

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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8	UNITED STATES OF AMERICA,)	Case No. 2:12-cv-01282-JLR
9)	
10	Plaintiff,)	CITY OF SEATTLE’S MEMORANDUM
11	v.)	RE: AGREED PHASE II SUSTAINMENT
12)	PERIOD PLAN
13	CITY OF SEATTLE,)	
)	
	Defendant.)	
)	

On January 10, 2018, the Court ordered the City of Seattle and the United States of America (individually “the City” and “DOJ,” collectively “the Parties”) and the Monitor to “meet, confer, and prepare a plan for discharging their obligations under the Consent Decree during the Phase II sustainment period,” and to submit the plan by March 2. Jan. 10, 2018 Ord. (Dkt. #439) at 14, 16. The Parties and the Monitor have done so, and the City submits this agreed plan. The Monitor and DOJ will file their concurrences separately today.

The City will assess its sustained compliance in a series of seven quarterly reports to begin in July 2018. The Parties have reached consensus on the topics those reports should cover and the City’s plan for critical self-analysis to ensure the quality of those reports. Each report will consist of a narrative summarizing that quarter’s developments, as well as attached reports on the audits,

1 assessments, policy reviews, and outcome reports that have has completed that quarter, to the extent
2 they have not already been filed with the Court. The Parties and Monitor have also agreed to a more
3 detailed schedule to guide all of them as they exchange information in a collaborative process
4 preceding (and in some cases following) the City’s quarterly reports. *See* Attachment A (“Sustainment
5 Matrix”).

6 I. City’s Sustainment Proposal

7 The City will self-assess its sustained compliance with the Consent Decree using assessments
8 and data reports summarized through seven quarterly reports (“Quarterly Reports”), beginning in July
9 2018. Those reports will update the Court on SPD efforts that are designed not only to measure the
10 Department’s sustained compliance with the Consent Decree, but to drive reform beyond the
11 requirements of the Decree and after federal oversight has ended. Every Quarterly Report will contain,
12 as described more fully below, statistics on use of force for that quarter, statistics on crisis intervention,
13 a summary of the action of SPD’s force review entities, including SPD’s responses to the
14 recommendations of its Force Review Board, OPA action relevant to the Consent Decree, and updates
15 on labor negotiations and relevant disputes. Each Quarterly Report will also summarize SPD’s self-
16 assessment work during that quarter, including process audits (“Audits”), reports on outcome measures
17 and data (“Outcome Reports”), and continued review and revision of SPD policies and procedures
18 (“Policy Reviews”) from both within the Department and in concert with the Monitor and Parties as
19 well as City accountability partners (including the Office of Police Accountability (“OPA”), the
20 Community Police Commission (“CPC”), and a yet-to-be-appointed Inspector General (“IG”). The
21 Quarterly Reports will attach any audit, Outcome Report, Policy Review, or other deliverable that has
22 not yet been filed. The Quarterly Reports will also update the Court on efforts beyond the control of
23 SPD (*e.g.*, ongoing labor negotiations, OPA, CPC, and IG developments, and legislative activity

1 relevant to compliance).

2 The City addresses each of the above Quarterly Report components in more detail below and
3 addresses the role of the Monitor and the DOJ. The City concludes with a schedule for the Audits,
4 Outcome Reports, Policy Reviews, and joint or Monitor-led assessments that the Court will receive
5 each quarter, plus any other report the Court might receive from the Monitor or DOJ, as well as a
6 summary of content that the City will update in every Quarterly Report. Again, the Sustainment
7 Matrix, Attachment A, provides a more detailed schedule to guide the collaboration of the Parties,
8 Monitor, and CPC as they develop the documents they will file.

