



SPOKANE POLICE DEPARTMENT

Office of Professional Accountability

Timothy B. Schwering

Office of Professional Accountability

June 2015 Report

**Public Safety Committee Briefing
July 20, 2015**



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Selected Excerpts of Officer Commendation Letters

Thank you to Officer Chris Lewis and other officers on the scene this morning. My daughter was in a pretty bad car accident by Rogers High School and Officer Lewis and the other officers showed a great amount of compassion, and took time to assist in the search for my daughter's service dog that ran from the scene. Everyone is home now and safe so we consider Spokane Police Department a blessing.

-L. P.

Shawn [Sergeant Shawn Kendall],

Thank you so much for spending your time with us [safety training.] My staff really appreciated the relevance and information you shared, and there have been multiple lively discussions since last week. In fact today, I had two staff outreach to an unknown home/person, and neither felt safe after hearing yelling coming from the residence. Both decided to leave and call the individual and then ended up calling 911 because the individual was currently being assaulted with a brick in the house. I'm sure the training you provided helped broaden their awareness and helped them be mindful of not to risk their own safety when potential danger exists. Thank you again and have a great day.

-Staci Cornwell, Director of Crisis Response Services, Frontier Behavioral Health

My husband and I just wanted to let you know of the great job two of your officers did for us during a difficult time, loss of my husband's brother. Officer Watson informed us of the circumstance regarding his death, and then he referred us to Chaplain Ed Hoffman. We cannot tell you how helpful he was in every way. Gave us right people to contact and helped in every way he could...was really above and beyond. You should be very pleased with your officers and thank them again for us.

-Stan and Becky Jensen

Officer Dion Mason arrived very shortly to help me and had the knowledge and training for what needed to be done. With hind-sight, I feel that Dion rescued me, as surely as if I was in a burning building or a drowning incident. My gratitude to him and the Spokane Police Department is now a part of my conversation with all my friends and family. My thanks to your department and the well-trained staff provided to me as an elder citizen.

-Ida Neves

SPD Officers De-Escalating Situations

Sergeant Crane wrote SPD supervisors, "In the middle of a very busy 4th of July shift, Officers Casey Jones and Joseph Dotson went above and beyond serving the community of Spokane. Both officers deserve recognition for helping this woman out on a very hot day." [Officers responded to an argument call at an apartment. They encountered an upset tenant who was trapped in her apartment because she uses a wheelchair and the elevator in her apartment was not working. After notifying the fire marshal, they bought her groceries for the weekend.]



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Internal Affairs Unit Update

IA Complaint Comparison

Complaints have reduced by 54% between at the first six months of 2015 and 2013.

2015

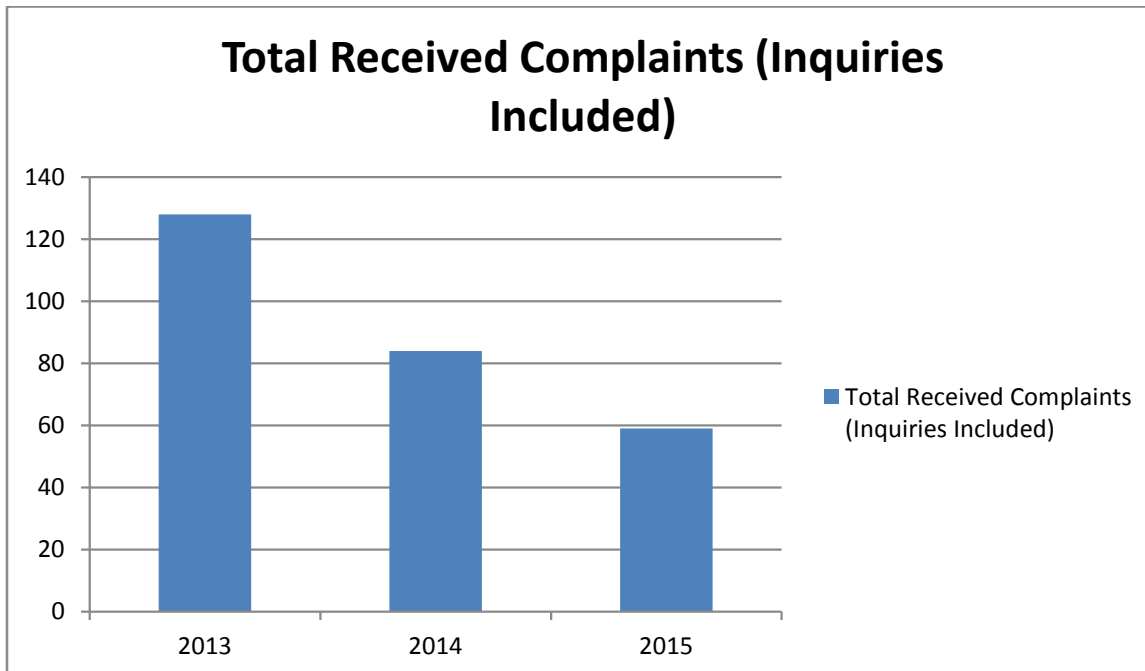
We have 59 total complaints (41 of those are inquiries) during the first six months of 2015.

2014

We had 84 total complaints (43 of those were inquiries) during the first six months of 2014.

2013

We had 128 total complaints (54 of those were inquiries) and 13 Citizen Inquiries during the first six months of 2013.





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2015 January 1st through June 30th Complaints

Complaints Received:

Total: 59

Closed Out as Inquiries: 41

Source of 2015 Complaints*

*Note: Sometimes a citizen will report a complaint in multiple places, in those cases the place where the complaint was first reported is noted.

Received by the Office of Police Ombudsman **Total: 29**

Received by the Spokane Police Department **Total: 30**

Internally Generated by the SPD **Total: 8**

Categories of Complaints**

Allegations associated with **Citizen Complaints** received between January 1st and June 30th, 2015. **Note: Some investigations involve multiple allegations.

Allegation	Number
Accidental Firearm Discharge	1
Careless Handling of Equipment	1
Collusion between CPS and Crime Check	1
Crime (Assault)	1
Demeanor	11
Did not like radio traffic	1
Driving Complaint	6
Duplicate complaint sent to OPO	1
Excessive Force	2
Fail to Provide Name and Badge Number	1
False Arrest	1
False Statement	3
Lack of or Inadequate Response	29
Insubordination/Dereliction of Duty	1
Investigative Review	1
Fail to Report Domestic Violence	1
Misuse of Public Funds	1
Off Duty Action/Use of Force	1



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Sexual Harassment	1
Trafficking Stolen Property/Planting Evidence	1
Improper Search/Seizure	4
Unknown	2
Unlawful access of Law Enforcement Database	1
Unprepared for Demands of Office	1

Current Status of 2015 Cases

Status of Allegations	Number
Exonerated	3
Sustained	
Not Sustained	2
Unfounded	1
Training Failure	1
Resigned prior to Termination	
Administratively Suspended	4
Changed to Inquiry	30

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel.

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Training Failure - Deficiency in training was the cause of the alleged act.

Closed Due to Mediation - Is an alternative to the investigation, adjudication and disciplinary process



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Officer-Involved Shooting Incidents Update

IA14-003 (Status: Under ARP Review)

Incident 14-17178 took place January 16, 2014 at Truth Ministries on 1910 E Sprague. Internal Affairs interviews have been done for some time. The County Prosecutor's Office just released their findings May 11, 2015. The case went to the Administrative Review Panel (ARP).

IA14-017 (Status: Under ARP Review)

Incident 14-92522 took place March 26, 2014 at 1527 W. Grace. The County Prosecutor's Office just completed their review and presented their findings on February 27, 2015. SPD Internal Affairs Sergeant Braun received the case two weeks later from Washington State Patrol, the lead investigator on the SIRR Team. Sgt. Braun presented his completed investigation to Lt. Lundgren on April 28, 2015. Upon the completion of Lt. Lundgren's review, the case was submitted to the ARP pod on May 1, 2015. Captain Richards assigned Lt. McCabe as the author of the review.

IA14-027 (Status: Pending DFRB)

Incident 14-131373 took place April 29, 2014 at the intersection of Standard and Jackson. The Prosecutor's Office presented findings October 6, 2014. This case has been completed and reviewed through all levels and is waiting for a Deadly Force Review Board (DFRB). A DFRB has not been scheduled yet, because the Department of Justice COPS Office advised that "SPD should reassess the purpose and goal of the DFRB to ensure that it both provides transparency and maintains its ability to effectively assess tactics, training, and equipment after a deadly force incident" in Recommendation 8.7 of their report. SPD is in the process of updating the DFRB policy with DOJ.

