



# SPOKANE POLICE DEPARTMENT

Office of Professional Accountability

Timothy B. Schwering

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## **Office of Professional Accountability**

June 2016 Report

**Public Safety Committee Briefing**  
**June 20, 2016**



# SPOKANE POLICE DEPARTMENT

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## Selected Excerpts of Officer Commendation Letters

Greetings Mayor Condon and Council President Stuckart—

Yesterday evening I completed Level II of Spokane Police Academy's Enhancing the Survival Mindset civilian self-defense training program. I also participated in the Level I workshop on April 28. I gratefully commend the City of Spokane for offering this well-crafted, first-class series taught by experienced, active-duty instructors at an unbeatable price. Thank you! Please pass along my heartfelt thanks to the other council members.

Truly, Sergeant Shawn Kendall and his excellent instructor staff have perfected a stellar civilian hands-on course that marks the gold standard compared to other offerings. All this is neatly packaged in eight hours of top-notch instruction, for only \$50! Particularly impressive and noteworthy is the encouragingly friendly and fun learning environment created by these tough cops that somehow appeals to girls and women—a notoriously difficult demographic to entice into participating in such training.

The very best part of this comprehensive course is the reality-based practical application of the techniques and responses we learn. I cannot emphasize enough the value I've found from being able to experience ESM's intense real-life schemas and scenarios to test my skills. In all my training and travels, this has been a rarity. My deepest admiration goes out to these instructors who allow us to pummel and kick them all evening, and who gift students with the priceless benefits of their cutting-edge knowledge and experience. I hope the mayor's office and city council will continue to generously fund this deserving line item in the city's budget, and find additional portions for more frequent workshops, if possible.

I particularly envision the ESM course as a uniquely-suited tool for the city to use to help address school violence, especially that faced by young girls. It was heartbreaking to watch yesterday's local evening news and see a vicious battle among four or five Shadle Park middle-school girls right in front of the school, while frightened teenagers watched. The terror in one young interviewee's voice was palpable, and she had no confidence that the same treatment would not befall her.

After completing ESM training, it is obvious that the program is already well-suited to teaching young girls and women to not only have that critical self-confidence, but to also secure the survival mindset and skills that may prevent attacks altogether. My hope is that additional funds can be allocated for expansion of this exceptional presentation into our schools.

*-Lisa Urvat*



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## Internal Affairs Unit Update

January 1 through May 31, 2016 Complaints

Complaints Received:

**Total: 40**

**Closed Out as Inquiries:\* 13**

\*As of June 3, 2016.

### Most Recently Closed out As Inquiries

- C16-034: The complainant advised that her husband had been taken to the hospital for a mental health evaluation against his will. When he returned, her husband complained of excessive force by the officers on scene. The complainant spoke with the IA investigator and watched the body camera video. She withdrew her complaint.

### Source of 2016 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: 15**

Received by the Spokane Police Department **Total: 25**

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

### Categories of Complaints\*\*

Allegations associated with **Citizen Complaints** received between January 1 and May 31, 2016.

\*\*Note: Some investigations involve multiple allegations.

<b>Allegation</b>	<b>Number</b>
Abuse of Authority	2
Assault	2
Conduct Unbecoming	3
Crime: Rendering Criminal Assistance and Obstruction	1
Demeanor	9
Driving Complaint	1
Excessive Force	6
Failure to Complete Report	2
False Reporting	1



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False Statements	2
Harassment	3
Inadequate Response	11
Policy Violation	4
Racial Bias	2
Threat	1
Unlawful Entry	1
Unlawful/Improper Search	2

### Disposition Definitions

- **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
- **Administratively Suspended-** A complaint that is closed because the investigation is unable to proceed any further due to circumstances outside the control of the investigator (i.e., Involved officer quits/retires, complainant does not cooperate with the investigation, complaint involves the elements of a crime and investigation could jeopardize prosecution, investigative leads are exhausted and no evidence of wrongdoing was uncovered, etc.)

### Use of Force

There were 46 total non-deadly use of force incidents through May 2016. In comparison to other years, there were 45 during the first four months of 2015; 44 during the first four months of 2014.

Please see the 2015 Use of Force Analysis for a comprehensive study of use of force incidents in 2015.



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## Officer-Involved Shooting Incidents Update (through June 3, 2016)

### 2015 Open Cases

#### **F15-039 (Status: Pending Deadly Force Review Board -DFRB)**

Incident 15-149064 took place May 6, 2015 at 5527 N Ash. The Spokane County Sheriff's Office finished their investigation. SPD Internal Affairs completed their review. The Deadly Force Review Board is pending.

#### **F15-061 (Status: Pending Administrative Review Panel)**

Incident 15-257577 took place July 27 2015 at 4120 N. Division. The Spokane County Sheriff's Office finished their investigation. SPD Internal Affairs completed their review. The case will be going to the Administrative Review Panel.

#### **F15-067 (Status: Under SPD Investigation)**

Incident 15-274070 took place August 8, 2015 at 616 E. Sanson. The Spokane County Sheriff's Office completed their investigation. SPD has begun the internal investigation.

#### **F15-096 (Status: SPD Investigation done, pending DFRB)**

Incident 15-359223 took place October 12, 2015, at 4118 E. Longfellow St. The Spokane County Sheriff's Office finished their investigation. SPD has completed the internal investigation but the case is awaiting the prosecutor ruling before it can go to the Administrative Review Panel. The prosecutor announced a decision June 1, 2016. The next step is the DFRB.

#### **F15-102 (Status: Under SPD Investigation)**

Incident 15-392381 took place November 7, 2015 at Division and Olive. The Spokane County Sheriff's Office completed their investigation. SPD will begin the administrative investigation.

### 2016 cases

#### **F16-039 (Under SIRR Investigation)**

Incident 16-151075 took place April 28, 2016 at the intersection of Pacific and State. The SIRR team is investigating.

#### **F16-040 (Under SIRR Investigation)**

Incident 16-154017 took place May 1, 2016 at the intersection of Division and Main. The SIRR team is investigating.

#### **F16-041 (Under SIRR Investigation)**

Incident 16-155667 took place May 2, 2016 at 2701 W. Sunset Avenue. The SIRR team is investigating.

