower torso, legs, arms, and the back below the neck). This will reduce the risk of hitting sensitive body areas and increase effectiveness of the Taser EW.
 - a. Members should not intentionally target the head, neck, chest, or genitals.
7. The Taser should not be used as a pain-compliance tool (i.e., drive stuns).
 - a. X2 Drive-stun follow-up should be used only when necessary to complete the circuit where only one probe has attached to the person, where both probes attached in close proximity, or when no other less lethal options are available and appropriate.

8. Members should not use the Taser EW on handcuffed persons, obviously pregnant females, elderly persons, young children, or visibly frail persons, unless these persons pose an imminent threat of bodily injury to themselves, deputies, or others and/or are actively resisting arrest and other more appropriate force options are not available.
 - a. Members shall ensure that they are using the least amount of force necessary and that any use of the Taser EW is a necessary, reasonable, and proportional response to the situation. All Taser EW applications shall be consistent with GOM 6.00.000.
9. A Taser EW should not be used in the following circumstances:
 - a. Solely to prevent a person from ingesting a controlled substance.
 - b. On persons solely because they are fleeing.
 - c. In any environment where a member knows or has reason to believe that a potentially flammable, volatile, or explosive material is present that might be ignited by an open spark, including but not limited to OC spray with a volatile propellant, gasoline, natural gas, or propane.
 - d. On subjects in elevated positions (on a roof, in a tree etc.).
 - e. On subjects in water.
 - f. On an operator in physical control of a vehicle in motion and loss of control of the vehicle would pose a risk of injury to the subject or others. Use in this circumstance may be authorized if deadly force is justified.
10. Members shall only apply the minimum number of Taser EW cycles reasonably necessary to capture, control, or restrain the subject.
 - a. The subject must be evaluated after each application cycle of the Taser EW.
 - b. Every application cycle of the Taser EW must be justified.
 - c. Members must be able to clearly articulate and document the justification for each individual application cycle of the Taser EW.
 - d. Multiple applications of the Taser EW may increase the risk of serious bodily injury or death.
11. Members shall monitor and look for change in behavior when using a Taser EW. If the person continues to aggress, it could be an indication that the Taser EW may not be effective against that person and the member shall consider other options.
 - a. The justification for each Taser EW cycle must be clearly articulated in the member's use of force report.
12. Members should not intentionally deploy multiple Taser EWs at the same person, unless the first deployed weapon clearly fails.
13. Members may use the Taser EW to disable a vicious animal that poses a threat to the deputy or others.

6.03.035

TASER EW POST APPLICATION PROCEDURES: 11/23

1. Whenever a Taser EW is applied to an individual and the darts have penetrated sensitive areas and/or there are other injuries, a Fire Department Aid or Medic Unit shall be called to the scene.
 - a. Treatment at a medical facility will only be necessary on the advice of aid personnel.
2. Taser EW darts which penetrate an individual's skin in non-sensitive areas shall be removed by the Taser EW operator as soon as practicable.
3. Expended Taser EW darts and cartridges shall be handled as a biohazard and shall be disposed of in properly marked biohazard containers unless required to be retained as evidence or to document malfunction.
4. Photographs of penetration points and any injuries shall be taken.
 - a. A set of photographs shall be forwarded with the Use of Force Review file.
 - b. The serial number of the Taser EW and the cartridge number must be recorded.
5. All applications of a Taser EW require a data-download prior to the submission of the review.
6. The data-download shall be for the date of the incident only.
7. Taser EW downloads shall be completed by sergeants and current Taser EW instructors trained on Evidence Sync/Evidence.com as soon as practical and the data shall be attached electronically to the Blue Team use force review file.

6.03.040

MAINTAINING, REPLACEMENT OF CARTRIDGES AND BATTERIES: 11/23

1. Each precinct worksite shall maintain, control, and record the inventory of replacement Tasers, cartridges and batteries.
 - a. Each precinct or worksite shall have two spare X2 and two spare TASER 10 EWs, twenty-five duty cartridges and up to twenty spare batteries. Training sites are excepted from this requirement.
 - b. Damaged, malfunctioning Taser EWs shall be reported to the Department Taser EW Coordinator and left at worksites for pickup.
 - c. Taser EW batteries should ordinarily only be removed from a Taser EW for administrative download or maintenance purposes.
2. Supervisors are responsible for obtaining replacement Taser EWs and duty cartridges.
 - a. Duty cartridges will be issued by a supervisor or Taser EW Instructor.
 - b. Supervisors or Taser EW Instructors will replace damaged, malfunctioning Taser EWs from their worksite spares.
3. Worksite Taser EW Instructors are responsible for obtaining Taser EW equipment and supplies through the Department Taser Coordinator.
4. Members shall spark test their Taser X2 EW for 5 seconds, every 24 hours or at the start of each shift with a sustained press of the ARC button, to check that it is functioning properly.

Members with the TASER 10 shall perform a function test every 24hrs or at the start of each shift to check that it is functioning properly.

- a. Battery life below 40% for the X2 shall be reported to a supervisor and replaced.
- b. TASER 10 rechargeable batteries shall be docked when the weapon indicates less than 40% of power remaining.
- c. Damaged or malfunctioning Taser EW's shall be reported to a supervisor immediately and replaced.

6.03.045

UNINTENTIONAL TASER EW DISCHARGE: 11/23

1. Whenever a member unintentionally discharges a Taser EW cartridge, the member shall:
 - a. Immediately notify a supervisor.
 - b. Submit a detailed Officer's Report of the event and include the spent cartridge serial number.
2. The involved member's supervisor shall:
 - a. Issue a new Taser EW cartridge to the member.
 - b. If the unintentional discharge is a suspected malfunction, or the reason for the discharge cannot be determined, the Taser EW will be returned to the Department Taser Coordinator for inspection.
 - c. Enter the incident in Blue Team as a preliminary.
3. If the unintentional discharge occurs when confronting a suspect(s), follow the steps listed in section 6.03.035.
4. If the unintentional or accidental discharge strikes the member using the device or another person, the member shall:
 - a. Immediately notify a supervisor.
 - b. Render any first aid as appropriate.
 - c. Fill out the workplace injury/accident form as appropriate.

6.03.050

LESS LETHAL IMPACT MUNITION WEAPONS: 03/22

Less lethal impact munition weapons are designed to give deputies an additional force option. These tools provide a less lethal option beyond Taser EW range which gives deputies more distance and shielding options and can help de-escalate situations. Less lethal impact munition weapons include shotguns equipped to fire a bean bag round, the 40mm less lethal impact munitions launcher, or any other department authorized weapon designed to fire a rubber, bean bag, soft nose, sponge, or other nonpenetrating projectile intended to cause non-lethal blunt trauma resulting in temporary distraction and/or incapacitation of a person.

6.03.055

LESS LETHAL IMPACT MUNITION WEAPONS CERTIFICATION: 03/22

1. Deputies must successfully complete a department authorized less lethal impact munition weapons training and certification course designed for the specific impact munition weapon being used prior to deploying less lethal impact munitions.
2. Each authorized user of less lethal impact munitions shall recertify annually.
3. Failure to maintain annual certification shall require deputies to turn in their assigned less lethal impact munition weapons.

6.03.060

LESS LETHAL SHOTGUN EQUIPMENT: 11/23

Section removed November 2023. No longer relevant.

6.03.065

USING LESS LETHAL IMPACT MUNITIONS: 11/22

1. Less lethal impact munitions may be used in compliance with GOM 6.00.000 to control actively resistive, aggressive, or violent subjects who pose an imminent threat of bodily harm to themselves, deputies, or other persons where de-escalation and/or other force alternatives would be, or have been, ineffective or inappropriate.
2. When feasible, a clear, specific, and understandable verbal warning that force will be used if they do not comply shall be given to a suspect before deployment of less lethal impact munition rounds. Saying the word "less lethal" is not sufficient. An example of a more appropriate warning would be: *"Sheriff's Office, (drop the weapon, get on the ground, stop moving, etc.) or we will deploy a less lethal munition round."*
 - a. When feasible, prior to the deployment of the less lethal impact munitions, department members will announce, "STANDBY, LESS LETHAL" to alert other department members the less lethal impact munition is being deployed.
 - b. Members must consider the seriousness of the offense when evaluating less lethal impact munitions as a force option.
 - c. Members should target the buttocks, thigh, calf, and large muscle groups.
 - d. Members are strongly discouraged from using less lethal impact munitions on handcuffed persons, obviously pregnant females, elderly persons, young children, or visibly frail persons, but the use of this tool may be considered when these persons pose an immediate threat of imminent bodily harm to themselves, deputies, or others and/or are actively resisting arrest in accordance with GOM 6.00.000.
 - e. Members should not use the less lethal impact munitions on animals.
3. Less lethal impact munitions are additional tools and are not intended to replace firearms, Taser EW, pepper spray, baton, or defensive tactics.
 - a. Members should consider having a lethal cover officer when deploying less lethal impact munitions.
4. Less lethal impact munitions may be used prior to deadly force.

5. The number of less lethal rounds delivered must be justified and should be based on whether the impact munitions are effectively achieving the intended outcome. Officers deploying impact munitions shall assess the effectiveness after each shot. If subsequent rounds are needed, officers should consider aiming at a different target area.
 - a. The person's actions and apparent intentions must be evaluated after each less lethal impact munition deployment.
6. Less lethal impact munitions should not be used in the following circumstances unless the use of deadly force is justified:
 - a. Intentionally targeting the head, neck, chest, or groin.
 - b. At ranges closer than the manufacturer's guidelines.
 - c. On subjects in elevated positions (on a roof, in a tree etc.), unless reasonable efforts have been made to prevent or minimize a fall-related injury.
7. Less lethal impact munitions will not be deployed for large fights, public disturbance, or riots, unless they are being deployed as part of a demonstration management team with supervisor approval.
8. Tac-30 personnel are authorized to use less lethal impact munitions against property or to disable equipment when necessary to reduce the risk to KCSO personnel or community members. This includes, but is not limited to, breaking windows, disabling cameras, and disabling lighting. This type of use is not considered a use of force.

6.03.070

LESS LETHAL IMPACT MUNITIONS POST APPLICATION PROCEDURES: 03/22

1. Whenever a less lethal impact round strikes an individual, a Fire Department Aid or Medic Unit shall be called to the scene to examine the suspect.
 - a. Treatment at a medical facility is only necessary if recommended by medical aid personnel.
2. Photographs shall be taken of all impact areas on the subject and forwarded with the use of force review file.

6.03.075

UNINTENTIONAL DISCHARGE - LESS LETHAL IMPACT MUNITIONS: 03/22

1. Whenever a member unintentionally discharges a less lethal impact munition, the member shall:
 - a. Immediately notify a supervisor.
 - b. Submit a detailed officer's report of the event.
2. The member's supervisor shall:
 - a. Respond to the scene.
 - b. If the unintentional discharge is a suspected malfunction, or the reason for the discharge cannot be determined, the less lethal impact munition weapon will be returned to the Range Unit for inspection.
 - c. Enter the Incident in Blue Team as a preliminary.

3. If the unintentional or accidental discharge strikes a person, follow post application procedures.

6.03.080

REPORTING PROCEDURES – LESS LETHAL IMPACT MUNITION WEAPONS: 11/23

1. Whenever less lethal munition weapons are deployed as a show of force or a use of force as defined in GOM 6.01.010, the deployment shall be reported and documented in accordance with GOM 6.01.015 as follows:
 - a. **Level I:** A less lethal munitions weapon is displayed in a “show of force” as defined in GOM 6.01.010.
 - b. **Level II:** When any less lethal impact munitions round is fired at a person and either misses the person or strikes a body part other than the head, neck, throat, or groin.
 - c. **Level III:** When any less lethal impact munition strikes a person’s head, neck, throat, or groin area.
2. The investigating supervisor shall complete all required reports and documentation for any reportable less lethal impact munitions deployment and submit them to their chain of command in accordance with GOM 6.01.025.

