

Title	Author	Date Sent	Policy #/Title	Description	Recommendation Status	Notes	CPC Staff Lead	Sent To:	Tracking Number
CPC on Community Engagement Program Report	CPC	8/14/2018	Not an SPD Policy	<p>The CPC provided the following feedback on SPD's Community Engagement Program Report.</p> <p>"Data and metrics to measure impact and success of programs. Community must understand and buy-in to the intended impact, feel said impact, and have the ability to provide feedback. In addition, it is important to create metrics that are shaped by communities being served. Finally, to ensure the credibility of the reporting, it would be helpful to identify the sources of the data used in the report.</p> <ul style="list-style-type: none"><li>Community Engagement training, experience, and expertise. It is important to share the training, experience, and expertise that officers have who are engaged in these programs. Having this background, and sharing it, allows community to see that officers are also trained to interact with community in non-law enforcement settings.</li><li>Strategic Plan. It is important to show community that this work is connected to a larger plan with long term goals for community engagement. Having a strategic plan that outlines how community is being engaged and how programs are being created and implemented demonstrates a commitment to sustainability and growth and promotes community buy-in.</li><li>Community Partners. It is important to acknowledge the community partners who you are collaborating with in each of the areas of engagement.</li><li>Artwork. When placing pictures of community members on the cover, or within the report, it is important to ensure the faces of community members alongside officers are visible.</li></ul> <p>The CPC also asked the following questions:</p> <ol style="list-style-type: none"><li>What metrics are used to track the success of SPD's Community Engagement programs?</li><li>Could you describe the competency and expertise that officers have to lead/participate in the community programs you listed?</li></ol> <p>The CPC submitted recommendations in response to SPD's 2018 Stops and Detentions report on 2017 data. The CPC recommended that SPD include certain helpful analyses and demographic data that were included in previous reports. The CPC noted that certain key data elements that SPD reported in its previous report were missing from the online dataset available to the public, such as:</p> <ul style="list-style-type: none"><li>-Watch (1st, 2nd, 3rd)</li><li>-Functional Assignment (Though the dataset includes officer ID numbers, the public would not be able to identify the functional assignment of the officer)</li><li>-Administrative Assignment (same as above)</li><li>-Duration of stop</li></ul>	Recipient has not yet responded. <b>A/C Diaz, he will reach out directly to CPC to provide update.</b>		Roxana Pardo-Garcia	SPD - Specify	
CPC on Stops and Detentions Annual Reports	CPC	10/18/2018	Not an SPD Policy	<p>The CPC submitted recommendations in response to SPD's 2018 Stops and Detentions report on 2017 data. The CPC recommended that SPD include certain helpful analyses and demographic data that were included in previous reports. The CPC noted that certain key data elements that SPD reported in its previous report were missing from the online dataset available to the public, such as:</p> <ul style="list-style-type: none"><li>-Watch (1st, 2nd, 3rd)</li><li>-Functional Assignment (Though the dataset includes officer ID numbers, the public would not be able to identify the functional assignment of the officer)</li><li>-Administrative Assignment (same as above)</li><li>-Duration of stop</li></ul>	On Hold (When there has been no progress towards implementation of a recommendation, whether due to barriers or inaction) <b>Draft Stops &amp; Detentions Audit due September 15, 2019 -</b>	<p>SPD responded on 8/31/2018:</p> <p>"Your points concerning the analyses in the 2017 Stops and Detentions Report are well taken. Part of our purpose in conducting these analyses, publishing the data, and encouraging others to explore our data by way of our public-facing interactive dashboards is for precisely the point you raise – to drive continuing research, analyses, and discussion around an increasingly robust data set. While we will always be limited in our own bandwidth to conduct exhaustive analyses around all of our many areas of operation, we do make our data public in the hopes that others will partner in the journey. Just as we look forward to collaborating with our many research partners and the Office of the Inspector General in maximizing data review, we welcome any Summary</p> <ul style="list-style-type: none"><li>The Named Employee threatened to tase a subject as a de-escalation tactic, even though the force threatened would have been excessive if used under the circumstances. The most recent version of SPD Policy 8.100 – De-Escalation expressly allows for such threats of force and categorizes them as a deescalation tool.</li></ul> <p>Analysis</p> <ul style="list-style-type: none"><li>Threats of force undermine de-escalation tools outlined in SPD Policy 8.100-POL-1, most notably: "Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making."</li><li>A threat of harm or force can serve to amplify a subject and make it more likely that force will be used.</li></ul>	Karen Chung	SPD	