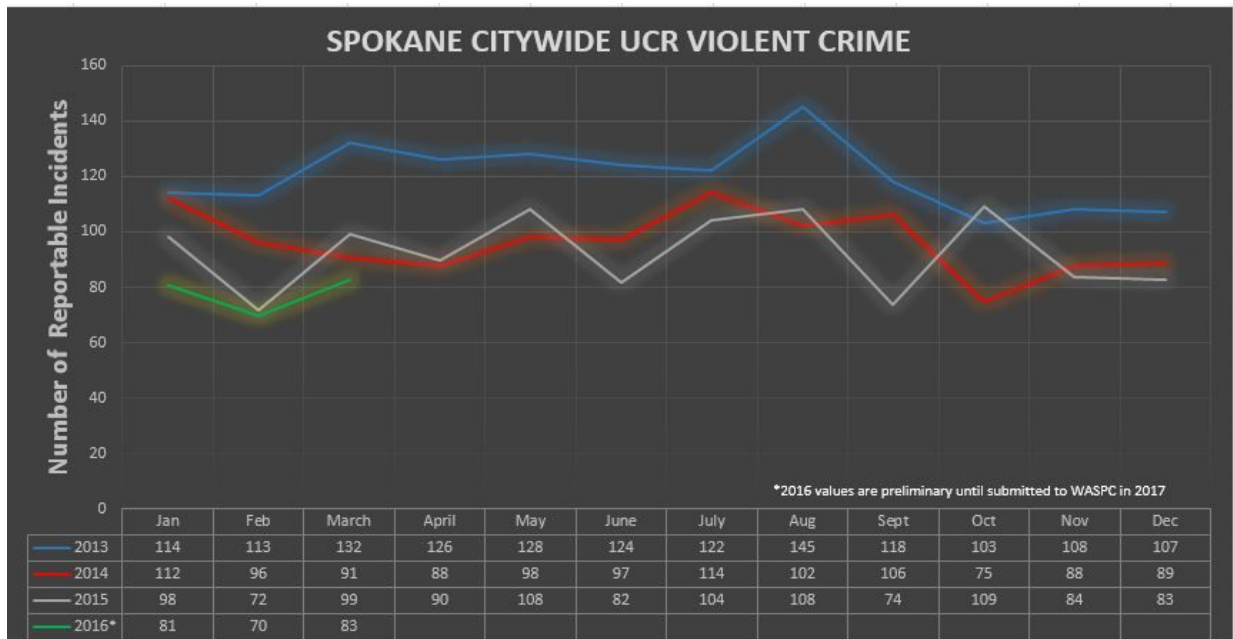
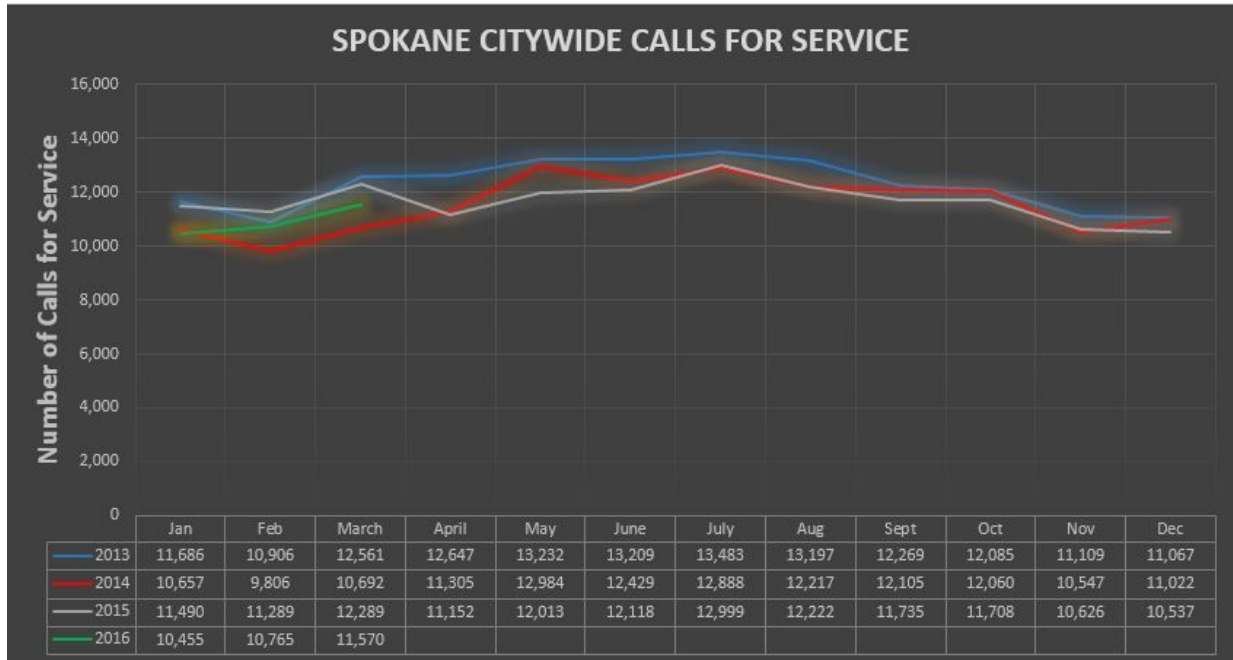


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## Calls for Service and Crime Rates

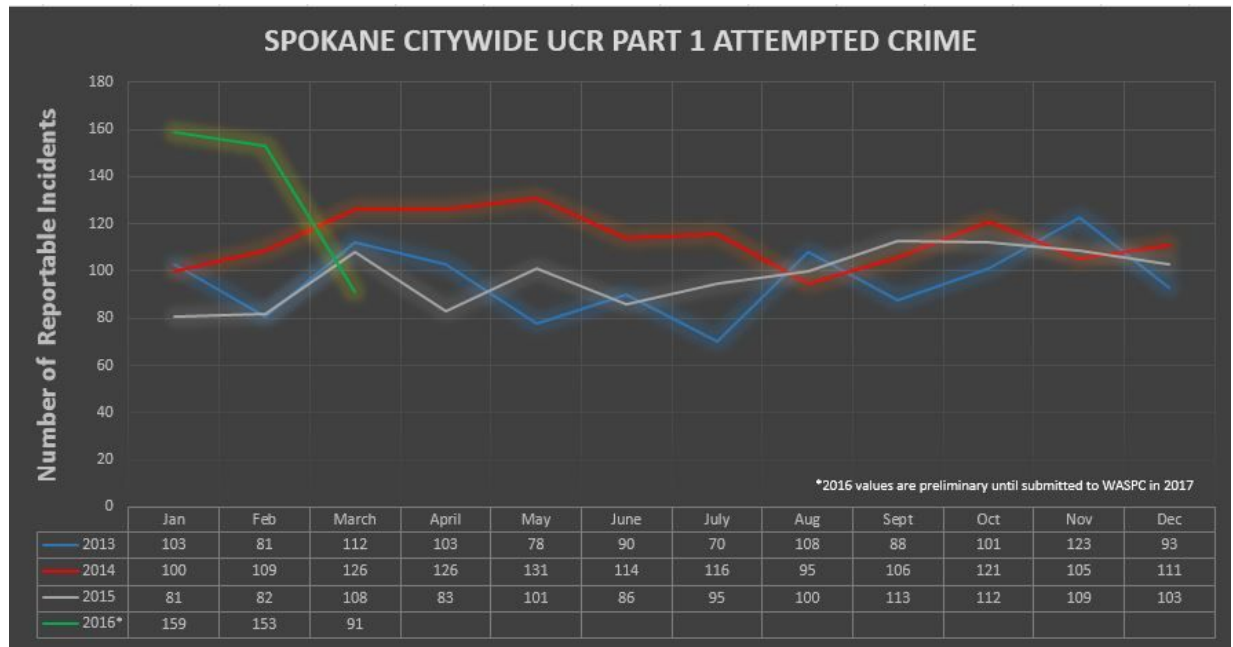
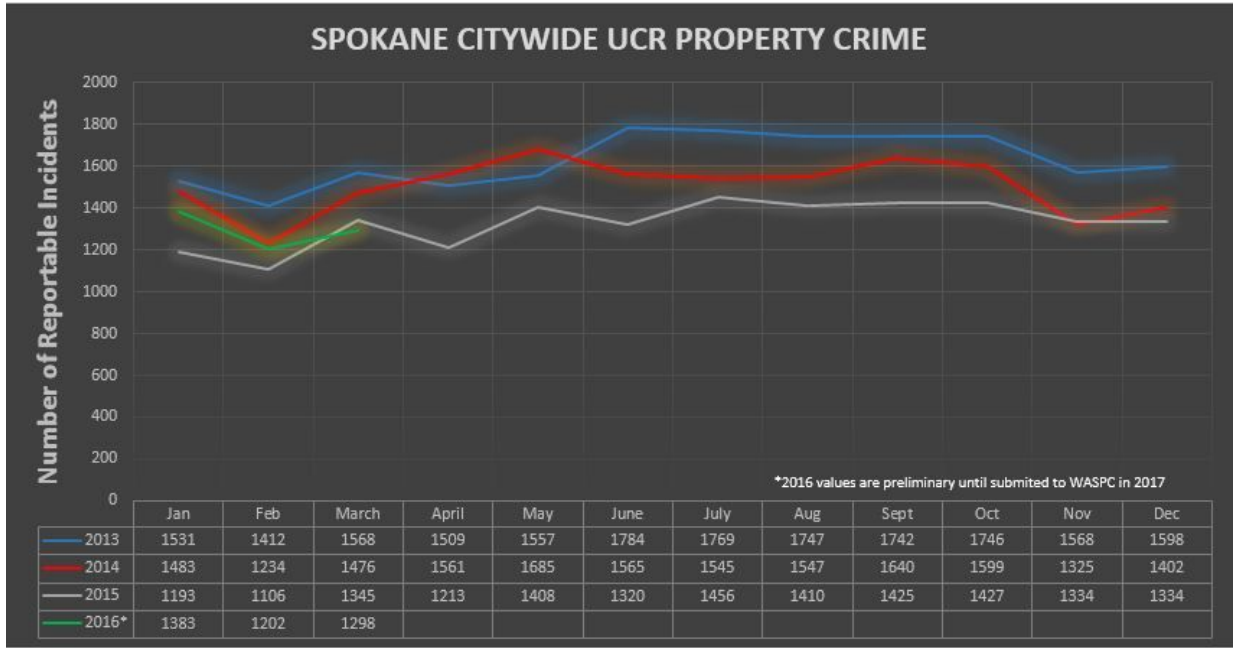