6.03.085

PEPPER SPRAY: 12/19

Pepper Spray/Oleoresin Capsicum (OC) has been adopted for use by the Sheriff’s Office as a less lethal, force option. Frequently, members encounter situations involving physical resistance to arrest, or direct physical attacks upon them while conducting police duties. Appropriate use of Pepper Spray may enable deputies to effectively obtain compliance from resisting/combative persons.

6.03.090

EFFECTS/LIMITATIONS – PEPPER SPRAY: 12/19

The department issued pepper spray dispenser uses a non-flammable propellant and allows for deployment of the spray at any angle. The dispenser is designed to project a liquid, foam, or gel formula of Oleoresin Capsicum (OC) into the eyes of an attacker and does not require shaking of the dispenser prior to use.

1. Members shall only carry department issued pepper spray.
2. Oleoresin Capsicum (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, as well as choking, gagging, and gasping for breath. It is not an irritant such as chemical mace.
3. Upon contact with the skin, pepper spray may cause:
 - a. An extreme burning sensation in the eyes, nose, mouth, and skin.
 - b. Pronounced mucus secretion.
 - c. Interference with vision and involuntary closure of the eyes.
 - d. Interference with deep lung breathing and burning sensation of the lungs.
4. The temporary impairment usually lasts thirty (30) minutes.
5. The effects of Pepper Spray may be limited on:

- a. Violent mentally ill persons; and
 - b. Persons under the influence of narcotics.
6. Members should be aware of residue on the subject and surrounding surfaces that can cause unintended secondary exposure to members, the person who was sprayed, and others.
 - a. Members, who have been exposed, should be decontaminated, and obtain first aid or medical treatment in accordance with GOM 6.03.100.

6.03.095

WHEN TO USE PEPPER SPRAY: 11/22

Pepper spray is not designed to replace the service handgun, police baton, or other authorized weapons. Pepper spray is intended for use as a level II intermediate force option when attempting to control an unarmed physically resisting person who demonstrates a risk of injuring self and/or others during the arrest process in accordance with GOM 6.00.000.

1. Members shall give warnings when safe and feasible before application.
2. Pepper Spray may be used only when Level II force is legally justified. If justified, it may be used:
 - a. Prior to use of hands to apply come-a-long and control holds.
 - b. Prior to the use of baton, flashlight, or other similar instrument to apply come-a-long and control holds.
 - c. Prior to the use of deadly force.
3. After the initial application of OC spray, each subsequent application must also be justified in accordance with GOM 6.00.000.
4. Pepper spray is not appropriate in an enclosed, highly populated space where there is a likelihood of impacting uninvolved persons, except where pepper spray is the only available and appropriate force option. members deploying pepper spray shall attempt to avoid or minimize incidental exposure to non-involved persons.

6.03.100

PEPPER SPRAY - POST APPLICATION PROCEDURES: 11/22

At the earliest safe opportunity at a scene controlled by law enforcement, members shall, when possible, take action to address the effects of the pepper spray by:

1. Flushing the affected areas with clean water.
2. Expose the affected person to fresh air.
 - a. Facing the wind with open eyes.
3. Obtain first aid or medical treatment if deployment was within 3 feet of the subject, subject has extreme reactions, or subject complains of injury.

6.03.105

CARRYING/OPERATING PEPPER SPRAY DISPENSER: 12/19

1. Pepper Spray is required to be carried in a specifically designed holster when in uniform.

- a. Members wearing the uniform dress jacket shall be exempt.
2. Members in plain clothes assignments should have Pepper Spray readily accessible at all times.
3. To operate the Pepper Spray members shall:
 - a. Aim nozzle at the subject's eyes.
 - b. Spray a one (1) second burst, in a sweeping motion, at the subject's eyes.
 - c. Assess the person's compliance.
 - i. Loud and concise verbal commands should be used.
4. Ideal deployment of Pepper Spray is 6-8 feet with a minimum distance of 3 feet.
 - a. Deputies should be aware of possible blowback of the Pepper Spray when spraying into the wind which may cause the same symptoms experienced by the subject being sprayed.
 - b. The Pepper Spray may cause eye damage, if sprayed within 3 feet, due to the hypodermic effect of the stream. If used within 3 feet of a subjects face, members will document the reasons for such use in their use of force report.
5. The use of MK9 or similarly sized Pepper Spray containers shall only be used by TAC-30, the Demonstration Management Team or when authorized by an incident commander.

6.03.110

REPORTING PROCEDURES – PEPPER SPRAY: 09/12

1. Supervisor notification is required in all incidents where pepper spray is used.
2. A use of force review is required for all applications of pepper spray.

6.03.115

OTHER LESS LETHAL WEAPONS: 07/09

1. Other less lethal weapons include:
 - a. Baton.
 - b. Asp.
 - c. Pepper Spray.
 - d. Chemical agents.
2. Sworn members shall be provided biennial training for these less lethal weapons.

6.03.120

IMPACT WEAPONS: 11/22

1. Impact weapons include the straight baton, side handle baton, collapsible baton (ASP), and other impact weapons approved by the Sheriff.
2. Members shall carry only department authorized impact weapons.
3. Members shall not use an impact weapon unless they have received department approved training in the use of that weapon.

- a. The use of an item as an improvised impact weapon for the purpose of striking a person is acceptable only when other authorized force options have been exhausted, are unavailable, or are ineffective. Improvised impact weapons may include a radio, flashlight, or any other hard object that when used would interrupt or incapacitate an aggressive subject. The use of any improvised impact weapon against a subject shall be considered a use of force and shall comply with GOM 6.00.000. Members must be able to articulate a compelling need to use an improvised impact weapon.
4. 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.
5. Officers shall not intentionally strike vital areas, including the head, neck, face, throat, spine, groin, or kidney unless deadly force is authorized.
6. Officers shall not use an impact weapon to intimidate a person when an impact weapon warning is not justified by the threat presented.

7.05.000 FIREARMS AND AMMUNITION

7.05.005

POLICY STATEMENT: 02/16

It is the policy of the Sheriff's Office to have procedures for the issuance and use of firearms, ammunition, and related accessories. Members who are required to carry firearms shall comply with the following guidelines.

7.05.007

USE OF FIREARMS: 11/22

A firearm is a weapon which fires lethal ammunition, is carried by a member, and that meets the authorized firearm specifications of the Sheriff's Office or that has been authorized as a specialty firearm by the Sheriff.

1. Members are only permitted to discharge a firearm at a person in situations where deadly force is authorized in accordance with GOM 6.00.000. Each discharge of the firearm must be justified.
2. Members should only draw a firearm to the appropriate ready position consistent with training when the member reasonably concludes, based on the totality of the circumstances, that the situation may evolve to the point where deadly force would be authorized.
3. Members should only point a firearm at a person when there is reason to believe the person poses an immediate threat of serious physical injury or death.
4. When it is determined that the use of deadly force is not necessary, members should, as soon as safe and feasible, lower, holster, or secure their firearm.
5. Pointing a firearm at a person is a reportable use of force and its justification and circumstances shall be documented in accordance with GOM 6.01.000 & RCW [10.118.030](#).
6. Prior to the decision to use a firearm, members should consider field of fire, backdrop, bystanders, potential for ricochet, and other risks to life.
7. Members shall not use firearms as impact weapons except when deadly force is justified.
8. Members shall not use a firearm in the following circumstances:
 - a. When it appears likely that an innocent person may be injured (except in extreme exigent circumstances where the injury or loss of life could be greater if the member does not use their firearm).
 - b. To fire a warning shot.
 - c. Discharging or pointing a firearm at a person who presents a danger only to themselves and does not have the apparent ability, opportunity, and intent to immediately cause death or serious bodily injury to the officer or another person.
 - d. Discharging or pointing 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.

7.05.010

TRAINING: 01/24

Prior to being authorized to carry any firearm on duty, members must first be provided training on the Sheriff's Office Use of Force policies.

7.05.015

RANGEMASTER RESPONSIBILITIES: 05/09

The Rangemaster is a sergeant appointed by the Chief of the Criminal Investigations Division and supervises the Range Unit. The Rangemaster should be a Firearms Instructor. The Rangemaster shall:

1. Be responsible, along with the Chief Firearms Instructor, for the selection, training, and utilization of all Firearms Instructors.
2. Oversee all firearms-related activities and the implementation of firearms training for all members who are required to carry firearms (evaluate training curriculum, etc.).
3. Evaluate firearms, ammunition and related equipment in conjunction with the Department's Firearms and Ammunition Board.

7.05.020

DEPARTMENT ARMORER RESPONSIBILITIES: 01/24

The Department Armorer shall:

1. Be responsible to the Rangemaster.
2. Ensure the inventory, inspection, and repair of all department issued firearms.
3. Track information related to all firearms used by members required to carry firearms to include:
 - a. Make, model, caliber.
 - b. Serial number.
 - c. Ownership of firearm.
 - d. Last inspection date and results.
 - e. Intended use of firearm (i.e., primary or secondary).
4. Ensure that all handguns and rifles are inspected prior to being issued to members. This includes personally owned firearms to be carried on-duty.
5. Facilitate the replacement of malfunctioning firearms or for members involved in shooting incidents.

7.05.025

CHIEF FIREARMS INSTRUCTOR RESPONSIBILITIES: 05/09

The Chief Firearms Instructor is:

1. Responsible to the Rangemaster.
2. Responsible for the selection, training, and utilization of all Firearms Instructors.

3. Responsible for the research and development of all qualification courses for the department.
4. Assists the Department Armorer where needed.

7.05.030**MEMBER RESPONSIBILITIES:** 01/24

Members who are required to carry firearms shall:

1. Ensure their primary firearm, secondary backup firearm, and patrol rifle are properly cleaned and maintained.
2. Report all firearm deficiencies to the Department Armorer as soon as possible.
3. Not knowingly carry a mechanically unsafe, deficient, or unauthorized firearm when working in a law enforcement capacity.
4. Inform the range staff when they are going to use a new personal or city owned firearm.
5. Not use their firearm as a hitting tool.
6. Attend mandatory firearms assessments and/or training days.
7. Be familiar with and use safe firearm handling techniques at all times, utilizing the four (4) universal firearms safety rules:
 - a. Treat all guns as always loaded.
 - b. Never point a weapon at anything you are not willing to shoot or destroy.
 - c. Keep your finger off the trigger until your sights are on target and you are ready to fire.
 - d. Be sure of your target and what is behind and beyond it.
8. Ensure duty weapons are secure at all times.
9. Render any department owned firearm inoperable or inaccessible to unauthorized users when off-duty.

7.05.035**REQUIREMENTS TO CARRY HANDGUNS:** 01/24

1. Commissioned members are required to carry firearms when working in a law enforcement capacity and shall be armed with their authorized primary handgun unless the nature of the assignment dictates otherwise.
2. A secondary concealed handgun may be carried if the member has received approval to carry the firearm. (See section 7.05.075 Secondary Handguns.)
3. Commissioned members may choose whether or not to be armed while off duty.
4. When off duty and armed with a department owned firearm, commissioned members must carry their Sheriff's Office identification.

7.05.040**CARRYING FIREARMS IN ASSIGNED VEHICLES:** 01/24

1. Commissioned personnel driving department vehicles may only carry a department issued or individually owned approved patrol rifle (following completion of a department approved course, qualification and signed A-137 form).
2. While being carried in a vehicle, patrol rifles shall be stowed in a manner that prevents unauthorized access or theft of the rifle from the vehicle. Rifles shall be carried in a hard locked case in the vehicle trunk, secured in an affixed locker in the rear of an SUV, or in an approved locking rifle rack.
3. Patrol rifles stored in a vehicle will have an empty chamber, the magazine inserted, bolt forward, safety on and dust cover closed.
4. Members shall not carry unauthorized firearms in their police vehicle, unless transporting as evidence.

