



**OFFICE OF  
POLICE OMBUDSMAN**  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WASHINGTON 99201  
509.625.6742  
FAX 509.625.6748

November 6, 2017

Chief Craig Meidl  
Spokane Police Department  
1100 W. Mallon Avenue  
Spokane, Washington 99260

**RE: R17-9 – Use of force policy**

Dear Chief Meidl,

In the last year, I have had the opportunity to be included in administrative review boards such as the Deadly Force Review Board. Several of the officer involved shooting cases have generated conversations between us on how to improve safety. It is outside the scope of my jurisdiction to question the legality of whether the officers were within their rights to use deadly force in previous incidents. However looking to the future, I question the distinction between when force is permitted and when it is necessary. If force is not necessary, how can Spokane Police Department's Use of Force policy be updated to reflect progressive policing that promotes safety of both officers and the community they serve? Various law enforcement agencies across the country have begun to adopt more progressive policies that have resulted in less uses of force and positive feedback from the community.

I sampled several use of force policies from various law enforcement agencies from around the country that have adopted more progressive use of force policies. This includes Seattle Police Department, Oakland Police Department ("OPD"), San Francisco Police Department ("SFPD"), Las Vegas Metro Police Department ("LVPD"), Los Angeles Police Department ("LAPD"), Salt Lake City Police Department ("SLPD"), and Madison Police Department ("MPD"). A common thread in their policies is valuing human life. LVPD and SLPD's policy provides force should only used with the greatest restraint and will never employ unnecessary force in the discharge of duty. LAPD, Madison PD, and SFPD's policies value and preserve human life. While, Seattle PD and Oakland PD go the furthest by valuing the protection and sanctity of human life and accomplishing the department's mission with minimal reliance on the use of force.

Most of the departments define "de-escalation" and have a section that provides what the department expects, or in some cases, require an officer to consider provided prior to employing deadly force, provided it is reasonable to do so. LAPD's policy provides, "officers shall attempt to control an incident by using time, distance, communications, and available resources in an effort to de-escalate the situation, whenever it is safe and reasonable to do so." *See LAPD Revisions of Use of Force Policy, April 12, 2017.* While other departments provide officers tools before utilizing deadly force. MPD's procedures provide that before an officer uses deadly force, if reasonably possible, the officer shall identify themselves and order the suspect to desist from unlawful activity." *See Madison Police Department Standard Operating Procedure, Use of Deadly Force, effective July 10, 2017.* SFPD's General Orders are proclaimed to be more restrictive than the constitutional standard and state law. As such, its de-escalation section is more robust than most. For instance, when an officer encounters a non-compliant subject or subject armed with a weapon other than a firearm, if feasible an officer shall employ de-escalation techniques including creating time and distance to create a reactionary gap, request additional resources such as a Crisis Intervention Team ("CIT") trained officer, Crisis/Hostage

[www.SPDOmbudsman.org](http://www.SPDOmbudsman.org)

Email: [SPDOmbudsman@spokanecity.org](mailto:SPDOmbudsman@spokanecity.org)

[www.facebook.com/SPDOmbudsman](https://www.facebook.com/SPDOmbudsman) • [www.twitter.com/SPDOmbudsman](https://www.twitter.com/SPDOmbudsman)

Negotiation Team, or Extended Range Impact Weapon, and tactically re-position as often as necessary to maintain the reactionary gap, protect the public, and preserve officer safety. Then, when a subject is armed with a weapon, SFPD's General Orders prescribe a different set of duties on the officer and his or her supervisor.

By contrast, Spokane Police Department ("SPD") already employs several de-escalation techniques such as CIT training for the entire department. However, it is not enshrined in policy. However, SPD's policy could be updated to make clear its officers value and preserve all human life and further spell out what de-escalation means to robustly define cover, time, distance, and less-lethal tactics. Further, an update of SPD's policy should also consider supervision, current tactics, platforms utilized, budget constraints, etcetera.

Catalyst for policy change should not hinge on whether the prosecutor decides to bring charges on an officer. Policy directs training, which in turn affects culture. Furthermore, police departments that question the legitimacy of its policies and the impact on the community it serves, is positively received by the community. Therefore, it is my recommendation our offices collaborate efforts to update SPD's use of force policy to reflect the most progressive techniques in de-escalation and tactical considerations that to increase officer safety in the course of performing their duties as well as safety of the community members they interact with. Thank you for your consideration, I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Logue', with a stylized flourish at the end.

Bart Logue  
Police Ombudsman  
Office of the Police Ombudsman, City of Spokane