IA14-057 (Status: Under SIRR Investigation)

Incident 14-378583 took place on November 8, 2014 near 800 W. Montgomery. The case is still under investigation by the Washington State Patrol. Sgt. Braun spoke with Sgt. Morrison of the WSP on April 21, 2015. Sgt. Morrison stated that the investigation is nearly complete and that Sgt. Braun will be given a CD containing the criminal investigation when the case is submitted to the Prosecutor's Office.

F15-039 (Status: Under SIRR Investigation)

Incident 15-149064 took place May 6, 2015 at 5527 N Ash. Internal Affairs has not begun any work yet, as the criminal investigation is not completed.



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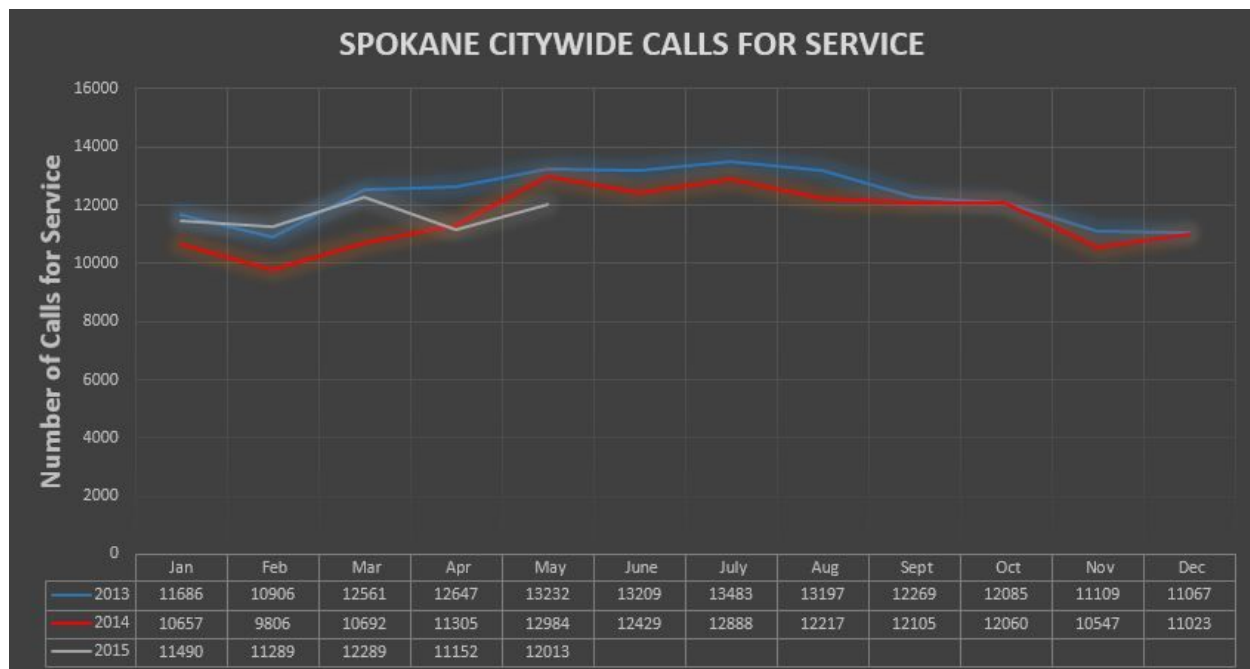
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Use of Force Comparison

- Total Incidents: Use of force incidents from January 1-June 30 totaled 55 in 2015 (56 in 2014 and 51 in 2013).
- The most common types of force used during the time frame in 2015 were pointing a firearm and Body Weight/Manual Force (same in 2014). In 2013, Body Weight/Manual Force was also the most common type of force used. However, pointing a firearm was not classified as a reportable use of force until May 2013.
- In 2015, subject resistance was characterized as active resistance (52%); assaultive behavior (36%); life threat/suicidal (10%); and passive resistance (1%). In the same time frame in 2014, subject resistance was characterized as active resistance (51%); assaultive behavior (29%); life threat/suicidal (19%); and passive resistance (2%). In the same time frame in 2013, subject resistance was characterized as active resistance (53%); assaultive behavior (42%); and life threat/suicidal (5%).
- Most incidents stemmed from officers responding to a call for service, as opposed to a court-ordered contact, officer-initiated contact, or assisting another agency. In 76% of the incidents in 2015, the officer was responding to a call for service (86% of the incidents during the same time frame in 2014). In 2013, 65% of incidents stemmed from calls for service; 27% were officer-initiated, 6% were assisting other agencies. One call was not specified.

Calls for Service and Crime Rates

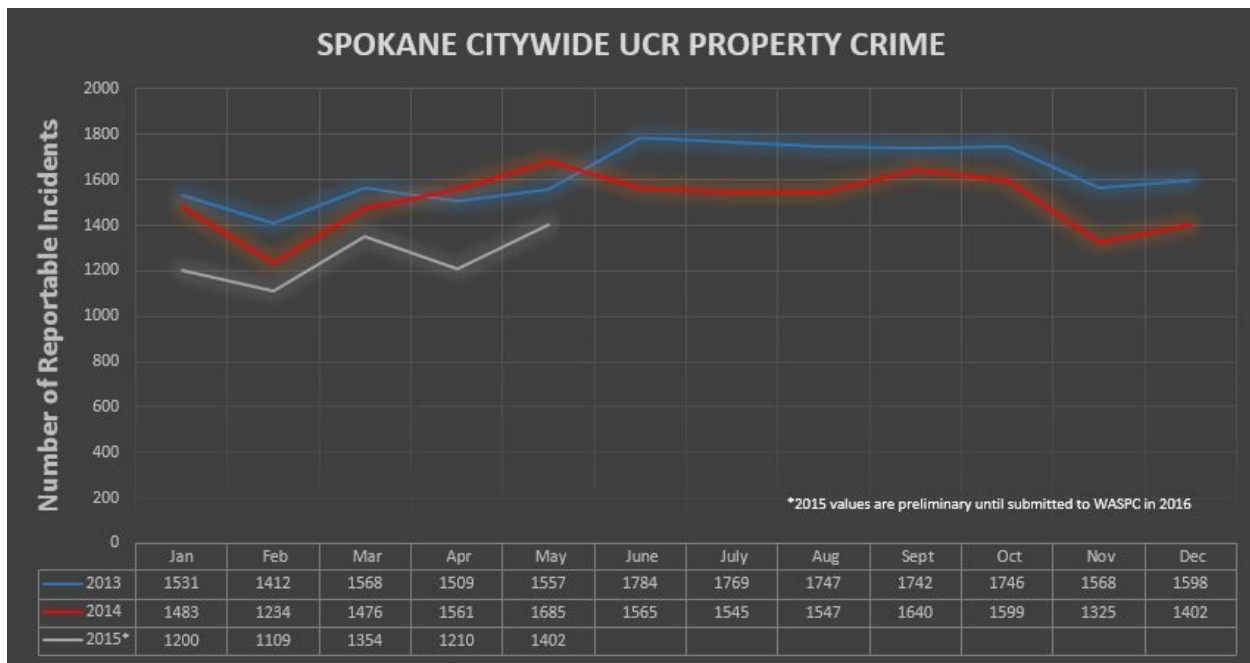
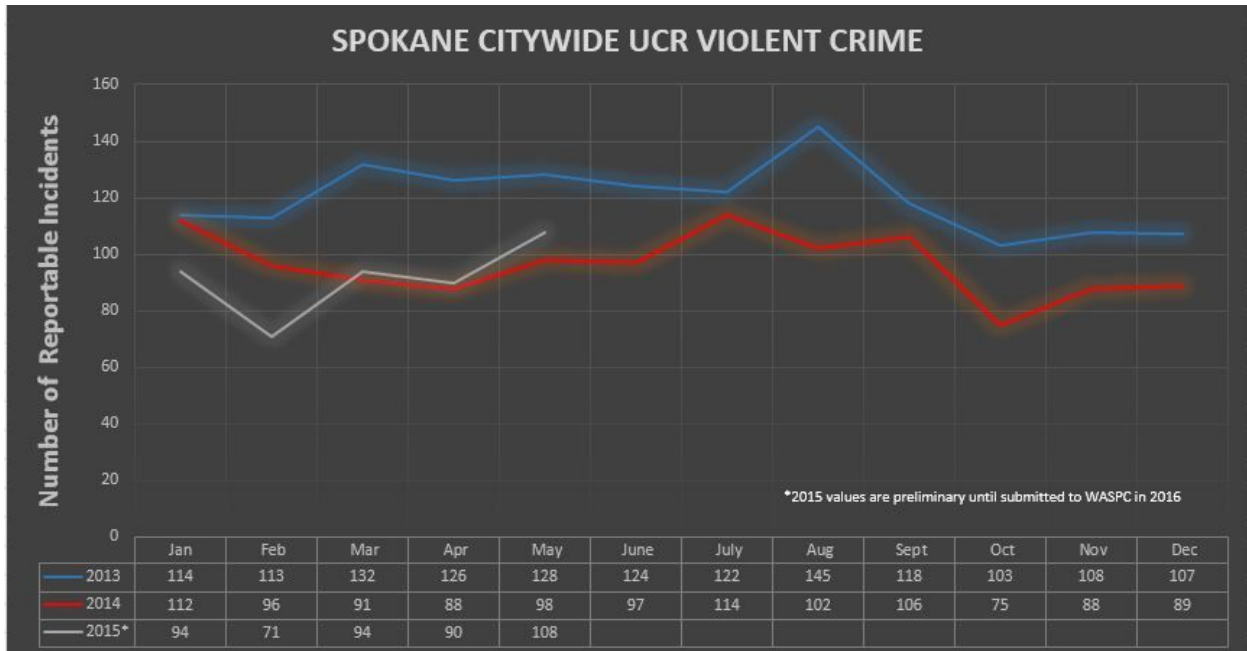




