



# 5.300 – Patrol Ruses

#### Effective Date: 11/01/2023

The public expects law enforcement officers to be truthful and transparent in their interactions with the community they serve. The community also rightfully expects their law enforcement officers to fulfill law enforcement objectives in a manner that promotes the safety of all involved.

This policy recognizes that patrol ruses may serve an important role in mitigating the inherent risk in some activities and may promote a vital community safety interest, while at the same time recognizing that any act of deception, regardless of intent, when improper, may detrimentally impact the public's trust in the department and may undermine law enforcement efforts.

Department policy requires officers to be truthful in their communications (5.001-POL-11 Employees Will Be Truthful and Complete in All Communication). However, no portion of 5.001-POL-11 or any other policy will be interpreted to prohibit officers from using deception in the form of a patrol ruse to accomplish a specific, legitimate, lawful purpose if the patrol ruse is deployed consistent with this policy.

This policy applies to patrol officers.

### 5.300-POL-1 Definitions

**Patrol Ruse:** an officer's act of deception intended to achieve a person's cooperation.

**Shock the Conscience:** any situation or form of deception that falls outside the standards of civilized decency and seems grossly unjust to the observer.

### 5.300-POL-2 Use of Patrol Ruses

Patrol ruses will be reasonable in scope and narrowly tailored to meet a specific, legitimate, and lawful purpose.

Patrol ruses may be used in the following circumstances:

- For the furtherance of de-escalation,
- To calm or provide comfort to a person(s),

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- To promote the safety of any person,

- For scene management, or
- To bring potentially violent situations to a peaceful resolution.

Patrol ruses may also be used for investigative purposes where there is reasonable suspicion of a crime.

**Exception:** Patrol ruses are prohibited for the investigation of misdemeanor property crimes.

Patrol ruses used for investigative purposes must comply with the requirements of  $\underline{\text{RCW } 13.40.740}$  – Juvenile Access to an Attorney.

When reasonably practicable, officers will consult with a supervisor before using a patrol ruse for investigative purposes.

Patrol ruses may not be broadcast over radio, social media, or any other mass media format.

No patrol ruse may involve officers making or implying promises regarding prosecution or filing decisions.

Patrol ruses that shock the conscience will not be used.

#### **5.300-POL-3 Documentation of Patrol Ruses**

All uses of patrol ruses, and the justification for a patrol ruse, will be documented in the report, investigative file, or updated in CAD, as appropriate.

- Documentation will include what the patrol ruse was, why the patrol ruse was used, if the patrol ruse was effective, and the supervisor who was consulted, if used for investigative purposes.
  - If the officer was unable to consult with a supervisor prior to using a ruse for an investigatory purpose, the officer will document why the consultation was not practicable.
- The word "ruse" will be written in the report, investigative file, or CAD.