9 From the City's perspective, the most important shift from the first phase of the Consent
10 Decree is that the compliance period will focus on demonstrating that *the City* is sustaining
11 compliance via assessments derived and directed by the City. It is for that reason that most of the
12 work identified above is the City's obligation first, subject to scrutiny by DOJ and the Monitor. A
13 demonstration that the City can sustain compliance is the best foundation for sustaining effective
14 constitutional policing in Seattle beyond the termination of the Consent Decree.

15 If the City is successful in its ongoing reforms and is able to demonstrate that it has
16 maintained compliance through the sustainment period, it hopes to include a joint motion to
17 terminate the Consent Decree with its final quarterly report in January 2020. The City has designed
18 its sustainment plan accordingly. However, no one should construe the City's proposal to reflect an
19 assumption that the Decree will necessarily terminate then. The City's proposal is designed to
20 pinpoint any concerns about its sustained compliance quickly so that it can remedy them promptly
21 to maintain its progress toward the end of federal oversight. If significant shortcomings are
22 identified, the timeline for termination would change as needed. The City recognizes that,
23 ultimately, it is more important to get this right than to simply get this done.

1 **A. Audits**

2 SPD's Audit, Policy, and Research Section ("APRS") will conduct audits spanning the
 3 requirements of the Consent Decree, each intended to evaluate SPD's sustained compliance with
 4 Consent Decree policies and processes.¹ APRS will develop auditing methodologies for each that are
 5 consistent with best practices and approved by the DOJ and Monitor² pursuant to the schedule set forth
 6 below and in the Sustainment Matrix. CPC will also have an opportunity to comment on proposed
 7 methodologies.³ Presumptively, APRS will model each audit on the assessment of the same topic area
 8 that was conducted during Phase I, though with a more limited size and scope as to the data or time
 9 period sampled. Furthermore, as part of this Phase, SPD will pay particular attention to areas flagged
 10 by the Court and the Monitor during Phase I and will include its findings on those issues in its self-
 11 assessment reports. Jan. 10, 2018 Ord. (Dkt. #439) at 5. Notably, while the City is taking the lead
 12 during the sustainment period, it recognizes that the DOJ and the Monitor may verify the quality of
 13 SPD's self-assessments through their own, independent evaluation of the same randomly-selected
 14 sample sets used by the City. Further, the Monitor and DOJ retain the ability to file their own
 15 supplemental reports on any of the topics below as needed and following the schedule set forth in the
 16 Sustainment Matrix, Attachment A.

17 The following provides additional detail as to each of the areas the Audits will cover.

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19

20 ¹ The Parties and the Monitor agree that, as the sustainment period and the City's new accountability system evolve,
 21 it may make sense for the City to have one or more tasks assigned to APRS conducted by a different entity (another
 SPD Unit, a City accountability entity, or even an outside contractor or consultant). The City will consult with the
 Monitor and DOJ if it elects that option.

22 ² If DOJ or the Monitor do not approve the methodology, each reserves the right to object to the outcome of the
 assessment as not being indicative of continued compliance.

23 ³ The City will seek CPC input as it works on sustainment deliverables. Even where this plan does not explicitly say
 so, the City has agreed to share drafts and requests for input with CPC.

1) Use of Force Reporting, Investigation, and Review

Once each year, APRS will audit the reporting, investigation, and review of Type I and Type II uses of force. The audits (4 total) will assess whether officers have continued to correctly classify and document their uses of force pursuant to the requirements of SPD policy and the Consent Decree. ¶¶100-102.⁴ They will also assess whether supervisors' review of those reports, and investigation of the underlying incidents, are thorough, rigorous, complete, fair, objective, and consistent with both SPD policy and the Consent Decree. ¶¶97-98, 104-111. The audits will specifically evaluate whether command-level officers are sufficiently identifying and addressing deficiencies in Type II force investigations. Jan. 10, 2018 Ord. (Dkt. #439) at 5. In each force-reporting audit, APRS will address questions that the Monitor has raised about the effectiveness of each precinct's administrative lieutenants (working with each precinct's captain) in improving the quality and timeliness of precinct-level use-of-force reporting and investigation.

