

**WASHINGTON ASSOCIATION OF
SHERIFFS AND POLICE CHIEFS**



LEMAP

Loaned Executive Management Assistance Program

Review of the

Bremerton Police Department

INTRODUCTION

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

The goal of this LEMAP review is to provide the Bremerton Police Department with a critical look at the organization through the eyes of peer professionals. The resulting report should serve as a guide to identify areas in need of strengthening and highlight positive and innovative programs and practices. It is hopeful the Bremerton Police Department (BPD) may use the information provided from this review to motivate the organization, improve internal and external services, and gain additional community support.

The LEMAP team consisted of the following members:

Kelly Donnelly has subject matter expertise in both Police Records and Property Room management. She has primarily served as the Evidence Technician for the Mercer Island Police Department since 1999. Kelly has also served as a Records Specialist for Mercer Island and is currently a contract Legal Assistant, specializing in Public Records requests, for the Mill Creek City Attorney. In these roles she has served as Committee Chair for Property and Evidence with L.E.I.R.A, is a founding member of the 200+ member statewide association EPIN (Evidence and Property Information Network), and in 2004 initiated proposed legislation to expand the laws pertaining to law enforcement donation of unclaimed property.

Mark Mears has been a police officer since 1983 and currently serves as the Assistant Chief with the Fife Department where he oversees Department operations. Assistant Chief Mears has worked in all aspects of law enforcement operations and administration and is an active assessor for the Washington Association of Sheriffs and Police Chiefs LEMAP and Accreditation programs. Assistant Chief Mears received his MPA and MBA from City University, is a graduate of both the FBI National Academy and Northwestern University School of Police Staff and Command and has obtained Executive level certification through the Washington State Criminal Justice Training Commission.

Ron Cameron serves as the Chief Criminal Deputy for the Clallam County Sheriff's Office. He started his police career in 1979 and joined the Clallam County Sheriff's Office in 1985. In 2006, Ron was named Chief Criminal Deputy and assumed command of all operation related functions of the Sheriff's Office including Patrol, Search and Rescue, Marine Patrol, Investigations, Property Room and command of the Olympic Peninsula Narcotic Enforcement Team. Ron is a Command College graduate as well as a graduate of Washington State Criminal Justice Commission's (WSCJTC) Leading Police Organizations seminar.

Bill Hamilton is currently the Operations Captain for the Kirkland Police Department, reporting directly to the Chief of Police and in the Chief's absence, often serves as acting Chief. Bill has over 27 years of police experience, beginning in 1986 for the Borough of Keansburg Police Department (New Jersey), and then continuing his career with the Kirkland Police Department in 1990 (Washington). Bill has served as a Detective, Sergeant, and Lieutenant. Bill attended Columbia University and he's a graduate of the Northwestern University-School of Police Staff and Command and the LEEDS program (Law Enforcement Executive Development Seminar) at Quantico Virginia.

Michael Painter is the Director of Professional Services for the Washington Association of Sheriffs and Police Chiefs. He served 32 years with the Kent Police Department where he retired as Deputy Chief. Mike has been certified in both state and federal courts as a forensic expert in Patrol Operations and has extensive experience in Investigations, Finance and Budget, Training and he served as the Commander of the Basic Law Enforcement Academy from 1996-1998. He holds a MPA from the University of Washington and is a graduate of the FBI National Academy, FBI Law Enforcement Executive Development Seminar and Washington Command College.

GENERAL OBSERVATIONS

As with many police and sheriff agencies requesting a LEMAP assessment, the Bremerton Police Department (BPD) is experiencing leadership transition which creates a seamless opportunity for an objective review of Department operations. The LEMAP team arrived on April 23, 2013 and was provided pertinent agency documents and reference manuals, were briefed by Chief Strachan and provided a tour of the Department by Department Commanders.

Chief Steve Strachan was appointed in February of 2013. Chief Strachan followed Chief Craig Rogers who had served since 2003. The agency has experienced a modest level of turmoil in recent years including a no confidence vote by the police officers bargaining unit and concerns related to the handling of evidence and several high profile homicide cases that remain unsolved. Chief Strachan indicates that after talking to employees and observing agency operations he believes the "bones" (current personnel, facility and operational systems) are strong and the agency is ready to hit a metaphorical "reset" button and move forward.

The LEMAP team harbored initial concerns about the condition of the agency when arriving on site as the team was provided copies of outdated policy and procedure manuals that did not appear to be relevant to contemporary policing. However, during interviews of staff the LEMAP team was impressed with the professionalism of all employees we came in contact with and although agency policies may be outdated agency practices are generally in line with industry best practices.

The City of Bremerton is served by a strong mayor form of government, where the mayor serves as the city CEO or manager. The City Council is made up of nine representatives; however, a recent city charter amendment will ultimately reduce the council to seven

members. Bremerton's population is approximately 39,500 and has potential for significant future growth through annexation. The police department is actively engaged with the community and enjoys strong community and elected official support.

BPD currently is staffed by 66 employees made up of 55 sworn and eleven civilians. The department functions under a traditional rank structure consisting of the Chief, (2) Captains, (2) Lieutenants, (7) Sergeants and (42) police officers. A high staffing level for the department was once 66 sworn—numerous references were made by employees, and occasional remarks by commanders, who reminisced of how the agency operated when at that level. The new reality for BPD, and many other police departments, is that they will have to do creative work with fewer resources and still provide a high level of service to the citizens of Bremerton.

Civilian staff include (4) Records Specialists, (2) Property and Evidence staff, a section of (3) limited commission civilians that handle custody and warrants, (3) Office Assistants and (1) Community Resource Specialist. The custody and warrants employees are police employees that routinely interface with the court and at times execute arrest warrants as police employees. The role and responsibilities of these civilians, primarily when executing arrest warrants, was of concern to the LEMAP team and will be further addressed in chapter 4.

The police department is housed in a modern police headquarters building that was converted from a former bank in 2007. The building is clean, nicely furnished, spacious, and appears to have adequate room to accommodate future departmental growth. The Special Operations Group (SOG) is housed at a remote site away from headquarters. It appears the housing of SOG is a carryover from times when BPD was located in an older, much smaller building, and now that the rest of the police department is located at headquarters. The LEMAP team feels strongly that it would be appropriate that SOG be housed at the headquarters building with the rest of the police department, but ultimately that is a decision for agency senior command to consider given the history and culture of the department.

BPD operates under a policy and procedure manual system. The majority of the current policy manual was developed and installed in 1994 with updates (bulletins) published in 2009, 2011 and 2012. BPD also operates under a small unit reference manual that covers the operations of 29 different units or functions within the agency. The reference manual serves the same purpose as a procedure manual in other agencies and appears to also suffer from infrequent updating, unless the documents have a sunset date—such as a labor agreement.

Although the agency purchased the LEXIPOL policy product in 2009, transition to that policy system has been intermittent and only within the last six months has it gained traction toward implementation. As of this writing, none of the LEXIPOL manual has been adopted by BPD but work is underway with the labor union regarding policy standards that have collective bargaining implications. Many references in this report will be made to the current (older) policy version; however, the LEMAP team understands

and hopes that all operational and procedural shortcomings will be reconciled with LEXIPOL. Clearly, BPD has a lot of work ahead of them to train all employees and transition the agency to a large number of policy changes. Although BPD was last accredited in 1996, once the policy changeover becomes institutional they will be once again be ready to pursue accreditation.

SECTION 1—ADMINISTRATIVE STANDARDS

Chapter 1—Goals and Objectives

WASPC Accreditation Standards:

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

Findings:

Many police employees are goal oriented and need a clear picture of where the agency is headed. This chapter requires that the agency has taken the necessary steps to develop a roadmap that provides employees and the public with an idea that the agency has an eye on the future (vision) and hopefully has a deliberate and specific plan on how they will get there.

The Mission Statement of the Bremerton Police Department is reflected in a multi paragraph dissertation commencing with the statement

“The mission of the Bremerton Police Department is to coordinate and lead efforts within the community to preserve the public peace, protect the rights of persons and safeguard property, prevent crime and provide quality public safety services.”

Organizational Core Values are reflected as the following:

- Professionalism
- Respect
- Integrity
- Dedication
- Excellence

Each of these Core Values is followed by a paragraph description of its representation within the department.

The Vision for the department is reflected as follows:

- Excellence, in every task we undertake
- Leadership, in our profession
- Partnership our commitment

This Mission, Vision and Core Values are evident throughout the department and are physically visible to members of the organization. When speaking to the staff members they all acknowledge the department has a Mission, Vision and Values Statement but in many case were unable to reflect the essential contents or elements of each. This is evidence that the agency has become mired in the present and has experienced atrophy as they look to the future.

Staff describe former leadership in the department as being very much top down with the former Chief making most critical operational decisions, including development of the Mission, Vision and Values while seeking limited input from the department members. Under this style of leadership collaborative decision-making did not appear to be the norm.

It appears prior to Chief Strachan there has been little review of goals and objectives on an annual basis formally or in formally. The Lieutenant of Support Services was able to provide a copy of an annual report that that mentions goals and objectives.

The image of the Bremerton Police Department badge or symbolism is visible throughout the department and on documents helping to imply the history and esprit de corps of the agency. As the public enters the headquarters building they are greeted by a large replica of a BPD badge which is a powerful artifact. The agency website has been recently updated to reflect key administrative changes and general department information releases made in 2013. The Mission, Vision and Core Values are presented on the website.

Staff indicated the agency has developed prior mission and value statements but the scope of involvement was minimal and often dissemination was only to those “needing to know” or who expressed interest. Chief Strachan indicated since his arrival he has commenced a process to create a Strategic Plan utilizing a collaborative effort involving a cross section of BPD employees and community members.

BPD is an agency in transition and staff is eager to experience a new style of leadership. Clearly, Chief Strachan has an opportunity to set a new vision, redefine or modify the agency mission and have a positive impact on the organizational culture with an inclusive approach to crafting the future of BPD. This process will likely include the installation and staff training of LEXIPOL, completion of this LEMAP study and ultimately WASPC accreditation.

Recommendations:

- 1.1 Initiate a collaborative and inclusive process in crafting the Mission Vision and Value statements.
- 1.2 Initiate a deliberate and inclusive strategic planning process. This process should include input from members of the department, city staff, mayor, city council and the various stakeholders within the community. The plan should include specific assignments to staff along with a timeline for completion.

Chapter 2—Role and Authority

WASPC Accreditation Standards:

- 2.1 *The agency requires all law enforcement personnel to take and abide by an Oath of Office to support, obey and defend the Constitution of the United States and the Washington Constitution and the laws of Washington and the governmental subdivisions.*
- 2.2 *Statutory authorization for the agency to perform law enforcement services is identified by the laws of the state of Washington and/or local ordinance.*
- 2.3 *The agency has policies specifying legal requirements and procedures for any physical arrest completed with or without an authorized warrant.*
- 2.4 *The agency has policies assuring compliance with all applicable constitutional requirements for in-custody situations including:*
 - *Interviews and interrogations*
 - *Access to Counsel; and*
 - *Search and seizure*
- 2.5 *The agency has policies governing search and seizure to include the following situations:*
 - *Search by consent*
 - *Stop and frisk*
 - *Search of a vehicle*
 - *Crime scene searches*
 - *Exigent searches*
 - *Inventory searches of seized vehicles or other property; and*
 - *Additional situations that may be authorized by the United States Constitution, Washington State Constitution, Washington Statues, or case law*
- 2.6 *The agency has policies for conducting strip and/or body cavity searches that include:*

- *Authority for conducting such searches with and without a search warrant;*
- *Privacy provisions with search by same gender; and*
- *Any required reporting procedures when such searches are conducted.*

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

Findings:

This chapter requires agencies to have policies and procedures in place to formally authorize police officers to establish boundaries and perform law enforcement duties. Prior to assuming fully sworn status, all personnel at the Bremerton Police Department take an oath of office affirming to uphold all laws. Although outdated, enforcement authority is found in various places throughout the current BPD policy manual.

While BPD has policy and procedures in place which touch upon the mandates noted in this chapter, the policy direction falls short of adequately addressing all standards with specificity, detail or in consideration of recent state and federal court rulings. The BPD policy manual is considered antiquated and often vague by the employees. This is highly problematic due to the high liability, high frequency nature of the arrests, vehicle searches, strip and body cavity searches, custody situations, and arrests of foreign nationals.