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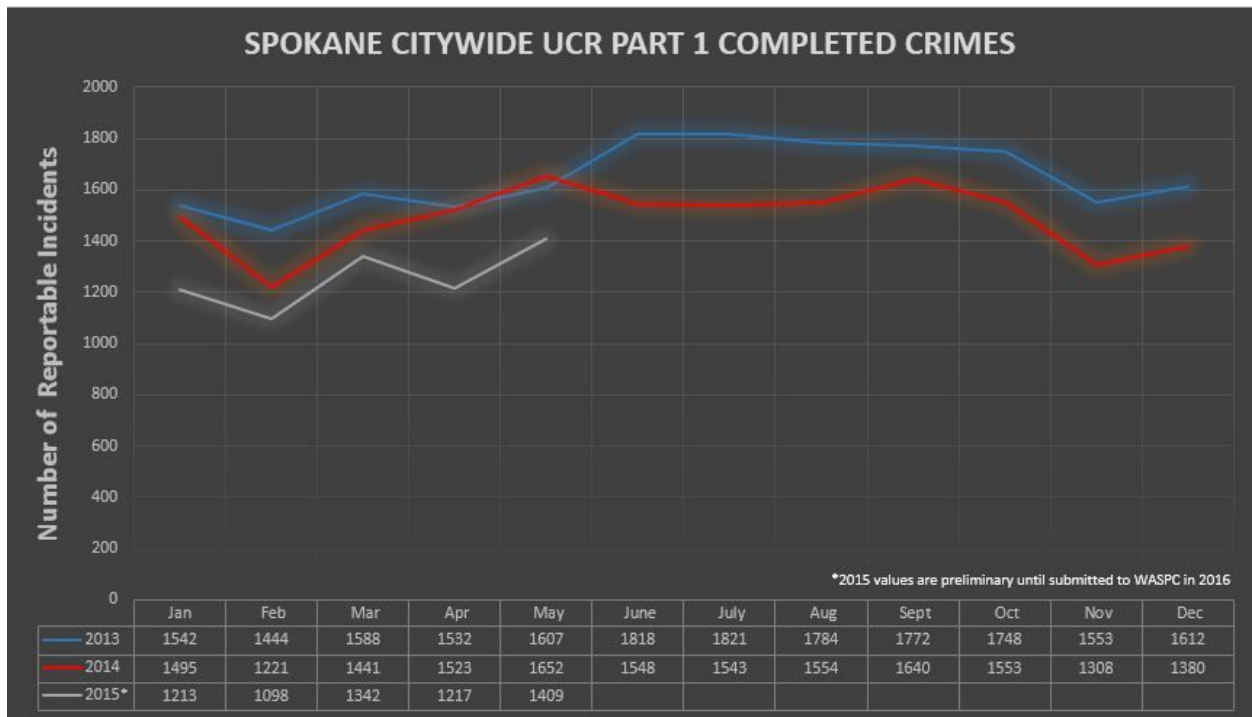
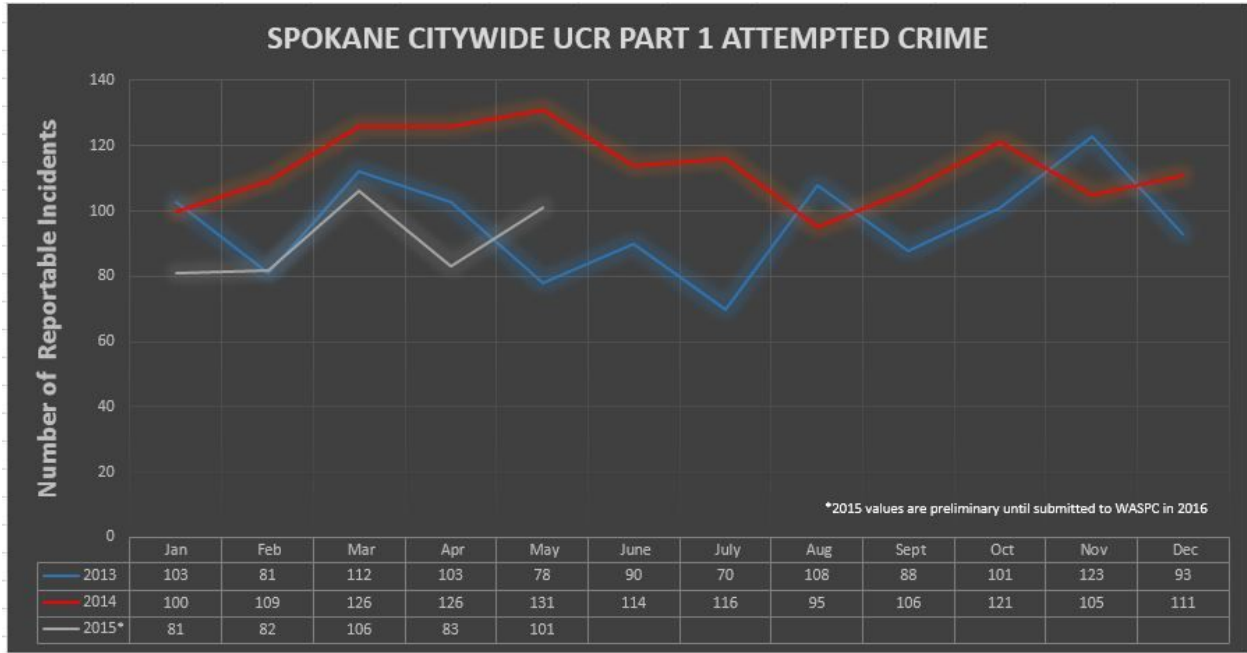




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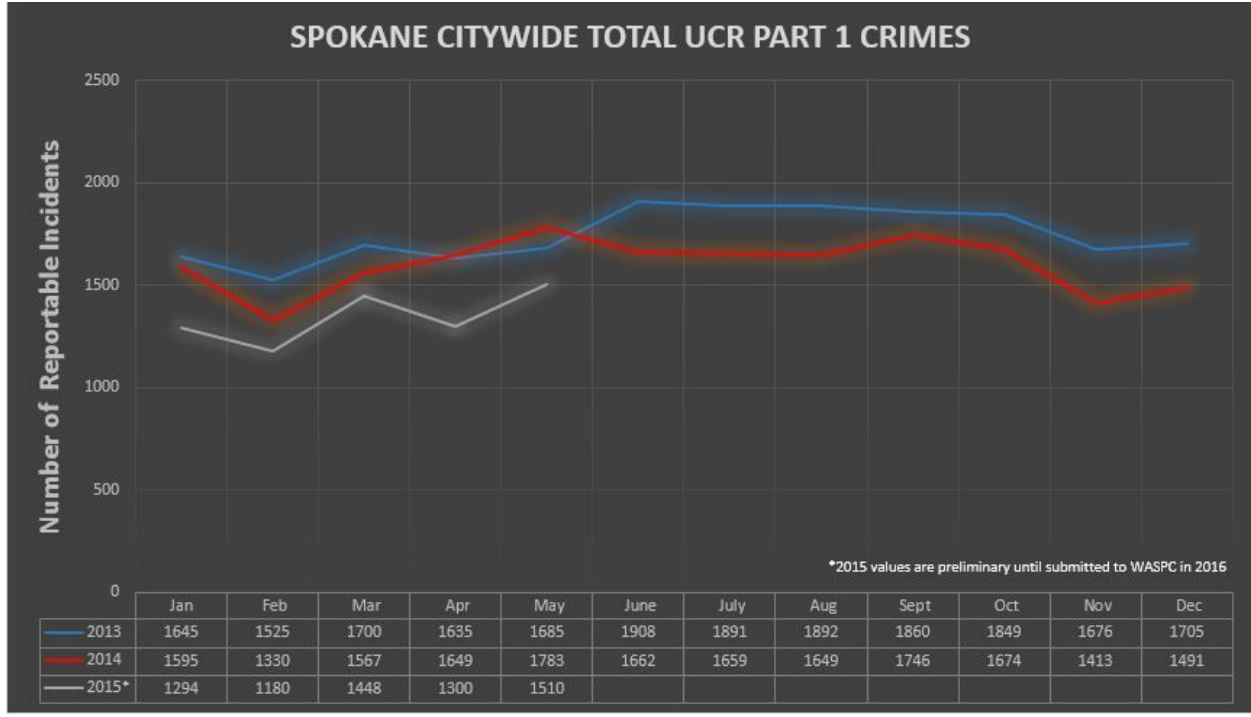