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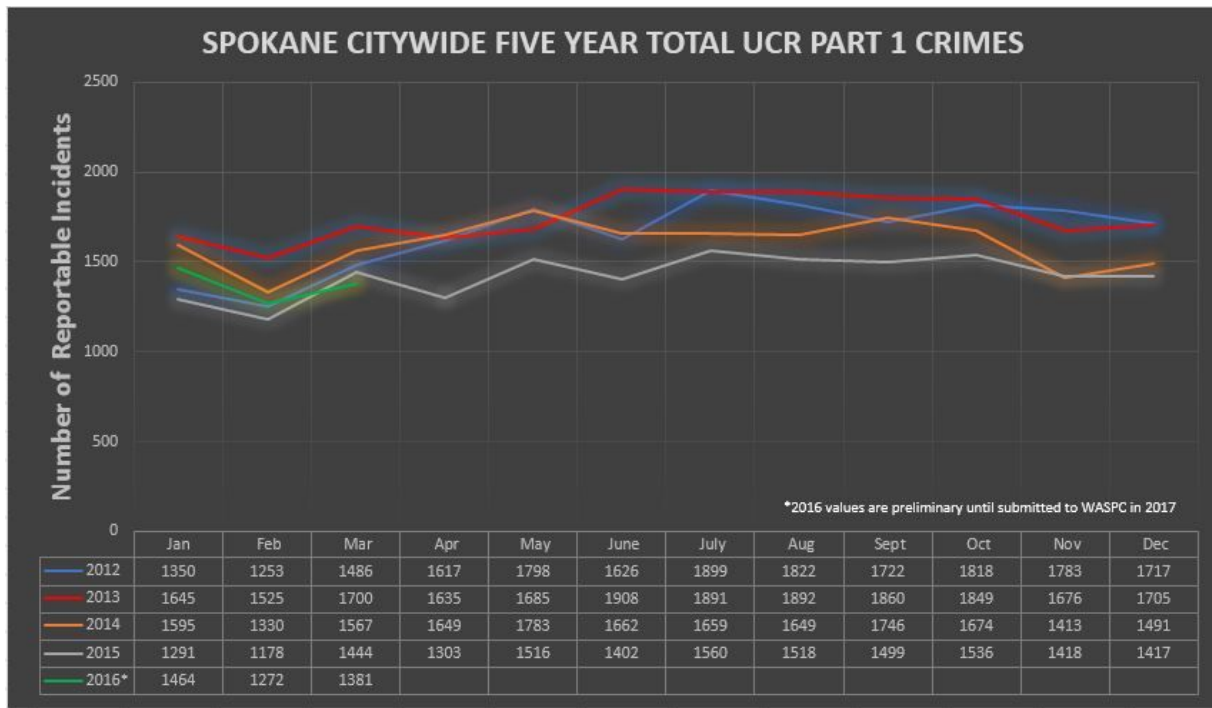
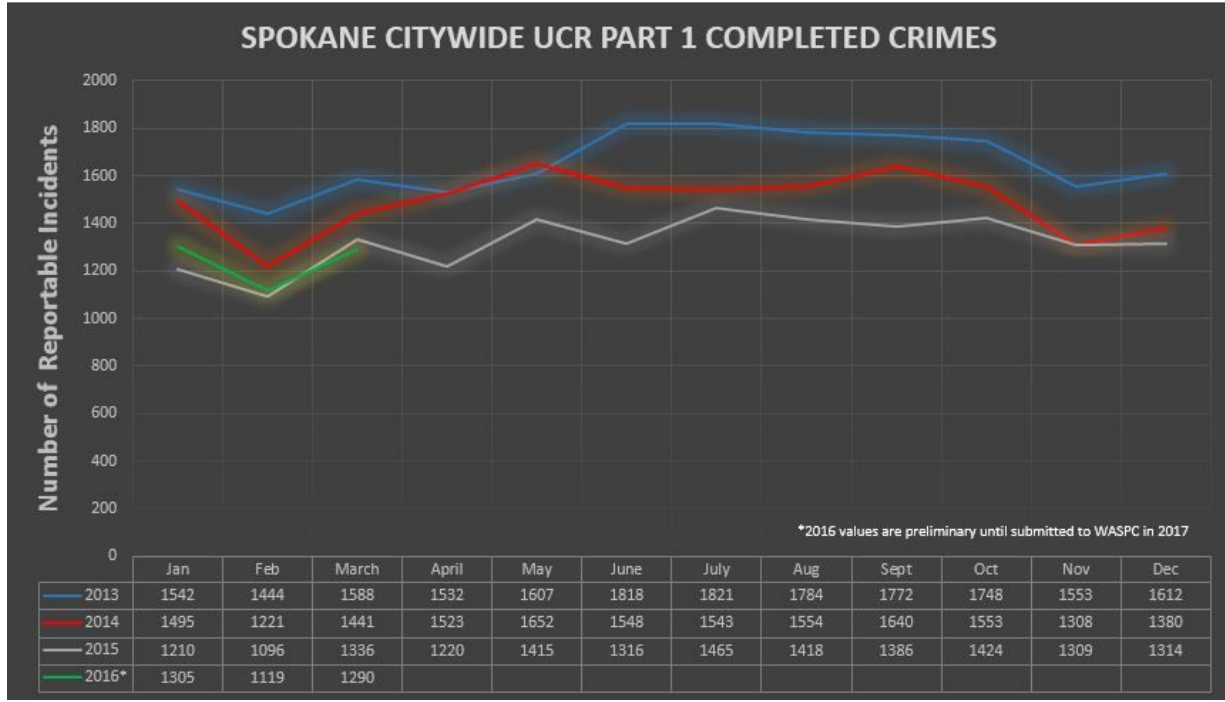