Employee interviews, to include Command, Sergeants and line officers indicate that although the policies are outdated, BPD practices appear to be in line with contemporary policing practices.

Recommendations:

All Either prioritize the training and implementation of LEXIPOL or immediately initiate a comprehensive review of current policies and procedures that relate to search, seizure and individual rights to ensure they are aligned with state and federal law.

Chapter 3—Use of Force

WASPC Accreditation Standards:

- 3.1 *The agency has a policy directing personnel to only utilize that force necessary to effect lawful objectives.*
- 3.2 *The agency has a policy stating Washington State Peace Officers shall only utilize deadly force when necessary and justified to effect lawful objectives.*

- 3.3 *The agency has a policy governing the use of warning shots.*
- 3.4 *The agency has a policy governing the use of less-than-lethal weapons.*
- 3.5 *The agency has a policy requiring appropriate medical aid after the use of force, when an injury is known, suspected, or is alleged.*
- 3.6 *The agency has a policy requiring personnel to submit a use of force report to the agency Chief Executive Officer or designee when they:*
- *Discharge a firearm (other than routine training or recreational purposes);*
 - *Take any action that results in injury to another person.*
- 3.7 *The agency has procedures for establishing a formal process in response to any incident where an officer discharges a firearm with the intent to use deadly force, or has a firearm discharge that causes injury or death. Policy and procedure should include at least the following:*
- *Investigative responsibility and process;*
 - *Supervisory and management responsibilities;*
 - *Relief from duty of involved officer(s) pending formal review;*
 - *Notifications;*
 - *Media relations.*
- 3.8 *The agency has a policy that requires only authorized weapons and ammunition shall be carried and/or used on-duty.*

Findings:

One of the most controversial and publicly sensitive areas of police operations are use of force applications. Given the rapid advancement of real time social and video media, the public is often only receiving sound bites of police action that inspire public attention and outcry. The purpose of this chapter is to ensure that Washington law enforcement agencies have defensible policy and procedures in place that guide and support officer actions under difficult circumstances and when applying force as part of their job.

BPD currently has policy in place that aligns with state law by directing personnel to only utilize the force necessary to effect lawful objectives and authorizes use of force options. Additional policy direction indicates a warning should be given prior to use of deadly force, “if feasible” and the policy “generally” prohibits the use of warning shots. Section 1.7 of the current BPD manual references non-lethal weapons and through interview of staff the LEMAP team learned that Tasers, Bean-Bag shotgun rounds, batons and oleoresin capsicum (OC) are available for officer use. BPD use of force policy

specifically directs that supervisors or command staff members review use of force when a firearm is used or an injury occurs.

Taser recertification is conducted annually. Agency policy appropriately directs personnel to summon medical aid as soon as practical in circumstances such as use of force, unarmed use of force, neck holds, and deployment of non-lethal weapons.

Use of force is documented in both police report narratives and a separate Use of Force reporting forms. Use of force reports are reviewed by Sergeants and Division Lieutenants. The Lieutenant of Operations tracks and maintains these reports of applications of force.

BPD has specific agency protocols for when an officer discharges a firearm in use of force/deadly force situations. Agency policy outlines use of force guidelines, notification of supervisors, officer relief of duty, requirement of review board and initiation of criminal or internal investigation as warranted. The reporting of use of force, including the prior officer involved shootings (in years 2011 and 2012) appear to be following current policies and reporting practices including the use of shooting review boards.

The policy addressing authorized weapons is general and states that all on duty weapons are to be approved by the Department Range Master. Officers are expected to purchase their own firearms, of a specified caliber, and the Department provides ammunition.

The Department recently completed the implementation of a rifle program for all officers. Each officer has been assigned a standard AR-15 Rifle system with Holographic sighting system. The rifles are checked in out of the armory on a daily basis.

One aspect related to the rifle program is a concern with security of the BPD armory. Rifles are stored in a room, with key pad access, where officers have access to their individually assigned rifle. Inside of this room is a second room which contains the BPD inventory of weapons and ammunition. Although unclear, it appears that several people have access to this (second) storage room that acts as the agency armory. Given the sensitive nature of items in the armory, access to the second room should be restricted to no more than 1-2 employees who are responsible for the inventory of the room's content. Measures should be employed so that any item entering or leaving that room is accounted for.

Use of Force training is routinely covered in areas such as firearms and defensive tactics training. There does not appear to be any references related to Media Relations and Use of Force in BPD policy.

There does not appear to be any formalized yearly analysis or reporting regarding Use of Force. A Use of Force management report with review and analysis should be completed yearly.

As previously mentioned, the current Bremerton Police Department policy manual is outdated and addresses Use of Force in a broad manner, without much specific delineation of responsibilities. Interviews provided insight as to how the policies are followed and provided information LEMAP assessors with enough information to insure the practices are consistent with contemporary policing practices. Transition to LEXIPOL will clearly underpin the shortcomings outlined in this chapter.

Recommendations:

- 3.7 Identify media relations personnel, provide them contemporary training and assist them in building relationships with local media sources. Ensure the agency speaks with one voice following any use of force application that inspires media attention.
- 3.8 Install control measures for the BPD armory that restrict access and account for every item entering or leaving the room. The armory should be subject to unannounced command level audits that inspect paperwork and confirm inventory.

Chapter 4—Management, Staffing, Organization and Utilization of Personnel

WASPC Accreditation Standards:

- 4.1 *The agency has a protocol and procedures for situations including the following:*
 - *Absence of the Chief Executive Officer*
 - *Exceptional situations involving different specialty units deployed in a common joint operation*
 - *Routine, day-to-day operations*
- 4.2 *The agency has a policy that requires personnel to obey any lawful order of a superior officer and also addresses conflicting or unlawful orders.*
- 4.3 *The agency has a policy that requires an annual management review and analysis, with final review approved by the chief executive officer, of the following incidents:*
 - *Vehicle pursuits*
 - *Use of force events*
 - *Internal investigations*
- 4.4 *The agency has a system of written directives that includes procedures for developing, approving and disseminating directives to all personnel. The system will include:*
 - *Methods for tracking changes and archiving prior versions of policies;*
 - *A process that confirms receipt of directives by affected personnel.*

Findings:

Like many other agencies, BPD has experienced budget contraction over the past several years as part of the recession. As part of this contraction agency sworn staffing has been reduced from 66 to its current level of 61. As a result of these staffing reductions the lieutenant positions have been reduced from four to two and consequently the remaining lieutenants' workload has been amplified. Additionally, during recovery from the staffing reductions some of the lieutenants' organizational responsibilities have been shifted and at times Captains are now supervising sergeants and related units. The fallout from the Captains adopting these bodies of work, which would normally be assigned to lieutenants, is that high level work such as revision of the agency evaluation process and installation of LEXIPOL has been suspended.

The Bremerton Police Department Policy manual has protocols and procedures for officer in charge as outlined in Chapter 6 Command. It describes the command protocol for supervision of major events. The department also maintains an organizational chart by function and division. Bremerton Police Department Policy 6.4 requires personnel to obey lawful orders of superior officers.

The department does have a separate pursuit report that is completed after each pursuit; however, there is no system in place for an annual review, this is true also for use of force events and internal investigations. In each of these cases the data is tracked by agency Lieutenants.

The department's written directives are outdated (last revision 2009), unorganized, incomplete and in certain cases are not easily accessible electronically to all department members. As policies are written, they are given a number based on the month and year of the adoption of the policy. There are additional policy and procedures related to special units or circumstances that supplement the general policy manual, but many of the small unit procedures are also outdated. These small unit manuals contain numerous memorandums regarding new policy or a change in policy but the information is never reduced to new policy.

In speaking with staff they report policy and directive releases are problematic. As new policy or memorandums are completed and updated they are sent out through the various divisions, generally by hand, and then placed into various books around the department. The updates do not occur in a timely manner and at times they end up stacked and eventually updated all at once.

Organizational Structure

The Bremerton Police Department has a traditional organizational model that is relatively flat in nature, typical of many agencies this size. Chief Strachan supervises two Division Captains and each Captain is assigned one Lieutenant. Chief Strachan shares a full time Senior Office Assistant with the Captain of Support Services.

The Support Services Captain has direct supervision of the Special Operations Group (1-Sergeant and 4- Detectives) and Support Services Lieutenant. The Lieutenant of Support Services oversees 1-Sergeant of General Investigations and 6-General Investigators with 1- Office Assistant. He also oversees 2- Property and Evidence Personnel, 1- Home Detention Specialist, 2-Warrant Officers, 1-Community Resource Specialist and 4-Record Specialist.

The Operations Captain supervises the Operations Lieutenant and is supported by a Senior Office Assistant who also has responsibility for payroll and reconciliation of agency training records. The Operations Lieutenant supervises 6-Sergeants, 27-Patrol Officers, 2-K9 Officers, 3-Traffic Officers and 1- Reserve. He utilizes the Senior Office Assistant for clerical assistance.

Currently, BPD has four officers in the Academy which will be assigned to patrol upon completion of the academy.

The Bremerton Police Department staff seemed very supportive of the current command staff. They spoke of being energized with prospects afforded by a new Chief of Police coming from the outside. The staff also felt they were maintaining the BPD history and stability afforded by the current long term members of the department in place as Captains and Lieutenants. Many expressed that the agency needed a new Chief with fresh ideas and having the tools to move the department into the future.

Position Specific Information

Currently, the Bremerton Police Department does not participate in specialty or multi-jurisdictional teams with the exception of the regional SWAT team. Chief Strachan is currently considering what Bremerton PD options are related to multi-jurisdictional teams and partnerships for the future.

The Special Operations Group, this team of 4 Detectives and 1 Sergeant are housed in a separate off-site facility and augments general investigations on an as needed basis. This unit works as a street crime or pro act unit (see comments in chapter 17).

The Court Home Detention Specialist, while a Police Department employee, is assigned to work for the court and reports to a local municipal court Judge at the courthouse. The LEMAP team found the assignment of a court employee, with what appears to be (in name only) assignment to the police department, highly unusual.

The Community Resource Officer is a civilian that handles all aspects of Community Oriented Policing and Crime Prevention. The person is a seasoned veteran in this position, with a great deal of experience, having worked for other agencies in this capacity and was a prior police reserve with the City of Bremerton. He currently supervises several innovative and effective programs that are related to community involvement. Two of the more successful programs are related to nuisance properties and landlord notification. He has 42 active block watch teams in place and he routinely works

with code enforcement on quality of life issue in the city. This person is also responsible for all sex offenders tracking notification. This position also supervises all DOJ and COP grants activity.

The Warrant Officers are responsible for jail transport, DV/No Contact Order services, subpoena service, sex offender checks, as well as misdemeanor warrant services and arrest pickups. This is a long standing unit within the Bremerton Police Department. These officers work under limited commissions related to RCW 35.20.270 and 43.101 as police department employees. Employees serving in these positions are armed and train with BPD Officers. These positions have experienced role “creep” over time and several BPD members indicate that although the current employees are competent, a review of their roles and responsibility in the department is long overdue. The LEMAP team whole heartedly agrees with this suggestion.

As described to the LEMAP Team, this unit was created to serve misdemeanor warrants and complete jail transports. The positions were initially intended to travel as needed to serve warrants (Bremerton municipal, misdemeanor and felony) and make prisoner pickups, in multiple jurisdictions to include areas outside Bremerton and Kitsap County (examples being Mason County and Pierce County). Current employees routinely search for and serve warrants outside of the City of Bremerton without BPD supervision or support. Employees indicate they detain prisoners while waiting for officers to arrive in order to make a formal arrest. Additionally, warrant officers advise it is not unusual for them to locate other jurisdictions’ warrants and hold them on site until an officer arrives to take custody of the prisoner. They routinely self-dispatch to 911 calls within Bremerton to back officers up when they know they may need assistance. Some of the work now being performed by these officers may be out of scope and beyond the limits of their commissions.

The Warrant Officers are Access Level 2 certified and assist at times with warrant entries and clearing for the records division. They also provide special court transport and field pickup of in custodies from BPD Officers. They also complete Sex Offender checks and assist in reporting.