7.05.045**CARRYING AND DEPLOYMENT OF PATROL RIFLES:** 01/24

1. The patrol rifle should not be considered a primary weapon for the routine daily patrol duties.
2. Discretion should be used in the deployment of patrol rifles. Without compromising deputy/officer or citizen safety, consideration must be given to the potential adverse public reaction associated with the sight of a patrol rifle.
3. Supervisors shall monitor the deployment of patrol rifles to the extent possible. Deployment must be consistent with training provided at Rifle Familiarization School.
 - a. After deployment, patrol rifles will be returned to secure storage in the vehicle as soon as practical.
4. The following guidelines are not intended to restrict the use of the patrol rifle, but to provide general direction for its use. Each situation will dictate the level of response.
 - a. Examples of appropriate deployment situations may include:
 - i. Perimeter Containment: Dictated by environment and threat.
 - ii. Nature of Call: Dictated by need for greater firepower or when increased accuracy may be necessary (i.e. armed subject).
 - iii. Precision Shot: Anytime that a precision shot may be necessary, suitable or practical.
 - iv. Body Armor: When suspects are believed to be wearing body armor.
 - v. In-Progress Violence Events.
 - vi. Animal Euthanasia: The patrol rifle may be used to euthanize an animal if a member's authorized primary handgun would not be adequate or safe.

- b. Examples of inappropriate deployment may include:
 - i. Disabling vehicles: Should not be used in an attempt to disable vehicles.
 - ii. Routine vehicle stops: Not recommended on vehicle stops.
 - iii. Building searches: Should not be used to search buildings, houses, apartments etc. unless there is an in-progress violence event.
 - iv. Large gatherings: Should not be used at large gatherings for intimidation purposes.
 - v. Routine alarm calls: Should not be used on routine alarms calls.
 - vi. Vehicle assaults and searches by patrol: Should not be used to search vehicles, busses, trains, light rail, etc. unless an in-progress violence event is involved.
 - These types of vehicles offer more challenges than buildings due to their narrow aisles and confined areas especially when there are citizen riders present.
 - vii. Contact & Cover of suspects: If possible, the officer/deputy with the patrol rifle should not go "hands on".

7.05.050**CARRYING FIREARMS ON AIRLINES: 01/24**

1. Members carrying firearms on commercial airlines while on duty shall be approved by a Division Commander.
2. Only commissioned members who have completed the required FAA "Law Enforcement Officer's Flying Armed" class will be authorized to carry firearms on commercial airlines.
3. Members shall present their department identification card, badge, driver's license, an "Original" Firearms Authorization letter, NLETS document and airline tickets to the appropriate airline officials at least one (1) hour prior to flight departure and carry these items at all times while flying armed.
4. Members will only carry their authorized primary handgun while flying armed.
 - a. Secondary handguns, OC spray and CEWs shall not be carried onto the aircraft.
5. Members will keep their weapons out of view and on their person.
6. Members shall not consume any alcoholic beverages while flying armed.
7. Members shall not board an aircraft armed if they have consumed an alcoholic beverage within the previous eight (8) hours.

7.05.055**MODIFYING FIREARMS PROHIBITED:** 01/24

1. Department owned firearms shall not be modified unless approved by the Department Firearms and Ammunition Board and the Undersheriff.
2. All modifications, including pistol sights will be performed by the Department Armorer.
3. Authorized exceptions:
 - a. Magazine extensions
 - b. Slings
 - c. Magwells
 - d. Lights - per GOM 7.05.070 (11)
 - e. Other equipment authorized for specialty units.

7.05.060**UNLOADING FIREARMS:** 02/16

Firearms shall not be unloaded at any department work site unless done so in a safe manner using clearing barrel or safe backstop capable of retaining a bullet fired from the firearm.

7.05.065**RESTRICTIONS WHEN CLEANING FIREARMS:** 05/22

When cleaning firearms the following restrictions apply, members shall:

1. Follow the four firearms safety rules.
 - a. Treat all guns as if they are loaded.
 - b. Never point a weapon at anything you are not willing to shoot or destroy.
 - c. Keep your finger off the trigger until your sights are on target and you are ready to shoot.
 - d. Be sure of your target and what is beyond it.
2. Clean and lubricate weapons in accordance with manufacture or equivalent specifications.
3. Do not use any chemicals or cleaning instruments that may damage department firearms.
4. Do not apply any lubricants to ammunition.
5. Do not disassemble firearms beyond a "field strip" unless in an official capacity as a department armorer.

7.05.070**APPROVED FIREARMS GUIDELINES:** 01/24

1. Sheriff's Office members who are required to carry firearms and opt to carry a department issued handgun will be issued a Glock Model 17 or 19.
 - a. Members may continue to carry previously issued Glock Models 22 and 23.
2. Those opting to purchase their own primary duty firearm at their own expense, whether for uniform or plain clothes duty, will comply with the following regarding make, model and caliber:

- a. All purchased handguns to be carried in uniform will have a minimum barrel length of 3.8 inches, be a "type approved" handgun and be 9mm, .40 caliber, or .45 caliber semiautomatics.
 - b. All handguns carried in plain clothes assignments will have a minimum barrel length of 3 inches, a magazine capacity of no less than six (6) rounds and be a 9mm, 40 caliber, or .45 caliber semiautomatic.
 - c. If a member opts to qualify with an approved personally owned handgun as their primary firearm, and the handgun meets the requirements for uniform carry with an approved holster, then the member shall return their department issued handgun to the Range Master. Exemptions for special circumstances may be granted by the Range Master.
3. All personally owned firearms will be inspected by the Department Armorer prior to duty use.
4. Handguns that were approved for members prior to September 2015 are grandfathered under this section.
5. Before carrying an individually purchased firearm, members who are required to carry firearms will complete KCSO form A-137 Request for Authorization to Carry/Use a Type-Approved Firearm and pass the department qualification course with that firearm.
 - a. All personally owned firearms with no history of qualification for two (2) or more years will be dropped from the database and will require the member to repeat the above approval process for reauthorization to carry that firearm.
6. The following is a list of authorized "type-approved" primary firearms. Models must be striker fired or double-single action and comply with criteria listed in 2 (a) and 2 (b) above:
 - a. Sig Sauer
 - b. Springfield XD Series
 - c. H&K
 - d. Shadow Systems
 - e. Smith & Wesson M&P Series
 - f. CZ
 - g. Glock
7. All handguns authorized for primary duty carry will be carried in holsters adhering to restrictions delineated in GOM 7.03.010.
8. Except for TAC-30, only one KCSO handgun will be issued to any member.
9. Firearms may be assigned to specialty units for use by members of that unit.
10. No firearm, whether personally owned or department owned, may be assigned to more than one individual at any one time.
11. Members wishing to employ a weapon mounted light system on their primary handgun must comply with the following:
 - a. Members must qualify with the system installed prior to carrying the firearm on duty.
 - b. For private purchase handguns with lights, members must supply a holster as defined in GOM 7.03.010 at their expense that is designed for the weapon mounted light.

- c. The weapon mounted light is not intended for searching, communication, or navigation, but suspect control and threat identification.
 - i. The weapon light shall not be a substitute for a handheld flashlight.
 - d. Members are prohibited from carrying a weapon light system on any Generation 3 or prior Glock model in .40 caliber.
12. Members wishing to employ a mounted optical sight on their primary handgun must comply with the following:
- a. Authorized pistol optics:
 - i. Trijicon RMR Type 2 including RMRcc
 - ii. Leupold Delta Point Pro
 - iii. Sig Romeo (with steel shroud)
 - iv. Sig Romeo Pro 1 (with steel shroud)
 - v. Holosun HS507C and HS507K
 - b. Complete the department's pistol optics familiarization course and pass the department qualification with both optic and sights prior to carrying the firearm on duty.
 - c. Optics must be LED and manually adjustable.
 - d. Trijicon RMR optics must be used with the Trijicon RM63 sealing plate or equivalent.
 - e. Optics must be mounted to manufacturer specifications.
 - f. Optics must be mounted to a pistol slide designed and intended by the manufacturer to be used with that optic (custom cuts are acceptable).
 - g. The pistol must be equipped with front and rear sights visible through the optic lens.
 - h. The pistol, pistol optic, sights and holster will be obtained at the member's expense.
 - i. Holsters must adhere to GOM 7.03.010
 - j. Submit a Request for Authorization to Carry/Use a Type-Approved Firearm (KCSO Form #A-137) to the Range Unit showing the pistol and optic has been inspected by the department armorer.
 - k. Inspect the pistol optic daily to ensure function.
 - l. Replace the optic battery as recommended by the manufacturer or once per year, whichever is less.
13. The following is a list of authorized patrol rifles and options:
- a. AR-15 rifle platforms:
 - i. Colt
 - ii. Lewis Machine and Tool
 - iii. Rainier Arms
 - iv. Daniel Defense
 - v. Knights Armament
 - vi. Noveske

- vii. Sig Sauer M400
- viii. FN
- ix. BCM
- x. Sons of Liberty Gunworks
- xi. Individual AR-15 rifles that are not based on one of these authorized platforms, but were previously approved for on-duty use prior to April 2022, shall continue to be authorized for on-duty use.

b. Rifles must meet the following specifications.

- i. Chambered in .223 Caliber or another caliber that is compatible with department issued .223 ammunition such as 5.56 or .223 Wylde.
- ii. No competition, adjustable or non-OEM two stage triggers.
- iii. Minimum barrel length of 16 inches with muzzle device attached.
- iv. Either collapsible or full stock.
- v. Standard or tactical sling.
- vi. Standard 20-30 round box style magazines.
- vii. Back up iron sights either fixed or folding.

c. Authorized Options.

- i. Bipod.
- ii. Modified Stock - may include competition style cheek pads or stock extensions.
- iii. Tactical lights.
- iv. Redi- Mag or similar device to hold a second magazine.
- v. Optics.

d. Authorized Optics (Non-Magnified Red Dot Type)

- vi. Aimpoint.
- vii. Trijicon
- viii. Leupold LCO.
- ix. Other optics not listed above that were previously approved for on-duty use prior to April 2022, are still authorized for on-duty use.

e. Low Power Variable Optics (LPVO)

Department members wishing to carry an LPVO on their duty rifle must first attend the 2-day department LPVO course. Optics, mount and back up sights must be inspected and approved by the department armorer prior to attending the course. All optics, mounts and accessories shall be purchased by the member.

- i. Approved LPVOs (all optics must have capped or locking turrets):
 - Leupold
 - Nightforce
 - Vortex (Razor Models Only)
- ii. Magnification Range:
 - 1-1.5x – 10x

iii. Approved LPVO Mounts:

- Leupold mounts
- Geissele mounts
- Badger Ordinance mounts
- Unity Tactical mounts

A secondary red dot sight (RDS) system is required and must be usable without removing the LPVO optic from the rifle. These sights may include any of the approved pistol/rifle RDS systems. The RDS must be mounted above the LPVO at the 12 o'clock position or offset 45 degrees attached to the upper receiver.

- f. All optics (LPVO or RDS) must be mounted in such a way that if they fail the shooter can revert to backup sights without removing the optic.
 - g. If a rifle has an optic, the shooter must pass the re-certification course once using the optic and successfully confirm zero of their backup sight system. .
 - h. Short Barrel Rifle (SBR) with Suppressor
 - i. The rifle must have a barrel length of 11.5 inches.
 - ii. The rifle must be registered as an SBR and purchased from a manufacturer already on the approved list.
 - iii. The suppressor must be the Surefire SOCOM 5.56 RC2.
 - iv. The suppressor shall remain attached to the rifle during qualifications, zero procedure, and deployment unless detached for maintenance.
 - v. Suppressors used to fire live ammunition shall not be used with Simunitions or similar marking cartridges intended for force-on-force training. Range personnel may have a limited supply of suppressors available for use with these types of marking cartridges during department training.
 - vi. It is the responsibility of the member to obtain and pay any related fees for the proper approval paperwork required by the ATF.
 - vii. The member must complete an A137 and have the rifle inspected by the department armorer prior to use for duty.
 - viii. The Department Armorer will maintain an updated list of currently specified Suppressed SBR components. All components used in the Suppressed SBR shall come from this list or the rifle will not be authorized for duty use.
14. Only those members who have successfully completed the four (4) day department AR-15 Rifle Familiarization Course are authorized to carry the AR-15 Rifle. Those members must qualify twice a year as required for all firearms carried on duty. Members found to be carrying or using a rifle in violation of this section will be subject to disciplinary action.
15. Only those members who have successfully completed the department SBR/Suppressor Transition Training are authorized to carry the Short Barrel Rifle with Suppressor

16. An AR-15 Rifle may be taken out of service by any Firearms Instructor who feels that the weapon is not functionally sound.
 - a. The weapon will not be returned to service until it has been inspected by the Department Armorer.