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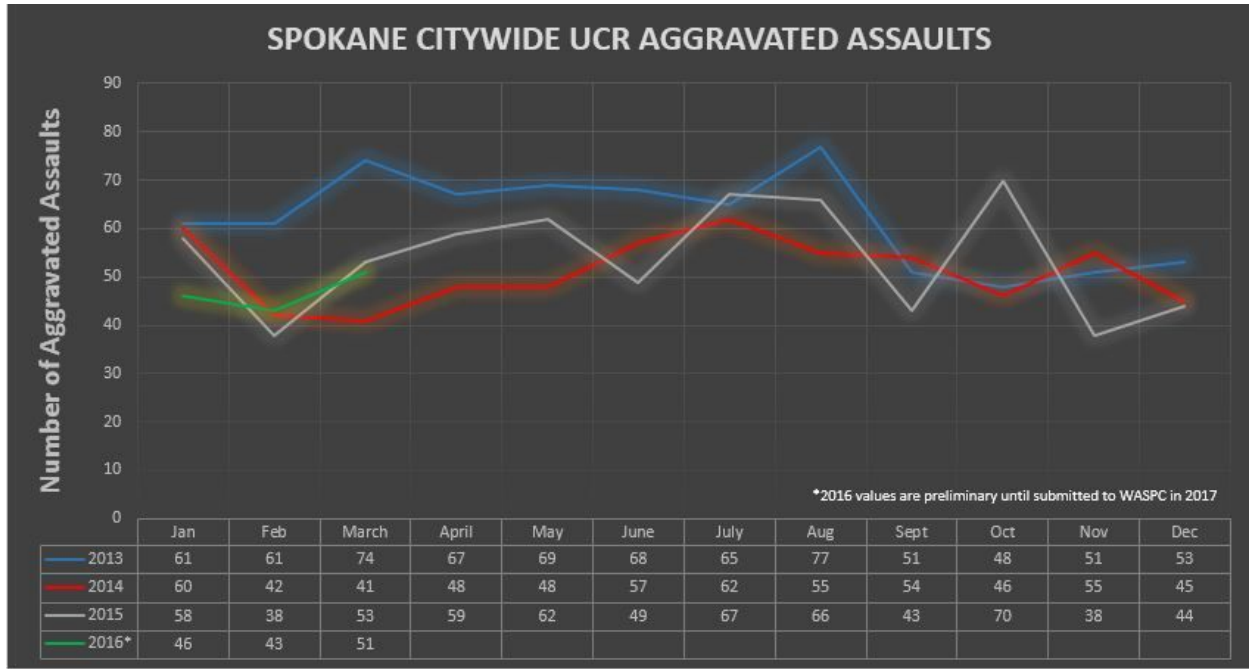


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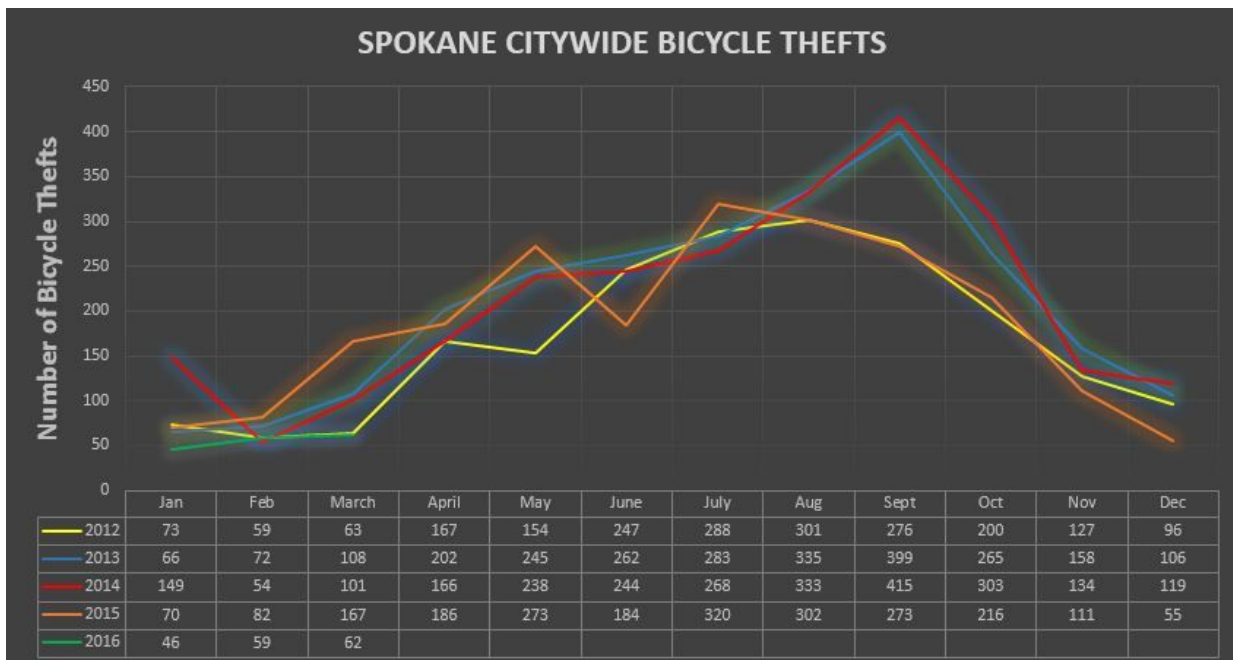
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## Aggravated Assaults