Workload

The City of Bremerton has a population of approximately 37,900. The Bremerton Police Department averages 65,000 calls a year with 15,000 cases generated. Starting in 2009/2010 BPD, as did many agencies, started receiving a series of budget and staff reductions due to a downturn in the economy. There generally are no specific guidelines to articulate the appropriate number of law enforcement employees for an agency. Typically, cities provide the resources that they can afford based on crime trends, deriving staffing needs on workload demand.

What presented during this review of the organizations operation was the movement and consolidation of workload due to the reductions. During the downsizing, the Operations Division lost a Lieutenant and Administrative Manager. Work from these reductions

migrated to the remaining Lieutenants. When reviewing the job functions and tasks related to the operations side it appears that the Captains and Lieutenants in both Operations and Support Services have tried to shoulder a majority of tasks and function with very little downward delegation.

In review of the nearly 80 plus specific job responsibilities held by the Lieutenants and Captains it was noted a number (particularly on the Operations side) of these could be delegated down to the Sergeant positions. BPD Sergeants have historically had the luxury being primarily a field force supervisors with very limited ancillary duties assigned. This philosophy has atrophied with multiple prior Chiefs' philosophies and has resulted in a lack of focus and career development for Sergeants. This practice and budget reductions have left the Commanders badly fragmented and (admittedly) finding it difficult to get everything done.

Staffing itself and the workload considerations being an issue, the effectiveness of utilizing two Sergeants per squad for supervision of a single shift is questioned. The current schedule could be seen as needing evaluation to consider the coverage and more effective use of the supervisors.

There appears to be no succession planning and very little mentoring of BPD personnel. Given contraction at the command ranks, Current commanders indicate that at this point there are very few people from the Sergeants level that have considered or are considering wanting to promote. The department does have a system in place for succession planning, called the Master Patrol Officer Program; however, this program is seen as ineffective and primarily a mechanism for additional pay—not professional development. Accountability within the program has been allowed to deteriorate and this program is now under review by senior command staff.

With the workload shift over the last several years multiple silos have been created within the various divisions and units. This has created duplication of effort, especially in the areas such as crime or administrative data gathering and reporting. Most commanders maintain Excel spreadsheets or Access databases for their own use. Strategic crime fighting, underpinned by tactical crime analysis and current crime data, are non-existent at BPD. Although not the fault of any employee, crime analytics serve as the organization's crime fighting steering wheel and without this type of resource BPD effectiveness is compromised.

Recommendations:

- 4.1** The following areas should be part of an overarching staffing utilization analysis across both the Operations and Support Services Divisions where every position, and assigned tasks, is evaluated against the agency mission.
 - As part of the staffing analysis look for opportunities where Sergeants can be better utilized as part of the agency's leadership team. Especially in Operations this could free both the Captain and Lieutenant to work on

strategic projects and mission critical tasks appropriate for their level of the organization.

- Consider a civilian position to have oversight of such areas as training records, crime analysis and possibly future accreditation. Moving some of these types of duties to a civilian position would be more cost effective and provide opportunities to use sworn positions for law enforcement.
- Although eliminated in recent years as part of budget reductions, evaluate the need for a civilian manager to oversee all civilian functions within the police department. By doing so the agency could be more efficient and effective by providing the civilian functions more direct supervision and assigning the Support Services Lieutenant both investigation units. This move would also give the Support Services Captain could an opportunity to take on strategic tasks commensurate with the role of a senior commander.
- Review the warrant unit operations and job scope. Consider if current job functions fall within the guidelines of the limited commissions authority given to the officers and original intent of this unit. This unit is a high liability area for the department and the LEMAP team questions if the FTE's could be better used elsewhere, or in a different capacity, within the organization.
- Evaluate the Master Patrol Office Program and consider either authentic adjustment or elimination of the program. This program once had the potential to be an effective tool for identifying future leadership within the department. Continue offering training in the development of identified potential leaders. Consider sending identified persons to classes as such as the pre-supervisor course offered through WSCJTC. Future leaders must be mentored and developed through well rounded first line supervisors and mid-level managers.

4.3 Formalize and complete a yearly analysis of:

- Vehicle Pursuits
- Use of Force
- Internal Investigations

This exercise should include review of each of these areas and a quantitative and qualitative analysis of each area. The final analysis provides an excellent opportunity for supervisory discussion, future training, and can also act as an early warning system.

4.4 As a priority BPD must develop, train staff and launch the LEXIPOL policy system as soon as possible. Once developed, distribute the manual to each employee, and maintain a copy of the manual on the agency server so all department members have access to the information at any time. Hard copy

versions of the manual should be placed in strategic identified locations throughout the department.

- 4.4 Once LEXIPOL is completely installed in the agency consider implementing an electronic distribution and notification system related to all policy updates, directives and department notifications.

Chapter 5—Records Management

WASPC Accreditation Standards:

- 5.1 *The agency has a uniform records management system.*
- 5.2 *The agency has a system to record and maintain a record of every call for service.*
- 5.3 *The agency has polices governing its compliance with all rules for ACCESS participation, to include:*
- *The agency can show 100% compliance or has made corrections to comply with any ACCESS findings from the previous triennial audit and/or FBI audit*
 - *The agency can show that all personnel have been trained and certified*
- 5.4 *The agency physically protects the privacy and security of agency records in a manner that assures that only authorized personnel with the appropriate need to know - and right to know – can access those records.*
- 5.5 *The agency complies with Washington State law governing dissemination of records.*
- 5.6 *The agency complies with Washington State law governing preservation and destruction of records.*
- 5.7 *The agency has procedures for processing and maintaining notice of infractions and citations.*
- 5.8 *The agency has guidelines to address the release of public information to the media.*
- 5.9 *The agency has policy and procedures for community notifications of registered sex offenders.*
- 5.10 *The agency has policy and procedures for investigating and verifying missing persons, including updating ACCESS databases with additional identifying features as they become available.*
- 5.11 *The agency has policy and procedures for how to handle the recovery of a stolen vehicle, including attempts to notify vehicle owners.*

5.12 The agency participates in Uniform Crime Reporting and/or NIBRS by reporting to WASPC as required.

Findings:

A professional records management system (RMS) acts as the information gate keeper for the agency. With increasing pressure provided by public disclosure requirements, the timely reporting, approval and storage of criminal records and law enforcement information is vitally important to agency operations. Chapter 5 lays out basic requirements to ensure police agencies have fundamental systems and processes in place to ensure police records are managed in a manner to advance the agency mission while at the same time providing transparent access to information the public is entitled to access.

The Records section consists of 4 full time records staff. All perform the same duties, with the exception of one who serves as the Terminal Agency Coordinator (TAC) as mandated by the WSP ACCESS usage agreement. These additional duties involve meeting compliance standards and acting as liaison with WSP for all ACCESS related matters. Direct supervision is assigned to the Support Services Lieutenant.

The electronic records management system is a component of the integrated CAD/RMS/Field Reporting software system known as I/LEADS. The designated dispatch center, CENCOM, generates a call for service number that is used in any related report written by an officer subsequent to a dispatched event.

The Records section is neat and orderly and paper documents are stored in an organized fashion. Staff schedule and performs destruction of records eligible for destruction per the state retention schedule.

The section is open to other staff during business hours and the area is locked after close of business. The Records Reference Manual indicates the area is restricted to "Records staff and authorized supervisory personnel." A monitored camera is installed in the area with view of the hard copy records storage files. This monitor for this camera is located in the Captain's office and is recorded.

The ACCESS Operations manual describes confirming a "hit" to include the agency can "ensure that the warrant, missing person report, protection order or theft report is still outstanding." Confirmations of outstanding WACIC entries are performed by the Records staff during business hours and by CENCOM afterward. Warrant and Protection Order files are stored in a file cabinet outside of the locked Records section. This is to allow officers to locate hard copies and confirm these system entries after hours. CENCOM confirms all other types of outstanding entries using the information contained in the RMS system alone.

The current policy manual designates the Lieutenant and Captain as the police department public records coordinators; however, public records requests for police records are fulfilled by the Records staff. Most simple requests are processed by any of

the Records staff members; however, requests involving more complex scrutiny are coordinated with the legal staff and/or City Clerk.

The Records section reference manual sets out a list of data the department considers exempt for public disclosure. Members of the staff process requests as they are received and reported that they interpret exemptions individually. The staff provides a detailed exemption log along with requested records for any redacted data, although during interviews, there seemed to be some question among the staff as to what may be considered exempt for routine records requests. Because of the subjective nature of interpreting exemptions and the pace at which courts are creating case law pertaining to public records, there is a current trend within law enforcement records to assign a staff member to specialize in public records for consistency.

The records request form used by the Records section includes fields for declaring the requestor's relationship to the report and purpose for the request. The reference manual also directs staff to scrutinize who can receive copies of arrest reports and section 23.22.1 requires verification of identity. Section 23.22 states "Incident reports involving arrests...may be released to persons who have suffered physical loss, property damage or injury compensable through civil action..." Additionally, 23.22.5 states that if the request for a record is for insurance needs "only the minimum information/reports necessary to process the claim will be released."

The Public Records Act Model Rules WAC 44.14.03006 states that an agency "should not require a requestor to provide...photo identification." Further, RCW 42.56.080 prohibits distinguishing between persons requesting records "... Agencies shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request..." Records staff indicated that the request form containing the field for a requestor to state their purpose for requesting the record has been updated and the field has been deleted on the new form. During inspection and review of these procedures a Records Specialist contacted the IT Department to ensure that the newer form was being used on the city's website for online requests and replaced the outdated forms used at the front counter. The newer form still contains a section for the requestor to declare their relationship to the report (if any), although the staff reports if not completed by the requestor, they will process the request.

The Records section processes Concealed Pistol Licenses (CPLs) and firearms transfer paperwork from licensed dealers. These are both processed on a priority basis and most recommended background checks are being performed. Best practices for background checks include a local mental health provider check, in addition to the check through DSHS records. This is not currently included in the process at BPD. The local mental health provided is Kitsap Mental Health Services. This additional check is recommended to capture ineligibility data not yet transmitted from a local provider to the DSHS database.

ACCESS standards are being met. During interviews, the TAC was able to produce the most recent ACCESS triennial audit (September 2011) and the subsequent corrections

made as a result of the findings. She was also able to demonstrate her system for tracking 100% compliance with current ACCESS certification for all ACCESS users. All department members are ACCESS certified. ACCESS validations are being performed as required.

The current policy manual section 346.2.1 does not designate a particular public information officer and leaves contact with the media open to various members of the department. In practice, the designated public information officer is Lieutenant Fisher. The LEXIPOL manual will address a designated PIO once adopted.

The agency is currently reporting NIBRS statistics to WASPC as the current RMS system allows for collection of the required data.

Recommendations:

- 5.3** Because actual physical retrieval/review “hit” confirmations are restricted to warrants and protection orders, it is recommended that the department implement a second party verification of updates to the case record in RMS of any associated “cleared or canceled” ACCESS entry. This will diminish the risk of CENCOM confirming a record that is no longer outstanding.
- 5.5** The department should consider designating one staff member as a public disclosure specialist to ensure consistency in release of records. As an alternative, the staff should meet with the City Clerk to review what types of data a regularly being redacted or released on frequently requested records, to assure that all records requests are processed uniformly. Additionally, any language distinguishing between requesting parties and requiring requestors to provide identification or declare their relationship to the report should be removed from all written directives and forms to maintain alignment with the public records act model rules. Recommend a review of redactions being made to records requested by insurance companies, which should be redacted the same as for any other requestor.

Chapter 6—Information Technology

WASPC Accreditation Standards:

- 6.1 Access to the agency’s computer system is secure with restricted access to those who are authorized and who have passed a background investigation.*
- 6.2 The agency can show 100% compliance or that it has made corrections to comply with any ACCESS/CJIS findings from the previous technical triennial audit and/or FBI audit.*
- 6.3 The agency has policies governing appropriate use of agency technology.*

- 6.4 *Each fixed and mobile computer workstation has an up-to-date copy of agency-approved, security software installed and running while the equipment is in use.*
- 6.5 *Electronic information is routinely backed-up at least once a week. Back-up data is kept in secure storage and is completely destroyed when no longer needed.*

Findings:

Computer terminals with capacity to utilize the ACCESS system are located in areas restricted to secure areas accessible only to those who are ACCESS certified. There are written policies governing appropriate use of agency technology. As stated in the findings from the review of Chapter 5 standards, the agency demonstrated compliance with the previous technical triennial audit.