Court-approved SPD policies mandate that all Type III uses of force be investigated by SPD's Force Investigation Team ("FIT") and reviewed by SPD's Force Review Board ("FRB"). SPD will also audit the quality of the FRB's review of serious use of force incidents using a random sample of FRB findings reports. The audit will assess whether the FRB has continued to review force incidents in a robust and thorough manner consistent with both SPD policies and the terms of the Consent Decree. ¶¶119-125.

Each Quarterly Report will also include a summary of all FRB reviews during that quarter, and representatives of the Monitor and DOJ will continue to attend each FRB, have access to the investigative materials it reviews, and receive its final reports. In addition, each Quarterly Report will

⁴ Citations with bare "¶" symbols are to paragraphs of the Consent Decree. Dkt. #3-1, as modified at Dkt. #13.

1 contain an update on FRB's recommendations to the rest of SPD as well as the action taken in response
 2 to those recommendations, addressing a concern the Monitor has raised.⁵ Jan. 10, 2018 Ord. (Dkt.
 3 #439) at 5.

4 Each Quarterly Report will also include statistics on uses of force by SPD's officers during
 5 that quarter. The Quarterly Report will also highlight cases in which a complaint of misconduct in
 6 violation of Consent Decree policies was referred to OPA as well as the source of that complaint
 7 (chain of command, FRB, OPA itself, or a private party complaint to OPA). It will also identify
 8 minor misconduct issues referred within the Department for a "front line investigation." Quarterly
 9 reports will also track the results of OPA's "management action letters," which deliver OPA's
 10 recommendations to SPD arising out of misconduct investigations. This will assist the Monitor and
 11 DOJ as they assess how effectively SPD and City accountability systems are identifying
 12 misconduct, a concern that the Monitor has raised. Jan. 10, 2018 Ord. (Dkt. #439) at 5.

13 2) Comprehensive Use of Force Review

14 Given the centrality of use of force outcomes to the Consent Decree, the Parties and Monitor
 15 have agreed to collaborate on a Comprehensive Use of Force Review that will repeat much of the
 16 approach they used in the Ninth Systemic Assessment. They would collectively select a statistically
 17 valid sample of cases for review, the DOJ, SPD, and Monitor would each evaluate those cases
 18 independently with the assistance of subject matter experts,⁶ and the parties would confer on a joint
 19 assessment of the use of force that the City hopes will serve as the sustainment period's capstone. The
 20 audit will assess whether SPD officers have continued to use force consistent with SPD policies, the

21 _____
 22 ⁵ FRB has been tracking its recommendations and their outcome since the beginning of 2016. The City's first Quarterly
 Report will contain a summary of all of those recommendations and their outcome, and subsequent reports will update
 that summary with new recommendations and new responses by the rest of SPD.

23 ⁶ Neither SPD nor any other entity can dictate the work of the IG, but SPD would request that the IG participate as a
 fourth evaluator in this final assessment.

1 law, and the Consent Decree. ¶¶ 69-90, 127-130. The audit will also include a random sample of Force
2 Investigation Team investigations of Type III uses of force. The audit will assess whether FIT has
3 continued to thoroughly examine Type III officer uses of force consistent with SPD policy and the
4 terms of the Consent Decree. ¶¶ 95, 102, 112-118.

5 3) Crisis Intervention

6 APRS will also audit SPD's crisis intervention systems to ensure continued compliance with
7 SPD policies and the terms of the Consent Decree. ¶¶130-133). In this audit, SPD will include an
8 assessment of its uses of force against persons in crisis in order to address concerns raised by the
9 Monitor. Jan. 10, 2018 Ord. (Dkt. #439) at 5.