## Bicycle Theft and Recovery Update

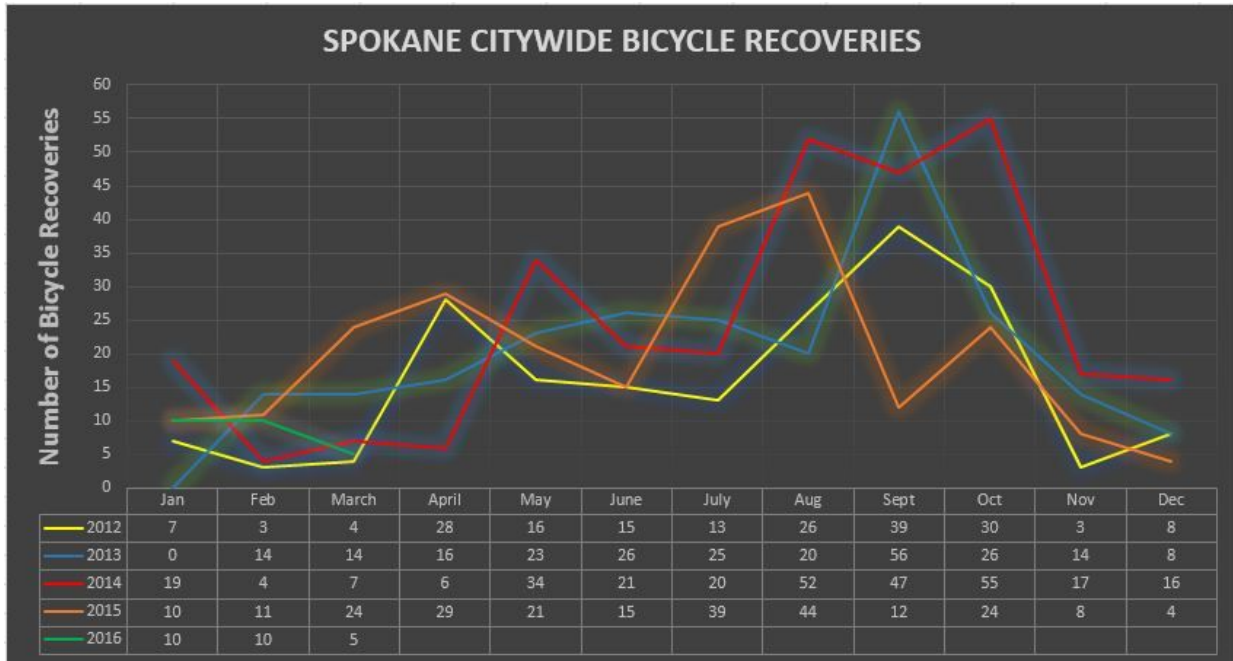




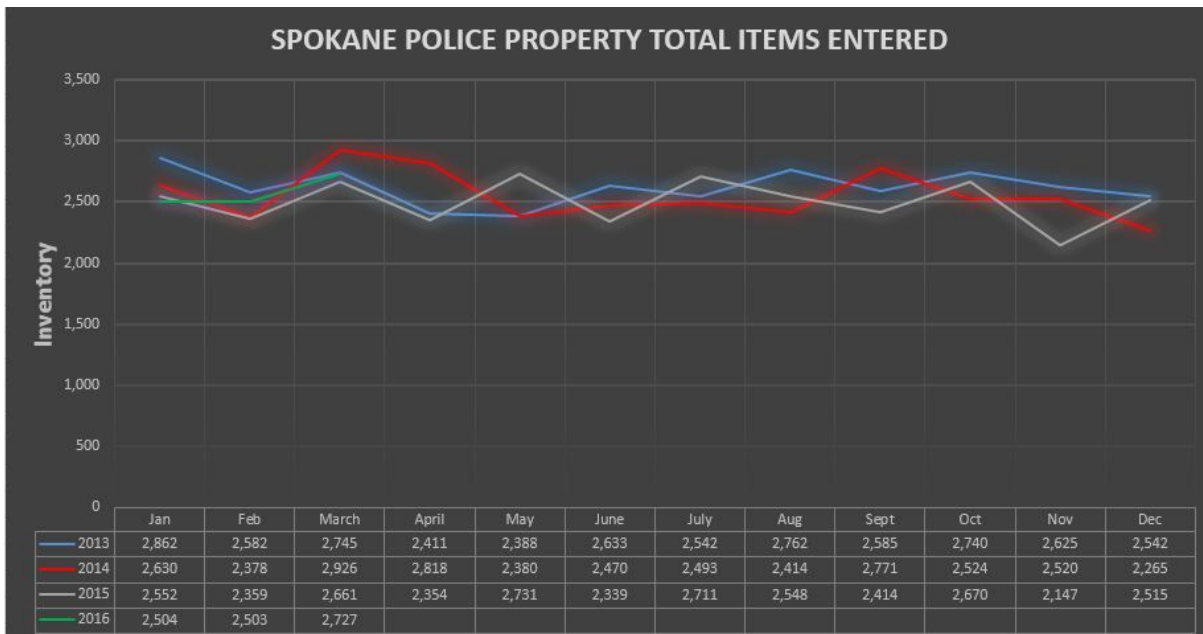
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## Property Unit Update





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## Records Unit Update

### Public Record Disclosures as of 05/29/2016

Oldest request not completed:	09/18/2015
New requests received this week:	224 records/140 requestors
Total requests started but not complete:*	1459 pending records
*(167 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:	63 (oldest date 5/19/2016)
Requests for body camera video:	295**

\*\*One of the requests is for all body camera videos. This request is being provided in installments.

## Outreach Updates

In May, Spokane Police Department held the first Youth and Police Initiative (YPI) at a middle school—Shaw Middle School. SPD also held “reunion” pizza lunches with YPI graduates at several high schools throughout May and early June.





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### **Police & Community Forums Continue**

In the fall of 2015, the Spokane Faith Leaders-Police Community Alliance (includes SPD members) held the first Police & Community forum, with the intent to “bridge the gap” and build trust between community members and law enforcement. Seven forums have taken place as of May 2016. These public forums allow community members and members of local law enforcement to discuss issues relating to mistrust, especially in communities of color, and also brainstorm solutions towards building a bridge.

The forums promote healing in the community, as people stay and talk one-on-one or in small groups afterward. At every forum, both police and community leaders are available to talk with forum participants afterward and provide follow up to those who request it on their survey.

According to the Alliance President, Pastor Shon Davis, “Across the nation, the gap between community and law enforcement is getting wider and wider. Mistrust is the cause of both sides having a distorted view and/or perception of one another, and also the cause of the intent to bring harm or violence against each other. The only way to change the perception is to close the gap. It’s easy to judge people from a distance, especially when we have no relationship or emotional connection to them. The forum is intended to bring all parties to the table to have difficult, courageous, face to face conversations, where we can hear, listen and better understand the reason or reasons behind the mistrust. If we are going to change one’s perception of ourselves or of the institution we represent, we cannot afford to remain disengaged from one another, allowing the media and other people to frame our message. We must be intentional in engaging one another through transparency and honest dialogue around issues that will prove that we all share an equal concern and desire for protecting the rights and lives of all human beings.”

Forums have been held on a monthly basis in various locations (schools, churches) around Spokane. Information is sent to over 400+ community members and organizations via email, as well as promoted by word of mouth and social media.