The workstations that connect to the ACCESS application are standalone, single purpose workstations. They are connected to the City's network. The ACCESS workstations receive Microsoft software patches for updates/security issues. There is no special software required to connect to the ACCESS database as it is a .NET application. The workstations are not backed up as there is no user specific data on them since connectivity is thru Internet Explorer, so standard 6.5 does not apply.

Recommendations:

No recommendations.

Chapter 7—Unusual Occurrences

WASPC Accreditation Standards:

- 7.1 *Every sworn member of the agency has completed the National Incident Management System introductory training course(s).*
- 7.2 *The agency has plans for responding to natural and man-made disasters, civil disturbances, and other unusual occurrences.*
- 7.3 *The agency works with the County and/or regional agencies in developing a county or regional disaster or emergency response plan.*
- 7.4 *The agency has a policy for requesting and providing mutual aid.*

Findings:

By the nature of the title of this chapter, unusual occurrences are infrequent events that often high profile, have broad community impact and provide opportunities to test the preparedness of an agency. Normally, because these types of events occur infrequently most police agencies place them as a low priority as part of the organizational mission.

This is problematic for a city like Bremerton because the city serves as home to a large ship yard and ferry terminal that draws passengers from the Key Peninsula and transports them to/from Seattle. Additionally, the Key Peninsula is unique because much of the land mass is surrounded by water which creates assets, islands and a large naval installation that could be vulnerable and require a multi-agency response that would that BPD could be asked to participate in. Therefore, it is important BPD be engaged in regional planning and training/exercise activities that will help them successfully respond as a primary or supporting entity during or following an unusual occurrence.

Training of all sworn employees in ICS is described by one patrol commander as “hit and miss.” The Federal requirement is that all sworn employees, and any employee that will have responsibilities in and a city Department Operating Center or regional Emergency Operations Center, will complete IS 700 and ICS 100. Rosters of employees who have completed IS 700 include only four current employees, all of which are commanders. Some line officers have completed ICS 100, most supervisors have completed ICS 100 and 200 and Command staff have completed ICS courses 100 through ICS 400. Failure to comply with the minimal training requirement places BPD at risk of being denied Federal funds for disaster response, relief or recovery.

Prior to the retirement of the third department Lieutenant in 2011, that person was assigned as the agency liaison to the Kitsap County Department of Emergency Management (DEM). Periodic plan and strategy meetings are held by DEM to coordinate regional emergency management activities, equipment provisioning, training and exercises and since the retirement BPD’s involvement has been sporadic. They do participate in earthquake drills, table top exercises and some training events, but overall their participation at the regional level is sporadic for planning meetings and events and periodic for training and exercises.

BPD enjoys a strong working relationship with regional law enforcement agencies that would be called on to assist with mutual aid. Kitsap county law enforcement agencies participate in a regional in-service training consortium that allows them to train together and share training resources. This level of cooperation enhances relationships between officers and commanders which is invaluable when each other is called on for mutual aid during a disaster or unusual occurrence.

Agency policy describes a mutual aid agreement between BPD and other agencies. Staff could not locate such an agreement and referred to the MOU of the Mutual Peace Officer Powers Act coordinated by WASPC.

Recommendations:

- 7.1** As a priority, ensure that all sworn officers and civilian employees have completed IS 700 and ICS 100. Confirm completion and enter into a training records management system that allows easy tracking and reporting (also see comments in Chapter 11).

- 7.2 Update the Citywide Comprehensive Emergency Management Plan (CEMP), make copies and familiarize the plan with those employees and supervisors that would be expected to refer to it during/following an unusual occurrence.
- 7.3 Identify a BPD supervisor or commander that is responsible for emergency management and require that person to be a regular attendee at regional planning events. Given that Bremerton is the largest city in Kitsap County, BPD cannot afford to sit on the sidelines when it comes to regional emergency planning activities.

Chapter 8—Health and Safety

WASPC Accreditation Standards:

- 8.1 *The agency has written guidelines that inform employees of the threats and hazards associated with airborne and blood borne pathogens.*
- 8.2 *The agency provides personal protective equipment to minimize exposure to potentially infectious materials and objects.*
- 8.3 *The agency provides soft body armor and requires its use.*
- 8.4 *The agency provides reflective clothing and requires its use.*
- 8.5 *The agency has procedures for disposal and decontamination when there is an event or contact involving biohazard material including blood or bodily fluids.*
- 8.6 *The agency has procedures for post-exposure reporting and follow-up after suspected or actual exposure to infectious diseases.*
- 8.7 *Non commissioned police employees are physically separated from the public by a physical barrier in the lobby area.*
- 8.8 *The agency requires all personnel to use safety restraint/seat belts while operating agency vehicles.*

Findings:

Given the ongoing health and safety risks that are present and becoming more frequent as part of a police employees job, contemporary police agencies cannot afford to be inattentive to health and safety measures that should be in place to ensure a safe work environment. Chapter 8 serves as a baseline reminder by offering standards that protect employees with appropriate clothing, facilities and devices; and encourages planning and training for exposure to blood and air borne pathogens.

The department has an adequate policy specific to blood borne and air borne pathogens, as well as a separate exposure plan should an employee be exposed to an air or blood borne pathogen. When asked by the LEMAP assessor, agency staff had difficulty in locating the written exposure plan. Upon review, the plan was found to be a single manual located in the clerical storage area, as opposed to an individual copy located with each workgroup or unit. Subsequent employee interviews indicate that supervisors are aware of an exposure plan but did not know its location or the specific protocols for a significant exposure to an employee. There appeared to be a heavy reliance on the hospital for guidance.

Officers indicate they have not participated in recent training in the use of personal protective equipment (PPE) and are not aware of exposure protocols in the event of a pathogen exposure. The assessor did not observe any posters or other public information within the headquarters building that would serve as a reminder to employees of how to prevent or respond following an exposure. Neither commissioned nor non-commissioned employees were aware of the procedure for handling of clothing or equipment which may have come into contact with a possible bio-hazard material. Several employees believed there were “red bags” designed for this purpose, but were unable to identify the location of these bags.

BPD officers use a pool system of patrol car assignment for officers. The LEMAP assessor was informed that each vehicle had PPE in the trunk. An inspection of two random vehicles revealed that the officers were unsure if the equipment was indeed in the trunk and after much searching each officer found various forms of items offered as PPE, such as latex gloves and a general purpose particulate filter mask. The items produced were very limited, not to NIOSH standards and were more consistent with general crime scene use than true PPE. Neither vehicle contained a highly reflective traffic control vest which meets the ANSI standard. Only one vehicle contained a SHARPS container. The officers indicated that there is no standardized vehicle inspection process and it is each officer’s responsibility to ensure their vehicle is properly outfitted without the benefit of a checklist or inventory sheet.

The agency requires the use of seatbelts and soft body armor, but does not provide gas masks. When conducting vehicle inspections the LEMAP assessor did not observe any specialized body armor, ballistic helmet or other such enhanced protective equipment for response to an active shooter situation.

Non commissioned personnel are separated from the public by a physical barrier in the lobby to the headquarters building.

Recommendations:

- 8.1** Develop, implement and train staff on agency policy that encompasses all aspects of the subject of Occupational Health. The policy should have some addendum documents as required by law (WAC 296-62-08001).

- 8.2 Create inspection protocols of all vehicles and for all personally assigned equipment to police employees (including detectives and warrant officers). Inspections or inventories should be conducted at least monthly by agency supervisors.
- 8.2 Develop a PPE kit and allow for proper storage and access in every police vehicle. The agency may also consider an expanded kit for the supervisor's vehicle. All kits should include an easily understood checklist/protocol for exposures.
- 8.4 Either issue individually, or make available in each sworn officers car, reflective traffic vests that meet the 2009 ANSI requirements.
- 8.2 Develop and train staff on a BPD exposure control plan, including its location, and identify responsibilities of employees and supervisors in exposure situations.
- 8.5 Develop protocols and provide a single stop location for the handling, temporary storage, cleaning or disposal of clothing and equipment exposed to possible biohazards. Ideally this location would also be a decontamination area allowing the employee to remove, properly package/store contaminated items without risking cross contamination to the facility and other employees.

Chapter 9—Fiscal Management

WASPC Accreditation Standards:

- 9.1 *Budget Control – The Chief Executive Officer has the authority to spend funds in the approved budget for day-to-day operation of the agency.*
- 9.2 *Budget Control – The Chief Executive Officer makes regular reviews of the agency budget.*
- 9.3 *Budget Control – The agency has a system for review and approval of expenditures.*
- 9.4 *Payroll – The agency has a policy requiring supervisor approval of all overtime.*
- 9.5 *Payroll – The agency has a policy requiring non-exempt employees to complete a timesheet listing the number of hours worked during the pay period and that the timesheet be approved by a supervisor prior to payment.*
- 9.6 *Cash Control – The agency has a system to document and record the use of cash funds that include receipts, supervisory approval, and periodic audit.*

Findings:

In most law enforcement agencies budgeting is a relatively static process where budget amounts, funds and projects are populated in line items by the Finance Department after normally being adjusted by cost of living increases. Because police budgets are public funds, expenditures of any amount are governed by strict accounting rules and are normally subject to annual state audits. This chapter is intended to confirm that BPD is adhering to standard (and minimum) accounting practices that align with best practices that are defensible and underpin public trust and confidence with spending practices.

The BPD budgeting process is similar to most other government agencies. The process starts in the late spring where budget suggestions for the upcoming year are solicited from staff and eventually vetted by the chain of command. Command staff is presented a preliminary budget by the Finance department and are expected to work within that budget. Senior command sets organizational budget priorities using guidelines from Finance and eventually presents their budget at a City Council workshop for approval.

Once the budget is approved, and starting at the beginning of the budget year, commanders are supplied with a copy of the department budget on a monthly basis. The Support Services Captain goes through the monthly budget document and supplies an email report to the Chief that highlights irregular or unusual line items. The Chief meets with the Captains and Lieutenants periodically to discuss the status of the budget and provide direction.

Expenditures at BPD, other than payroll related, are relatively infrequent and processes are inconsistent and outmoded. For uniform replacement items officers complete a form, listing items to be replaced or purchased, that is routed through Patrol Command. Other areas of the department purchases are verbally requested and vetted through the Support Services Captain for approval. All purchases must be approved by the command level of the department. BPD has limited use of procurement cards (P-cards) largely due to a limited number of purchases by employees and constraints applied by the Finance department.

Payroll processes at BPD are standard with most other agencies with the exception that they have somewhat different data collection processes in patrol, detectives and administration. Payroll data includes a breakdown of hours worked, any leave taken and overtime. All employee payrolls are approved at the Division Captain level after being collected and organized by the assigned Senior Office assistant every two weeks. Overtime must be pre-approved and once completed is signed off by the supervisor and a division Commander.

Cash control is limited to investigative funds of the Special Operations Group (SOG) and monies are taken in and receipted through the front counter for fingerprinting, concealed weapons permits and public records requests. These funds are managed through a computerized cash drawer system, are reconciled daily and are audited annually by the city auditor.

Investigative funds are generated in \$10,000 allotments (called an imprest fund) to the SOG Sergeant who distributes investigative (buy) funds to his detectives in \$500 increments. The sergeant is audited twice per year by the City Auditor on the imprest fund. The SOG Sergeant spot audits the Detectives, without notice, on a quarterly basis and documents the audit within the Detective's ledger. The Sergeant has his own buy funds, in addition to the imprest fund, that is also audited by the City Auditor.

Recommendations:

- 9.2** Budget management at BPD appears to be consolidated with the Support Services Captain. BPD may benefit from periodic briefings (perhaps quarterly) of all command personnel and supervisors on the status of the agency budget. As part of the Chief's communication, he should consider providing semi-annual department wide updates of the overall (macro) financial condition of the City and BPD.
- 9.3** Rather than all expenditures being routed through the Support Services Captain, each Division should have control and responsibility of expenditures in their respective budgets up to established spending limits. Responsibility is verified by the Chief and through the periodic briefings described in 9.2.
- 9.6** While the SOG Sergeant makes regular spot audits of the Detectives investigative advance fund, command staff does not consistently check the Detective Sergeant's fund. The Lieutenant or Captain should conduct periodic unannounced spot audits of the SOG Sergeants buy funds as part of the agency auditing process and for the Sergeant's protection.