10 4) OPA

11 The Parties and Monitor agree that OPA plays a vital role in ensuring that violations of Consent
12 Decree policies are identified, investigated, and appropriate action (disciplinary or otherwise) is taken.
13 OPA will continue to be present at all FIT investigations and at all FRB proceedings, initiating
14 investigations in its independent judgment. The Quarterly Reports will include updates on OPA action
15 relevant to the Consent Decree. As follow up to the Monitor's review of OPA during Phase I, the
16 Monitor will conduct an additional review of OPA, focusing on the quality, consistency, and timeliness
17 of OPA interviews and the thoroughness of OPA investigations raising potential criminal or terminable
18 offenses. Jan. 10, 2018 Ord. (Dkt. #439) at 5. As was the case in the Fourth Systemic Assessment, the
19 purpose of the follow-up assessment will not be "to assess compliance with specific requirements
20 under the Consent Decree." 4th Sys. Assessment (Dkt. #259-1) at 2.

21 5) Early Intervention System

22 APRS will perform an annual audit of SPD's Early Intervention System ("EIS") to assess
23 whether SPD has continued to comply with SPD policy and the terms of the Consent Decree, including

1 the continued use of policies and procedures that ensure interventions that assist officers in avoiding
2 potentially troubling behavior. ¶¶ 157-163.

3 6) Stops and Detentions

4 APRS will annually audit general offense reports (police reports) and officers' *Terry* templates
5 not only to determine whether officers are continuing to comply with Court-approved policies
6 governing stops and frisks and the terms of the Consent Decree, ¶138, but also to identify any patterns
7 that will help SPD refine its policies and practices.

8 7) Disparate Impact

9 The Monitor and the Parties have previously identified SPD practices that have a disparate
10 impact on some traditionally disadvantaged groups. Jan. 10, 2018 Ord. (Dkt. #439) at 6. For example,
11 although the Tenth Systemic Assessment concluded that SPD officers were following policy in stops
12 and detentions, the Monitoring Team identified a disparity between percentage of stops of African-
13 Americans among all SPD stops, in comparison to the percentage of African-Americans in Seattle's
14 population as measured by census data, even after controlling for certain factors. But the Parties, the
15 Monitor, and the CPC agree that these blunt analyses are insufficient to identify a cause of any
16 disparity. SPD is committed to a deeper look at the disparities and what SPD might do to reduce or
17 eliminate them. Indeed, its Court-approved bias-free policing policy requires it to periodically analyze
18 disparate impact data and assess whether equally effective alternative practices would lessen the
19 disparity.

20 SPD will look beyond APRS to address disparate impacts arising not just from its stops and
21 detentions but from its uses of force and any of its other practices. SPD has engaged Dr. Jack McDevitt,
22 the Director of Northeastern University's Institute on Race and Justice, to assess disparate impacts of
23 SPD's stops and detentions practices as well any disparate impact of the use of force by its officers.

1 As it becomes available, SPD will share the results of his work in its quarterly sustainment reports.

2 8) Supervision

3 The Consent Decree requires SPD supervisors to bear much of the responsibility for ensuring
4 that line officers comply with use-of-force reporting and other reporting requirements, investigating
5 uses of force both at the scene and through review of reporting, and providing appropriate direction
6 (and where appropriate, referrals of potential misconduct) to line officers. As was the case during Phase
7 I, the audits described above will serve as indicators of the extent to which supervisors are succeeding
8 in carrying out these duties.

9 In addition, APRS will conduct an audit each year on SPD's compliance with the Consent
10 Decree's standalone "Supervision" requirements, ¶¶ 153-155, which require that SPD employ enough
11 supervisors (especially sergeants) to meet these responsibilities, that sergeants and other first-line
12 supervisors are generally assigned to the same day and watch as the officers they supervise, and that
13 sergeants are promptly trained.

14 SPD is also working to leverage its data analytics platform ("DAP") to help supervisors
15 routinely identify supervisory opportunities. SPD will work with the Monitor and the DOJ to evaluate
16 these capabilities and the Quarterly Reports will include an update to the Court on the status of those
17 efforts.