Forums begin with panel discussion and then questions are taken from the audience. Some of the questions have dealt with arrests and traffic stops. According to the exit surveys, community members appreciated the forums. At the March 2015 forum at Morning Star Baptist Church, 81% of participants agreed with the question: “Did this event further our goal of building trust?” and 97% agreed the “event gives the community a chance to be heard.” Based on community feedback, the format has been changed to include small group discussion. 95% of participants in the April 2015 forum agreed that the small group discussion made it easier for community members to engage.



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The May 19th forum took place at Spokane Community College. 54 people participated in the forum. Panelists included:

- Anna Bondarenko, Refugee Connections Spokane
- Raphael Guillory, Faith Alliance, Eastern Washington University
- Jim Andrews, Faith Alliance
- Sienna Kirkwood, Spokane Falls Community College Black Student Union
- Stephanie Nobles Beans, Faith Alliance, Assistant Pastor, The Church of Berachah, Whitworth University
- Jacob Proctor, Coeur d'Alene Police Department
- Deputy Damon Simmons, Spokane County Sheriff's Office
- Sergeant Dan Waters, Spokane Police Department
- Officer Kris Honaker, Spokane Police Department

After two questions, we broke up into small groups for an hour of small-group discussion facilitated by members of the Faith Alliance. At the end of the forum, 89% of participants agreed with the question "Do you feel this event gives the community a chance to be heard?" Participants' comments were very positive and they requested more forums.

After the May forum, Alliance members met to discuss how the seven forums had gone and what could be done differently. The group unanimously agreed the forums were helping to bridge the gap and everyone wanted to continue the forums in the fall. The forums will continue to be in a variety of places, but will be on weeknights rather than weekends since attendance was the best on the weeknight forum. Alliance members also got a lot of feedback from community members about weeknights being a better option.

The Alliance is also going to build on relationships. For example, the relationship with the Spokane Falls Community College Black Student Union has really developed over the past few months and they are very enthusiastic about continuing to participate as panelists, planning committee, and being in the audience. They want to help get the word out to other college organizations. Lt. Matt Cowles plans to really develop the relationship with them further and see if they can also help with recruiting for personnel and volunteers. Anna Bondarenko from Refugee Connections was incredibly helpful sharing the perspective of people from Russia and their experience with police and government. She wants to help bring more refugee groups to the forums. We also had a new member join the Faith Alliance, Pastor Tom Kobin of the Marshallese Church of Christ. Pastor Tom and Pastor LeJohn will work with their communities to organize a meeting with Marshallese leaders to meet the Faith Alliance and then they will help organize a forum intended to engage the Marshallese community. The Faith Alliance will be scheduling a planning meeting about the forums soon.



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## Police Activities League (PAL) begins in July

### New Partners

- NATIVE Project is bringing 60 kids to the West Central PAL session on Tuesdays.
- First Tee of the Inland Northwest is offering free golf to program participants.
- Spokane C.O.P.S. is partnering with us and will be our financial agency. As a 501c3 organization, they are able to fundraise and solicit donations, as well as purchase the incentives and food without restrictions that a municipality has.

### New Activities at PAL

- Running
- Soccer
- Golf
- Flag Football

These activities are in addition to the existing activities of basketball, recreational swimming, swim lessons, STEM activities, and daily presentations on prevention topics such as drugs, gangs, choices, etc. Lunches are provided by Spokane Public Schools and WSU Food Sense will provide fresh fruit.

### New Resources

- Swimsuits from the Spokane Parks Foundation
- Towels from the Parks Department
- Full Time AmeriCorps VISTA volunteer from United Way

### New Recruiting/Promotion Approaches:

- Flyers in several languages (flyers are available in Marshallese, Arabic, French, and Spanish). See the website for the translated flyers: <http://www.spokanepal.org/pal-leagues.html>
- Working with Refugee Connections Spokane and specific refugee groups to get the word out to youth in their communities
- Working with Faith Alliance to help get the word out to the additional youth in their faith and ethnic communities (such as Marshallese).

### New Transportation assistance from several agencies:

The following agencies will provide transportation to youth:

- Martin Luther King Jr. Family Outreach Center
- Emmanuel Family Life Center
- NATIVE Project
- Northeast Youth Center



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## **Implementation of DOJ Recommendations: Progress Report as of June 3, 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:

Supervisors were trained on the use of Evidence.com to view videos associated with administrative use of force reports in February 2015. Supervisors received training on IA procedures and proper documentation of use of force reports in Blue Team on September 17 and 22, 2015. New sergeants and soon-to-be promoted sergeants received two hours of training on Use of Force Reporting and using Blue Team software at the Sergeant Academy in January 2016. Use of Force Reporting and using Blue Team software was again covered at the Supervisor training on February 23 and 29, 2016.

### Officer Training:

Use of Force Report Writing/Body Camera Training for officers took place in May 2015; approximately half of patrol officers have completed the training. The other half of patrol officers received training November 20, December 4, December 11, and December 15, 2015. SPD continues to hold Officer Use of Force Report Writing classes to train new hires and to offer additional training for officers. That class took place March 21, 2016. Another class designed for the Investigations division took place April 20, 2016. Additionally, all officers are receiving training on the use of force policies with a special emphasis on reporting use of force during Spring In-Service 2016. Reporting is covered in the Level One and Level Two Defensive Tactics Re-certification classes. All officers receive these classes annually as part of In-service. Reporting is also covered in the Force Options Re-certification class, held in January and February 2016, which was mandatory for all officers. *Status: SPD considers this recommendation Complete.*

**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). Both policies have been revised to reflect the recommendation. The recommended practice is in place; current officer-involved shooting incidents have been



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entered into Blue Team as a Use of Force by IA investigators. *Status: SPD considers this recommendation Complete.*

### **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. The other agencies are currently using the template in their investigations. Before the recommendation is considered complete, CNA (the DOJ COPS Office Technical Assistance provider) will need to review deadly force files where the investigative case file format is used. *Status: SPD considers this recommendation In Progress; the recommendation should be considered Complete after CNA reviews files. CNA is currently reviewing files.*

### **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. The other agencies are currently using the template in their investigations. Before the recommendation is considered complete, DOJ will need to review deadly force files where the investigative case flow sheet is used. *Status: SPD considers this recommendation In Progress; the recommendation should be considered Complete after CNA reviews files. CNA is currently reviewing files.*

### **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.**

All files can now be saved in Blue Team, including photos and links to body camera video. The Internal Affairs Standard Operating Procedures (SOP) document explains the details. Supervisors were trained during the fall 2015 supervisor training.