Chapter 10—Recruitment and Selection

WASPC Accreditation Standards:

- 10.1 The agency has written standards and hiring criteria for sworn and non-sworn employees and, if applicable, reserve, part-time, or limited commission personnel.*
- 10.2 The agency requires that background investigations be conducted on each candidate for a sworn position prior to appointment, and requires that proof is submitted to the Washington State Criminal Justice Training Commission.*
- 10.3 The agency requires that a medical examination, including drug screening, be performed by a licensed physician for each candidate for a sworn position, prior to appointment.*
- 10.4 The agency requires that a licensed psychologist or psychiatrist conduct a psychological fitness examination for each candidate for a sworn position, prior to appointment.*

- 10.5 *The agency requires that a polygraph examination be administered, by a qualified technician, for each candidate for a sworn position and prior to appointment.*
- 10.6 *Applicant files are secured and available only to those who are authorized to participate in the selection process.*
- 10.7 *Employee personnel files are separate and secured from other files. Medical tests, psychological evaluations and polygraph results are kept separate from personnel files in secure locations.*

Findings:

Recruitment and selection of police employees is an essential function of any police organization. Once hired most police employees enjoy a 25-35 year career which underscores the need to invest early in authentic recruitment efforts and employ a rigorous selection process to ensure long term success of both the employee and the organization.

Of the 61 sworn officers two are Hispanic, two are African American and one is female. The remaining officers are white male. Solicitation for open positions is managed by City HR staff using traditional means such as print media and several web sites. According to 2011 census data the city of Bremerton demographics are 75% white, 10% Hispanic, 7% African American, 6% Asian, and the balance made up of a mix of ethnic and racial origins.

Bremerton Civil Service, in conjunction with Bremerton Human Resources, sets the standards and develops job descriptions for all Police Employees but is not involved in the hiring process. Recruitment efforts at BPD are essentially non-existent and HR maintains an open (continuous testing) register for police applicants. Once BPD establishes an opening a list of applicants is sent to the Administrative Lieutenant at BPD.

Until recently, BPD employed a National Police testing company for new police officer testing services and has recently moved to Public Safety Testing. These companies facilitate both written and physical tests and send results to City HR. Applications and resumes are scored by BPD commanders and those scores are merged with written and physical to arrive at a ranked list of candidates who are invited to interviews. Following interviews candidates are ranked alphabetically. BPD has the rule of three, meaning that for each opening HR sends three names (in order starting with the #1 candidate) to the agency. One of the three candidates is next chosen by Command staff to move on to the background process.

Background investigations are conducted by any of six BPD Detectives. Several of the Detectives have received background training and all have access to a background investigators manual that was last updated in 2005. Applicant file security has never been

a topic of discussion at BPD according to background investigators interviewed by the LEMAP assessor. Once the background is completed a copy is circulated to all Commanders who provide input on the candidate's suitability for BPD. If confirmed the candidate is moved to conditional job offer.

Once a conditional offer is signed a polygraph is administered by one of two polygraphists. Current polygraphists were selected because they were the most reasonably priced and were willing to travel to administer the polygraph. BPD is not aware of the current credentials for either polygraphist and Lieutenant Olan is uncertain if they have maintained certification. Psychological testing is completed by Dr. Pedek in Federal Way and medical screening is completed by a local clinic.

Once testing is complete the file is finalized by Lieutenant Olan and forwarded to the Chief for a hiring decision. The Chief meets with BPD staff that has been involved in the hiring process but has not historically conducted a final interview of police officer candidates.

Once an individual is hired the applicant file is forwarded to City HR for filing. According to Charlotte in HR, the file is stored in a locked cage in the basement of city hall; however other city employees have a key to the locked cage. Neither BPD nor City HR staff are familiar with retention schedules of applicant files and Charlotte indicates that she believes there are applicant files from the last ten years in the cage.

Recommendations:

- 10.1** Given the nature and investment of new police officers, the Chief may want to consider being more directly involved in the selection and hiring of police officers at BPD.
- 10.2** Ensure all background investigators receive contemporary training on legal and practical considerations for conducting police officer/employee background investigations.
- 10.5** Confirm the credentials of all polygraphists in use, as part of the hiring process, at BPD.
- 10.6** Provide all police employees involved in the hiring process who access applicant files need a primer on applicant file security.
- 10.7** Explore a different storage system for all personnel related files for BPD employees and applicants. Given the insecure storage of applicant files, and unfamiliarity with file retention guidelines by City staff, BPD should consider different alternatives for storage of any file containing sensitive or confidential information.

Chapter 11—Training

WASPC Accreditation Standards:

- 11.1 *The agency requires all full-time, sworn members to successfully complete the Basic Law Enforcement Academy or Equivalency Academy, as certified by the Washington State Criminal Justice Training Commission prior to assuming law enforcement duties, and requires that they begin attending the Academy within six months of their date of hire.*
- 11.2 *The agency has established a formal field training program for all newly sworn officers that includes:*
- *Field training officers who are specially trained for that purpose;*
 - *Regular documentation of the progress of the student officer; and*
 - *Requiring the student officer to successfully complete the training program prior to assuming law enforcement duties.*
- 11.3 *The agency maintains and updates training records of all employees.*
- 11.4 *The agency maintains records of each formal training it conducts, to include:*
- *Course content/lesson plans;*
 - *Name of all attendees;*
 - *Performance of the attendees;*
 - *Credentials of the presenter or instructor; and*
 - *Copies of any test results.*
- 11.5 *The agency can show 100% compliance with the annual WSCJTC requirement for training.*
- 11.6 *Agency personnel are required to demonstrate satisfactory skill and proficiency with agency authorized weapons before being approved to carry and/or use such weapons.*
- 11.7 *Staff members who are designated as full-time supervisors or managers have earned the appropriate certification by the Washington State Criminal Justice Training Commission.*
- 11.8 *At least annually, agency personnel receive in-service training on the agency's use of force and deadly force policies. In-service training for less-than lethal weapons shall occur at least once every two years.*

Findings:

Given the ever changing nature of law enforcement in America, training is one of the most important functions of any police department. Unfortunately, during difficult budget time's police training is one of the first items cut as a cost saving measure, which often has a profound effect on agency effectiveness and employee morale. This chapter provides basic criteria to ensure police employees, particularly police officers, are receiving basic certifications and are receiving ongoing training in critical areas to maintain a minimum skill level to perform effectively. It is the hope of WASPC that each member agency provides a full complement of training to their employees to ensure top level service and strengthened public confidence in their police department.

BPD requires all full-time, sworn members to complete the Basic Law Enforcement Academy or Equivalency Academy through the Washington State Criminal Justice Commission within six months of their date of hire. All Command Staff, Chief, Captains and Lieutenants and Sergeants have their appropriate Washington State first line supervision, middle management and executive certifications. The Lieutenants, Captains and Chief have also attended the Northwest Command College.

Although BPD has not hired new officers since 2008 they currently have four officers in the police academy. They operate under an established Field Training program (FTO) utilizing the San Jose FTO training model. Each recruit is issued and expected to maintain an FTO manual that is signed off and maintained as part of the employee training record. Due to the length of time since utilization of the FTO program the department recently reviewed and update the contents of the FTO manual in preparation for the BPD recently updated the content of their FTO manual which requires Daily Observation Reports (DOR) on a daily, weekly and monthly basis. The department has 15 certified FTO's; however, those individuals have not experienced any ongoing training related to their role as FTO's.

Training records in the form of certificates, class outlines and syllabi are maintained in each employee's personnel file by the Senior Office Assistant assigned to the Operations Division. Training hours are documented in an excel spreadsheet that the Operations Lieutenant maintains. The Senior Office Assistant maintains the centralized database that is maintained for all internal and external training.

The agency has met the Washington State Criminal Justice Training Commission minimum training hour requirements, at least 24 hours per officer, for the past two years. Training hours for each officer and the department as whole exceed these hours.

Several LEMAP assessors requested an employee's complete training record and BPD staff experienced difficult making it available due to system limitations. BPD does not operate a single database to retrieve current training information and records are maintained in two places. The Lieutenant of Operations maintains an in-house excel type program and extracting specific courses was cumbersome at best and impossible at worst. In contrast the Senior Office Assistant was able to provide hard copies from

working files she maintains. Clearly this creates an opportunity for improvement for BPD given the myriad of training software available in the marketplace.

Officers are required to successfully complete a firearms qualification prior being scheduled for service or carrying an approved firearm. Firearms training is conducted four times a year with one of these dates considered the mandatory range qualification shoot. Use of Force policy is covered in each of these range days. Included in this type training is also gunshot wound casualty training.

The Department has an interactive shooter training simulator, commonly known as a "FATS" machine. This machine was purchased through grant funding. It has seen limited use due to lack of skilled operators, technical difficulties and staffing.

Defensive Tactics is taught up to six times a year and Use of Force is covered in each of the training blocks, specific to the applications being taught. There is some level of integration of Firearms and DT training with instructors working together on course content and actual training. EVOG training is conducted yearly and includes both application of spike strips and Pursuit Immobilization Technique (PIT).

Training requests are processed in an orderly manner with the request coming from the Officer and routed through the chain of command to the Division Captain if there are costs involved. Once the class is completed the employee forwards a tracking sheet with proof of attendance to the Senior Office Assistance for placement in the officers file. Upon request the Senior Office Assistant was able to show the physical files displaying certification and training approvals for officers.

The agency has multiple in-house instructors for emergency driving, defensive tactics, firearms, and Tasers. The agency does utilize less than lethal options such as oleoresin capsicum sprays, Tasers, bean bags, and batons. The Operations Lieutenant advised that outside instructors are utilized occasionally to fill instructor voids, but generally they try to use BPD officers for in-service training. The department attempts to provide squad based training as much as possible. WSCJTC E-Learning and several web based training programs are utilized on an annual basis for training on topics such as Blood Borne Pathogen.

In review of mandatory training and high liability training, it was noted a very small percentage of Officers and staff have completed Incident Management training IC 100 and 700. Additionally review of high liability areas showed Sexual Harassment, Cultural Diversity and Work Place Violence training has been limited. The last notation of these types of training was found to be 2009. First Aid/ CPR training appeared to be current and BPD does not utilize personal protection devices such as "gas masks," so no training is conducted in this area.

Bremerton PD recently completed training related to dealing with persons displaying mental health issues. This was training completed through grant monies provided on a regional multi-jurisdictional basis.

Recommendations:

- 11.2** With the anticipated arrival of four new police officers, the agency should consider designating a Field Training Program Coordinator (possibly a veteran Sergeant with FTO background) that provides oversight to the entire program and ensures accountability for all involved in the program who assumes many of the responsibilities regarding this from the Lieutenant of Operations. This person would work directly with the Operations Lieutenant.
- 11.2** Consider reducing the pool of FTO's and pursue relevant updated training to those selected to remain in the cadre.
- 11.3** Given the significance between training records and litigation, re-organize the training records management function to:
- Automate all training records including requests, approvals, attendance, certifications and hours.
 - Move maintenance of training records to a civilian, such as an office assistant.
- 11.5** Consider appointing a training officer or sergeant responsibility for coordinating in-service training for all police employees. This person may also have responsibility for managing the BPD FTO program.
- 11.4** Take immediate steps to complete department training related to:
- Workplace Harassment
 - Cultural Competency
 - Work Place Violence
- 11.6** The agency should consider assigning specific persons to create a skill set for use and focus on the technical aspects of running the interactive shooter "FATS" machine. This is an invaluable tool for facilitating squad base training not only for Bremerton PD but outside agencies. This would be a good mechanism for strengthening partnerships with other local agencies.