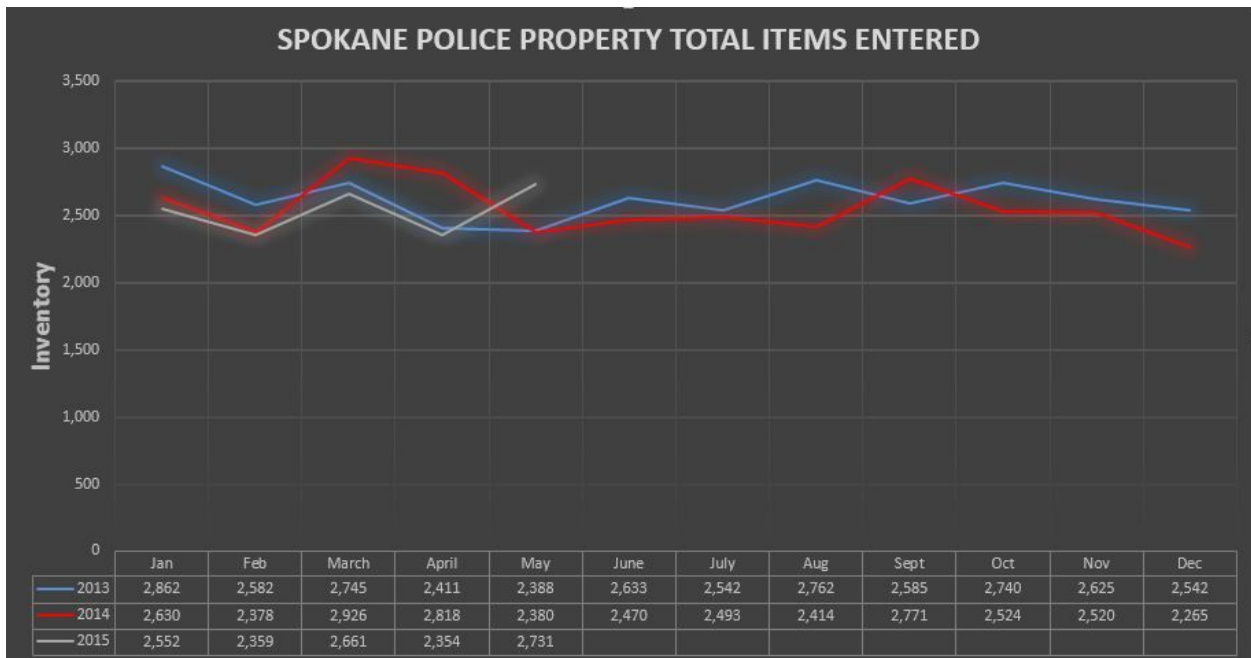
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Property Facility Update





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Records Unit Update

Public Record Disclosures as of 06/29/15

Oldest request not completed:	1/23/2015
New requests received this week:	58 requestors / 798 records
Total requests started but not complete:*	784 pending records
(30 of the requests are very large and the requestors have been provided with an extended completion date.)	
Total requests received this week not yet processed:	17 (oldest request dated 6/19/15)
Requests for body camera video:	127

Chronic Offender Unit Statistics as of June 5, 2015

The goal of the Chronic Offender Unit is to reduce crime by focusing on the most prolific offenders who are responsible for a large amount of burglaries and vehicle thefts in our community. Officers monitor the individuals closely and provide referrals and assistance to the offenders. If the offenders continue their criminal activity, officers advocate for long-term incarceration.

Total Offenders in the program since inception in March 2015: 66

Offender Status as of June 5, 2015:

45 individuals are currently in the program.

- Actively monitored: 21 (47%). Of those, 8 are on the right track to graduation
- Inpatient drug treatment facility: 2 (5%)
- Wanted: 3 (7%)
- Jail/Juvenile Detention: 18 (40%)

21 offenders are no longer in the program.

- Graduates (no serious criminal activity): 4
- Left area (for example, out of state custody placement): 3
- Long-term incarceration: 14

Crime Reduction

- Number of people who disclosed the extent of their criminal activity in an interview, including frequency of committing crimes: 9
- Of those 9, 7 (78%) admitted to committing daily burglaries.
- Of those 9 individuals, most have greatly reduced their criminal activity. 4 are in jail, 2 are in residential in-patient treatment facilities, 2 are actively monitored and one is



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wanted. One individual currently in treatment had admitted to thousands of car prowlings and 30-40 recent burglaries in Spokane.

- In 2014, property crime decreased by 7.52 percent and overall crime was reduced by 8.36 percent.
- In first year of the Chronic Offender program, residential burglaries decreased by 13% (409 fewer burglaries).

Referrals and Assistance

- Number of offenders referred to services: 64 (All except two that are in prison and just entering the program) 97%
- Situations where officers directly advocated for offenders: 23 (35%)
- Types of referrals and assistance offered: providing information about housing, drug rehabilitation, school, employment, transportation, medical insurance, anti-gang outreach programs, mental health services, Spokane Fire CARES team (social services), etc. Officers have also advocated on individuals' behalf with other agencies such as Department of Licensing, Department of Corrections, DSHS, Prosecutors, Probation officers, Indian Child Welfare, etc. Officers have arranged for early release for juveniles, brought over window insulation kits and blankets, arranged for mental health evaluations for inmates, etc.

Accountability: By attending First Appearances for adult offenders, officers aim to prevent the “revolving door” of offenders being released, immediately committing crimes to support their habit, and re-arrested. Officers attended 17 First Appearances and worked with criminal justice partners to secure larger (often the maximum) bonds, when necessary; the average bond was \$51,700.00. When offenders stay in jail longer, it often provides enough time to come down off the drugs and for officers to meet with them and offer them services.

Report between Officers and Offenders: Due to the officers building trust with the individuals in the program, the offenders are less likely to run from them or resist arrest. They often cooperate and give helpful information to the officers. Several have turned themselves in and notified the unit of their warrants. None of the officers in the unit have had to use force to affect an arrest of the individuals in the program. None of the offenders have had filed complaints despite intense monitoring and many contacts with officers. Family members also often cooperate with officers, alerting them when an offender relapses or telling them about the offender's whereabouts when they are wanted. Several offenders and their family members have offered to provide testimonials in support of the program.

Life-changing Results for Offenders: One of the offenders in the program was incredibly receptive to accepting help, and followed through with several referrals from officers. Soon after joining the program, he stayed off drugs and acquired stable housing. He met up with one of SPD's community outreach partners and enrolled in community college. SPD officers brought



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Christmas presents to his family to show their support for his efforts to change. He is still attending classes and is on track to graduate from the program in August 2015.

Enhanced Collaboration with other Law Enforcement Agencies: When an offender is wanted, other agencies work together to bring the person in as soon as possible, often in days instead of weeks. SPD officers work closely with County and City criminal justice partners, regional task forces, and state Department of Corrections.

Community Support: Our community partners strongly support the Chronic Offender program. SPD administered a survey in April 2015. 96% agreed or strongly agreed with the statement “Spokane Police Department is headed in the right direction with proactive specialty units such as the Chronic Offender Unit and the Domestic Violence Unit.” It is worth noting that 32 out of 51 respondents (63%) strongly agreed. 2% neutral; 2% disagreed. Only two respondents did not agree with the creation of proactive specialty units.

