




# 2020 Accountability Report

December 8, 2020

Public Safety & Human Services Committee



# Two Transformational Events in One Year

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Redefining Accountability and  
Oversight (Institutionally and  
Logistically)



# (Mid-)Yearly Reporting Requirement



Highlighting budget, state legislative agenda, and collective bargaining agenda issues



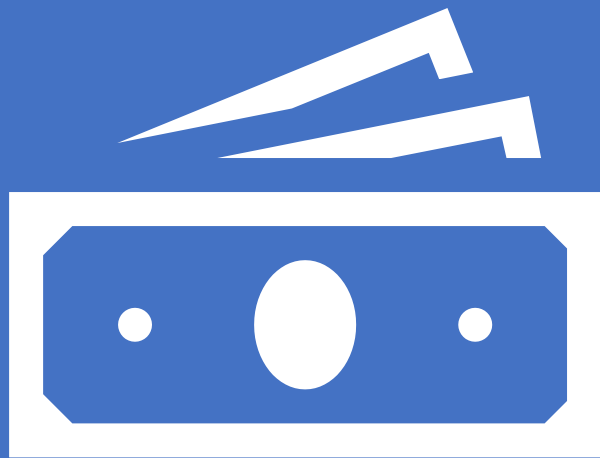
Status of recommendations issued by OPA, OIG, and CPC



Whether recommendation follow-through was timely and effectively addressed needed improvements

# Budget Issues & Oversight

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- Budget work for 2022 needs to start early.
- Accountability activity related to the consent decree and oversight recommendations will have resource implications.
- Civilian-led Community Safety and Communications Center - 911 Call Center and Parking Enforcement Unit relocation require increased oversight.

# State Legislative Agenda Recommendation Highlights

## TOP PRIORITIES IN 2021 SESSION

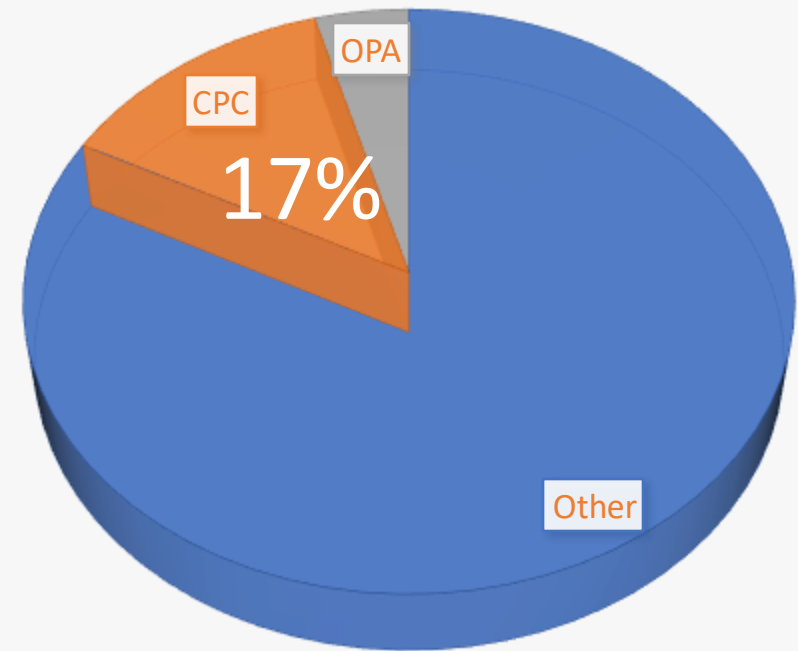
- Reform the police certification and **decertification** process.
- Establish a **special prosecutor** to prosecute police misconduct cases.
- Establish a **statewide investigative entity** for serious/deadly use of force.

## OTHER HIGHLIGHTS

- Create a **duty to intervene** when officers witness police misconduct.
- Create a **clearinghouse**/database for use of force data.
- Remove accountability elements from the **collective bargaining** process.
- Remove barriers to allowing **civilian personnel** to take on more roles traditionally restricted to sworn officers.