Chapter 12—Performance Evaluation

WASPC Accreditation Standards:

- 12.1 *The agency has an evaluation policy that requires formal written review of the work performance of each employee and is conducted annually.*
- 12.2 *The agency has a system for evaluating the performance of all probationary employees.*

Findings:

Performance evaluations are an essential component of any high performing contemporary police organization. The evaluation process is essential to developing and fortifying the supervisory/subordinate relationship, it creates hope and optimism for employees by promoting career development and a contemporary evaluation system fosters organizational discipline. Unfortunately in many police organizations evaluation systems are poorly constructed and completed by supervisors on a sporadic basis which creates cynicism and contempt for the process.

Performance evaluations for BPD permanent employees are governed by Civil Service rules that require employees be evaluated annually. A spreadsheet of evaluations, and their due dates, is submitted to BPD from Human Resources. It is then up PD staff to ensure evaluations are complete. Timely completion of evaluations appears to be a challenge at BPD as every supervisor interviewed indicated they were behind on employee evaluations assigned to them. It is important to note that one commander prepared his supervisors for the LEMAP team's arrival and encouraged his supervisors to complete evaluations. Those supervisors were closer than others to being current when evaluating assigned staff.

BPD employs a city evaluation system and instrument that is dated and not relevant to the critical functions of law enforcement. The reference manual section on evaluations appears to have been written many years ago and covers many fundamental (micro) aspects of the performance appraisal process including examples of what the supervisor and subordinate should say to each other.

The current City evaluation instruments now in use are a self-evaluation form, used by the employee before the evaluation, and the actual performance evaluation document completed by the supervisor. The performance evaluation document mirrors the self-evaluation form and asks for general feedback on things done well, areas requiring work, and an action plan for both the supervisor and employee. Overall performance is rated one time on a continuum from unsatisfactory to exceeding standards and allows for both rater and employee comments.

During interviews with staff it was clear that the current evaluation system is not working and most employees interviewed indicated they cannot remember the last time they were evaluated. Depending on the supervisor, most employees indicated that it had been years since they were evaluated. Both Captains indicate that they have not been evaluated in years and both Lieutenants have evaluations that are past due.

A common theme that underpinned the cynicism and apathy surrounding evaluations at BPD is a weak and irrelevant evaluation system and instrument. Captain Burchett indicates that over the past few years he has led an effort to overhaul BPD's evaluation process. Starting in 2011 he, Captain Wolfe and several other employees started meeting to change the evaluation system, rating dimensions and the instrument. Considerable

work was completed when the former Chief placed priority on installing LEXIPOL over a change to the evaluation system.

Probationary (newly hired) employees are governed by Civil Service rules that indicate the employee will receive performance evaluations at three, five and 12 months. Spot checks of probationary officers in the police academy indicate these officers did receive a three month evaluation by a field training officer. Probationary (recruit) police officers also experience a field training process where they receive daily and weekly observation reports from their field training officer. No explanation was offered or given for weekly evaluations of the recruit, other than the FTO manual requires it, especially when considering the weekly report is the same instrument as the daily observation report.

Probationary (supervisors and commanders) do not experience an FTO process. Sergeants are occasionally mentored by another (senior) Sergeant, but a formal evaluation is not given by the senior sergeant. Probationary sergeants (and Commanders) are supposed to be evaluated at the end of their probationary period but staff indicates those evaluations are rarely ever completed during the probationary period.

Recommendations:

- 12.1** Continue work on the evaluation remodel that has been started and suspended. As part of the development process, include:
- A management tool or log, coordinated by an Administrative Assistant, which tracks employee evaluation frequency.
 - An instrument that has clearly defined performance benchmarks that are relevant to contemporary policing practices and promotes career development.
 - Develop a section of the evaluation instrument that requires the employee to certify to review of the BPD Use of Force, Pursuit and Workplace Harassment policy. Allow an opportunity for dialog between the rater and employee related to these, and any other, areas of agency policy.
 - Ensure that a system for consistent evaluations is constructed. Normally, employees should be evaluated annually or when they experience a change of rater/supervisor.
- 12.2** Conduct a review of the BPD Field Training Officer system and remove areas that are not relevant or are duplicative; i.e. the need to create daily and weekly observation reports or a need to evaluate a recruit officer at the police academy when academy staff completes assessments of the same recruit officer.
- 12.2** Consider development of a modified (structured) training program for newly promoted supervisors. The program should include an evaluation protocol where the new supervisor is evaluated at six and eleven months.

Chapter 13—Code of Conduct

WASPC Accreditation Standards:

- 13.1 *The agency has a code of conduct that outlines specific conditions of work that apply to all agency personnel that include, but are not limited to the following:*
- *Personal appearance standards;*
 - *Uniform regulations;*
 - *Tobacco use policy;*
 - *Alcohol and drug use policy;*
 - *Reporting employee convictions, and*
 - *Outside employment.*
- 13.2 *The agency has a policy prohibiting sexual and any other forms of unlawful or improper harassment or discrimination in the work place. The policy provides guidelines for reporting unlawful or improper conduct, including how to report if the offending party is in the complainant's chain of command. The policy includes "whistleblower" protection.*
- 13.3 *The agency has a policy prohibiting biased-based policing, also known as "racial profiling."*
- 13.4 *The agency has written policy and procedure for responding to and investigating allegations of domestic violence involving employees of law enforcement agencies.*

Findings:

A structured and specific code of conduct lays out basic expectations of police employees and provides a reasonable framework for conduct that underpins both agency integrity and professionalism and strengthens public trust. Chapter 13 lays out a framework that not only defines such a code of conduct it also requires the presence of policy language that directs police action during and following critical or high liability incidents that police officers may encounter or be exposed to.

The BPD Operations Manual has a detailed Chapter referring to ethics. Separated into 9 Canons, each Canon has detailed examples and descriptions of ethical violations. It is extremely detailed, cumbersome and lengthy. However, even with exhaustive descriptions within each Canon, noticeably absent are policy references to contemporary workplace challenges such as social media, body piercings, and tattoos and whistleblower protection.

Recommendations:

- 13.2 In any future policy product ensure language exists that protect employees from workplace retaliation and/or provides Whistleblower protection.
- 13.3 Confirm future policy covers periodic training that underpins a prohibition against racial profiling and/or bias based policing.

Chapter 14—Internal Affairs

WASPC Accreditation Standards:

- 14.1 *The agency requires the documentation and investigation of all complaints of misconduct or illegal behavior against the agency or its members.*
- 14.2 *The agency identifies which complaints supervisors investigate and which types of complaints are investigated by an internal affairs function.*
- 14.3 *The agency has procedures for relieving an employee from duty during an internal investigation.*
- 14.4 *The agency has a policy where complainants are provided with notification concerning the disposition of their complaint.*
- 14.5 *The agency maintains records of complaints and their dispositions in accordance with Washington State Retention Guidelines.*

Findings:

Policing in America necessitates an obvious, and sometimes subtle, tension that exists between the police and the community. Managing this tension is the ultimate responsibility of the Police Chief or Sheriff and requires them to walk a fine line between representing those they serve and supporting those that serve them. For the Chief or Sheriff to be successful they need an authentic and responsible Internal Affairs system that defines expectations and responsibilities for citizens, employees and the agency. Chapter 14 sets a basic framework for agencies to install policy and institutionalize processes that define the agency's responsibility when handling citizen or internal complaints. Ultimately an authentic and responsible Internal Affairs policy/procedure inspires confidence with the agency and within the community.

Complaints taken at BPD are generally received at the first line (Sergeant) supervision level. Once a complaint is received, the supervisor records it on a citizen complaint form and evaluates the seriousness of the allegation. Sergeants will record the complaining party's report, no matter how minor, and forward to the appropriate Lieutenant for review. While policy does define different categories of complaints it does not specifically address what are serious offenses and what are not. However, there seems to be a reasonable standard that has been created as part of the BPD culture the supervisors subscribe to and serious allegations are promptly forwarded to the Division Captain.

Minor allegations often result in referral back to the Sergeant who investigates and attempts to resolve it satisfactorily. Generally, sustained findings of minor allegations are handled by the supervisor. Final disposition of investigations are sent to the affected Lieutenant for final review and eventually forwarded to Captain Burchett via the Division Captain. Captain Burchett finalizes the process and retains the document, regardless of disposition, for three years. This serves as an effective early warning system for a potential problem employee.

Serious allegations result in the Division Captain and Chief being notified and are forwarded to the Support Services Lieutenant for investigation. If necessary, BPD has established procedures to place an employee on administrative leave. The investigation is normally conducted promptly with recommended disposition by the Internal Investigator. Completed investigations are forwarded to the Chief, via the Division Captain, with findings and consideration of discipline.

The LEMAP assessor did find some inconsistency in how (and if) complaining parties are notified of the complaint disposition. While it is the intent of the policy that the complaining party is notified, established protocols are not defined. Documentation of internal investigations is retained per Washington State retention guidelines.

Recommendations:

Although BPD has a comprehensive Internal Affairs policy, the LEMAP team recommends the following be considered to enhance current policy, procedures and practices.

Complaint Intake:

- 14.1 Complaint forms should be simple, straightforward, and prepared in appropriate languages.
- 14.1 Initial complaints should be forwarded to the Division Commander for classification. Complaints of misconduct, workplace harassment, excessive force, criminal behavior, civil rights violations or allegations of other serious misconduct should be forwarded to the Chief of Police for investigative assignment and reporting responsibilities.
- 14.1 Legal counsel for the City should promptly notify the department whenever civil claims are filed arising out of alleged misconduct. The department should investigate every significant claim.

Investigation:

- 14.2 All complaints should be investigated not just reviewed. At minimum investigation means follow up and inquiry with employees or their supervisors regarding the nature of the complaint.
- 14.2 Complaint processing should be consistent throughout the department.
- 14.2 Investigative personnel should receive specific recurring training focused on internal investigative practices that include organizational requirements such as labor agreements and procedures. Investigation files should be completed and organized in a consistent manner, such as:
- Complaint
 - Allegation Summary
 - Findings of Fact
 - Statements
 - Reports
 - Correspondence
 - Disposition/Penalty Recommendations
 - Classification Summary (i.e. Allegation #1-Sustained, Allegation #2-Not Sustained, etc.)
- 14.2 Internal investigators, while serving in that role and investigating complaints that could result in discipline should have chain of command reporting responsibility directly to the Chief of Police.
- 14.2 All interviews should be recorded.
- 14.2 Agency policy should advise and mandate any officer witnessing, but not participating in alleged misconduct, have mandatory reporting requirements to supervisory staff and will be investigated as to the role they played.

Adjudication:

- 14.2 Findings that are not sustained are insufficient to administer discipline. However, complaints should be available for reference in future investigations and when completing employee evaluations.
- 14.2 All findings should be available for the purposes of training, counseling and assignment.
- 14.2 All complaints of misconduct must be investigated. Not sustained findings should be the exception and not the rule. Decisions must be based on all available evidence and a preponderance of the evidence standard.

- 14.4 Establish consistent protocols, preferably with the aid of a form letter, that notify all complaints of the disposition of their complaint. Details of this letter are at the discretion of the Chief.
- 14.5 Review Washington State retention guidelines to ensure agency is in compliance with destruction of complaints.
- 14.5 Consider legal counsel for every public disclosure request involving complaints against police employees.

SECTION 2—OPERATIONAL STANDARDS

Chapter 15—Patrol Function

WASPC Accreditation Standards:

- 15.1 *The agency provides response to emergency events 24/7 by sworn employees who have completed Basic Training per the Washington State Criminal Justice Training Commission.*
- 15.2 *The agency has procedures for response to emergency and non-emergency calls.*
- 15.3 *The agency provides 24-hour, two-way radio capability providing continuous communication between a communications center and the officer(s) on duty.*
- 15.4 *The agency has written guidelines for the use of authorized vehicle emergency equipment.*
- 15.5 *The agency has policies governing the pursuit of motor vehicles that conforms to Washington State law that includes:*
- *The factors to be considered when initiating a pursuit;*
 - *Initiating officer responsibilities;*
 - *Secondary unit responsibilities;*
 - *Restrictions pertinent to marked and unmarked vehicles;*
 - *Supervisor responsibilities;*
 - *Dispatcher responsibilities;*
 - *Stopping techniques;*
 - *When a pursuit should be terminated;*
 - *Procedures to be followed when a pursuit enters or leaves the agency's jurisdiction; and*
 - *Procedures for reporting and administrative review of pursuits.*

- 15.6 *The agency has procedures for responding to and investigating domestic violence calls.*
- 15.7 *The agency has procedures for the response and investigation of missing persons, including procedures specific to missing adults, missing children, and Public Alert Systems including Amber Alert.*
- 15.8 *The agency has procedures for the handling of mentally ill individuals, including those with pending criminal charges and mental health commitments, pursuant to the Revised Code of Washington.*

Findings:

BPD provides police service 24/7 by sworn employees who have met basic training requirements set by the Washington State Criminal Justice Training Commission. They also provide 24/7 two way radio capabilities, which the employees reported as reliable in the field. The employees did note that the officer locker/bathroom areas of the facility severely interfered with radio communication. Officers related incidents in which they missed radio communications when using the locker room bathroom when on shift.