OPA MAR on De-Escalation/Threats of Force	OPA	1/17/2019	8.100 De-Escalation	"Revise SPD Policy 8.100 language to clarify that threats of force – and particularly threats of force that would otherwise be excessive – do not constitute a de-escalation tactic."	Declined Action (Recipient declined implementing a recommendation) <b>SPD sent Closing letter to OPA on 9/12/19 - Recommendation fully implemented</b>	<p>Summary</p> <ul style="list-style-type: none"><li>The Named Employee threatened to tase a subject as a de-escalation tactic, even though the force threatened would have been excessive if used under the circumstances. The most recent version of SPD Policy 8.100 – De-Escalation expressly allows for such threats of force and categorizes them as a deescalation tool.</li></ul> <p>Analysis</p> <ul style="list-style-type: none"><li>Threats of force undermine de-escalation tools outlined in SPD Policy 8.100-POL-1, most notably: "Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making."</li><li>A threat of harm or force can serve to amplify a subject and make it more likely that force will be used.</li></ul>		SPD	2018OPA-0577
OPA MAR on Terry Template	OPA	1/18/2019	6.220 Voluntary Contacts, Terry Stops, and Detentions	<ul style="list-style-type: none"><li>OPA previously recommended that SPD Policy 6.220 (10) be modified to state that when officers perform a Terry stop, a Terry template is always required (SMC 14.11.060(C)), regardless of whether officers have probable cause to arrest at the time of the Terry stop.</li><li>SPD declined to accept the entirety of OPA's recommendation, creating the following exemption from the requirement of a Terry Template: "Detentions based on probable cause do not require a Terry Template, but require the officer to document the stop via a GO report..."</li><li>In its response to OPA's initial Management Action, SPD referenced a "PC stop," which it asserted did not fall under Terry v. Ohio. OPA disagrees with this analysis and sees no distinction between a stop based on reasonable suspicion versus probable cause where a detention is effectuated and not an arrest. OPA is also unaware of any caselaw defining the contours of a "probable cause stop."</li><li>Ultimately, it is within the Department's discretion to choose not to adopt this recommendation; however, OPA would like to set up a meeting to discuss this more fully.</li></ul>	Recipient has not yet responded. <b>Received; Due Date is December 27, 2019</b>	<p>Summary</p> <ul style="list-style-type: none"><li>The Named Employee conducted a Terry stop, but failed to document it using a Terry Template, as required by SPD Policy 6.220 (10) – Voluntary Contacts, Terry Stops &amp; Detentions.</li></ul> <p>Analysis</p> <ul style="list-style-type: none"><li>The Named Employee claimed that completing a Terry Template was unnecessary because she had probable cause to arrest; however, the Named Employee did not actually arrest the subject.</li><li>The Seattle Municipal Code requires that all Terry stops be reported and itemizes the information that must be documented. SPD policy also requires that Terry stops be documented in a Terry Template.</li></ul>		SPD	2018OPA-0250

OPA MAR on Search and Seizure Training	OPA	3/13/2019	Not an SPD Policy	<ul style="list-style-type: none"> <li>The Training Unit should create a search and seizure training module and provide this training to all officers assigned to the Patrol Operations Bureau, at a minimum.</li> <li>Similar recommendations were issued for cases 2017OPA-1132 and 2018OPA-0053.</li> </ul>	Recipient has not yet responded. <b>Closing Letter sent to OPA on 8/16/19 (Search and Seizure Training is planned for all sworn officers in Fall of 2019)</b>	Summary <ul style="list-style-type: none"> <li>OPA found that the Named Employees violated SPD Policy 5.001 (2) – Employees Must Adhere to Laws, City Policy, and Department Policy by failing to provide Ferrier warnings before entering and searching a residence to find evidence of narcotics production.</li> </ul> Analysis <ul style="list-style-type: none"> <li>OPA attributes the Named Employees’ failure to comply with policy and the law during this incident to the lack of search and seizure training they have historically received. The Named Employees’ conduct was based on mistake and misapprehension of the law.</li> </ul>	SPD	2018OPA-0201