7.05.075**SECONDARY HANDGUNS:** 09/16

1. Members who are required to carry firearms may carry a secondary handgun while on-duty. Before carrying a secondary handgun members must complete a Request to Carry/Use Type-Approved Firearm (KCSO Form A-137) signed by a Firearms Instructor attesting that the member passed the backup handgun qualification. The form must then be returned to the Range.
 - a. Authorized members may carry only one (1) secondary handgun while on duty.
 - i. Authorized members can only apply for three (3) secondary handguns to carry while on duty.
 - b. The secondary handgun must be completely concealed and secured in a holster designed by the manufacturer to retain that handgun and must cover the trigger and trigger guard.
2. Authorized secondary handgun manufacturers.
 - a. Beretta
 - b. Colt
 - c. CZ
 - d. Glock
 - e. Heckler & Koch
 - f. Kahr
 - g. Kel-Tech
 - h. Ruger
 - i. Sig Sauer
 - j. Smith and Wesson
 - k. Springfield
 - l. Taurus
 - m. Walther
3. Authorized secondary handgun specifications:
 - a. Minimum caliber.380.
 - b. Maximum caliber.45.
 - c. Barrel length no more than four (4) inches.
 - d. No less than five (5) round capacity.
4. All secondary handguns shall be inspected by the Department Armorer prior to being carried on duty.
5. Authorized members will show proficiency, as determined by the Range Unit, prior to carrying the secondary weapon.

7.05.080**REPLACEMENT FIREARMS:** 01/24

This policy will outline the steps necessary to replace a deputy/officer involved shooting or malfunctioning firearms. Worksite lock boxes can be utilized for OIS, malfunctioning handgun, or holster replacement.

1. Commissioned personnel authorized to carry the firearm shall immediately notify their supervisors of the malfunctioning or deputy/officer involved shooting firearm. During normal Range hours, members should attempt to contact Range staff for replacement or repair of malfunctioning firearms.
2. When a supervisor issues a temporary replacement handgun, they will ensure the Range Master or Department Armorer is notified via email. Each worksite with replacement handgun lock boxes will coordinate with the Department Armorer to ensure storage sites are stocked with handguns, holsters and ammo as described in this policy.
3. Rifle replacement and maintenance will be handled during normal business hours by the Department Armorer.
4. Supervisors replacing a malfunctioning or deputy/officer involved shooting handgun will obtain the key to the room where the lock box is located in their assigned work area and complete an Equipment Issue/Return (KCSO Form E-128).
 - a. The work area lock box contains:
 - i. Two (2) Glock 17, 9 mm pistols.
 - ii. Four (4) belt paddle holsters (two right-handed and two left-handed).
 - iii. Six (6) magazines - three (3) magazines for each pistol.
 - iv. Two (2) boxes of 9 mm ammunition.
 - b. Complete the Equipment Issue/Return Record (E-128) with the member's information for both malfunctioning and deputy/officer involved shooting handguns. Record the handgun issued on the top of the form and if there is a handgun to be returned to the Range, record it (broken or malfunctioning) on the bottom of the form.
 - i. The issuing supervisor will sign the "issued by" section at the bottom of the form.
 - ii. The member receiving the equipment/firearm will sign in the "Final receipt by" signature block.
 - c. Give the pink copy of the form to the member receiving the equipment and send the white copy to the Department Armorer.
 - d. A malfunctioning handgun will be clearly tagged and marked as B/O and placed in the lock box after issuing the replacement firearm.
 - e. The issuing supervisor will notify the Range Master and Department Armorer via email. This will maintain consistency so the Department Armorer may retrieve it as soon as practical.
 - f. The issuing supervisor shall ensure the lock box is secure and return all keys to their original location.
5. In the event multiple members are involved in a shooting, and the number of replacement handguns is not adequate to outfit each member, the Range Master or Department Armorer will be called out and will be responsible for replacing all the firearms at the scene.

6. Firearms used in an OIS will be handled as described in GOM 6.01.035
7. A monthly inventory shall be conducted on the lock boxes at assigned locations.
 - a. A captain or above will conduct the inventory.
 - b. An inventory report will be sent to the Inspectional Services Unit by the 5th of the month.
8. When a personally owned firearm is taken into evidence as the result of an OIS, Budget and Accounting will arrange to reimburse the member for an "in kind" firearm of the same make, model and accessories.
 - a. A memo requesting reimbursement along with receipts or quotes will be forwarded to Budget and Accounting via the chain of command.
 - b. If the exact make and model of the firearm or accessory is no longer manufactured, the Department Armorer will determine a comparable replacement.
 - c. Upon reimbursement, the member will terminate any ownership claims of the firearm in evidence and the firearm becomes the property of KCSO.

7.05.085

REQUEST TO CARRY OR REVIEW FIREARM/AMMUNITION PROCEDURES: 05/22

1. Request to carry a personally owned "Type Approved" firearm:
 - a. Ensure the firearm is on the "type approved" list and meets criteria in GOM 7.05.070
 - b. Make an appointment to have the firearm inspected by the Department Armorer prior to qualification.
 - c. Complete the A-137 and Firearms Qualification/Skills Sheet and present them to the KCSO firearms instructor at the time of qualification.
 - d. The firearms instructor will verify the holster is authorized per GOM 7.03.010 or 7.05.075(1)(b)
 - e. The firearms instructor will sign the A-137 and Qualification Sheet and forward to the Range.
2. The above procedures must occur prior to carrying any personally owned firearm in an official capacity.
3. Request for review of new equipment or ammunition:
 - a. Members wishing to submit a new firearm, item, or ammunition for testing and approval must complete an Officer's Report (KCSO Form C-102).
 - b. The firearm, item, modification or ammunition must be specified with detailed supporting data or justification provided.
 - c. The request must be submitted to the Department Range Master via the chain of command.

- d. The Range Unit will test items at their discretion.

7.05.090

RETIRED FIREARMS PROGRAM: 05/22

1. Fully commissioned members who retire from service or physical disabilities and qualify for a CPL waiver are eligible for the Retired Firearms Program and may purchase their assigned primary firearm.
 - a. Only issued primary handguns are eligible for this program, to the extent permitted by law.
2. Specially commissioned reserve deputies may purchase their primary duty firearm upon separation, in good standing, after 10 or more years of service. Reserve deputies must show verification of a valid concealed pistol license before purchasing their firearm.
3. Limited commissioned fire investigation personnel who retire from service or for physical disability may purchase their primary duty firearm upon separation. Limited commissioned fire investigation personnel must possess a valid concealed pistol license before purchasing their firearm.
4. Marshals who retire from service or physical disabilities, and show verification of a valid concealed pistol license, shall be afforded an opportunity to purchase their assigned primary firearm upon retirement from KCSO as a marshal. Marshalls who separate from KCSO, but do not qualify as retired from service or physical disability, may purchase their primary firearm if they meet the following qualifications:
 - a. Previously retired from service from a fully commissioned position in KCSO and did not purchase their primary duty firearm at that time; or
 - b. Retire from their marshal position after vesting in a retirement system while working as a marshal.
5. The Retired Firearms Program will not be available to the retiree until all of their assigned County owned equipment and duty firearm have been turned into PMU.
6. Eligible retirees who desire to participate in the Retired Firearms Program shall indicate so on the KCSO Separation Notice (KCSO Form # P-126) and submit the form to the Human Resource Unit.
7. Once the Human Resource Unit has verified the eligibility of the retiree and PMU has received the proper notification, the retiree will be eligible to participate in the Retired Firearms Program for their duty firearm. The Human Resource Unit shall send a copy of the separation notice to the PMU/Quartermaster for processing.
8. PMU/Quartermaster shall review the form, flag the firearm for the Retired Firearms Program, and determine the projected date of shipment for the flagged weapon to the vendor pending final approval from Human Resources.
9. Once the firearm has been sent to the vendor, the vendor will notify the retiree and provide them with the vendor contact information.

10. Once notified by the vendor, the retiree:
 - a. Has thirty (30) days from the vendor's receipt of the firearm for the process to be completed.
 - i. If the thirty (30) days has past the vendor is free to do what they wish with the retired firearm.
 - b. Is responsible for following up with and maintaining contact with the vendor.
 - i. The retiree should not contact PMU to determine the status of the retired firearm.
 - c. Has the responsibility for all costs associated with the purchase of the retired duty firearm including the sale price, applicable taxes, fees, and shipping.
 - d. Is responsible for coordinating the transfer of the retired duty firearm to include completing all associated ATF forms and the arrangement of shipping to an authorized FFL dealer if necessary.
11. No member may purchase more than one firearm from King County under this program.

7.05.095

FIREARMS AND AMMUNITION BOARD: 02/16

1. The Department Firearms and Ammunition Board reviews, tests and makes recommendations to the Sheriff regarding firearms, ammunition and related accessories.
2. The Board is comprised of the following members:
 - a. The CID Advanced Training Section Captain (Chairperson).
 - b. The Department Rangemaster.
 - c. The Property Management Unit Supervisor or representative.
 - d. The Training Unit Supervisor or representative.
 - e. A Deputy appointed by the Commander of Patrol Operations.
 - f. A Detective appointed by the Commander of the Criminal Investigation Division.
 - g. The Department's Chief Firearms Instructor.
 - h. The Department Armorer.

7.05.100

FIREARMS AND AMMUNITION BOARD MEETINGS: 01/11

1. The Firearms and Ammunition Board:
 - a. Meets as determined by the Chairperson, Division Commander or Undersheriff.
 - b. Reviews and test firearms, ammunition and related accessories submitted by members.
 - c. Meets as needed to review any equipment issues regarding any officer involved shooting reports.
 - d. This review includes the performance of firearms, ammunition and related accessories.

- e. The Board may also make equipment, procedural and/or training recommendations to the Undersheriff.

7.05.105

FIREARMS AND AMMUNITION TESTING: 02/16

Testing of firearms, ammunition and related accessories is at the Board's discretion.

7.05.110

FIREARMS AND AMMUNITION BOARD RECOMMENDATIONS: 02/16

1. Upon completion of either the review or testing, the Board will vote on the item(s) under consideration.
2. The Board's recommendation(s) will be made in writing to the Undersheriff.
 - a. The Undersheriff will have the final authority to approve or reject any item and will notify the Board in writing.
 - b. The Board will explain in writing, the disposition to the requestor within thirty (30) days of the final decision.

7.05.115

AMMUNITION GUIDELINES: 03/13

1. On-duty members will carry only:
 - a. Department issued ammunition for handguns, shotguns, and rifles.
 - b. Specific ammunition will be recommended by the Firearms and Ammunition Board and approved by the Undersheriff.
2. Members who opt to carry their issued department handgun off duty will use only department issued ammunition.
3. Extra ammunition required:
 - a. Uniformed members will carry at least two (2) department issued or equivalent speed loaders or magazines.
 - b. On-duty plainclothes commissioned members shall carry at least one (1) extra speed loader or magazine unless the nature of the assignment dictates otherwise.

7.05.120

AMMUNITION ACCOUNTABILITY: 01/24

1. The ammunition purchased by KCSO will be shipped to the Ravensdale Range.
2. Members receiving the shipment will use the Ravensdale Range Ammunition Form (KCSO A-180) to record the shipment.