BPD has an updated policy in place which addresses emergency response procedures and is consistent RCW 46.61.035, which requires emergency lighting equipment to be on during emergency response. The policy adequately differentiates between emergency vs. non-emergency response.

The agency also has policies in place for pursuits including supervision of pursuits, various roles and limitations of officers engaged in pursuits, procedures for multi-agency pursuits and the termination of pursuits. The agency policy addresses stopping techniques and the agency trains in the use of Pursuit Intervention Technique (PIT) as well as the use of spike strips to stop fleeing vehicles. Random interviews with officers confirmed that the policy is being applied in the field.

BPD Command reviews pursuits as an after action mechanism to identify policy adherence as well as possible training issues. The policy and its application are consistent with the WASPC model policy. Interviewed officers demonstrated strong knowledge of the BPD pursuit policy.

The agency has an updated policy for responding to domestic violence calls. The policy contains the necessary detailed guidance as to the agencies expectations of the officers as well as the legal requirements in the RCW for domestic violence response, investigation and arrests. The agency also has a specific and detailed policy for domestic violence incidents involving a police officer.

The BPD has a Missing Persons policy, which needs to be updated to reflect current ACCESS requirements and investigative considerations with the specificity necessary to offer guidance in the event of a missing person. The agencies Amber Alert protocol is

contained in a separate manual entitled “Child Abduction Alert System.” The Operations Lieutenant serves as the PIO in the event of an Amber Alert.

The agency policy dictates that an Amber Alert requires the authorization of two Command level persons AND the concurrence of the Chief. This protocol seems contradictory with the intent of the Amber Alert system, which is the timely release of the endangered person’s information. Interview with Command staff indicates that the current practice is that a single command level person has the authority to authorize an alert.

The agency has a policy in place for dealing with persons who are mentally ill. Although the current policy language is antiquated, current agency practice appears to work well. The entire agency recently attended a crisis intervention training class. The officers interviewed demonstrated strong policy knowledge and practical skills in this area.

Recommendations:

- 15.3 Address the radio communications dead spot issue as a priority.
- 15.7 Train all supervisors on the Amber Alert system. This training should include a tabletop exercise for Command and review the roles, responsibilities and levels of authority for activation. The PSAP and investigation team should be included in the training and discussion regarding roles/responsibilities.
- 15.7 The Operations Lieutenant will likely be involved in Incident Command and therefore should not be the PIO.
- 15.8 As a priority, update agency policy and provide updated training on dealing with the mentally ill.

Chapter 16—Traffic Function

WASPC Accreditation Standards:

- 16.1 *The agency has procedures for investigating vehicle crashes on public and private property and uses the current Washington State Patrol authorized accident reporting forms.*
- 16.2 *The agency has procedures for the lawful impounding of vehicles.*
- 16.3 *The agency has procedures to take timely action to address hazardous road conditions.*

Findings:

The purpose of this section is to ensure the agency has policy and protocols in place to ensure the safe and effective handling of traffic related incidents and activity. Although BPD does not have a dedicated traffic unit, they do have policy and systems in place that keeps the motoring public safe.

The LEMAP team found that BPD has procedures in place for traffic collision investigation, the impounding of vehicles and the identification/mitigation of road hazards. However, the Operations Lieutenant has creatively utilized grant money to obtain a speed trailer that is strategically placed around the city, often in response citizen complaints.

While budget constraints are a reality, the agency has a strong need of a civilian crime analyst capable of mining traffic data from the agency RMS. This position could identify accident causing locations and/or violations by time of day and location which could be used to direct patrol resources in the absence of a traffic unit.

Like others at BPD that are finding creative ways to do their jobs in difficult budget times, the Operations Lieutenant has developed personal spreadsheets and related “systems” which allow them to do their job as efficiently and effectively as possible. The danger of these tools is that they create information silos which others cannot access or may not even be aware of. The LEMAP team gives credit to the Operations Lieutenant for initiative and innovation but the lack of an information clearinghouse and analytical component points to problem that, if resolved, could enhance the crime fighting and traffic enforcement issues at BPD.

Recommendations:

In the absence of a Crime Analyst, or similar information clearinghouse, the agency should consider a common location for traffic data and information on the City intranet, perhaps creating a network “BPD” folder with sub-folders for each Division and sub-units within the respective division. This information could be used by Command Staff for analysis and eventual deployment of officers to problem traffic locations.

Chapter 17—Investigative Function

WASPC Accreditation Standards:

- 17.1 *The agency utilizes a case management system for screening and assigning incident reports for follow-up investigations.*
- 17.2 *The agency has written guidelines for investigating elder abuse.*
- 17.3 *The agency has written guidelines for investigating child abuse.*

- 17.4 *The agency requires that interviewers of child victims of sexual abuse cases have received the mandated training from the Washington State Criminal Justice Training Commission.*
- 17.5 *The agency has written guidelines for investigating hate crimes.*
- 17.6 *The agency has written guidelines for investigating identity theft.*
- 17.7 *The agency has policies and procedures governing the use of informants.*
- 17.8 *Victims and witnesses are interviewed in locations that are separated by sight and sound from the public areas of the facility.*

Findings:

There are two investigative units within the structure of the department. They are the General Investigative Unit (GIU) and the Special Operations Group (SOG).

The GIU is the reactive traditional detective unit that is stationed at BPD Police Headquarters. There are six detectives and a Sergeant assigned to the unit. The unit handles routine criminal investigative follow up assigned by the Detective Sergeant. Each detective carries an average caseload of 10 cases where the bulk of their investigative caseload is crimes against persons and a small assignment of property crimes. There is no threshold or criteria for GIU's decision to accept a property crime from patrol and acceptance can vary depending on the workload of the detectives. Property crimes involving small loss are inactivated or returned to patrol for follow up. Detectives are generalist investigators which mean they can expect to be assigned any kind of criminal investigation; from property or financial crime to serious assaults.

GIU detectives work five 8 hour shifts, weekends off. However, there is consideration to move detectives to a compressed work week of four ten hour days. Each day the Detective Sergeants screens all case reports from the previous 24 hours (72 on weekends) and assigns appropriate cases for investigation. Investigative assignments are made during a daily briefing held at the start of the GIU workday in which the Detective Sergeant provides a briefing on reports generated during the prior 24 hours, which is an excellent intelligence sharing mechanism for the agency.

SOG is staffed and operated in more of a traditional Drug Task Force model. A BPD Detective Sergeant leads four Bremerton City Detectives in who investigate complex investigations that may require a proactive policing approach. The SOG handles and documents all informants, including GIU informants. Policy and procedures surrounding the use of informants by BPD is appropriate and complete with contemporary safety practices in place such as two detective contact with informants at all times.

In addition, the SOG Sergeant manages the asset seizure and forfeiture process for BPD. During interview of the SOG Sergeant by the LEMAP assessor they noted that they are

responsible for tracking seizures and forfeitures, transfer of forfeited assets, disposition of such assets and more. The procedure is impressive and has survived state audit; however, found the Sergeant uses two personal spreadsheets to track asset transfers. Perhaps some of these duties can be reviewed and reassigned to administrative support personnel.

While drug investigations are at the heart of the SOG operations, they can also handle other crimes such as human trafficking, organized crime and more. Additionally, they are ready to support the GIU with major investigations or high profile cases. The SOG is located in a remote facility about 10 minutes from the Police Department in the City of Bremerton. The facility is secure and alarmed.

Since the SOG is operated in a manner similar to a Drug/Gang Task Force Model and these units often appear to operate in a veil of secrecy and can be subject to allegations of misconduct. Many task forces try to minimize these claims by initiating a peer review process where outside assessors form similar investigative units review BPD SOG policies and procedures to evaluate alignment with industry best practices. Results of the review are shared with command staff and unit detectives and often promote confidence, minimize the appearance of secrecy and underscores transparency of unit operation.

The investigative units are considered a support service to the Patrol Operations division. Presently the Support Services Lieutenant supervises GIU and the Support Services Captain supervises the SOG. The LEMAP team made several inquiries to explain this unusual chain of command reporting structure and did not receive a logical reason or explanation.

Although the LEMAP assessor was told that the two units work closely together it appeared that this relationship may not necessarily be the case. Several employees indicate that communication between the two units is not as good as it could be and the assessor learned that the SOG does not regularly have a representative at the morning GIU briefing to contribute or share intelligence between the two units. Moreover, the LEMAP team finds that although the remote location of the SOG was once justified because of space limitations at the former headquarters building, moving into a new headquarters facility in 2007 eliminated a justification for separation. It is clear that BPD has likely fallen into the "*we've always done it this way*" mindset with the location of SOG, and a rigorous and deliberate review of their location by the Chief and Senior Command needs to be an agency priority.

Finally, the LEMAP team found that the investigative function (both GIU and SOG) are staffed by hard working and dedicated employees. But these employees fall under a reporting structure that can easily foster a level of dysfunction that does not serve them, or Bremerton's citizens, very well. Two investigative units that follow different chains of command are inefficient and can potentially lead to inconsistency and investigative conflict.

Recommendations:

17.1 The LEMAP team recommends that BPD conduct an assessment of the agency investigative function. This review must include:

- An assessment of work space at headquarters and discuss a logical rationale to appropriately locate the SOG.
- Investigative unit Chain of Command. Ideally, both SOG and GIU should be managed by one Lieutenant.
- An analysis of the current work schedule for both SOG and GIU. If a compressed work week is under consideration, ensure that the investigative mission is part of the discussion and an investigative sergeant is available M-F.
- A review of the SOG Sergeants administrative responsibilities related to asset seizure and forfeiture.
- Consider installing a peer review process for the SOG using regional law enforcement talent familiar with these processes.
- Administration, Command and Supervisory Staff of the Bremerton Police Department need to establish regular inspections and reviews of the entire SOG unit to ensure that the operational guidelines are being closely followed and that they are compliant with recent case law and best practices.

17.7 Strengthen BPD informant policy and practices by memorializing in agency policy the following:

- Ensure informant contact logs are completed daily. This can help in establishing credibility and reliability of the informant as well as keep an accurate record of the informant's general performance.
- Provide written documentation in the confidential informant file that memorializes the discontinuation or separation of an informant's service. This sets a bright line as to a date the informant was no longer under the direct instruction of the SOG or informant manager.
- The receipt process used for money spent out of the SOG for case expenses is very generic. When an informant buys drugs a standard receipt is used with notations and signatures of persons involved but there is little information on the receipt that details the expenditures. I recommend a different form, rather than a receipt, which details the transaction (e.g. type and quantity of drug) with reference to a case number that memorializes the activity.

Chapter 18—Evidence and Property Control Function

WASPC Accreditation Standards:

18.1 The agency has written guidelines for the proper collection and identification of evidence and property. These guidelines are consistent with the intent of the

policies and procedures outlined in the current Washington State Patrol Evidence Collection Manual.