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Annual audits take place within Internal Affairs.. On a continual basis, Internal Affairs will check Use of Force Reports and verify that all appropriate documentation is attached. *Status: SPD considers this recommendation Complete. CNA is currently reviewing files.*

**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.**

The Use of Force Commission discussed this issue on February 13, 2015 and referred the matter to Spokane Police Department. The City is moving forward on conducting an audit. Kathy Armstrong was appointed as the lead staff person. Kathy obtained input from a large variety of internal and external stakeholders during the month of January 2016, including all the former Use of Force Commission members. She included the input in a draft of recommendations concerning the scope, process, and reporting for the culture audit. SPD hopes to have a contract with a local university by June 30, 2016. *Status: In Progress. Work will continue through early 2017.*

**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. Kathy Armstrong completed the use of force analysis of the first six months of 2015. Lt. Steve Braun completed the 2015 annual analysis. Major Lundgren memorialized the report in the updated IA Standard Operating Procedures (SOP). *Status: SPD considers this recommendation Complete.*

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

The 2014 Use of Force Comprehensive Analysis was shared with over 100 organizations and posted to SPD's website. The 2015 mid-year Analysis was shared with the Public Safety Committee on September 21, 2015, and then shared with more than 100 organizations in the community. When Kathy disseminated the report, she offered to hold meetings and presentations if groups wanted to do so. The analysis is available on the website. As of the writing of this report, she has received positive feedback from community members. The 2015 Analysis was also widely shared with the public. Future reports will be shared with the public. This recommendation is considered to be completed. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*



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**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). Lt. Braun wrote a review for 2015 as well. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*

**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.**

SPD Executive staff discussed internal communication with every member of the department through in-service trainings. Other important improvements to internal communication: Assistant Chief Meidl is now sharing the minutes from Senior Staff meetings with All Police. SPD also reinstated a committee of people of all ranks and the Chief-- the Vertical Advisory Committee. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*

**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.**

SPD developed a Career Development Plan. SPD also held the first Detective Academy (December 2015) and Sergeant Academy (2016) for newly-promoted officers and officers who are likely to promote. Kathy sent over the schedule and evaluations. Beginning with the rank of Sergeant, we have established a formal mentoring program. SPD is developing the promotional training materials—they will be complete by the end of June. Additionally, 60 supervisors and soon-to-promote officers completed the 120-hour Police in Leadership Organizations course. *Status: As of June 30, SPD expects this recommendation will be complete.*

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



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Lt. King sent several employees to Procedural Justice training for officers in spring 2014. All members of the department (civilian and sworn) received some Procedural Justice training during the April 2015 in-service. In January 2016, all SPD supervisors, commissioned and civilian, attended Procedural Justice training with the Center for Public Safety and Justice at the University of Illinois at Chicago (the DOJ COPS Office provider). Our supervisors gave the course and instructors rave reviews, and showed a 67% increase in knowledge, skills, and abilities between the pre- and post-tests. Many supervisors felt they had a strong foundation before but benefited greatly from the reinforcement and enhancement of new tools to implement procedural justice throughout the department.

Later this year, at a date to be determined, we will be hosting a Procedural Justice Train-the-Trainer training in partnership with the DOJ COPS Office and the Center for Public Safety and Justice. We will be offering the opportunity to all the agencies in our region. After this training, we'll train our entire department. Procedural Justice is endorsed by the President's Task Force on 21st Century Policing and long-embraced by DOJ COPS Office.

Additional related training took place in November 2015; the Washington State Criminal Justice Training Commission (WSCJTC) held a pilot training on Implicit Bias for SPD. SPD leadership attended along with community members from the Police Advisory Committee, the Faith Alliance leaders, and the Mayor's Advisory Council on Multi-Cultural Affairs (MACMA). Since the pilot program, the WSCJTC is now providing four hours of Implicit Bias training to all recruits in Basic Law Enforcement Academy (BLEA). SPD Officer Winston Brooks is the instructor. *As of June 30, SPD expects this recommendation will be complete.*

**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.**

Major Lundgren and Kathy Armstrong developed the Early Intervention System (EIS) policy based on research of other agencies' policies, with input from the City Attorney's Office, bargaining units, Training Unit, Captains and Executive Staff, and CNA. Major Lundgren educated SPD supervisors about the EIS during his training for supervisors in September 2015. The policy was officially incorporated into the SPD Policy Manual and is fully operational. Officers received training on the policy during the 2016 spring In-service. *Status: SPD considers this recommendation to be Complete.*

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



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The requested information was included in the policy. *Status: SPD considers this recommendation to be Complete.*

**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 criteria are included in the policy. *Status: SPD considers this recommendation to be Complete.*

**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.**

All new policies and modifications to existing SPD policies are now approved by the City Attorney's Office. Sgt. Dashiell and Major 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. Major Lundgren created a policy memorializing the process for policy updates with input from the City Attorney's Office, bargaining units, Captains and Executive Staff, and CNA. The policy incorporated into the SPD Policy Manual. *Status: SPD considers this recommendation to be Complete.*

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

The Use of Force (UOF) was revised with input from the City Attorney's Office, bargaining units, Training Unit, Captains and Executive Staff, and CNA. It was incorporated into the SPD Policy Manual in with many other new and revised policies. It was sent out to officers along with a Training Bulletin on December 14, 2015. Training Unit instructors trained officers on the policy during Field In-Service Training (FIT). Officers received additional training during Spring 2016 In-Service training. *Status: SPD considers this recommendation to be Complete.*

**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 Training Plan Committee met several times to revise the Training Policy. Kathy shared a draft with CNA on July 24, 2015. The Training Policy itself is broad, while the Training Plan is very specific about the types of training required and how often training is required. The Training Plan covers the requirements of training that CNA specifically asked about: related to use of force, CIT/CIT Refresher, Procedural Justice, etc. The policy was developed with input



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from the City Attorney's Office, bargaining units, Captains and Executive Staff, and CNA. The Training Policy was incorporated into the SPD Policy Manual. *Status: SPD considers this recommendation to be Complete.*

**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 2016 Training Plan is in effect with additional training being added in. The Committee meets quarterly. *Status: SPD considers this recommendation to be Complete.*

**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.**

The purchase of training software occurred in September 2015. Training for Academy staff members began in October 2015. The last staff training took place January 5, 2016. Training staff members were trained on the software. The software is fully implemented. Academy staff reports that the new training software is working beautifully and is fully operational. The FTO Coordinator is especially pleased about the ability to easily conduct audits. *Status: SPD considers this recommendation to be Complete.*

**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.**

The City Attorney's Office provided an extensive review of policies related to the Lateral Neck Restraint (LNR), part of Policies 300, 302, and 308. The revised policies were developed with input from the City Attorney's Office, bargaining units, Training Unit, Captains and Executive Staff, and CNA. These policies were incorporated into the SPD Policy Manual with many other new and revised policies. SPD did not incorporate the second part of the recommendation that would require a deadly force review when a Level 2 LNR is used, as that goes against case law and the teachings of the Washington State Criminal Justice Training Commission. Legal expert Missy O'Linn, who assisted with the Use of Force Commission, also strongly advised SPD not to make Level 2 LNR deadly force in policy. As a compromise, SPD now has a special review for LNR applications at Use of Force Review Board (UOFRB). Policies were sent out to officers along with a Training Bulletin on December 14, 2015. Training Unit instructors trained officers on the policy during Field In-Service Training (FIT). Officers received additional training on the policy during Spring 2016 In-Service training. SPD also implemented yearly training on the



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technique; all officers are mandated to re-certify in the technique in their Force Options Re-certification classes. *Status: SPD considers this recommendation to be Complete.*

**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 rifle policy review involved input from the City Attorney's Office, bargaining units, Training Unit, Captains and Executive Staff, and CNA. This policy was incorporated into the SPD Policy Manual with many other new and revised policies. The new policy was shared with the department with a Training Bulletin. Officers received additional training during Spring 2016 In-Service training. *Status: SPD considers this recommendation to be Complete.*

**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 Crisis Response Center, working alongside mental health professionals (MHPs). The training will involve officers accompanying the MHPs to conduct in-person assessments and follow-up visits. 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. Both Sgt. Waters and Staci Cornwell confirmed that the on-site training is working well. The recertification was addressed in the Training Plan.