18 9) Community Confidence

19 The Monitoring Team will re-engage the services of an outside firm to survey the community
20 regarding its feelings related to SPD. The results will be compared against prior surveys to ensure that
21 SPD has continued to maintain or improve its levels of community confidence. The survey will put
22 particular focus on "isolated communities" (as defined by the Monitor in Phase I) to assess SPD's
23 efforts in improving communications and relationships with these groups. Jan. 10, 2018 Ord. (Dkt.

1 #439) at 6.

2 **B. SPD Policy Reviews**

3 SPD has implemented policies sufficient to comply with the Consent Decree, with substantial
4 input from the DOJ and the Monitor, and with the Court’s approval. Jan. 10 Ord. (Dkt. #439) at 12-14
5 (holding that SPD has achieved “Phase I” objectives, including “incorporating the Consent Decree’s
6 requirements into policy”). Policy reform will not stop there.

7 In collaboration with the CPC, SPD (APRS, more specifically) has developed a three-year
8 cycle of scheduled reviews of *all* SPD policies. That cycle will ensure that during sustainment and
9 beyond, SPD examines every policy. Consent Decree-mandated policies are central, and APRS will
10 review them once every year. SPD will continue to participate in national efforts to pinpoint best police
11 practices, including crisis intervention and use of force investigation approaches. APRS will seek the
12 input of the DOJ and Monitor in reviews of Consent Decree-mandated policies, will share the results
13 of those reviews as they are completed, and will file reports on each review in the quarterly compliance
14 report that follows its completion. To the extent those reviews reveal the need for changes to Consent
15 Decree-mandated policies, SPD will consult with the DOJ and the Monitor and seek Court approval
16 before implementing any change.

17 Early Intervention System (“EIS”)

18 The policy reviews above will include a review of the EIS policies that SPD implemented
19 with the assistance of the Monitor and DOJ. SPD will continue to follow those policies unless the
20 Court orders otherwise, and it will audit EIS performance at least once during the sustainment
21 period. It will also work with the Monitor and DOJ to assess the implementation of EIS on the DAP,
22 addressing a concern the Monitor has raised.

1 But SPD does not believe that its current EIS policies are as effective as they could be in
2 preventing misconduct and other problematic officer behavior before it occurs.

3 For that reason, SPD is working to improve EIS outside the policy-review process described
4 above. SPD is participating on a national task force headed by the University of Chicago Crime
5 Lab to rethink approaches to EIS. The task force includes law enforcement executives,
6 psychologists, psychiatrists, and sociologists. SPD is also working with Washington State
7 University researchers to refine its analysis of the triggering incidents that are the backbone of its
8 current EIS and to identify intervention strategies to help mitigate the impact of traumatic incidents
9 on officer well-being, with an eye toward improved policing outcomes. Both of those efforts will
10 be part of a broader SPD initiative to reevaluate its officer wellness programs (including its
11 chaplaincy program, Code 4, and Peer Support).⁷

12 C. SPD Outcome Reports

13 In addition to the audits described above, SPD will continue the practice it began in summer
14 2016, of publishing periodic reports summarizing critical policing data for the public. These “Outcome
15 Reports” provide another manner by which to assess SPD’s progress in reform by demonstrating
16 important impacts of its work under the Consent Decree, such as reductions in serious uses of force
17 and improved outcomes with people in crisis. SPD has already posted the following reports on its
18 website and filed them with the Court:

- 19 • 2015 Crisis Intervention Program (published Aug. 2016, not filed)
- 20 • 2016 Use of Force (published Jan. 2017, Dkt. #362)

22 ⁷ SPD’s reassessment of its officer wellness programs is consistent with the Pillar Six of the 2015 Final Report of the
23 President’s Task Force on 21st Century Policing, the result of Executive Order No. 13684 in late 2014. *See*
<http://elearning-courses.net/iacp/html/webinarResources/170926/FinalReport21stCenturyPolicing.pdf>.