OPA MAR on Spit Sock Hoods	OPA	3/13/2019	11.010 Detainee Management in Department Facilities	The Department should clarify whether supervisors should always screen and document the use of a spit sock hood, regardless of whether the subject is later brought to a Department facility	Recipient has not yet responded. <b>Sent closing letter to OPA 8/16/19: Detainee Management Policy 11.010 was revised and "Department Facilities" was removed and now reads "This policy applies to all employees who have contact w/a detained person"</b>	Summary <ul style="list-style-type: none"> <li>A spit sock hood was applied to the Complainant; however, the Named Employee, who was the onscene supervisor, did not screen or document its use in the Arrest Screening Report, contrary to SPD Policy 11.010 - Detainee Management in Department Facilities 11.010-PRO-2 Application of the Spit Sock.</li> <li>The Named Employee reasoned that because the spit sock hood was applied in the field and the Complainant was not brought to a Department facility, this policy was inapplicable by its terms.</li> </ul> Analysis <ul style="list-style-type: none"> <li>The policy refers to the management of detainees in “Department Facilities”; however, it appears to be the intent of the policy to ensure that any application of a spit sock hood</li> </ul>	SPD	2018OPA-0661
OPA MAR on Ferrier Warning	OPA	3/13/2019	8.100 De-Escalation	<ul style="list-style-type: none"> <li>The Department should revise the language of SPD Policy 8.100 to make clear that threats, including threats of force, do not constitute a de-escalation tactic.</li> <li>A similar recommendation was issued in case 2018OPA-0577.</li> </ul>	Completed-All (When recipient fully implements a recommendation) <b>.Sent closing letter to OPA on 9/12/19 - Recommendation fully implemented</b>	Summary <ul style="list-style-type: none"> <li>Named Employee threatened to shoot a fleeing suspect. The Named Employee asserted that this threat served as a form of de-escalation. OPA disagreed and believed that this statement potentially violated SPD Policy 8.100 (1) – When Safe, Feasible, and Without Compromising Law Enforcement Priorities, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force.</li> </ul> Analysis <ul style="list-style-type: none"> <li>OPA concluded that threats run contrary to many of the de-escalation tools named in the policy, including, most notably: “Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making.”</li> <li>While recognizing that threats could constitute an effective law enforcement tactic, OPA disagreed that they constitute de-escalation.</li> <li>OPA believed that, instead, such threats were purposeful escalations of incidents that serve to impose compliance through fear of harm or force, and in some situations, amplify a situation and increase the likelihood that force</li> </ul>	SPD	2018OPA-0704
OPA MAR on Pursuit Termination	OPA	3/15/2019	13.031 Vehicle Eluding/Pursuits	<ul style="list-style-type: none"> <li>Modify SPD Policy 13.031 - Vehicle Eluding/Pursuits 17. Officers will Disengage When Pursuit is Terminated to clarify what steps officers are expected to take when transitioning from a vehicle pursuit to emergency vehicle operations.</li> <li>Consider establishing a requirement that the officer issue an oral advisement over the radio of the intent to transition to emergency vehicle operations to allow a Department supervisor to approve that decision – specifically where a supervisor has already terminated the pursuit.</li> </ul>	Declined Action (Recipient declined implementing a recommendation)		SPD	2018OPA-0198

OPA MAR on Roadblocks	OPA	3/15/2019	8.300 Use of Force Tools;#13.031 Vehicle Eluding/Pursuits	<ul style="list-style-type: none"> <li>Define roadblock in policy, provide guidance on when its use is appropriate, and clarify whether a roadblock only exists where the vehicle blocks the entirety of the road or whether a roadblock is present where the vehicle is blocking a portion or the majority of the road.</li> <li>Modify SPD Policy 8.300-POL-6 to include reference to roadblocks and to classify roadblocks as a vehicle-related force tactic that may only be used when objectively reasonable under the totality of the circumstances.</li> </ul>	Recipient has not yet responded. <b>Closing letter sent to OPA on 8/16/19 (Road Block is now defined in policy with definition as to when it is considered a UOF incident.)</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>The Named Employee used his patrol vehicle to partially block a road, which was identified as potentially being an out-of-policy roadblock.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>SPD Policy 13.031-POL-13 states that "intentional vehicle-to-vehicle contacts are prohibited as pursuit-ending tactics except as justified under the use of force policy." A roadblock as defined by the Force Review Unit exists when the vehicle blocks the entirety of the street, not just a portion. OPA notes that this definition is not contained in policy. Moreover, OPA is unaware of whether the Department has explained this distinction in the Emergency Vehicles Operations Course or other training.</li> <li>SPD Policy 8.300-POL-7 concerns vehicle-related force tactics and states that such tactics may only be used when objectively reasonable. The policy discusses three types of vehicle-related force tactics, including: Pursuit Immobilization Technique maneuvers, the use of stop sticks, and ramming. Notably, this policy does not discuss roadblocks.</li> </ul> <p>Summary</p> <ul style="list-style-type: none"> <li>The Named Employee used his patrol vehicle to partially block a road, which was identified as potentially being an out-of-policy roadblock.</li> </ul>	Karen Chung	SPD	2018OPA-0582