Outreach Update

Community, Youth, and Intervention Services Unit Outreach

CYI Community Outreach activities in June included:

- Restore Our Kids at Spokane Public Schools
- Neighbor Days at Cannon Park
- Holmes Elementary PAL promotion
- Spokane Eastside Reunion Youth program
- Homeless Coalition
- Mayor’s Advisory Council on Multi-Cultural Affairs Work Group
- Community Partners for Transition Services
- Juvenile Court Coordination of Service presentations
- Reading to kids at the Martin Luther King Jr. Family Outreach Center every other week

Police Activities League (PAL) update:

SPD has been collaborating with My Spokane and Spokane Parks and Recreation to enhance the PAL program. In July, the PAL program will expand to three neighborhoods and include West Central and North parks in addition to East Central.

Youth and Police Initiative (YPI) update:

The City of Spokane received the All-America City Award in June, partially based on the YPI program. The theme was “Spotlight on Engaging and Supporting Vulnerable Boys and Young



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Men.” YPI will likely gain additional local resources (such as more participating community leaders and sponsorships) as a result of the recognition.

The most recent YPI session was held at Rogers High School with the Gay-Straight Alliance (GSA). This YPI session is the result of targeted outreach by CYI Lt. Meidl and Officer DeRuwe and collaboration with OUTSpoken.

YPI Survey Feedback

- 100% rated the instructors (officers and community leaders) as excellent.
- 75% agreed that the public speaking and leadership sessions were excellent. 25% rated it as good.
- 100% agreed that the experience of getting to know police officers was excellent.
- 100% agreed that the overall YPI experience was excellent.
- 100% of youth agreed: *“I believe Police Officers are mostly fair to the youth who live in my neighborhood.”*
- 100% of youth agreed: *“I know one police officer who I would feel comfortable calling on for asking for help.”*
- 100% of youth agreed: *“If I had a problem at school or in my neighborhood, I would feel comfortable asking a Police Officer for help.”*
- 100% of youth agreed: *“Police officers are respectful toward people like me.”*
- 100% of youth agreed: *“I know at least one police officer who I can trust.”*

Body Camera Implementation Project—Progress Update

Over the next several months, SPD will review use of the cameras and work to develop estimates on the video storage capacity and staff time to respond to record requests that a full body camera program would require. As of the end of June, SPD had received 127 requests for video footage. SPD will create a permanent policy governing body camera use. The policy will be revised and updated to reflect any forthcoming changes in state law addressing video footage and public records.

Several dozen officers were trained on Use of Force Report Writing / Body Camera training during the month of May, as 91 officers will begin wearing body cameras in June as part of SPD’s study with Arizona State University. ASU recently completed a survey with officers and citizens in regards body cameras.

To: Chief Frank Straub, Tim Schwering, and Ryan Snider, Spokane Police Department
From: Michael White, Janne Gaub, and Natalie Todak, Arizona State University
Date: June 24, 2015
Re: Wave 1 Officer Survey Themes

The ASU research team administered the first wave of officer perception surveys to the Spokane Police Department during the week of April 27 – May 1, 2015. At each roll call briefing, research team members explained the purpose of the body-worn camera (BWC) survey and highlighted the voluntary nature of participation as well as the confidentiality of the information provided. Of the 153 participants in the study, 140 turned in surveys – though valid responses typically ranged from 130-138 (85-90% response rate) across survey items. The description below provides an overview of the primary themes from the Wave 1 officer perception survey.

Incident Reporting and Evidence Provided: Findings were mixed.

- Nearly all officers (96%) believe BWCs will reduce time spent on paperwork.
- **81% agreed that BWCs will make their job easier.**
- **But officers questioned the evidentiary value of BWCs.** 83% disagreed that BWCs increase the accuracy of what occurred and the quality of evidence.
- 60% of officers disagree that BWCs will make prosecution of domestic violence cases easier, especially if the victim is unwilling to testify (83% disagree).

Citizen Reactions: Findings were mixed.

- From 53-63% of officers agreed that BWCs will result in citizens being more cooperative, more respectful and less aggressive. 37-42% of officers disagreed that BWCs will improve citizen behavior.
- **92% believe that BWCs will hurt police-community relations.**
- **90% believe that BWCs will increase the number of citizen complaints filed against officers.**

Police Officer Behavior: Findings were mixed.

- **95% agree that BWCs will result in officers giving fewer warnings to citizens.**
- 68% of officers agree that BWCs will result in fewer contacts with citizens.
- 47% agree that BWCs make officers feel like they have less discretion.
- **51% agree that BWCs will make officers act more professional. 49% of officers disagree with this statement.**

Familiarity, Comfort, Ease of Use: Findings were mixed.

- 45-53% of officers agreed that BWCs are easy to use, comfortable to wear, and that it is easy to download and retrieve video.

General Perceptions: Findings were generally positive.

- **80% of officers agree that BWCs are well-received by co-workers.**
- **89% of officers agree that BWCs improve officer job satisfaction.**
- **79% of officers agree that BWCs improve overall job performance.**
- **88% of officers agree that BWCs increase officer safety.**

Overall Recommendations: Findings were mixed.

- 55% of officers think BWCs should be expanded to other police departments.
- **58% of officers think the Spokane PD should adopt BWCs throughout the city.**
- **52% of officers think the advantages of BWCs outweigh the disadvantages.**

Complaints

- 76% of officers had no complaints threatened or actually filed against them in the last 30 days.
- Two officers (in a total of seven incidents) reported that a citizen decided to NOT file a complaint after he/she realized that the officer was wearing a BWC.

BWC Use

- 17 officers reported currently wearing a BWC on duty as part of the pilot program. 26 officers reported previously (or currently) wearing a BWC.
- **Officers regularly encounter fellow officers wearing cameras.** 70% indicated that they had encountered a BWC-wearing colleague at least once in the last week. 30% stated that they encountered BWC-wearing colleagues every day.

Officer Background

- Officer length of service ranged from less a year to 41 years. The average is 14 years on the job.
- 84% of respondents are patrol officers; 5% are sergeants.
- 89% are male; 11% are female.
- 88% are white.
- All officers reported at least some college experience. Nearly 50% reported a 4-year degree or higher.



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Implementation of DOJ Recommendations

Progress Report as of July 10, 2015

Recommendation 4.1: While the recent implementation of Blue Team software to document UOF incidents will potentially solve most issues with inaccurate reporting, SPD should still train its officers on the proper reporting of use of force tools and tactics used in an incident.

Supervisor Training:

Lt. Lundgren is heading up this recommendation, although this recommendation involves Internal Affairs and Training. On the IA side, Lt. Lundgren is working on an in-depth training on IA procedures and Blue Team for supervisors. Also related to Blue Team training, Lt. Lundgren and the Training Cadre made changes to improve the supervisor's use of entering a Use of Force report in Blue Team. The group agreed on many changes to the list of drop-down menus that will allow supervisors to easily track more variables in each use of force incident. Lt. Lundgren will go over the changes in Blue Team and the implementation of the new Early Intervention System when he leads the IA supervisor training. That training is expected to take place in a few months, after relevant policy changes have been officially approved. In the meantime, Technical Assistance Response Unit (TARU) staff trained all supervisors on the use of Evidence.com to view videos associated with administrative use of force reports.

Officer Use of Force Report Writing:

On the Training side, Lt. King explained how they will meet the goal of training every officer on proper UOF report writing. Although officers have had use of force report writing as an in-service training, that training was a shorter block than the 8-hour course we have now. As officers are outfitted with body cameras, they will attend an all-day scenario-based training on use of force report writing and body cameras. During the training, officers go through scenarios wearing the body cameras, write reports, review the video footage, examine how well the report documents the incident, and learn to improve their report writing. As SPD gradually phases in body cameras, each team will be trained. Use of Force Report Writing Training for officers took place in May; approximately half of patrol officers have completed the training. The other half of patrol officers will receive the training in the late fall of 2015.

Recommendation 4.2: The supervisor of an officer involved in a deadly force incident should always complete a Blue Team Use of Force Report for the incident.

This recommendation involves two policies: Officer-Involved Shooting Policy (Policy 310) and Use of Force Policy (Policy 300). Lt. Lundgren met with Guild representatives on February 3, 2015, to make sure that there were no issues with implementing this recommendation. He then



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included the instructions in the Officer-Involved Shooting Policy (Policy 310) and inserted the verbiage “Internal Affairs shall complete the Blue Team Use of Force Report for any incident involving deadly force” into the draft Use of Force Policy (Policy 300).

Draft policies 310 and 300 are currently under review with the City Attorney’s Office.

An SPD officer-involved shooting incident took place on May 6, 2015, F15-039. The incident was entered into Blue Team as a Use of Force by IA Sergeant Staben. The recommended practice is in place, even though the policy has not been finalized yet.

Recommendation 4.3: The SIRR team should develop a common template for all deadly force incident files.