3. The ammunition will be counted by two members and logged on the A-180 Form.
 - a. Ammunition will be counted by the box.
 - b. The lowest unit of measurement allowed will be the full box.
4. The original slip will be signed by two (2) members, scanned and sent to Budget and Accounting via the chain of command. The original slip will be filed at the Ravensdale range along with the A-180 Form.
 - a. Discrepancies between the purchase order, packing (shipping) slip and actual quantities (cases) received will be noted on the packing slip.
5. This amount will be added to the remaining ammunition stocks already indicated on the inventory management database.
6. Issued ammunition will be in the caliber of the member's primary firearm.
7. One (1) case of each caliber pistol ammunition and one (1) case of .223 rifle ammunition will be stored at each major worksite as designated by the Criminal Investigation Division Chief. This ammunition is an emergency supply in case of an unusual event.
8. The captain responsible for the emergency ammunition will report any usage of that ammunition to the Criminal Investigations Division Chief as soon as practicable.
9. A monthly ammunition inventory report will be generated from the inventory management database at the beginning of each month. The Rangemaster will ensure that a monthly physical count of ammunition for each work site is conducted and reconciled with the monthly ammunition inventory report.
 - a. The Department Rangemaster will forward the monthly reports to the ATU Captain.
 - b. Should a discrepancy be noted, the Rangemaster will work with designated CRU personnel and the Inventory Control Manager to identify the reason for the discrepancy and correct it, if necessary. The Rangemaster will report any such discrepancies to the ATU Captain.
 - c. The reconciled monthly inventory reports generated by the inventory management database will be scanned and retained by the Department Rangemaster in accordance with the applicable KCSO public document retention schedule or six years, whichever is greater.

7.05.125

PRACTICE AMMUNITION: 01/24

Members who are required to carry firearms shall, upon request, be furnished practice ammunition for Department approved handguns and rifles as determined by the current Collective Bargaining Agreements.

1. KCSO will make available, twice per year, six hundred (600) rounds of practice ammunition to each commissioned member for their primary duty weapon and one hundred and twenty (120) rounds of ammunition for a KCSO approved rifle; provided, handgun ammunition drawn by the member shall be in the caliber of the member's primary duty weapon and all ammunition is for the employee's use only.

2. Each eligible member shall be allowed to draw the specified rounds as listed above in each half of the year (1st half January-June and 2nd half July-December).
3. Members may draw ammunition at the following sites and times:
 - a. When qualifying or attending training at the Ravensdale range; or
 - b. When qualifying at the approved alternate range at Snohomish County or CJTC; or
 - c. Members may appear at the Ravensdale range and request ammunition on any scheduled qualification date.
4. Reserve deputies may draw fifty (50) rounds of ammunition for their primary handgun for the month(s) that the deputy has performed the minimum required hours of service.
5. All ammunition distributions to members shall be logged in the inventory management database.
6. Upon request, authorized members will be allowed on-duty firearms practice time, determined by the current Collective Bargaining Agreement, and scheduled by their supervisor.
7. Unit Supervisors will ensure that authorized members under their command have the opportunity to use either department or other established range(s) for practice, during duty time under the following conditions:
 - a. One (1), two-hour period will be allotted every two (2) months.
 - b. Scheduled by their supervisor.
 - c. Overtime will not be authorized.

7.05.130

RETURNING PERSONAL FIREARMS/OFFICER INVOLVED SHOOTING: 06/08

When a member is involved in a shooting in which their personally owned firearm was used the following factors must be met prior to returning the weapon to the member:

1. The firearm used must be type approved with written authorization to carry it on-duty.
2. There are no unapproved modifications or attachments on the firearm.
3. The firearm must have been thoroughly inspected and documented to include:
 - a. Condition
 - b. Function
 - c. Trigger pull
 - d. Ballistics
 - e. There is no trace or forensic evidence on the weapon. This may include:
 - i. Proximity of the weapon to the subject struck may preclude release (i.e., the firearm was close enough to have been spattered with blood from the person shot, or the firearm was used to physically strike someone).
4. All legal procedures must be completed prior to returning the firearm to the member. These procedures may include, but are not limited to:
 - a. The criminal investigation, the prosecutor review, and trial.
 - b. County executive review.

- c. The inquest.
 - d. A civil rights review/hearing or wrongful death hearing/trial.
 - e. Any federal hearings and civil suits.
5. The return of the firearm was discussed with the investigator and the prosecutor's office and has been approved by the CID Commander and the department legal advisor.
6. In the event it has been determined that the firearm will not be returned for one or more of the above reasons the Sheriff's Office will reimburse the member the replacement value of the weapon retained. The following conditions will apply to the reimbursement:
 - a. The weapon must be type approved and the member must have authorization to carry it.
 - b. Any modifications or attachments must have been previously approved for duty use by the department.
 - c. In lieu of reimbursement, accessories may be returned if deemed appropriate following the procedures mentioned above.
7. Except for numbers 1, 2, 6(a) and 6(b), this section also includes off-duty firearms.

7.05.135

FIREARMS PURCHASE AUTHORIZATION LETTER: 01/24

1. Law enforcement officers purchasing firearms for official use, who provide a licensee with a certification on agency letterhead attesting that they will use the firearm in official duties and that a records check reveals the purchasing officer has no convictions for misdemeanor crimes of domestic violence, are not required to complete an ATF form 4473 or undergo a background check.
 - a. The Firearm Purchase Authorization (A-136) letter can be found under the forms tab on the KCSO homepage.
 - b. A member wishing to use this process shall complete form A-136 to include the dealer name/address, FFL#, and make model and serial number of the firearm to be purchased.
 - c. The Sheriff or their designee (a member with the rank of Captain or above) shall sign the A-136 and return to the purchasing member.
 - d. A copy of the A-136 shall be placed into the members traveling personnel file.

7.05.140

LARGE CAPACITY MAGAZINE PURCHASE AUTHORIZATION LETTER: 01/24

1. Commissioned members wishing to purchase large capacity magazines for duty use will need a completed and signed form A-134 on department letterhead authorizing this purchase.
 - a. The Large Capacity Firearm Magazine Purchase Authorization Letter (A-134) can be found under the forms tab on the KCSO homepage.

- b. The completed form (including dealer name and address) should then be emailed to the Rangemaster for signature. Once signed, the member may present the authorization letter to the business for purchase of the magazine(s).
- c. A new form must be signed for each new purchase and a copy will be maintained in the member's electronic range qualification file.
- d. Only large capacity magazines for type-approved firearms listed in section 7.05.070 or 7.05.075 may be purchased using this authorization letter.

5.01.000 PRISONERS

5.01.005

CUSTODY OF PRISONERS: 06/92

Deputies shall be responsible for prisoners and their property.

5.01.010

HANDCUFFING SUSPECTS: 05/09

1. Deputies shall handcuff suspects behind their backs or use "belly chains" when transporting prisoners unless doing so would endanger the health or safety of the suspect under the circumstances. Circumstances to consider would include whether the suspect appears to be:
 - a. Injured,
 - b. Elderly,
 - c. Very young,
 - d. Disabled,
 - e. Pregnant, or
 - f. Exceptionally obese
2. Deputies shall double lock handcuffs unless circumstances prevent it (e.g., combative suspect).
3. Deputies shall never handcuff a suspect to themselves.

5.01.015

SPIT HOODS: 11/22

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

- 1 Standard of Use:
 - a. A member may apply a spit guard when lawfully restraining or attempting to restrain an individual who is spitting or biting, or when the member has a reasonable belief that the suspect will bite or spit on them or others.
 - b. Members applying spit guards must ensure that the spit guard is fastened properly, according to the manufacturer's instructions, to allow for adequate ventilation so that the restrained person can breathe normally.
 - c. Only members who have successfully completed agency-approved training on application of a spit guard are authorized to use one.
 - d. Deputies shall only use agency-issued spit guards.
- 2 Restricted Uses:
 - a. Persons who have been sprayed with OC spray should be decontaminated so their breathing is not distressed prior to application of a spit guard.

- b. For those in mental health crisis, application of a spit guard may provoke an elevated level of distress. Members should provide verbal reassurance and continually assess the situation so the spit guard may be removed as soon as appropriate.
- 3 Prohibited Uses. Officers shall not apply spit guards in the following situations because of increase risks:
 - a. When the restrained person is bleeding profusely from the area around the mouth or nose.
 - b. 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.
 - c. On an individual who states that they have a medical condition that affects their breathing, or who demonstrates symptoms of labored or distressed breathing.
- 4 In the event of a medical emergency, spit guards should be removed immediately.
 - a. The spit hood should be removed if there are any signs of respiratory distress.
- 5 Prior to application of a spit guard, a deputy shall warn the individual and provide a reasonable time for the person to comply with the officer's commands.
- 6 Members shall remove the spit guard as soon as the threat of spitting or biting has ended, or the member observes that the spit guard is no longer necessary.
- 7 After application of a spit guard and when safe to do so, members shall move the individual into a seated or side recovery position and shall monitor the individual until the spit guard is removed.
- 8 Members shall guide and assist the person's movements due to the potential for impaired or distorted vision.
- 9 Only clean spit hoods shall be used.
 - a. Deputies will not reapply a used spit hood. If a subsequent application is required for the same suspect, a new spit hood shall be used.
- 10 Spit guards shall be discarded after each use. Members shall place used spit hoods in a plastic biohazard bag and dispose of in a biohazard waste receptacle.
- 11 Members shall document the use of a spit hood in their incident report.

5.01.020**STRIP AND BODY CAVITY SEARCHES:** 05/09

The rules governing whether a strip search may be conducted vary depending on whether the subject is in the field or is being booked into jail or held in a holding facility. Strip and body cavity searches are covered by RCW 10.79.060 through 10.79.170 and case law.

"Strip Search" means having a person remove or arrange some or all of his or her clothing to permit inspection of the genitals, buttocks, anus, or undergarments of the person or breasts of a female person.

1. Field Strip Searches:
 - a. Absence of exigent circumstances, deputies may not conduct strip searches in the field for evidence incident to arrest without a search warrant.
 - b. A search warrant for a residence or an arrest warrant for a suspect is insufficient to conduct a strip search.
 - c. Deputies must obtain a warrant that specifically permits conducting a strip search.
 - d. Supervisors must approve the request for a warrant, ensure one is obtained prior to the search and be present during the search.
2. Exigent circumstances:
 - a. Deputies may conduct a strip search in the field without a warrant when exigent circumstances exist:
 - A strip search is necessary to prevent an immediate threat to deputy safety.
 - A strip search is necessary to prevent immediate physical harm to the suspect.
 - b. Exigent circumstances do not exist when:
 - Deputies may easily observe a handcuffed suspect while deputies wait for a warrant.
 - If the property will not be destroyed or cause harm to the suspect.
3. Search conducted pursuant to a warrant:
 - a. A reasonable effort must be made to use other less intrusive means (e.g., a pat-down or clothing search.)
 - b. The person conducting the search for evidence shall be the same sex as the suspect.
 - c. The search shall be conducted in private.
 - d. No one may be present during or observing the search unless the person is necessary to conduct the search or to ensure the safety of those conducting the search.
 - e. If the suspect requests that some other person be present, and that person is readily available, the person may witness the search. In the event the suspect requests another person be present, both the suspect and other person shall sign a statement indicating such request.
4. Strip Searches at holding facilities or jail.
 - a. A strip search may be conducted without a warrant if the person is in custody at a holding facility or local correctional facility, if:
 - There is a reasonable suspicion to believe that a strip search is necessary to discovery weapons, criminal evidence, contraband, or other thing concealed on the body of the person, that constitutes a threat to the security of a holding facility or jail.
 - There is probable cause to believe that a strip search is necessary to discover other criminal evidence concealed on the body of the person, but not constituting a threat to the holding facility or jail; or
 - There is a reasonable suspicion to believe that a strip search is necessary to discover a health condition requiring immediate attention.