- 1 • 2016 Stops and Detentions (published May 2017, Dkt. #391-1)
- 2 • 2016 Crisis Intervention Program (published Aug. 2017, Dkt. #411-1)
- 3 • 2017 Use of Force (published Jan. 2018, Dkt. #442)⁸

4 SPD will continue this cycle of reporting, publishing a Use of Force Report each January, a
5 Stops and Detentions Report each April, and a Crisis Intervention Program Report each August. The
6 Parties and Monitor have agreed on a timetable to allow DOJ and the Monitor to give input on future
7 Outcome Reports based on the content of the corresponding prior report or reports. If it has not done
8 so already, SPD will file each Outcome Report along with a Quarterly Report and will summarize their
9 contents therein.

10 SPD will also add an annual report on its community engagement efforts. SPD hopes that
11 that report will help guide the Monitoring Team as it conducts a new assessment of Seattle
12 communities' confidence in SPD, as discussed below. That report should assist the Monitoring
13 Team as it addresses a concern the Monitor has raised previously about SPD's efforts to reach
14 isolated communities with which its engagement efforts have been less successful. Jan. 10, 2018
15 Ord. (Dkt. #439) at 6.

16 Along with its annual community engagement report, SPD will share what it learns from its
17 recently-renewed contract with a team of researchers who are assessing the satisfaction of 911
18 dialers whose calls lead to an SPD response.

19 **D. Additional City Obligations**

20 The City is committed to achieving labor accords consistent with the reforms of the police
21 accountability ordinance it passed in 2017. As the City's recent accord with the Seattle Police
22

23 ⁸ SPD's Force Review Unit also published a "2016 Taser Report," a summary of data obtained from all taser
deployments by SPD officers in 2016. It is one of the exhibits included at Dkt. #432-1.

1 Management Association demonstrates, the City must meet its obligations to bargain, but it will ensure
2 that any agreement that touches on Consent Decree topics falls within the boundaries of the Decree. It
3 will also fulfill its commitment to present a fully-negotiated accountability ordinance to the Court. Jan.
4 10 Ord. (Dkt. #439) at 15 (“If collective bargaining results in changes to the accountability ordinance
5 that the court deems inconsistent with the Consent Decree, then the City’s progress in Phase II will be
6 imperiled.”). The City cannot schedule its presentation of a fully-negotiated ordinance to the Court,
7 but it will update the Court on the progress of relevant labor negotiations and disputes (to the extent
8 the law permits) in each Quarterly Report.

9 The City will also update the Court on City legislation that bears on the requirements of the
10 Consent Decree, as well as any litigation that bears on SPD’s compliance with the Consent Decree,
11 including litigation over collective bargaining.

12 **II. Role of DOJ and the Monitor During the Sustainment Period**

13 The explicit identification of roles and responsibilities for the Monitor identified in Part I,
14 *supra*, are not exhaustive. In all instances in which the City or SPD prepares an Audit, Policy
15 Review, or Outcome Report, the DOJ and Monitor will have a role both before the document is filed
16 and, with respect to Audits, will reserve the option to file a supplemental report to address any issue
17 not addressed to its satisfaction. The Sustainment Matrix, Attachment A, is a detailed timetable for
18 the exchanges of the information that will enable that collaboration. For certain Audits identified in
19 the Matrix, the DOJ and Monitor reserve the option to conduct a parallel assessment of an area that
20 SPD is assessing. The Parties and Monitor are optimistic, however, that their collaboration will
21 eliminate the need for supplemental or parallel reports. Regardless, nothing in the City’s sustainment
22 plan is meant to amend the duties, responsibilities, authority, or access of either the United States or
23 the Monitor set forth in the Consent Decree.

III. Quarterly Compliance Calendar

This Calendar summarizes the Audits, Policy Reviews, Outcome Reports, and Monitor Assessments that will be filed during each quarter. SPD will file a Quarterly Report before the end of each Quarter. Each quarter ends on the month specified (*e.g.*, quarter one ends on July 31, 2018).