Working with the SIRR team supervisors, Lt. Wohl created an investigative case file format. The proposed format was shared with other deadly force investigation stakeholders such as the Prosecutor, Office of Police Ombudsman (OPO) Attorney, and SPD’s Training Unit. Stakeholder feedback was positive and the form was adopted. Before the recommendation is considered complete, CNA (the DOJ Technical Assistance provider) will need to review deadly force files where the investigative case file format is used. Lt. Wohl believes that the other agencies are currently using the template on the recent incidents under investigation.

Recommendation 4.4: SPD should develop a formal way to track the investigatory (criminal and administrative) process and include this tracking sheet with every deadly force file.

Lt. Wohl confirmed that the investigative case flow document was created. He explained, “This will be in the front of any case file, showing when and to who the case was forwarded onto.” The proposed document was shared with other deadly force investigation stakeholders such as the Prosecutor, OPO Attorney, and SPD’s Training Unit. Stakeholder feedback was positive and SIRR partners agreed to use the form. Before the recommendation is considered complete, DOJ will need to review deadly force files where the investigative case flow sheet is used. Lt. Wohl believes that the other agencies are currently using the template on the recent incidents under investigation.

Recommendation 4.5: SPD should include all supporting documentation (e.g., photos, radio transmissions) in all non-deadly use of force files, and these complete files should be saved electronically in one location. SPD should audit these files annually in order to ensure that they are complete.



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Lt. Lundgren is currently working with external partners County Forensics and the Prosecutor's Office to determine how Internal Affairs can have all photos in a timely fashion loaded into Blue Team software; however, there are issues with custody that will require a few meetings. Part of the Evidence.com training mentioned above (Recommendation 4.1) is instructing all SPD supervisors and command staff in the proper way to memorialize all video evidence for non-deadly force investigations.

The audit of 2014 use of force files was completed February 5, 2015 by Program Manager Kathy Armstrong. No major issues were identified. The audit's findings were memorialized in a memo.

Recommendation 4.6: SPD should consult with the city of Spokane's use of force commission to clarify and define their request for a cultural audit and to determine if a further examination of the department's culture is necessary.

Chief Straub and the Use of Force Commission discussed this issue on February 13, 2015. The Use of Force Commission acknowledged that a culture shift had already taken place in some areas. The Use of Force Commission has referred the matter to Chief Straub.

Recommendation 4.7: SPD should analyze use of force reporting data on a semiannual basis and before and after major policy or procedure changes in order to identify trends and quickly remedy any issues through remedial training or discipline.

The 2014 Use of Force Comprehensive Analysis was completed on February 10, 2015. On February 11, Lt. Lundgren and Kathy Armstrong shared the analysis with the Training Director and subject matter experts. After their input was incorporated, Tim shared it with Command Staff on February 16. On March 11, Kathy received feedback from CNA regarding the analysis and will implement feedback in future (2015 mid-year) reports. Lt. Lundgren will include information on the report in the updated IA Standard Operating Procedures (SOPs).

In addition to the analysis done by the Office of Professional Accountability, WSU researcher Steve James will examine use of force data and other related data for further analysis over the next few months. Kathy is currently working on the use of force analysis of the first six months of 2015.

Recommendation 4.8: SPD should continue to publish annual use of force reports and release these reports to the public.

The Use of Force Comprehensive Analysis is complete. It was shared with the public safety committee during the February 17th meeting. On February 18, it was posted to the website,



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emailed to outreach contacts, and emailed to the Office of Police Ombudsman (OPO). It will also be shared with the community through meetings, such as Director Schwering's outreach presentations. The week of February 23-27, Kathy sent it to all of the Chief's Office outreach contacts as well as Director Schwering's contacts and every neighborhood council. At CNA's suggestion, the report is now posted in two different places on the City's website.

After sending the document to over 100 contacts/organizations, Kathy received feedback three times. One reply was a message of appreciation and support for SPD, and the other two were just friendly exchanges. No community stakeholders responded to any of the content. In June, Kathy received feedback from a few members of the Hispanic Business and Professional Association and the Police Advisory Committee (PAC). The citizens had read the supplemental information about force applications and minority subjects in addition to the general analysis. Citizens were "very pleased with the overall outcomes" and that stated officers used great restraint in many dangerous situations. Additionally, the PAC members appreciated the clarification about the "draw and direct" technique of the officer pointing a firearm and giving commands as a reportable use of force.

Recommendation 4.9: SPD should further examine the patterns of behavior for officers with a high frequency of use of force incidents. This additional examination should be conducted every four years.

Sgt. Braun's draft was sent to the Training staff for their input on February 17 and sent to CNA on March 10 for their guidance. Sgt. Braun and Kathy Armstrong incorporated CNA input and continued work on the original draft, which was sent to CNA for review on April 23. CNA did not offer additional feedback. CNA clarified at the March 19, 2015 site visit that this recommendation will no longer apply after the implementation of the Early Intervention System (EIS).

Recommendation 5.1: SPD executive leadership should hold meetings with their personnel to discuss the changes, the intended strategy, the reasoning behind the changes, and the impact of these changes and to reaffirm the department's overall mission.

Chief Straub discussed internal communication with every member of the department through in-service training that took place April 2015. Kathy sent all the in-service rosters and evaluations to CNA on April 29. Kathy and Public Information Officer Teresa Fuller are working with Chief Straub on internal communication initiatives.



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Recommendation 5.2: Manuals outlining the training and learning requirements, transitional period, and mentoring opportunities for all promotions to supervisory-level positions should be updated or developed.

Assistant Training Director Sergeant Overhoff has been tasked with forming committees to provide input for the different supervisory-level positions, starting with Sergeant training. He is currently working with several department resources to design Sergeant training for the rest of the year. Sgt. Overhoff is currently working on the promotional mentorship program with a syllabus that will cover pre-promotion and a six month probation post-promotion Field Training Officer (FTO) program. The syllabus is being extensively researched and developed through other departments and exterior resources in order to achieve best practices. Kathy sent Sgt. Overhoff's first draft to CNA on May 13 and received feedback. A second draft will be sent in mid-July.

Recommendation 5.3: The SPD leadership should emphasize the importance of procedural justice policing practices and provide additional training on these topics.

Lt. King sent several employees to DOJ COPS Office Procedural Justice training in spring 2014. On February 25, it was confirmed that SPD will be providing the Procedural Justice training to all uniformed personnel through the April 2015 in-service.

Chief Straub facilitated the Procedural Justice training to all members of the department (civilian and sworn). Kathy sent the class materials and attendance rosters to CNA at the end of in-service training on April 29.

Recommendation 6.1: SPD should formalize the EIS notification process and include the officer's supervisor, IA, the officer's union representative, and executive leadership in this notification process.

Lt. Lundgren met with the Spokane Police Guild leadership on February 3, 2015, to discuss this recommendation involving the Early Intervention System (EIS). He also provided the Lieutenants and Captains Vice President with a copy of all recommendations and requested input on February 3rd. They will be discussing this issue and many others with their attorney. Kathy and Lt. Lundgren reviewed EIS policies from six other law enforcement agencies and the IACP's model agency. On February 27, Kathy met with Mary Muramatsu, SPD's legal advisor, to discuss the formation of the policy. Lt. Lundgren composed a draft on February 28th and shared it with the other IA staff.

Kathy and Lt. Lundgren shared the draft policy with the training staff on March 3rd and incorporated more of their feedback. Kathy and Mary Muramatsu had a follow up meeting the



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next day. Kathy met with Erin Jacobson at City Legal on March 25 to further review the draft policy. The draft policy was reviewed by CNA and the City Attorney's Office. An updated version was sent to CNA and the bargaining units on May 28, 2015. The draft was sent to Captains and Executive staff in early July.

After the policy is formally approved, Lt. Lundgren will educate SPD staff about the EIS during his training for supervisors.

Recommendation 6.2: SPD should expand the type of information its EIS collects, such as sustained complaints and completed training.

The requested information was written into the draft policy. Please see Recommendation 6.1.

Recommendation 6.3: The SPD should adjust the triggering criteria in its EIS from six to four use of force incidents per officer per year.

The requested information was written into the draft policy. Please see Recommendation 6.1.

Recommendation 6.4: SPD should establish both periodic and ad hoc procedures to update its policy manual to ensure that it is consistent with departmental practices.

Lt. Lundgren is in charge of this recommendation. All new policies and modifications to existing SPD policies are now approved by the City Attorney's Office. Sgt. Dashiell and Lt. Lundgren have begun the process of making several ad hoc policy changes as well as systematic Lexipol updates with the assistance of Mari Odle. The new process is working very well.

Lt. Lundgren created a policy memorializing the process for policy updates. The draft was sent to CNA on June 3, 2015. He received feedback on June 18 and is currently working on a second draft.