- b. A strip search may be conducted without a warrant if reasonable suspicion is considered present when the suspect is under arrest for a violent offense, including the following:
 - Any Class A felony (including any attempted Class A felony).
 - Criminal solicitation or conspiracy to commit a Class A felony.
 - Manslaughter in the 1st Degree or 2nd degree.
 - Indecent Liberties by Force.
 - Kidnapping 2nd Degree.
 - Arson 2nd Degree.
 - Assault 2nd Degree.
 - Assault of a Child 2nd Degree.
 - Extortion in the 1st Degree.
 - Robbery in the 2nd Degree.
 - Drive-by Shooting.
 - Vehicular Homicide or Vehicular Assault.
 - An offense involving escape, burglary or the use of a deadly weapon.
 - An offense involving possession of a drug or controlled substance.
 - c. The suspect must be in custody at a precinct with a holding cell or jail holding facility. Storefronts or other King County Sheriff's office property that do not contain actual holding cells are not "jails or holding facilities" within the meaning of RCW 10.79.130.
5. A strip search may be conducted of an arrested person arrested for an offense other than the ones listed in paragraph 1(d) of this section, but only when there is a determination of reasonable suspicion or probable cause to conduct the search. In these cases:
 - a. No strip search may be conducted without the approval of the jail unit supervisor or the arresting deputy's supervisor.
 - b. Reasonable, less-intrusive means have been used first.
 - c. A search must be based on consideration of all information known to the deputy authorizing the search including:
 - The nature of the offense.
 - The prior criminal history.
 - And whether the person was physically violent during or after the arrest.
6. Supervisor's role:
 - a. Strip searches to search for evidence require prior approval of a supervisor.
 - b. The supervisor shall:
 - Be present at the location where the strip search for evidence is conducted.
 - Ensure a warrant is obtained or determine exigent circumstances were present to justify the search without a warrant.
 - Ensure there is reasonable suspicion for a search at a holding facility or jail.
 - Ensure the incident report contains the proper information.
7. Body cavity searches:
 - a. Body cavity searches shall be made only when justifiable and meet the requirements in RCW 10.79.
 - b. Body cavity searches require a search warrant.

- c. A deputy who has probable cause to believe that evidence of a crime or a weapon or contraband is concealed in a suspect's body cavity must obtain authorization from a supervisor and obtain a search warrant.
 - d. Body cavity searches shall not be conducted by KCSO deputies.
 - e. The body cavity search will be conducted by medical personnel at the Harborview Medical Center or other medical facility.
 - f. A deputy of the same sex as the person being searched must be present during the search by the hospital personnel, and will be responsible for preparing the necessary documentation required under the reporting section of this policy.
8. The incident report for strip or body cavity searches shall include:
- a. The offense(s) for which the person was arrested.
 - b. The specific facts regarding the search warrant or exigent circumstances.
 - c. The name and serial number of the supervisor authorizing the search
 - d. The name and serial number of the deputy conducting the search
 - e. The name(s) of all other persons present during the search
 - f. The time, date, and place of the search, and
 - g. Any weapons, evidence, contraband, or other thing, or health condition discovered as a result of the search.

5.01.025 SUSPECT RIGHTS, ARREST AND INTERVIEW

(revised Jan 2022)

Purpose

Establishes rules and guidelines for “Miranda” advisement and electronic recordation of interviews pursuant to arrest of a suspect and/or a custodial interview.

Scope

All fully commissioned personnel.

Definitions

Custodial interview: express questioning or other actions or words by a law enforcement officer which are reasonably likely to elicit an incriminating response from an individual and occurs when reasonable individuals in the same circumstance would consider themselves in custody.

Electronic recording: An audio recording, or audio and video recording, that accurately depicts a custodial interview. "Record electronically" and "recorded electronically" have a corresponding meaning.

Imminent threat: An objectively reasonable need to protect persons from an immediate danger consistent with the public safety exception to the Miranda rule first announced in the United States Supreme Court case *New York v. Quarles*, 467 U.S. 656, 81 L. Ed. 2d 550, 104 S. Ct. 2626 (1984).

Place of detention: A fixed location under the control of a law enforcement agency where individuals are questioned about alleged crimes or status offenses. The term includes a jail, police or sheriff's station, holding cell, correctional or detention facility.

Policy

The King County Sheriff's Office is committed to protecting the constitutional rights of the community members we serve. Every person taken into custody and/or subject to a custodial interview shall be afforded every right to which they are entitled by law and KCSO policy.

“Miranda” Rights

Miranda Advisement Required: Prior to conducting any custodial interview, deputies or detectives shall advise the person being interviewed of their constitutional rights from the department issued Miranda Warning Card, KCSO form C-160, and obtain a waiver from the person before asking any questions. Deputies shall include the juvenile warning if the person being interviewed is a juvenile.

If a deputy/detective believes that the information sought is necessary to protect an individual's life from an imminent threat, they are not required to advise the person of their “Miranda” rights prior to questioning. However, the questioning must be limited to matters reasonably expected to obtain information necessary to protect an individual's life from an imminent threat.

Deputies, who place a person under arrest but are not interviewing the person, shall advise the person that they have the right to consult with an attorney and if they are unable to pay for an attorney, one will be appointed to them without charge. This advisement shall be made as soon as practicable after arrest.

Deputies shall have a copy of the department issued Miranda Warning Card, form C-160, immediately available to them while on duty and when testifying in court.

Attorney Access Requirement for Juveniles: Generally, deputies shall provide a juvenile with access to an attorney for consultation in the following circumstances;

1. Before questioning a juvenile during a custodial interrogation; OR
2. After detaining a juvenile based on probable cause of involvement in criminal activity; OR
3. Before requesting that a juvenile consent to an evidentiary search of their person, property, dwelling, or vehicle.

A Juvenile cannot waive their right to consult with the attorney. Any arrest, custodial interview, and/or request for consent to search of a juvenile shall follow GOM 12.07.055

Audio/Video Recordation of Interviews

Recording Custodial Interviews Required: Any custodial interview of a juvenile, or any custodial interview of an adult related to a felony crime, including any advisement of rights and the waiver of any rights, shall be electronically recorded in its entirety.

1. If the custodial interview occurs at a place of detention as defined in this policy, the electronic recording must include both audio and video.
2. A custodial interview at any other location should include audio and video but must, at a minimum, be audio recorded.

The person conducting the custodial interview must inform the person being interviewed that an electronic recording is being made, however, consent to record is not required.

Exceptions: Electronic recordation is not required as described above if one of the following exceptions applies:

1. *Exigent Circumstances:* If recording a custodial interview is not feasible due to exigent circumstances, the deputy/detective conducting the interview must record electronically an explanation of the exigent circumstances prior to the interview, if feasible, or as soon as practicable after the interview is complete.
2. *Refusal to Answer Questions if Recorded:* If the person indicates at any point that they will not participate in the interview if it is electronically recorded, the deputy/detective must, if feasible, electronically record the person's agreement to participate without further recording. Deputies/detectives shall not encourage a person to request no recording to avoid compliance with the recording requirement.
3. *Interviews Conducted in/by Another Jurisdiction:* A custodial interview conducted in another state, in compliance with that state's law, or conducted by a federal law enforcement agency, in compliance with federal law, is exempt from the recordation requirement. This exception shall not be used with the intent to avoid the electronic recording requirements.
4. *Safety and Protection:* Recordation of a custodial interview is not required if an electronic recording would disclose the identity of a confidential informant or jeopardize the safety of an officer. The interviewer must electronically record an explanation for this belief at the time of the interview or as soon as practicable after the interview is completed.
5. *Equipment Malfunctions:* If the electronic recording equipment used during a custodial interview fails, and timely repair of the equipment is not feasible, any affected part of the interview does not need to be electronically recorded. If technical problems only affect either the audio or video of a recording, the recording shall be done by either audio or video alone.
6. *A Belief Recording Not Required.* If the deputy/detective do not have knowledge of circumstance that would lead a reasonable officer to believe a recording is required (e.g. not aware of felonious conduct) then recording is not necessary up to the point the deputy/detective becomes aware of facts that require recording. Any remaining interview must then be recorded, if feasible.

Report Required: Whenever a deputy/detective conducts a custodial interview and the interview is audio and/or video recorded, or the deputy/detective exercises one of the exceptions to recording, they shall complete a report describing the circumstances surrounding the interview including justification for the recording exception if applicable.

Recording Equipment and Methods

Custodial interviews should be done at a place of detention using recording equipment specifically intended for recording custodial interviews if available. If dedicated recording equipment is not available at a place of detention, the recording shall be made using an authorized software application on a department issued cell phone or other department issued digital recording device intended to record both audio and video. If bringing a person to a place of detention to conduct the interview would unnecessarily delay or otherwise hinder the investigation, interrogating at a place of detention is not required.

If an interview must be done somewhere other than a place of detention deputies/detectives should record both audio and video when feasible. Recordings shall be made using an authorized software application on a department issued cell phone or another department issued digital recording device intended to record audio or audio and video. Interviews may also be recorded using a department issued body worn camera system, or a department issued in-car video system if available.

The deputy/detective shall include in their written report an explanation for the decision to interview outside of a place of detention and a summary of the interview process and the person's statements. If practicable, the deputy/detective should also make a statement on the recording documenting the reasons for the decision to interview outside of a place of detention.

Deputies/detectives shall ensure that the lighting, sound quality, camera angle, focus, and field of vision are adequate to render a recording that is an accurate and complete representation of the interview. Deputies/detectives should make a test recording to check the quality of the recording before conducting the interview. Any factors contributing to reduced quality of the recording, and the steps taken to mitigate those factors, shall be documented in the investigation report. If practicable, the deputy/detective shall make a statement on the recording documenting the factors affecting the quality and the steps taken to mitigate those.

Preserving and Storing Recordings

Electronic recordings of custodial interviews shall be handled as electronic evidence and processed in accordance with GOM 8.00.000 & 8.02.000 and Special Order 2021-1. Recordings of custodial interviews shall be retained for a period consistent with the applicable records retention schedule or throughout the length of the resulting criminal sentence for the crime associated with the interview, whichever is longer.

Supervisory Review of Recordings

Supervisors are not required to review recordings of custodial interviews as part of the routine case report review and approval process.

Supervisors should review recordings of custodial interviews in the following circumstances:

- When relevant to a use of force review
- When relevant to an independent complaint of misconduct
- When assisting the County in civil litigation or with prosecuting criminal charges
- For purposes of training and/or coaching
- Documentation for accreditation assessments
- When relevant to a complaint about investigation quality or employee performance

Responsibilities

Chief of Patrol Operations: The Patrol Operations Chief is responsible for ensuring that there is adequate staffing and equipment available to deputies, detectives, and supervisors to fully comply with this policy.

Chief of Criminal Investigations: The Criminal Investigations Chief is responsible for ensuring that there is adequate education and training available to commissioned personnel to facilitate continued compliance with this policy.

First Line Supervisors: All supervisors are responsible for routine monitoring of the work product produced by the deputies and detectives assigned to them. Supervisors shall use coaching, counseling, and/or the department progressive discipline system to correct instances of non-compliance with this policy. Non-compliance with this policy and corrective actions shall be documented in the employee's performance evaluation.

Procedures

N/A

Reference:

RCW [10.122](#)

GOM 12.07.055

Annual Review Responsibility:

Chief of Patrol Operations

5.01.030**ARREST, BREATH TESTS:** 06/92

1. Deputies making a felony arrest shall attempt to administer a breath test for intoxication when the suspect's intoxication:
 - a. Is an element of the crime.
 - b. Can be a defense.
2. In all such cases, the alcohol report shall be included in the case packet.

5.01.035**FINGERPRINTING/PHOTOGRAPHING SUSPECTS:** 03/19

1. Prior to releasing any adults or juveniles arrested and taken into custody for a felony or gross misdemeanor, deputies shall collect fingerprints and photographs (RCW 43.43.735 (1)) at a precinct or storefront. Fingerprints and photos need not be collected when the individual is being booked into a detention facility for the same charge(s).
 - a. Deputies shall fingerprint and photograph individuals as soon as possible following arrest.
 - b. Deputies shall use a Livescan to collect fingerprints and transmit them to King County Regional AFIS for identification and forwarding to WSP and the FBI.
 - Mobile ID transactions are intended for quick identifications, but do not satisfy the fingerprinting requirement under RCW 43.43.735.
 - Palm Prints shall be collected on Livescans with that capability.
 - Deputies shall populate all available charge and demographic data, including case or citation number.
 - Disposition forms will print out after completion of the fingerprint record. These forms shall be mailed to the appropriate court jurisdiction in order to complete criminal history (rap sheet) reporting.
 - c. Photographs shall be taken using a CRIMES workstation, and stored in the appropriate segregated adult or juvenile database.
 - Where no CRIMES workstation exists, a digital camera may be used until the image can be uploaded into CRIMES.
 - The photographs shall consist of one (1) front view and one (1) side view. If the subject wears glasses, take photos with and without the glasses.
 - d. Releasing a suspect arrested for a felony or gross misdemeanor without fingerprinting or photographing shall be approved by a supervisor.
 - The reason for the release shall be noted in the incident report.
2. Deputies are encouraged, but not required, to fingerprint and photograph adults and juveniles arrested and released for misdemeanor crimes.