# Governor's Task Force on Independent Investigations of Police Use of Force

## Accountability Partner members (present & past) on Taskforce



# CPC Advocacy Activities



## **CPC Advocacy Authority**

“Identify and advocate for reforms to state laws that will enhance public trust and confidence in policing and the criminal justice system.” 3.29.300

# City Agenda vs. CPC State Legislative Agenda

## Aligned

- Remove police accountability from the collective bargaining process
- Repair Washington's broken decertification system
- Institute truly independent investigations
- Strengthen requirements for officers to intervene when they witness police misconduct

## Aligned

- Remove arbitration as a route of appeal for police misconduct
- Ensure community is represented on the WSCJTC

## Disagree

- Ban tear gas in Washington State



# Collective Bargaining Accountability

- Oversight technical advisors in bargaining process for the first time in City history
- Bargaining commencing



## 2020 Collaboration Highlights

- Quarterly Accountability Partner Meetings to coordinate oversight efforts
- Officer-Involved-Shooting Community Protocols
- State Legislative Agenda conversations
- Crowd Control Weapons Ordinance recommendations
- Sentinel Event Review
- Innovations in Effective Interviewing Training



CPC

# CPC Publications and Reports

- CPC Response to 21st Century Policing Assessment of Police Accountability
- Crowd Control Weapons Ban Recommendations
- State Legislative Agenda recommendations
- Letter to City Attorney to end attempts of subpoenas to journalists
- CPC recommendations on next steps for police accountability

# Challenges



Lack of recommendation implementation



Unfulfilled information and data requests

# Community Engagement & Events

- Demonstration Management Committee
- Webinar Series: Cultivating Resilience in the Time of Coronavirus
- Re-engagement of the Community Engagement Workgroup
- RE-engagement of the Community Engagement System Partners Group
- Support of Mi'Chance Dunlap-Gittens Youth Rights Ordinance
- Completion of the Arts Partnership with Creative Justice



# CPC Recommendation Tracker

## WHAT DOES IT LOOK LIKE?

- 20 columns with recommendation, status, and supporting documentation

## WHAT ARE THE NEXT STEPS?

- Complete updates, clean data, track response and action taken, iron out process with partners
- Create a public-facing version with metrics and data visualizations

| Recommendation | Recipient ... | Date of... | Recommendation on        | SPD Policy Nu...  | Description   |
|----------------|---------------|------------|--------------------------|-------------------|---|
|                | Other         | 10/7/2020  | State Legislative Agenda | Not an SPD Policy | • Amend RCW 41.56.100 to create "effects-only" bargaining for acc<br>statutory provisions so that only provisions effecting employees, e.g<br>be bargained. In the alternative, specify accountability provisions th<br>decisional bargaining (e.g., appellate process, disciplinary timelines,<br>disciplinary files). |
|                | Other         | 10/7/2020  | State Legislative Agenda | Not an SPD Policy | • Expand the state's criteria on disqualifying misconduct to include<br>and misdemeanors involving "moral turpitude" that breach the pub<br>• Require periodic local auditing of agencies' notice of police officer   |