OPA MAR on Detainee Checks	OPA	3/15/2019	11.010 Detainee Management in Department Facilities	Clarify SPD Policy 11.010-TSK-1 to state whether "visual" checks include monitoring the detainee via a holding cell video feed or whether in-person checks are always required.	Recipient has not yet responded. <b>Closing letter sent to OPA on 8/16/19 (Detainee Management Policy was revised requiring all officers to physically check on detainees, stating it is not sufficient to use video feed to holding cells as a way to check)</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>The Complainant alleged that the Named Employee did not treat him properly when held at the precinct.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>SPD Policy 11.010-TSK-1 requires that officers visually check detainees every 30 minutes while they are in Department holding cells and document the checks on a log sheet.</li> <li>The Named Employee believed he followed this policy because he visually inspected the Complainant by viewing his image and condition on the holding cell camera.</li> <li>The Named Employee told OPA that it was the widespread practice of officers in his precinct to conduct checks via the holding cell camera.</li> <li>OPA interprets the policy to require visual, in-person checks, but this is not clearly defined in the policy.</li> </ul>		SPD	2018OPA-0751
OPA MAR on Taser Application	OPA	3/15/2019	8.300 Use of Force Tools	<ul style="list-style-type: none"> <li>OPA reiterates the need to rethink the purpose of the two prongs in Policy 8.300-POL-2(4) and the possible confusion that may result. Consider the sole requirement that all Taser applications be reasonable, necessary and proportional, like any other use of force.</li> <li>OPA recognizes that the Department began incorporating more detailed training concerning the application of Tasers to fleeing individuals, as recommended in cases 2017OPA-0119, 2017OPA0318, and 2018OPA-0661.</li> </ul> <p>Thank you for your consideration of this</p>	Recipient has not yet responded. <b>SPD sent closing letter to OPA on 9/12/19 - Recommendation fully implemented</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>The Named Employee used his Taser on a fleeing, non-violent subject.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>OPA believes that this force was not reasonable, necessary, or proportional.</li> <li>OPA has concerns about the training provided on Taser applications generally and, specifically, concerning tasing fleeing suspects. OPA has verified that such applications are being trained as appropriate and that, when the Named Employee acted in this case, his conduct was consistent with training.</li> </ul>		SPD	2018OPA-0872
OPA MAR on Medical Leave	OPA	7/3/2019	4.040 Sick Leave	Modify sick leave policy and the associated leave paperwork to require employees to seek approval from the Employment Services Lieutenant (or a successor to that position) prior to leaving their place of recovery under FMLA leave.	Recipient has not yet responded. <b>Received Due Date December 30, 2019</b>	<p>SPD Policy 4.040-POL-11 requires that employees who are unable to work due to illness or injury seek permission from the Department prior to leaving their place of recovery. Specifically, it requires employees to notify the Employment Services Lieutenant for approval, and at the time of the request, employees must provide a certification from their healthcare provider.</p> <p>If employees are sick or injured, requiring substantial time away from work, it is logical for the Department to require such employees to seek prior vacation approval to assure that the vacation does not impair the employees' recovery and ability to return to work. If these restrictions are not in place, FMLA leave could be abused, which is contrary to the purpose</p>		SPD	2019OPA-0886/2019COMP-0024