The Sustainment Matrix, Attachment A, is a detailed schedule for each listed Audit, Policy Review, Outcome Report, and Monitor Assessment. Optional supplemental reports are not listed on this Calendar, although deadlines for preparing them are in the Sustainment Matrix.

Q1 Jul. '18	Audits: None Policy Reviews: Use of Force, Reporting, and Investigation (SPM 8.000 to 8.500), Crisis Intervention (SPM 16.110), Bias-Free Policing (SPM 5.140) SPD Outcome Reports: Community Engagement Report, Stops and Detentions Monitor Assessments: Data Analytics Platform
Q2 Oct. '18	Audits: Type I Use of Force & Investigation, Type II Use of Force & Investigation, Supervision Policy Reviews: Contacts, Stops, & Detentions (SPM 6.220) SPD Outcome Reports: Crisis Intervention Program Monitor Assessments: None
Q3 Jan. '19	Audits: Crisis Intervention & Use of Force, Stops & Detentions Policy Reviews: EIS (SPM 3.070) SPD Outcome Reports: Use of Force Monitor Assessments: Community Engagement Assessment & Community Survey
Q4 Apr. '19	Audits: EIS, Disparity Analysis I Policy Reviews: Crisis Intervention (SPM 16.110), Bias-Free Policing (SPM 5.140) SPD Outcome Reports: None Joint Assessments: Sustainment Period Update
Q5 Jul. '19	Audits: Type II Use of Force & Investigation, Force Review Board Policy Reviews: Use of Force, Reporting, and Investigation (SPM 8.000 to 8.500) SPD Outcome Reports: Stops and Detentions Monitor Assessments: Force Review Board Follow-Up

<p>1 Q6 2 Oct. '19</p>	<p>Audits: Type I Use of Force & Investigation, Stops & Detentions Policy Reviews: Contacts, Stops, & Detentions (SPM 6.220) SPD Outcome Reports: Crisis Intervention Program Joint Assessment: Comprehensive Use of Force Review</p>
<p>3 Q7 4 Jan. '20</p>	<p>Audits: EIS, Disparity Analysis II, Supervision Policy Reviews: EIS (SPM 3.070) SPD Outcome Reports: Use of Force Monitor Assessments: Office of Police Accountability</p>

6 All reports will address the following topics:

- 7 1. Use of Force statistics for the past quarter, including a comparison of number of
8 incidents to which SPD responded, the number of incidents in which an officer used
9 reportable force, and the severity of the force used in those incidents.
- 10 2. Quarterly crisis intervention statistics, including a comparison of the number of
11 incidents involving a person in crisis.
- 12 3. A summary of FRB and FRU reviews of uses of force over the past quarter.
- 13 4. An update on the status of FRB's recommendations to SPD, including new
14 recommendations and action on older recommendations.
- 15 5. A summary of completed OPA investigations of potential misconduct in violation of
16 Consent Decree policies (*e.g.*, use of force, use of force reporting, interactions with
17 persons in crisis, and stops and detentions), including the source of the complaint (*e.g.*,
18 external complaints, chain of command, FRB, or OPA).
- 19 6. An update on collective bargaining and other labor issues, accountability system
20 developments, and relevant litigation.

21 **IV. Conclusion**

22 The sustainment plan above is the product of extensive collaboration between the Parties and
23 the Monitor. The City believes this plan is a solid foundation for evaluating sustained compliance with

1 the Consent Decree. Accordingly, the City asks that the Court issue an order approving this
2 Sustainment Plan.

3 DATED this 2nd day of March, 2018.

4 PETER S. HOLMES
Seattle City Attorney

5
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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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DATED this 2nd day of March, 2018, at Seattle, King County, Washington.

/s/ Jennifer Litfin
Jennifer Litfin, Legal Assistant