# Consent Decree Compliance

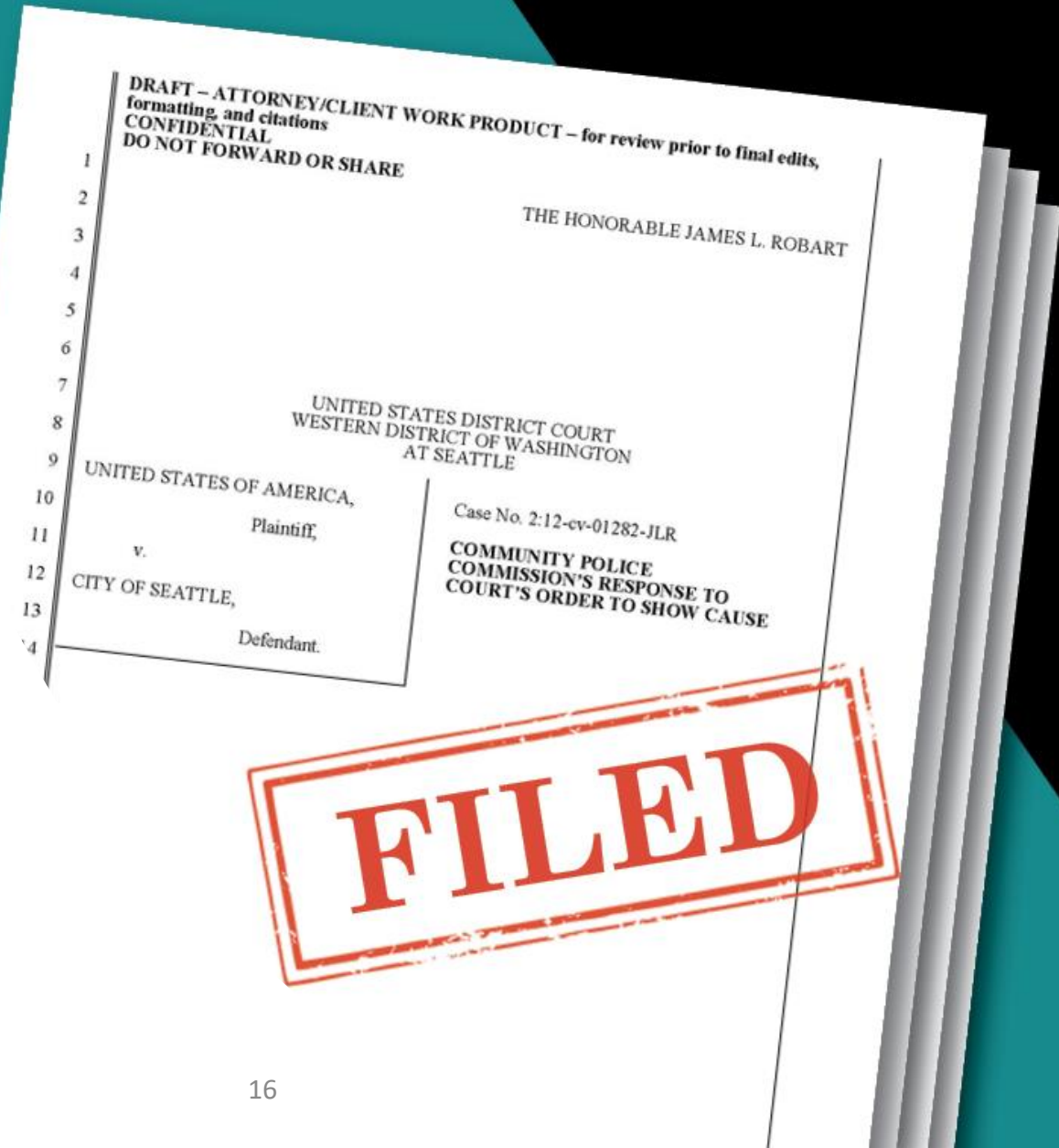
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## City remains out of compliance on accountability

- City was found out of compliance in May 2019
- City was ordered to work with the DOJ, Monitor, and CPC to create a plan to come back into compliance by August 2019
- That has not been completed, as was pointed out in multiple CPC court filings in 2020

## CPC opposed City and DOJ motion to discharge substantive commitments of the Consent Decree

- City withdrew that motion in June after protests began





# Other CPC Priorities

## **Community Engagement**

- District liaison program, youth engagement, virtual community engagement during pandemic

## **Police Practices**

- Arbitration and PSCSC, surveillance, CSO program, public disclosure, 911 dispatch, crisis intervention, officer wellness, academy training, de-escalation training

## **Collaboration**

- Police contract negotiations, SPD ruses, recommendation tracking database, in-service trainings for SPD officers about the accountability system, officer professionalism

## **CPC Internal Business**

- Permanent executive director search, new commissioner onboarding, new policy team