OPA MAR on Criminal Justice Information Systems	OPA	6/25/2019	12.050 Criminal Justice Information Systems	<ul style="list-style-type: none"> <li>Reiterate to all officers the restrictions on the use of the NICS database.</li> <li>Provide additional training and/or revisions to the applicable policies to ensure the database is not improperly accessed in the future.</li> </ul>	Recipient has not yet responded. <b>Received; Due date December 22, 2019</b>	<p>SPD Policy 12.050-POL-2 states that inquiries through criminal justice systems, including NICS, "are only to be made for legitimate law enforcement purposes."</p> <p>As set forth in the Washington State Patrol ACCESS Operations Manual, law enforcement use of NICS is only authorized for the transfer of a firearm, issuance/renewal of a concealed pistol license, and disposition of a firearm from evidence. While performed in good faith, Department inquiries conducted in the context of ERPOs proved inconsistent with the permitted usage of the NICS database.</p>		SPD	2019OPA-0097/2019COMP-0017

OPA MAR on Canine Deploymen t	OPA	6/18/2019	8.300 Use of Force Tools	<p>Recommendation(s)</p> <ul style="list-style-type: none"> <li>• Edit policy to ensure consistency with law, and update the canine unit manual to comply with policy. Consider the following modifications: <ul style="list-style-type: none"> <li>o prohibiting officers from using a canine for pain compliance;</li> <li>o differentiating between direct apprehensions and tracking;</li> <li>o developing a separate policy for tracking outside of the use of force policy;</li> <li>o clarifying that a canine cannot be used against all escaping subjects, including those who have committed non-violent misdemeanors or citable offenses;</li> <li>o directing that a canine should not be used to bite individuals who are only suspected of property crime; and</li> <li>o instructing that restrictions on canine bites are equally applicable to bites occurring during, or as a result of, a track.</li> </ul> </li> <li>• Audit canine training to confirm that it accurately represents and communicates the requirements of policy. Audits should be ongoing until the Department is confident that the unit is compliant with the revised policy.</li> <li>• OPA made related recommendations in cases 2018OPA-1037 and 2018OPA-0783, and it is OPA's understanding that SPD may have already been implemented some or all of the above recommendations.</li> </ul>	Recipient has not yet responded. <b>Closing letter sent to OPA on 8/16/19 (New section added to UOF policy, as well as additional training and Audit by OIG)</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>• It was alleged that the Named Employee may have acted contrary to the canine policy when he caused his canine to bite the subject. This may have been due to deficiencies and inconsistencies between the canine policy, canine unit training, and canine unit manual.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>• A plausible reading of the policy could yield the conclusion that a misdemeanor subject who posed no demonstrable threat to an officer or even a subject fleeing after committing a citable offense could be subjected to a canine bite. OPA has found no caselaw that would allow for a suspect believed to have merely committed a citable offense to be bitten by a canine.</li> <li>• The canine unit manual is more expansive than policy and provides guidance that could yield out of policy results.</li> <li>• It is OPA's understanding that canines are trained to bite the located subject after effectuating a track, thus potentially violating the prerequisites of SPD Policy 8.300 and creating an exception that abandons the rules set forth in the policy.</li> <li>• While OPA had concerns that the bite in this case was inconsistent with policy and Graham</li> </ul>	SPD	2019OPA-0172
OPA MAR on Custodial Search	OPA	6/11/2019	6.180 Searches - General	<p>Revise the policy to include an exception to the requirement of a cross-gender search when no officer that shares the arrestee's gender can respond to the scene within a reasonable timeframe. In such cases, officers should be permitted to search the arrestee, regardless of whether there is a reasonable likelihood that the arrestee is armed or possesses evidence that could immediately be destroyed, lost, or lose its evidentiary value.</p>	Recipient has not yet responded. <b>Received; Due date December 11, 2019</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>• It was alleged that Named Employees violated policy when they conducted a custodial search of a person of the opposite gender.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>• The third prong of SPD Policy 6.180-POL-2(e) appears to conflict with the first two. The first two prongs instruct that all arrestees be searched and that the search occur prior to transport, while the third prohibits cross-gender searches except in certain delineated circumstances. In many cases, if officers comply with the third prong, they will violate the first two. Due to current staffing levels, it is common that female officers may not be available. Accordingly, there are increasingly more occasions where arrestees are being transported without being properly searched.</li> </ul>	SPD	2018OPA-1107