5.01.040**SUSPECT IDENTIFICATION ONE-ON-ONE:** 09/10

When a possible suspect is detained near a crime and a one-on-one identification is considered, the following guidelines shall apply:

1. Deputies shall have a reasonable suspicion for the initial stop and detention.
2. The one-on-one should occur in a timely manner.
 - One-on-ones occurring less than an hour after a crime are generally considered reasonable.
3. If no probable cause exists, the length of the detention should be brief.
 - The suspect shall remain at the scene while the witness is transported to their location.
4. The one-on-one shall not be unnecessarily suggestive.
 - a. Deputies shall not influence witnesses by hinting that they have caught the suspect or advising the witnesses of additional facts that suggest the person is the suspect.
 - b. Deputies shall not ask witnesses leading questions (i.e., "Isn't this him?").
 - c. Deputies shall not expose witnesses to police conduct that suggests that the right suspect is in custody.
 - The suspect should not be handcuffed when viewed.
 - d. One-on-ones shall be conducted independently and out of view of other witnesses.
5. The one-on-one shall be conducted as follows:
 - a. The witness should have a full length, close up view of the suspect.
 - Visual shortcomings should be documented.
 - b. Deputies shall be certain that the witness has carefully looked at the suspect.
 - c. Deputies shall be polite but firm with witnesses who try to hurry through a one-on-one.
 - d. Deputies shall record a witness' identification regarding similarities or dissimilarities (i.e., physical appearances, clothing, vehicle, etc.) and the level of confidence of the identification.
 - e. Deputies shall seize the clothing if it matches the witness' description.

5.01.045**TRANSPORTING PRISONERS:** 07/10

1. Prior to transporting, deputies shall be responsible for removing weapons, evidence and contraband from prisoners.
2. After transporting, deputies should inspect their vehicles to see if any weapons, evidence, contraband or personal property have been left by the prisoner(s).
 - Recovered weapons, evidence, contraband or personal property will be handled according to department procedures.
3. Prisoners should be transported in vehicles equipped with "silent partners".
 - Supervisors shall decide when more than one deputy is needed to transport a prisoner.

4. When transporting prisoner without a "silent partner" the prisoner should be placed in the rear seat on the passenger side and a second deputy will sit behind the driver.
5. Prisoner should be transported to detention facilities as soon as practical and without delays en route.
6. When transporting a prisoner deputies should not be diverted to any other law enforcement activity unless there is an emergent need.
7. Deputies shall immediately notify the Communications Center of their beginning mileage and ending mileage and intended destination when transporting a prisoner of the opposite sex.
 - Deputies shall advise the Communications Center of any changes or time breaks.
8. Deputies should not transport males and females together.
9. Deputies should not transport adults and juveniles together.
10. Deputies should not transport subjects together that have been involved in a domestic violence incident.
 - If both parties are arrested, they should be transported separately.
11. Communications between a prisoner and attorneys or others should not take place while a prisoner is being transported.
12. If a prisoner escapes custody, the deputy(s) shall notify communications and an attempt to recapture the prisoner.
 - a. Deputy(s) shall notify the on-duty supervisor and request other units to establish a perimeter and conduct a search.
 - b. A detailed report shall be completed documenting the circumstances of the escape
13. When a transporting a prisoner that is considered an unusual security risk, the appropriate facility shall be notified.
14. When transporting from a facility deputies shall:
 - a. Confirm the identity of the person(s) to be transported (i.e., booking photo).
 - b. Receive prisoner documentation from the facility which may include:
 - Warrants.
 - Transport Orders.
 - Medical records.
 - Officer safety or escape risk information.
 - Any other related paperwork.
15. Upon arrival at a facility, deputies shall:
 - a. Secure their firearms.
 - b. Remove restraints when in a secure area or when advised by facility personnel.
 - c. Advise facility personnel of any security issues or medical conditions.
 - d. Deliver documentation to the receiving personnel and if needed receive documentation confirming the transfer of custody.

5.01.050**HOBBLE RESTRAINTS:** 11/22

- 1) A hobble restraint is a strap designed to restrain a person's feet to control the person's assaultive behavior.
- 2) Members shall only use agency-issued hobble restraints.
- 3) Only members who have received department approved training in the use of hobble restraints shall use hobble restraints.
- 4) Once a hobble restraint is applied, members shall not place the person face down.
- 5) Members shall continuously monitor individuals who have been placed in a hobble restraint and take immediate action, if necessary, to protect the person's health and safety.
- 6) Members shall continuously assess the situation and discontinue use of a hobble restraint once the necessity for its use ceases.
- 7) Members shall not "double restrain", or "hog tie" an individual.
 - a. "Double-Restrained" or "Hog Tie" means restraining a person with the wrists secured behind their back, their ankles bound together, and legs folded backwards so the ankles and wrists are secured closely together.

5.01.055**TEMPORARY HOLDING OF PRISONERS:** 02/21

1. Temporary detention rooms are used for short term holding of adults and juveniles in police custody for criminal offenses prior to release or booking.
 - Detainees shall not be detained in any other room unless they are under the constant supervision of a deputy.
 - If person in custody sustains any injury, they shall be regularly monitored while they remain in the custody of KCSO
2. Temporary detention rooms shall be:
 - a. Equipped with a locking door.
 - b. Well lighted and clean.
 - c. Void of items that may be a safety hazard to detainees or deputies.
3. Detainees shall be provided access to water, restrooms, and reasonable needs during temporary detention.
4. Deputies are authorized to use the temporary detention rooms at their discretion. Detainees that have been physically combative towards the police should generally not be transported to any temporary detention rooms/areas. These individuals should be taken directly to a King County Correctional Facility (KCCF or NMRJC).
5. All deputies will practice good weapon security tactics whenever contacting a person being detained or when a detainee is being moved through a facility.
6. Whenever a deputy is securing or contacting a detainee in a temporary detention room, conducting a breathalyzer exam, or fingerprinting a detainee, the deputy's weapon shall be secured in a lock-box before entering.

7. Unless in an emergency, detainees shall not be handcuffed to an object not designed for the purpose of handcuffing.
8. Temporary detention areas, BAC rooms, and sally ports are not equipped with duress alarms.
 - a. Deputies shall have a police radio with them at all times when contacting a detainee at any KCSO facility.
 - b. In case of an emergency, the deputy shall broadcast a request for assistance or depress the "emergency button" on the police radio.
9. Whenever a detainee is being escorted through any portion of a KCSO facility, the detainee should be handcuffed. Deputies may:
 - a. Use discretion in continuing the use of handcuffs while the detainee is in a temporary detention room.
 - b. Use discretion in continuing the use of handcuffs during an interview.
 - c. Remove handcuffs in other areas of the police facility in order to accomplish specific tasks that require the detainees to use their hands.
10. Each deputy is responsible for ensuring detainees are searched prior to being placed in a temporary detention room.
 - Deputies shall remove all property from the detainee, including the detainee's belt and shoes.
11. Each deputy is accountable for the detainee(s) they bring in. Responsibility for the detainee may be transferred to another deputy by mutual agreement of both deputies.
12. All detainees will be monitored while in police custody. A face-to-face visual check of the detainee shall occur at a minimum of every thirty (30) minutes.
13. The King County Sheriff Holding Cell Register is filled out for each detainee that is brought to a temporary detention room. This form documents general information pertaining to the detainee and their processing such as:
 - a. Date and time.
 - b. Charges.
 - c. Actions taken, and
 - d. Final disposition.
14. Place each detainee's property in a paper bag and print the detainee's name on the bag.
 - a. Ensure the property is transported with the detainee.
 - b. If the property is not transported, complete a Safe Keeping Only incident report, complete a Custodial Property Summary, and log the property in the evidence room.
15. Detainees are only to be held for the period of time necessary to perform an interrogation, prepare necessary documentation for booking or release, or provide for transportation to a holding facility when necessary.
 - Detainees shall not be held longer than six (6) hours without supervisory approval.
16. Juvenile detainees shall remain separated by sight and sound from adult detainees at all times.
17. Female detainees should remain separated by sight and sound from male detainee at all times.
18. Only authorized persons have access to the area containing the temporary detention rooms.
 - a. Detainees shall not be allowed visitors while being detained at any temporary detention room or area.

- b. It may become necessary to provide legal counsel access to a detainee while he/she is still in police custody.
 - This shall only occur with approval from the on-duty supervisor.
- 19. Detainees shall be secured and monitored while being processed and placed into a detention room to prevent the detainee escaping.
- 20. Deputies and supervisors may consider using audio and/or visual devices to monitor detainees between the thirty (30) minute face-to-face observations.
- 21. At the beginning of each shift a supervisor shall check all holding cells, interview rooms and the holding cell log to ensure compliance.

5.01.060**INTERVIEW ROOMS:** 06/10

- 1. Before placing a suspect in an interview room, deputies or detectives shall verify that the suspect has been thoroughly searched for weapons and/or contraband.
- 2. Any deputy or detective that places a suspect into any interview room is responsible for monitoring that suspect while inside the room.
 - a. A suspect will not be left alone in an interview room that is not designed to prevent escape.
 - b. See GOM 12.07.000 (Juvenile Contacts) for using interview rooms with juveniles.
- 3. If the interview room is not in a secure holding area, the decision to wear a weapon during an interview is that of the individual deputy or detective.
- 4. If a deputy or detective chooses not to wear a weapon during an interview they must lock their weapon in a secure place.
- 5. Officer safety shall be considered the priority when making the decision whether or not to handcuff a suspect while they are being actively interviewed.
 - This decision is left to the individual deputy or detective.
- 6. The number of deputies or detectives in the interview room during an interview is discretionary and should be determined by weighing the officer safety risks.
- 7. Each deputy or detective shall have immediate access to their individual portable radio inside an interview room should no other method exist for summoning assistance.
- 8. Some interview rooms within the department are equipped with a video monitoring system.
 - a. Deputies and detectives have the option to utilize these cameras.
 - b. Recording of interviews shall meet the state legal requirements and department policy.
- 9. All interview rooms should be maintained in a clean and orderly condition.
 - Any necessary item for the interview may be brought into the room for that interview, but then removed when the interview is complete.
- 10. Subjects will reasonably be allowed access to restroom facilities. Deputies or detectives will escort subjects to and from restroom facilities safely and securely.
- 11. During an interview, deputies or detectives will make attempts to address any reasonable requests by the subject such as water or health issues.
- 12. The deputy or detective having custody of a subject is responsible for safely evacuating that subject from any department facility in the event of an emergency.

5.01.065**GUARDING SUSPECTS:** 06/92

Deputies, who are assigned to guard suspects, shall:

1. Always remain with the suspect.
2. Secure and retain evidence found on the suspect's person.
3. Accompany the suspect during transportation to the hospital.
4. If hospitalized, immediately advise the appropriate supervisor of the suspect's condition.
5. Obtain clothing from injured suspect at the hospital.
 - List the names of hospital attendants taking clothing or any other evidence from the suspect, and properly mark the clothing or other evidence and appropriately secure it.
6. If the suspect is dead, do not remove the clothing or other personal effects from the body.
 - The assigned detectives should secure these items from the hospital or from the Medical Examiner.
7. Instruct hospital attendants not to release any property of the dead person to anyone other than the Medical Examiner or Sheriff's Office personnel.

5.01.070**PRISONERS. COURT TRANSPORTATION:** 05/09

1. Deputies transporting prisoners from the jail to a court shall confirm their identity.
2. Deputies transporting prisoners from the jail to a court shall not allow the prisoner to make any contact with anyone other than the defense or prosecuting attorneys.
3. The prisoner shall be:
 - a. Seated at a location separate from spectators and shall be kept under constant observation.
 - b. Thoroughly searched when returned to jail.