OIG

# OIG Protest Response Oversight

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- **Crowd Control Weapons Ordinance recommendations**
  - Less Lethal Weapons Usage in Protests information summary
- **Sentinel Event Review**
  - Community-centered systemic examination of mass protest sentinel events
  - Review by community, SPD, and additional experts
  - Informing SPD protest response



# OIG Audits & Assessments in 2020

- 2020 Projects
  - Canine Unit
  - Police Case Management System Vulnerability
  - DNA Destruction
  - Secure Firearms Storage
- Ongoing/Recurring
  - Chapter 14.18 Surveillance Ordinance
  - Chapter 14.12 Compliance and Follow-Up
  - Mutual Aid
  - Effectiveness of Discipline

# OPA Review

- Regular review of OPA classifications
- Certification of OPA investigations
- Other OPA oversight areas:
  - Unsubstantiated misconduct review
  - Bias reviews
  - Mediations
  - Rapid adjudication
- Quarterly reporting
- Annual report

# Joint Project: Improving Investigative Interviewing of Suspects and Witnesses

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- Partnering with an international expert to develop a program to enhance interview skills
- OIG, OPA, and SPD Force Investigation Team investigators to undergo virtual training beginning in December - January



OPA

# OPA 2020 Policy Recs

- 13 policy recs issued so far in 2020 (including 2 just last week)
- SPD has fully implemented 2 and is close to completing many others
- SPD has requested extensions on some due to COVID, protests, and staffing issues
- OPA & SPD meet quarterly to discuss the status of these recs



# OPA 2020 Policy Recs

| Date Issued        | Case #                        | Topic                                      | OPA Status                        |
|--------------------|-------------------------------|--|-----------------------------------|
| December 2, 2020   | 2020OPA-0369<br>2020COMP-0014 | <a href="#">Racial Equity</a>              | Active                            |
| December 2, 2020   | 2020OPA-0305<br>2020COMP-0013 | <a href="#">Surveillance</a>               | Active                            |
| September 28, 2020 | 2019OPA-0922<br>2020COMP-0012 | <a href="#">Traffic Contact Reports</a>    | Active                            |
| September 28, 2020 | 2019OPA-0422<br>2020COMP-0011 | <a href="#">Leadership Expectations</a>    | Active                            |
| August 3, 2020     | 2020OPA-0199<br>2020COMP-0009 | <a href="#">Mental Health Transport</a>    | <a href="#">Fully Implemented</a> |
| April 21, 2020     | 2017OPA-0089<br>2020COMP-0008 | <a href="#">Court Dispositions</a>         | Active                            |
| April 8, 2020      | 2019OPA-0190<br>2020COMP-0007 | <a href="#">Sound Transit Response</a>     | Active                            |
| March 30, 2020     | 2018OPA-0395<br>2020COMP-0006 | <a href="#">Special Commission Permits</a> | Active                            |
| March 30, 2020     | 2018OPA-0358<br>2020COMP-0005 | <a href="#">Special Commission Permits</a> | Active                            |
| March 30, 2020     | 2019OPA-0034<br>2020COMP-0004 | <a href="#">Employee Timekeeping</a>       | Active                            |
| March 30, 2020     | 2018OPA-0742<br>2020COMP-0003 | <a href="#">Handling Money Evidence</a>    | Active                            |
| January 17, 2020   | 2019OPA-0383<br>2020COMP-0002 | <a href="#">Employee Wellness</a>          | <a href="#">Fully Implemented</a> |
| January 9, 2020    | 2019OPA-0479<br>2020COMP-0001 | <a href="#">Body-Worn Video Recording</a>  | Active                            |

SPD

# Peer Intervention Program

- Responsive to OIG 2018 recommendation
- Provide SPD members with tools, training and authority to intervene when fellow officers engage in unprofessional or improper conduct
- One successful national model is the Active Bystandership for Law Enforcement (ABLE) program, based on New Orleans Ethical Policing is Courageous (EPIC) program
- SPD has commenced Train the Trainer participation in Q4 2020



Any Questions?