OPA MAR on TASER Application	OPA	6/11/2019	8.300 Use of Force Tools	<p>Revise the second prong of the policy concerning when a Taser application is objectively reasonable; as it stands, the language is too broad. (Note: OPA made a similar recommendation in 2017OPA-0318, 2018OPA-0061, and 2018OPA-0872.)</p>	Recipient has not yet responded. <b>SPD sent closing letter to OPA on 9/12/19. Recommendation fully implemented</b>	<p>Summary</p> <ul style="list-style-type: none"> <li>• It was alleged that the Named Employee violated Department policy during a use of force incident.</li> </ul> <p>Analysis</p> <ul style="list-style-type: none"> <li>• SPD Policy 8.300-POL-2(4) governs when the use of a Taser is objectively reasonable. The policy provides two possible scenarios: "when public safety interests dictate that a subject needs to be taken into custody and the level of resistance presented by the subject is (1) likely to cause injury to the officer; or (2) if hands-on control tactics or other force options would be likely to cause greater injury to the subject than the use of CEW."</li> <li>• The Named Employee's actions were consistent with Department policy and training because virtually any Taser application could be deemed objectively reasonable under the</li> </ul>	SPD	

OPA MAR on Canine Deployment	OPA	6/11/2019	8.300 Use of Force Tools;#8.4 00 Use of Force Reporting and Investigati on	Amend policy to make it consistent with current practice and training as well as with the practicalities surrounding off-leash deployment. (Note: OPA made a similar recommendation in 2018OPA-0783.)  Clarify policy and/or provide additional training guidance to supervisors concerning what types of injuries rise to the level of great and substantial bodily harm. One way this could be accomplished is to have FIT develop a force screening matrix that could be shared with supervisors. Engage in a robust analysis of canine application caselaw, Department canine policy as a force tool, and Department canine training and whether this training is consistent with law and Department expectations of officer conduct.	Recipient has not yet responded. <b>Closing letter sent to OPA on 8/16/19 (New section added to UOF policy, as well as additional training and Audit by OIG)</b>	Summary  It was alleged that Named Employees violated policy upon causing a canine to bite the subject, and it appears that canine deployment practice and training do not align with policy.  Analysis  • SPD Policy 8.300-POL-1(7)(c) requires that officers receive approval from an immediate supervisor before a canine is deployed off-leash. Based on OPA interviews, it appears that practice and training do not align with policy  • SPD Policy 8.400-POL-1(3) instructs that a sergeant screen uses of force with the Force Investigation Team (FIT) for injuries rising to the level of great and substantial bodily harm to allow that unit to decide whether to respond to the scene and take over the investigation. The Named Employee failed to screen the incident with FIT. OPA believes that failure stemmed from a lack of clarity concerning when an injury constitutes great and substantial bodily harm.  • OPA is concerned that the canine unit chain of command may approve officer use of force without undergoing a critical review and analysis. This is particularly concerning given that canine force application has been deemed a "severe" use of force by the Ninth Circuit. It also appears to OPA that the canine unit chain of command consistently asserts that officer actions were consistent with training. However, deficient training cannot be used to	SPD	2018OPA-1037
OPA MAR on Canine Deployment	OPA	5/29/2019	8.300 Use of Force Tools	<ul style="list-style-type: none"> <li>Revise SPD Policy 8.300-POL-1 to be more consistent with caselaw, clarifying that a fleeing subject does not, by itself, provide a justification to use a canine.</li> <li>Ensure the "handler supplemental report" is completed when appropriate. If the Department does not wish to use this report, remove reference to it from policy and instead provide guidance on where and how that information should be captured.</li> </ul>	Recipient has not yet responded. <b>Closing letter sent to OPA on 8/16/19 (New section added to UOF policy, as well as additional training and Audit by OIG)</b>	Summary  It was alleged that the Named Employee violated SPD Policy 8.300-POL-1 Use of Force – Canine Deployment when he caused his canine to bite two subjects.  Analysis  • SPD Policy 8.300-POL-1 directs that a canine may only be used as a force tactic when objectively reasonable. The policy also provides guidance as to when canine bites must be released.  • A plausible reading of the policy could yield the conclusion that a misdemeanor subject who posed no possible threat to an officer, or even a subject fleeing after committing a citable offense, could be subjected to a canine bite. However, OPA has found no caselaw that would allow for a suspect believed to have merely committed a citable offense to be bitten by a canine.	SPD	2018OPA-0783