5.01.075**EMERGENCY HOSPITALIZATION FOR INJURED PRISONERS:** 07/16

Emergency hospitalization of injured prisoners shall be handled as follows:

1. Deputies shall comply with the transportation and hospitalization recommendations of medical aid units and advise the supervisor of the prisoner's medical status.
 - Seriously injured prisoners shall be transported by aid car, ambulance, or medical helicopter.
2. In non-life-threatening situations, when possible, prisoners should be taken to Harborview Medical Center (HMC).
 - If the medical aid personnel state it's unnecessary to transport the prisoner by aid car, ambulance, or medical helicopter, deputies may transport the prisoner themselves with supervisor approval.
3. Deputies shall either follow or ride with the aid personnel to the destination.
 - Deputies should only ride with aid personnel when necessary (i.e., Dying Declarations, etc.).
4. Deputies shall arrange to meet the medical helicopter at HMC.

- If necessary, request SPD to meet the helicopter and stand guard until one of our deputies arrive.
5. Prisoners held on felony warrants or filed felony charges, if admitted to HMC, shall be booked "in absentia."
 - Deputies shall notify the jail and arrange to be relieved of guard duty by jail personnel as soon as possible.
 6. Prisoners held on misdemeanors, misdemeanor warrants, or un-filed felony charges, if admitted to HMC, shall be guarded by deputies from the arresting Precinct until the prisoner is booked into jail, a citation is issued or felony charges are filed.
 - a. When a prisoner is booked on a misdemeanor or un-filed felony charges and then later must be admitted to a hospital, it will be the responsibility of Precinct where the crime occurred to provide the guard until the prisoner is re-booked into jail, felony charges are filed, or a citation is issued and the prisoner is released.
 - b. Supervisors shall have the discretion whether to guard and book, cite, or take other appropriate action (i.e. release at a medical facility) against the prisoner involving misdemeanors, misdemeanor warrants, or un-filed felony charges, except for cases which require mandatory booking such as Domestic Violence.
 - c. If a decision is made to release a prisoner from custody at a medical facility, the deputy shall contact medical personnel and advise her/him of the reason for bringing the prisoner to their facility and provide any background information on the prisoner.
 - The deputy should advise medical personnel that the prisoner is being released and will not be guarded.
 7. Deputies taking prisoners to HMC shall take them to the Emergency Room and have them examined by a doctor unless a court order directs otherwise.
 - If the prisoner refuses treatment or is medically discharged from the hospital, the deputy shall obtain a written release from the doctor indicating the refusal or the discharge approval and book the suspect into jail.

5.01.080**GUARDING PRISONERS AT MEDICAL FACILITIES:** 09/03

Deputies are occasionally called upon to guard prisoners in hospital or medical settings. The mission of deputies so assigned is to ensure the security of the prisoner, prevent his/her escape and to ensure the safety of medical staff and other civilians. For the purposes of this policy, all prisoners who are under guard by KCSO deputies will be considered as being at risk for escape or endangering others.

1. Physical restraints will be applied at all times unless the hospital medical staff determines restraints will interfere with treatment.
2. Locking hospital restraints may be used in lieu of handcuffs but must be applied by the deputy.
 - Hospital staff will provide instructions in their use.
3. If hospital restraints are used, no less than two point restraints will be used, i.e., one arm and opposite leg.
 - a. Additional restraints may be applied for security reasons if the prisoner is deemed to be at added risk of escape.

- b. Hospital medical staff may supervise the application of the restraints.
- 4. Before any restraints are to be removed, contact the shift supervisor for further instructions.
- 5. The shift supervisor will discuss the situation with the doctor/nursing staff to further determine the circumstances and if restraints can be safely removed.
- 6. The shift supervisor and the medical staff will make the final determination and so advise the deputy.
- 7. The guarding deputies shall:
 - a. Notify hospital medical staff that the prisoner is a risk for safety or escape and restraints must be applied.
 - b. Conduct a further search of the prisoner and remove any contraband found.
 - c. Conduct a security search of the room, bed, closets etc. and ensure that no contraband or weapons are available.
 - d. Notify hospital security of your location and the status of your prisoner.
 - e. Assume a post inside the door of the room, always keeping the prisoner under observation.
 - f. Physically check the prisoner's restraints on a frequent but irregular basis.
 - g. Brief relief deputies on the current status of the prisoner.
 - h. Not allow phone calls with the exception of calls made to the prisoner's attorney.
 - If a call to an attorney is to be made, the deputy will verify the number via the phone book and then place the call him/herself, allowing the prisoner to speak only after satisfying him/herself that it is the attorney on the phone.
 - i. Not allow personal visits.
 - Exceptions may be made only by the shift supervisor under such conditions as the prisoner is close to death or other conditions exist.
 - j. Not allow gifts, flowers or other items to be given to the prisoner.
 - k. Examine all meal trays to ensure that potential weapons are not present, including forks or knives.
 - l. Ensure the security of items that could be used as weapons, i.e., scissors, scalpels, etc. and account for each, when medical procedures are being done by medical staff.
 - m. Accompany the prisoner at all times, when the prisoner has to be moved to another area for x-rays or other treatment, maintaining the prisoners in restraints if medically possible.
 - If it is medically impossible for the deputy to remain in the room with the prisoner the deputy must determine exits from the room and arrange to keep the prisoner under visual surveillance at all times if possible.
 - If there is a conflict with medical staff regarding restraints or other security issues the deputy should refer the matter to the shift supervisor for resolution.
 - n. Secure the discharge papers and transport the prisoner to the King County Jail for booking, when the prisoner is released from medical treatment.
- 8. The oncoming deputy will physically view the prisoner to familiarize him/herself with the prisoner and will physically check the application of the restraints.
 - If hospital restraints are used, the key to the restraints will be transferred at this time.

5.01.085**WARRANT SERVICE:** 12/16

1. Deputies will follow all statutory and case law guidelines when executing warrants.
2. Commissioned deputies on this department shall take into custody any and all persons named in any arrest warrant from King County District Court, Superior Court, Municipal Court of a Contract City and other jurisdictions that will extradite from the King County Jail.
 - a. All subjects with out of state fugitive warrants that are extraditable will be taken into custody provided the wanting agency confirms the warrant and is willing to extradite.
 - b. Certain persons are immune from certain aspects of criminal process. Whenever a situation arises in which immunity is claimed, and the deputy is in doubt, refer to GOM 5.06.000 for diplomatic immunity.
3. Deputies, when executing warrants, shall use only that amount of physical force necessary to achieve the arrest or seizure. If necessary, deputies may frisk, handcuff and place the individual in the rear of a police vehicle until information regarding the warrant is confirmed.
4. When executing arrest warrants, deputies shall:
 - a. Verify all warrants with Data Control before transporting the subject.
 - Deputies must have reasonable, articulable grounds to believe that the contacted subject is in-fact the person named in the warrant.
 - b. Comply with warrant instructions listed in WACIC.
 - c. Notify Data prior to arrival at the jail, so Data can fax the warrant to the Jail.
 - d. Advise the Jail when the prisoner has warrants from multiple jurisdictions.
 - Write "Subject has other outstanding warrants on file in WACIC" on the booking sheet.
 - Data shall notify each agency that has an outstanding warrant on the prisoner.
5. Except for certain contract cities, when other law enforcement agencies within King County advise that they have a King County warrant subject in custody and request a field contact for exchange, the Data Control Operator shall decline the request.
 - Data Control has a list of the contract cities exempt from this policy.
6. Requests to pick up subjects with King County warrants, or those for which we are responsible, may be honored in the case of persons being released from city jails (inside King County) after having completed a sentence there. These requests will be routed to the Warrants Unit supervisor to arrange for pickup during normal business hours.
7. Deputies making other agency warrant arrests should follow the warrant instructions listed in WACIC.
 - a. Data will confirm the warrant from the other agency and advise where to book the subject.
 - b. If not arrested, the suspect shall be advised to contact the appropriate court.
8. The Criminal Warrants Unit normally pick up all prisoners being detained in a jail outside King County who meet the out of county requirements.
 - Patrol should not normally be dispatched to meet with agencies from outside King County for the purpose of warrant exchanges.
9. Subjects with extraditable warrants shall not be released in the field by deputies without prior consent by a supervisor.

10. Subjects with extraditable felony, DUI or any DV related warrant shall not be released in the field without the prior consent of a captain or above.
11. Anytime a warrant is not served and the subject is released in the field, an incident report will be written detailing the circumstances of the arrest, and noting the reason for not booking the subject, including the name of the supervisor authorizing the release.
 - a. The incident report should be titled "Criminal Warrant", felony or misdemeanor, with the appropriate 503 or 504 disposition code.
 - b. If naming the warrant subject in the incident report would jeopardize the safety of the individual, then he/she will be taken to a precinct and a Confidential Informant file will be started, with the assistance of the S.E.T. units. The C.I. number will be used in place of the subject's name.
12. If prisoners are taken to Harborview Medical Center for treatment GOM section 5.01.065 will be followed. Provisions of this manual section will still apply.
13. The subject will be advised to appear in court as soon as possible to quash the warrant if released in the field.
14. Except for Warrant Unit detectives, field deputies transporting a prisoner(s) arrested for a warrant by another agency, an incident report will be completed. The report will include:
 - a. The name of the arresting officer and agency.
 - b. The date, time and place of arrest.
 - c. The name of the prisoner(s).
 - d. The reason for the transport (Warrant, Court Oder, Writ, etc.)
 - e. The name and serial number of the transporting deputy (if other than the arresting/reporting deputy).
 - f. The incident report will be cleared with a 559-E.

5.01.090

EXTRADITIONS: 02/21

The Criminal Warrant Unit shall be responsible for extraditions. All extraditions shall be scheduled by the fugitive detective. All extraditions requiring commercial air travel shall follow the Transportation Security Administration (TSA) regulations.

1. Firearms shall be carried during all extraditions.
 - See GOM 7.05.050 (Carrying Firearms on Airlines.)
2. Only commissioned deputies who have completed a TSA "Law Enforcement Officer Flying Armed Course" are allowed to extradite prisoners on commercial airlines.
3. All aircraft extraditions require a minimum of two (2) deputies.
4. Extraditions that are anticipated to be completed within fourteen (14) hours or less shall be completed in one (1) day.
5. Extraditions over fourteen (14) hours will be completed in two (2) days.
6. Extraditions to the Eastern Time zone require three (3) days for completion.
7. Whenever possible, the most direct contract flights available shall be used when extraditing prisoners.
8. At least one deputy should be of the same sex as the prisoner.
9. Deputies assigned to an extradition shall:
 - a. Present a professional appearance and favorably represent the department.
 - Shorts, T-Shirts and other casual wear are not acceptable.

- The fugitive coordinator will advise deputy(s) handling extradition of other special attire or equipment needs.
- b. Present a department identification, driver's license and badge to the airline agent at least one (1) hour prior to departure time.
 - Department identification shall be credentials that include a clear full-face picture, the signature of the armed law enforcement officer, and the signature of the authorizing official of the agency.
 - A badge, shield or similar device may not be used or accepted, as the sole means of identification, but is required to aid in public identification if necessary.
- c. Ensure the prisoner is seated between themselves and the window unless otherwise directed by the flight crew.
- d. Ensure the prisoner is under control at all times while aboard the aircraft.
 - The prisoner will be restrained from full use of his or her hands by an appropriate device that provides for minimum movement of the prisoner's hands.
 - "Leg Irons" will not be used aboard the aircraft.
- 10. In the event of any flight cancellations, missed flights and/or problems with prisoner custody, deputies will contact the fugitive detective or Criminal Warrants Unit Supervisor to make needed arrangements.
- 11. Any request to extend the timing of an extradition for personal business shall be at the discretion of the department, and must not result in any additional cost to the department.
- 12. Hours of work and pay for extraditions are covered in the KCPOG collective bargaining agreement.
- 13. Expenses for extraditions shall be reimbursed according to GOM 4.02.000 (Travel and Expense Guidelines.)