Recommendation 6.5: SPD should immediately update its UOF policy to ensure that it is comprehensive and consistent with the departmental practices.

After several meetings between Internal Affairs and the Defensive Tactics Cadre, the draft Use of Force (UOF) policy was sent to the City Attorney's Office for review. The City Attorney's Office will provide an extensive review of the policy.



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Recommendation 7.1: SPD should revise policy 208 to ensure that it reflects current departmental practices and requirements for use of force training.

Lt. King and the Defensive Tactics Cadre have been tasked with this recommendation. Progress is ongoing, as they work with consulting WSU researcher Steve James. On March 5, Steve James shared the new lesson plan template they developed. Lt. King advises that the work on this policy is ongoing.

Recommendation 7.2: SPD should establish a committee to evaluate and determine department-wide training needs and develop an annual training plan.

Assistant Chief Dobrow established a committee for long-range planning, comprised of external partners, criminal justice training experts, and SPD personnel. The first Training Plan Committee meeting took place February 12, 2015, and they are continuing to meet. The 2016 Training Plan is still a work in progress. Lt. King believes it will be finalized sometime later this fall.

Recommendation 7.3: SPD should develop a data collection and evaluation capacity for training conducted throughout the department and should use the data captured to identify and proactively address any training deficiencies.

On July 7, Eric Finch, the City's Chief Information & Technology Officer (CITO), confirmed that he approved the purchase of software for SPD training management and Field Training Officer (FTO) information. The funds will be coming out of the City's IT budget. He will be presenting the proposed purchase to the Mayor's Cabinet.

Recommendation 7.4: SPD should re-examine its policies, procedures, and training on the use of the LNR and require a deadly force review every time a level 2 LNR is used.

Lt. King and the Defensive Tactics Cadre have been tasked with this recommendation. The draft policy (part of the Use of Force policy) is under review by the City Attorney's Office.

Recommendation 7.5: SPD should update its rifle policy and provide officers with explicit and more detailed guidance on the proper deployment of rifles.

The draft policy is under review by the City Attorney's Office. The review is expected to be extensive.



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Recommendation 7.6: SPD should institutionalize the CIT training by updating its training policies to reflect the CIT recertification requirement.

On February 27, 2015, Lt. King met with Sergeant Waters at SPD and Staci Cornwell, Director of Crisis Response Services, Frontier Behavioral Health, to develop the recertification requirement. Lt. King reported that the meeting went well. They came up with a great plan for the recertification. Instead of it being classroom-based, it will be a practical experience of officers working at the mental health call center, working alongside mental health professionals. It will allow for collaborative problem-solving and relationship-building with the MHPs as well as give the officers a practical application to use and build upon their existing knowledge and skills.

CIT refresher training will be provided every two years and will consist of four hours. The requirement and lesson plan was shared with the department on April 15, 2015. CIT refresher training has begun. The recertification will also be addressed in the Training Plan, when it is finalized.

On May 27, Sgt. Waters confirmed that the on-site training is working well and they have not run into any major problems. Sending individual officers to the site for training creates fewer staffing challenges than trying to train large groups of officers at a time. Officers have commented on the positive aspect of building rapport with mental health professionals and understanding their job better, as well as the benefit of practical experience. Staci Cornwell also reported, "The feedback from Officers has been overwhelmingly positive for the CIT refresher training at Crisis Response Services. It has been a great experience for my mental health staff as well."

On June 19, Lt. King confirmed that all of the officers who needed refresher training have completed it. We will continue this plan going forward. He is sending out the second list of people who took CIT training in 2013, and they should all have the training by 11/30/2015. By that date, all SPD officers will have had CIT or CIT refresher training within the last two years.

Recommendation 8.1: SPD should mitigate the delay caused by the county prosecutor by formalizing its new process and beginning the administrative investigation after the SIRR team completes its criminal investigation.

Lt. Lundgren has been tasked with this recommendation. He initially met with the bargaining units on February 3, 2015. Lt. Lundgren advised that the Chief's Office and bargaining units need to discuss this further before we can work on a new policy.



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Recommendation 8.2: SPD should expand the scope of the ARP finding determinations to allow panel members to vote on officer tactics and decision-making and policy violations outside the use of force

On February 5, 2015, Lt. Lundgren provided the Spokane Police Guild and the Lieutenants and Captains Association with a copy of the Las Vegas Collaborative Reform Process. The document contains some insight as to how the voting process works for LVPD. The bargaining units are currently reviewing this information as it changes the Administrative Review Panel (ARP) process which is a component of the disciplinary system. Lt. Lundgren advised that the Chief's Office and bargaining units need to discuss this further before we can work on a new policy.

Recommendation 8.3: SPD should update the policy manual to ensure that it accurately reflects the current ARP process and provides detailed guidance on the roles and responsibilities of each ARP member.

Lt. Lundgren will be working on developing this policy after implementation of 8.2 which covers changes in the process.

Recommendation 8.4: SPD should develop a system to track the information exchange between the Office of Professional Accountability and the supervisors who are in charge of ensuring that the recommendations are implemented.

Lt. Lundgren assigned this recommendation to Sgt. Staben from Internal Affairs. Sgt. Staben provided a draft on March 10, 2015. Lt. Lundgren approved it. Sgt. Staben sent it out to all supervisors on March 18, 2015. It was sent out as a Training Bulletin to the entire department on April 9th, 2015. Kathy showed CNA examples of the recommendation put into place.

Recommendation 8.5: SPD should formally document the UOFRB's policies and outcomes and should collectively review non-deadly use of force incidents on a monthly basis.

The Use of Force Review Board (UOFRB) policies and outcomes are included in the Use of Force Policy, Policy 300, which is under review by the City Attorney's Office. After the policy has been approved, the UOFRB will be formally implemented.

Recommendation 8.6: Although civilian members (e.g., the ombudsman, SPD director of strategic initiatives) are included in the DFRB, SPD should also include the ombudsman in the D-ARP.



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This recommendation will require consult with the Spokane Police Guild and Lieutenants and Captains Association as it constitutes a change in the Ombudsman's role as per the agreements with both bargaining groups. This matter was referred to Chief Straub to discuss at labor-management meetings.

Recommendation 8.7: SPD should reassess the purpose and goal of the DFRB to ensure that it both provides transparency and maintains its ability to effectively assess tactics, training, and equipment after a deadly force incident.

Lt. King shared the draft DFRB policy with the Training Cadre and with Internal Affairs for input. The draft policy was sent to the City Attorney's Office and to CNA for review on May 12. CNA gave feedback on June 9. Lt. King discussed feedback with CNA at the late June conference call. We will be working with City Legal and then we will send another version to CNA.

Recommendation 8.8: SPD should formalize the new IA training requirements and guidelines in the department's policy manual and communicate these changes to the department and community stakeholders.

Lt. Lundgren is working on this project, as described in Recommendation 4.1. Lt. Lundgren will communicate the training requirements to other members of the department by disseminating the new policy department wide upon adoption. Director Schwering will share the new requirements with the public during his continuing outreach efforts and public meetings.

Recommendation 10.1: SPD should sustain and institutionalize these outreach efforts by establishing a continued community outreach strategy and plan.

SPD consulted with community members and staff to develop the strategy. Kathy received feedback internally and from many different community organizations and then updated the strategy to include their input. Kathy presented it to the Public Safety Committee at the April meeting. She then sent it to all of the groups that Director Schwering met with on April 23, offering to meet with any groups about the strategy. The strategy was posted to the SPD website on April 24. Kathy has since updated the strategy and sent it out to the community again.

SPD continues to increase our outreach efforts. On June 1, 2015, Kathy reached out to all the organizations and agencies that Director Schwering had previously met with, plus other SPD contacts, and offered to schedule presentations regarding UOF and/or recent training initiatives such as CIT. Kathy is also conducting community outreach presentations to keep our community



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stakeholders in the loop about Collaborative Reform. She explains the Collaborative Reform process and how SPD is working with internal and external partners and CNA to move forward on the reforms. Kathy has presented to several groups so far and has several more presentations scheduled throughout the coming months. The OPA is using the outreach presentation feedback forms suggested by CNA. Also, SPD's Public Information Officer is using more social media to improve engagement and the City's cable channel to get information out to the public.

Recommendation 10.2: SPD should leverage existing or past outreach programs to increase its active engagement with the community.