OPA MAR on Secondary Employee ment	OPA	5/29/2019	5.001 Standards and Duties	<p>Recommendation(s)</p> <ul style="list-style-type: none"> <li>Create guidelines to govern the approval, training, monitoring, and recordkeeping for holders of Special Commissions, ensuring that these individuals are held accountable to fundamental SPD policies, such as force, bias, professionalism, and the reporting of serious misconduct.</li> <li>OPA also flagged these issues for the Office of Inspector General, which agreed to add it to its 2019 work plan.</li> <li>It is OPA's understanding that SPD is already working on policies in this area and some of the aboverereferenced recommendations may have already been implemented.</li> </ul>	Recipient has not yet responded. <b>Received; Due date November 25, 2019</b>	Summary  It was alleged that the Named Employee, now a Special Commission holder, violated SPD Policy 5.001-POL-10 Standards and Duties – Employees Shall Strive to be Professional.  Analysis  • SPD Policy 5.001-POL-10 instructs that "employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers."  • If the Named Employee still held employment with the Department, OPA would recommend that this allegation be Sustained and that discipline be imposed. However, the Named Employee no longer works for the Department and, instead, possesses a Special Commission that permits him to work off-duty.	SPD	2015OPA-0370/2019COMP-0013

CPC on Disparity Review Part 1	CPC	5/20/2019	Not an SPD Policy	<p>We request a formal meeting to initiate a collaboration between SPD and the CPC to address the disparities confirmed by the audit. One such area that the CPC would like to reengage with SPD on is training of officers, especially given that since previous conversations between the two agencies on this subject, both the CPC and SPD have had changes in leadership. We hope to work with SPD on efforts to negate bias and eliminate inequitable treatment of marginalized communities via SPD's training of officers.</p> <p>Also:</p> <p>In future audits and reports by SPD, SPD should disaggregate Pacific Islander people from Asian people in the "Non-White" racial identification categories.</p>	<p>On Hold (When there has been no progress towards implementation of a recommendation, whether due to barriers or inaction)</p> <p>2019 Disparity Review draft issued 10/31/19 -</p>	<p>6/6/2019 Response from Chief Best:</p> <p>In Phase II, as we dig deeper into the Phase I findings, we likely will uncover some issues that have little to do with police operations and/or policies, and to address them we will need broad support from the community to ameliorate underlying issues.</p> <p>While it would be advantageous to have every community/group in its own category, it is not operationally feasible. Primarily, the department has reporting requirements from the state and federal governments that use these pre-defined census categories.</p> <p>Additionally, in many of these interactions officers are recording only demographics based on their perception. It would make no sense to expect officers to correctly disaggregate many of these communities – acknowledging that even at current broader categories we are misidentifying individuals when no formal identification is confirmed.</p> <p>At this point it is premature to discuss what changes to practices could affect any of the identified disparities – the models in the Phase I report were not able to consider a variety of factors that could explain the disparity in a way that could be addressed through practice changes. Again, that is the information and discussion that must take place during the Phase II report. As noted above, we are counting on our partners, including the CPC, to assist in the work of the Phase II report.</p>	Karen Chung SPD
OIG on Firearms Inventory Controls, Recommendation 1	OIG	5/23/2019	Not an SPD Policy	SPD should consider amending its practices to ensure that firearms inventory processes include all SPD-owned firearms, including those used by other city entities and converted firearms.	In Progress (When recipient is working to implement a recommendation)		SPD
OIG on Firearms Inventory Control, Recommendation 2	OIG	5/23/2019	Not an SPD Policy	SPD should consider conducting a firearms inventory of all firearms formerly listed as assets and that could potentially have been overlooked by prior APRS inventories of firearms. OIG is available to assist with this inventory.	In Progress (When recipient is working to implement a recommendation)		SPD
OIG on Firearms Inventory Control	OIG	5/23/2019	Not an SPD Policy	SPD should consider requiring that all lost or stolen SPD firearms be reported to the National Crime Information Center Database and the Washington State Department of Licensing.	In Progress (When recipient is working to implement a recommendation)		SPD