- 18.2 *Seizures and Forfeitures: Persons with a vested interest in property and evidence are provided the legal reason for the seizure and intended forfeiture as defined by state law. The agency has procedures for notification, appeal and disposition.*
- 18.3 *Notifications: The agency has policies requiring efforts are made to identify and notify the owners, or custodians, of property and evidence in the agency's custody.*
- 18.4 *Booking – Property and evidence is placed under the control of the property and evidence function before the officer completes their shift.*
- 18.5 *Booking – The agency has the means to temporarily separate and secure property and evidence while it is waiting processing into the permanent storage facility.*
- 18.6 *Booking – The agency has the means to properly preserve and secure perishable property both temporarily and after it is received in the permanent storage facility.*
- 18.7 *Booking – The agency has the means to temporarily separate and secure evidence containing hazardous materials while it is waiting processing into the appropriate permanent storage facility.*
- 18.8 *The permanent storage facility has controls to keep property protected from unauthorized entry, fire, moisture, extreme temperature, and pests. At a minimum, alarms for unauthorized entry and fire must be monitored 24/7.*
- 18.9 *The permanent storage facility containing biohazards or organic matter has systems in place to prevent the exposure of hazards and noxious odors to agency employees and the public.*
- 18.10 *Physical Security – Access to the agency's property and evidence facilities is restricted to authorized employees only.*
- 18.11 *Physical Security – The agency records the name, date, time, and purpose of persons who enter and leave the storage facility who are not assigned to the property/evidence function.*
- 18.12 *Physical Security – The agency provides additional security for guns, drugs, cash, jewelry, or other sensitive or valuable property, that is over and above that provided for other property and evidence.*

- 18.13 *Tracking – Evidence and property is packaged, individually tagged and logged into a centralized tracking system as soon as possible. The tracking system must accurately describe the current location of every piece of property and evidence.*
- 18.14 *Tracking – Every piece of property and evidence is related to a report describing the circumstances of the seizure or custody by the agency.*
- 18.15 *Tracking – The tracking system accurately records the movement of every piece of property and evidence by date, location, reason and person.*
- 18.16 *Tracking – Drugs are weighed using a calibrated scale whenever they enter or leave the secure facility.*
- 18.17 *Purging – The agency has policies governing the release and disposition of property and evidence in accordance with applicable state law.*
- 18.18 *Purging – Property containing hazardous materials, biological hazards or other materials restricted by State or local health regulations is disposed of properly.*
- 18.19 *Purging – When property is sold, the disposition of the money received is accounted for and recorded according to State law.*
- 18.20 *Purging – The agency destroys illegal drugs, contraband and other illegal items by methods that are safe. Documentation of destruction is maintained according to the State's retention schedule.*
- 18.21 *Audits – The agency ensures that an unannounced audit of evidence and property, including drugs, money and firearms is conducted at least annually by personnel not directly in the evidence unit's chain of command.*
- 18.22 *Audits – An audit of property and evidence is conducted whenever a new employee is assigned over-all responsibility of the property and evidence function.*

Findings:

The management of police property rooms is arguably the most sensitive area of police management responsibility. Property room managers, and the manner in which they run their property rooms, are often reflective of agency accountability and discipline and provide outside evaluators a snapshot of agency operations and integrity. Several employees referenced past corruption with the BPD property room that resulted in a comprehensive review and overhaul of property room policy and processes. Consequently, and following a detailed review and inspection, the LEMAP team is delighted to report that the BPD property room is in many ways a model property room.

The evidence room is staffed by two full time technicians; Marixa Scott and Cathy Mattson. Cathy has been employed in the evidence room since 2007 and Marixa, since September 2012. Both employees present themselves as professional and dedicated representatives of the department. The unit is directly supervised by Lieutenant Olan—under the direction of Captain Burchett (Support Services Division). Both the Lieutenant and Captain have attended property room management classes hosted by the IAPE (International Association of Property and Evidence).

Marixa possesses forensic analysis training from previous work experience at other law enforcement agencies. Her skills include fingerprinting lifting (all types), DNA swabbing, macro photography, in addition to other collection and analysis knowledge. Since her hire in September 2012, she has performed 24 laboratory examination/analysis' on behalf of the department, that would otherwise be outsourced to the state lab. She also performs crime scene evidence collection field work. Currently her job description does not specify these duties; however, her direct Supervisor, Lieutenant Olan, says that he is looking at a job description review to include these duties in order to accurately define and compensate her responsibilities.

In 2006, before moving to the new location, an employee with designation as a “crime scene” officer, with access to the evidence room, was involved in an investigation of suspected theft from the evidence room. The subsequent investigation revealed several oversights in security, both physical and in tracking systems. The result was a complete audit of the evidence room and scrutinizing of the record keeping and storage processes in place at that time. The department also enlisted outside professional assistance in locating vulnerabilities that likely aided the theft of property from the evidence room. The new facility has installed policy and procedures and employed a design of the evidence room that should protect BPD from future problems.

An example is the dual security system for entry of the “safe”. The safe is housed within a secondary level of security inside the evidence room. Access to this area can only be made via uniquely assigned key card, for which a permanent record is made when the card is used. To further access the vault (safe) a user code is required. Other than permanent evidence staff, the Lieutenant and Captain must both be present to access the vault, as the Captain does not have the code to open the vault door and the Lieutenant does not have key card access to the secure area. The Lieutenant receives an email upon any entry into the vault along with a signature log and checks this against the alarm panel report generated by the monitoring company to review and potential inconsistencies or unusual occurrences.

During interviews, both evidence room employees expressed confidence in the integrity of the systems being utilized for both electronic recordkeeping and physical evidence management. They report approximately 20,000 total evidence items are stored in the property room. The electronic tracking program used for evidence is a stand-alone system and is not integrated with the department’s CAD/RMS software. The evidence staff indicates they are pleased with the capabilities of the software being used for evidence records (Evidence on Q). The staff was able to demonstrate how the product can generate

any type of report they may need in their daily work or for auditing purposes. The software includes an electronic signature component as well as bar-coding.

The evidence room consists of approximately 4,000 square feet and has available very good equipment and supplies that are minimally necessary for all functions necessary for intake, packaging and storage of property and evidence. Additionally, the evidence room appears to be outfitted with state-of-the-art storage and lab testing equipment. The room is designed with multiple levels of physical security and systems that support the integrity of managing property.

The current practice (not noted in the policy manual) is that anytime property or currency over \$10,000 is accepted into the evidence room the Lieutenant and Captain are notified. In addition, the evidence staff generates and provides the Lieutenant with a monthly report of cash and/or high value items being stored in evidence.

Under the direction of the Lieutenant, the section developed an operations manual for property and evidence staff that describes processes for the evidence room staff. Additionally, they have created an evidence packaging manual, which provides explicit instructions for officers. These two reference manuals are comprehensive and are well designed and exceed the existing Operations Manual in direction and best practices.

The practices in the evidence function highly outweigh the written procedures in the current operations manual. The WASPC standards for property and evidence are being met in practice, with few exceptions (noted below). One exception to the standards is the recommendation of a written policy regarding notification to the property owners in the instance of a legal seizure of property when forfeiture is sought. Although the current manual does not contain a section that directs a notification, the LEXIPOL policy will include a provision that meets this standard. Presently, the responsibilities for seizure/forfeiture procedures fall to the SOG team. Although the supervising Sergeant reports that the practice follows the statutory regulations for notifications to the property owner, no specific protocol is included in the written procedures.

The evidence room staff employees are both actively involved in the statewide evidence network for information sharing, allowing them to stay current with available evidence room management data, and related laws. The most recent full evidence room inventory was conducted in February 2012.

There are no written procedures for seizure and forfeiture in the current manual. Under current practice seizure notices and required notifications are made by the Special Operations Group (SOG) Sergeant. All property seized by the SOG unit is processed in the same manner as any property acquired by patrol. With the exception of vehicles, no other property is stored at the SOG unit quarters.

Chapter 35 of the current policy manual covers property and evidence but does not include a written policy requiring identifying and notifying owners of property. The

“Operations Manual for Property and Evidence” does include language that supports this standard.

The purging of items in the property room is an ongoing process with daily efforts made to establish adjudication of cases and dispose of related property. The staff demonstrated an organized practice of collection of “like items” for mass disposal with excellent record keeping practices.

Lieutenant Olan has developed an audit form which is used quarterly in an unannounced comprehensive random sampling audit of both physical property and related record keeping. The audit includes high value or sensitive type items of property including currency, drugs and firearms. Audits are performed by an available patrol sergeant who has neither access to the property room or the record keeping function for evidence control, nor any direct authority over the evidence staff. Lieutenant Olan was able to provide evidence that quarterly reports are current. In addition to the quarterly audits, the city auditor conducts routine “surprise audits” of evidence record keeping (such as auction proceeds handling) during the year.

Recommendations:

- 18.2** Develop a policy, and procedures, that identify roles and responsibilities for agency personnel that are involved with asset seizure and forfeiture. The policy should include notification protocols that comply with both state and federal law.
- 18.3** Develop a policy and procedures for notification of owners whose property is in the custody of the BPD property room.
- 18.10** Update the current job description of evidence room staff to accurately describe roles and responsibilities and job classification.

Chapter 19—Prisoner Security

WASPC Accreditation Standards:

- 19.1 The agency has written guidelines governing the methods and use of restraining devices used during prisoner transports.*
- 19.2 The agency has written guidelines for transporting the sick, mentally ill, injured or disabled prisoners.*
- 19.3 The agency requires transporting officers to conduct a thorough search of prisoners prior to transport.*
- 19.4 The agency requires a thorough search of all vehicles used for transporting prisoners before and after transport.*

- 19.5 *The agency has procedures for officers transporting prisoners for:*
- *Safety and security of firearms;*
 - *Removing restraining devices;*
 - *Delivering documentation to the receiving personnel; and*
 - *Advising receiving personnel of any potential medical or security concerns or hazards posed by the prisoner.*
- 19.6 *The agency's temporary holding facility includes access to shelter, warmth, potable water, and a toilet.*
- 19.7 *The agency has procedures for using temporary holding facilities that addresses:*
- *Supervision and accountability for temporary detainees;*
 - *Authorization for using temporary holding facilities;*
 - *Temporary restraint devices approved for use;*
 - *Separation by gender and status (i.e. adults/juveniles); and*
 - *Plans for fire prevention, suppression and evacuation.*
- 19.8 *The agency has procedures for non-secure holding of juveniles who are status offenders.*

Findings:

The handling of prisoners, particularly those with special needs, is a high risk/high frequency function of agency operations that exposes the city to heightened levels of liability if not uniformly managed. Chapter 19 sets out basic guidelines that require law enforcement agencies to adopt policies and apply procedures that ensure the safe and responsible handling of all prisoners.

The Bremerton Police Department does not have holding cells or jail facilities. However, the LEMAP team found that BPD officers are skilled in the handling and security of prisoners. Additionally, BPD has a Warrants unit that is responsible for prisoner transports from the field as needed and prisoner movement to the Youth Services Center, Kitsap County Jail and Courts. The LEMAP team was advised that adult in-custodies go directly to Kitsap County Jail and in the case of juveniles they go immediately to Youth Services located on Old Clifton Road in Port Orchard. During a tour of the department by the LEMAP team, and through discussion with the officers, it appears the current policies are being followed.

The LEMAP team found the current policies are outdated but generally align the agency in compliance with the WASPC accreditation standards and provide guidance to staff when using restraints, handling special populations and defines search protocols for prisoners and transport vehicles. Prisoner escort to/from the headquarters building is accessed from a fenced/secure parking lot most of the patrol cars are parked. Headquarters contains spacious rooms where the breathalyzer/data master equipment is housed, interview rooms are available and work areas for officers are located. BPD also

has the luxury of a building that contains an interview room that has audio video capability and an opportunity for interviews to be witnessed by one-way glass through an adjoining room.

Although unclear, BPD officers may be using interview rooms for secure holding of low risk prisoners and juvenile status offenders. Given the layout of the headquarters building, if BPD chooses to use any rooms for secure holding appropriate policy/procedures must be developed and staff must be trained to the policy.

Recommendations:

The agency should continue its development, implementation and training on best practice through their new policy as related to prisoner security.

- 19.6** If it is the desire of the department to ever use current interview rooms for secure holding appropriate policy needs to be implemented and training must be offered to staff on all of the rules and regulations, state and federal law relating to the operation of temporary holding facilities.
- 19.7** Juvenile status offenders cannot be held in the temporary detention facility. The agency should refer to the U. S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Guidance Manual for Monitoring Facilities under the Juvenile Justice and Delinquency Prevention Act of 2002 to ensure they are using their temporary detention facility in an appropriate manner, when they are detaining juveniles.
- 19.8** If juveniles, or any prisoners, are securely held in this facility, the agency should comply with the Washington Juvenile Justice Compliance Monitor and document the observation of juvenile detainees at least every 15 minutes.