SPD will continue the trend of building on existing success to create more opportunities for outreach. So far:

- SPD is expanding the Police Activities League (PAL) from one to three neighborhoods, using existing community resources and partnerships and creating new ones. For example, My Spokane and Spokane Parks Department are helping with PAL registration and swimming for the kids.
- Many community leaders are from organizations that SPD already partners with (KFCA Ministries, Spokane Southeast Lions, Operation Healthy Family, and Spokane Public Schools). However, many new community leaders are joining to coach and help out.
- Teen mentors are participating at the Liberty Park PAL session thanks to the partnership with the Martin Luther King Jr. Family Outreach Center and the Youth and Police Initiative (YPI) held there.
- PAL is receiving increased support from the community, as well as internal support. Several local businesses have donated items for the youth, and the Spokane Police Guild and Lieutenants and Captains Association each donated \$500.00.
- SPD/City of Spokane has won two major awards based on YPI's success.
- YPI continues to grow with meaningful, successful sessions. The June YPI session with the Gay-Straight Alliance at Rogers High School was incredible, and it happened because of the partnership with OUTSpoken.
- SPD built on the success of YPI to create a similar program in partnership with Spokane Public Schools, "Restore Our Kids" (restorative justice- alternative to suspension).

Recommendation 10.3: Similar to its media academy, SPD should hold a citizen's academy on an annual basis.

The Citizens Academy took place from May 6-June 3, 2015. Kathy sent the roster and evaluations to CNA after graduation. Kathy also contacted community groups to inform them of the Use of Force training class for civilians on January 22, 2016.



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In addition to the Citizens Academy, SPD also held a special Community Academy on April 18 (documentation sent to CNA on April 22). This event resulted from discussions at a December 22 meeting about law enforcement and race relations, initiated by SPD and facilitated by Pastor Shon Davis. Chief Straub, the CYI unit, Lt. King, and Pastor Shon developed an Academy as a follow-up to the first meeting. The event was structured like a mini-Academy with use of force demos and VIRTRA training, but also included a 90 minute discussion between community leaders and law enforcement (Chief Straub, Training Cadre, and the CYI unit). Participants mainly represented Kingdom Fellowship Church Alliance --Multicultural Ministers Alliance (a group of 14 Hispanic, Native, African-American, and White ministries/churches), historically Black churches, and leaders from educational institutions. The discussion was afterwards and was very robust. As a result, several community leaders are getting involved in YPI, SPD Chaplain Advisory Board, etc. and SPD is following up with more information about volunteer and training opportunities with these participants. It was a very positive experience from all accounts. The feedback forms showed that community leaders felt it was very helpful.

Participant Kitara Johnson said, “The community academy was an eye opening experience and very powerful tool that I recommend to all community leaders and citizens who have ever questioned the use of force concerning law enforcement. The specific exercise that has been branded in my mind was the virtual simulation where you are given a standard issue belt, weapon, pepper spray, and Taser and interact with the simulation. I found myself firing off 3 rounds and previously questioned police use of force and why they fired shots to kill when involved in an arrest. The Academy allowed me to listen to officers and learn of specific training they are provided to respond without reaction. I also feel that this academy was a step towards transparency of Spokane Police Department in a hands-on practical way.”

Recommendation 10.4: SPD should form a chief’s advisory council.

The Chief will be handling this recommendation. CNA noted in the finding that the Police Advisory Council (PAC) meetings were regarded as “ineffective, not necessarily reflective of the concerned community, and lack the potential to meet many community stakeholder groups.” However, PAC continues to grow and improve. In the last six to eight months, several new members from different constituencies (LGBTQ, Iraqi, youth) joined PAC, and PAC is actively recruiting for more members. SPD is also promoting PAC through social media, advertising, and emailing contacts. In March 2015, Kathy sent information about PAC and the quarterly public meetings to many groups such as Center for Justice, Native Project, the OPOC, etc. On June 1, 2015, Kathy sent information about joining PAC and attending quarterly meetings to all the neighborhood councils, as well as SPD’s greater contact list. Kathy specifically sent PAC info to groups that CNA had mentioned in the recommendation (Center for Justice, Native Project, NAACP, OPO, mental health organizations, LGBTQ organizations, etc.). Kathy also asked Gloria Ochoa to share the information with the Mayor’s Advisory Council on



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Multicultural Affairs (MACMA). The most recent PAC public meetings have been featured in The Gazette.

In addition to PAC recruiting for more diverse community leaders, PAC meetings are more effective. PAC members continue to show increasing levels of engagement. PAC members enjoy being part of the media list and getting information in a timely manner. PAC's awareness and involvement with SPD continues to increase. Community participation in PAC is increasing as well. At the June quarterly meeting, 13 guests attended and some expressed interest in joining PAC.

Recommendation 10.5: SPD should conduct a staffing analysis to determine if the department is meeting its operational needs and has an adequate amount of staff to ensure its continued mission, objectives, and community policing principles.

The Office of Justice Program's Diagnostic Center will be providing technical assistance to SPD regarding workload analysis. Kathy sent the intake forms to the Diagnostic Center on May 4, 2015 and the Diagnostic Center accepted SPD's request. The Diagnostic Center Resolution Intake Panel (DCRIP) meeting took place June 12, 2015. Additional meetings will be held in July 2015.

Using the Diagnostic Center rather than a private firm is cost-effective, as bids for similar work at other agencies ran between \$40,000-80,000, and the Diagnostic Center does not charge any fees. The Diagnostic Center also works closely with other Department of Justice units.

Recommendation 10.6: The SIRR should revise its media relations protocol to ensure that the agency involved in a deadly force incident is allowed to release appropriate information after a deadly force incident. In addition, SPD should continue to utilize and improve virtual and more traditional methods to maintain communications with interested community stakeholders after a critical incident.

Former Communications Director Cotton created a template for the Spokane Investigative Regional Response (SIRR) Team news release to help to promote consistent and prompt communication with the community following a critical incident. She met with the SIRR supervisors on March 31 to discuss releasable information which the official and the initial can include in order to provide the community information following a critical incident, while not jeopardizing the investigation. SIRR Team partner agencies are now all using a standardized template for media releases, and are also posting the releases on their agency's websites. Kathy shared the template with CNA as well as examples of how the template is used in current press releases that are posted on the agencies' websites.



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SPD also clarified with the community that in the case of a critical use of force incident, SPD will issue a press release as soon as possible (sometimes within a few hours of the event). This initial release will provide a basic summary of the incident. The release identifies the agency managing the investigation of the incident and clarifies that all future communications regarding this incident will be sent via the SIRR Team. The press release is shared internally and with members of the Police Advisory Committee at the same time it is shared with the media. The press release is posted on SPD's website. If appropriate and when possible, SPD will reach out to community organizations whose clients or members are affected by the incident. For example, if the involved citizen is a client receiving mental health services, mental health professionals will be contacted as soon as possible. SPD will use both traditional (e.g., phone, in-person meetings) and electronic means of contacting affected communities. The procedure for notifying the community was included in the updated Community Outreach Strategy, which was posted on the website and emailed to community organizations.

This recommendation involved sharing information with community leaders about critical use of force incidents in a timely manner and using traditional methods (phone calls and meetings) to reach out and specifically address community concerns arising from use of force incidents, and SPD's actions in the incident described below clearly follow the recommendation. On May 13, an in-custody death occurred involving the Spokane County Jail and Spokane Police Department. SPD took a proactive, unprecedented approach to informing the community. As the involved citizen was Black, Community Outreach Lt. Tracie Meidl immediately got in touch with many leaders of the Black community. Lt. Meidl emailed and then called leaders from the NAACP, MACMA, university diversity leaders, multicultural ministers community, and our outreach partners. She also invited a domestic violence partner from the YWCA, because the event involved domestic violence. The Chief, County Sheriff, and SPD Community Outreach staff briefed leaders about the incident and answered questions. Later, Pastor Shon Davis shared an email about the process with his multicultural faith contacts, asking for peace and prayers. SPD also met with the family of the deceased. Spokane did not experience community unrest after this incident.

Recommendation 10.7: SPD should routinely survey the community to measure increased police-community relationships, increased understanding of police procedures, and organizational changes and to evaluate police-initiated programs like the PAL.

Kathy Armstrong has been analyzing the results from SPD youth outreach program surveys such as PAL and YPI, and is sharing the results with CNA and with the Public Safety Committee. In late April, Kathy administered a community partners survey to several agencies that work closely with SPD (e.g., schools, hospitals, mental health professionals, law enforcement agencies, City and County public defenders and prosecutors). The survey results were very positive and provided helpful feedback. She also administered similar surveys to community organizations and Neighborhood Councils. She is working with SPD's Buyer to arrange for a city-wide survey



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with questions specific to Spokane Police. Work on this recommendation will continue throughout the 18-month implementation period. At the advice of DOJ, SPD will be implementing the CP-SAT community-policing survey in 2016, nearing the end of the Collaborative Reform Initiative.