On June 19, Lt. King confirmed that all of the officers who needed refresher training as of spring 2015 completed it. As of November 30, 2015, all SPD officers have had CIT or CIT refresher training within the last two years. Kathy followed up with Staci Cornwell in early 2016; Staci reaffirmed the effectiveness of the training and positive feedback from her staff members. We will continue this plan going forward. On April 6, 2016, Staci wrote that over 200 officers have completed the refresher training and that training is being scheduled for officers who took CIT training in 2014. She further stated "we are on track to adhere to the recommendation." *Status: SPD considers this recommendation to be Complete.*



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**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.**

The new process is included in the revisions to Officer-Involved Shooting Policy (Policy 310). Director Schwering memorialized the process in a memo that was shared department-wide on December 29, 2015. The information was also sent out in an update to the Office of Professional Accountability's distribution list of community members in January 2016. CNA may want to review files to see that this practice is in place; however, press releases shared with CNA show that SPD is releasing available body camera video and reports as soon as possible—usually at the completion of the criminal investigation, before the Prosecutor has rendered the decision. *Status: SPD considers this recommendation to be Complete.*

**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, Major 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. Major Lundgren advised that the Chief's Office and bargaining units need to discuss this further before we can work on a new policy. As of April 8, management had met initially with the bargaining units and Assistant City Attorney Erin Jacobson confirmed that the recommendations were on her list for contract negotiations when they begin later this year. *Status: No action until the collective bargaining process begins in 2016.*

**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.**

Major Lundgren will be working on developing this policy after implementation of 8.2 which covers changes in the process. As of April 8, management had met initially with the bargaining units and Assistant City Attorney Erin Jacobson confirmed that the recommendations were on her list for contract negotiations when they begin later this year. *Status: No action until the collective bargaining process begins in 2016. Status: No action until the collective bargaining process begins in 2016.*



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**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.**

Major Lundgren assigned this recommendation to Sgt. Staben from Internal Affairs. Sgt. Staben provided a draft document detailing the system on March 10, 2015. Major 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 Armstrong showed CNA examples of the recommendation put into place. CNA was waiting for the Internal Affairs Standard Operating Procedures (SOP) to be updated in September 2015 to officially finalize this recommendation. The recommendation was memorialized in the SOP. *Status: SPD considers this recommendation to be Complete.*

**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) was memorialized in Policy 302. It was incorporated into the SPD Policy Manual with many other new and revised policies. The policy was sent out to officers along with a Training Bulletin on December 14, 2015. Additional training at in-service and roll call trainings were provided. Monthly UOFRB meetings have taken place every month and are scheduled throughout 2016. *Status: SPD considers this recommendation to be Complete.*

**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.**

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 the Chief's Office to discuss at labor-management meetings. As of April 8, management had met initially with the bargaining units and Assistant City Attorney Erin Jacobson confirmed that the recommendations were on her list for contract negotiations when they begin later this year. *Status: No action until the collective bargaining process begins in 2016. Status: No action until the collective bargaining process begins in 2016.*

**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.**





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The Deadly Force Review Board (DFRB) policy, Policy 302, was revised with input from the City Attorney's Office, bargaining units, Training Unit, Captains and Executive Staff, and CNA. It was incorporated into the SPD Policy Manual with many other new and revised policies. The policy was sent out to officers along with a Training Bulletin on December 14, 2015. Additional training was provided during the spring 2016 In-service. *Status: SPD considers this recommendation to be Complete.*

**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.**

Major Lundgren communicated the training requirements to other members of the department by disseminating the new SOP (finalized September 2015) department-wide upon adoption. Director Schwering, Lt. Lundgren, and Kathy Armstrong will share the new requirements with the public during the OPA's continuing outreach efforts (e.g., small-group meetings and presentations). Major Lundgren recently presented to the Browne's Addition Neighborhood Council and the East Spokane Rotary Club. *Status: SPD considers this recommendation to be Complete.*

**SPD is not reporting on the recommendations that involve the Office of Police Ombudsman (9.1, 9.2, 9.3, and 9.4) and are not within SPD's control. However, SPD is helping with recommendations 9.2 and 9.3.**

**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 has shared the strategy with various community groups, offering to meet with any groups about the strategy. The strategy was posted to the SPD website on April 24, 2015.

SPD continues to increase 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 stakeholders in the loop about Collaborative Reform. She explains the Collaborative Reform



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process and how SPD is working with internal and external partners and CNA to move forward on the reforms. The OPA is using the outreach presentation feedback forms suggested by CNA.

On July 21, Kathy sent CNA a description of the community outreach and education conducted by SPD's Defensive Tactics Cadre, under the direction of Sgt. Shawn Kendall. While Sgt. Kendall has held safety awareness classes for international students at Mukogawa Fort Wright Institute for years, he is presenting at more college campuses now and many other venues (homeless youth shelter, churches, mental health professionals, Spokane Parks Department employees, etc.). Kathy also shared the Cadre's work done in partnerships with Spokane's Fire Department and Frontier Behavioral Health (Enhanced CIT Training).

Kathy developed a brochure about the Office of Professional Accountability's frequently asked questions about the complaint process and shared it with SPD's outreach contacts on July 24, 2015. The brochure was also posted on the website and a blog was created to bring attention to it. OPA staff will continue meeting with community organizations, promoting transparency and open communication. The 2016 plan is currently being updated. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*

### **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. A few examples of growing youth outreach:

- The 2015 Police Activities League (PAL) program successfully tripled its reach to families. The program received expanded support as it continued to grow.
- SPD/City of Spokane has won two major awards based on Youth and Police Initiative (YPI's) success.
- YPI continues to grow with meaningful, successful sessions, with collaborations from partners like Spokane School Resource Officers and OUT Spoken. SPD held a pilot YPI program in the middle school in May 2016.
- Youth from the YPI program continue to stay engaged with SPD. Several YPI graduates volunteered in the PAL program. Youth also organized a Youth and Police-Stand Together group for the Martin Luther King, Jr. Unity March in January 2016. In February 2016, many YPI graduates participated in special job training and got summer jobs.
- Officer DeRuwe conducts an outreach program based on YPI at Juvenile Court every month.
- 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). ROK is beginning again in April 2016, now that SPS obtained grant money for the program.



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- Midnight Basketball, a partnership between SPD, East Central Community Center, and KFCA Ministries, is a Friday-night young adult basketball program built on the success of PAL.
- The Faith Alliance, using YPI as a model for courageous conversations, is now holding monthly Community-Police forums. Forums took place the first five months of 2016.  
*Status: As of June 30, SPD expects this recommendation will be complete.*

### **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.

In addition to the Citizens Academy, SPD also held a special Community Academy on April 18, 2015 (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. The Chief 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, 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.

The 2016 Community Academy took place April 16, 2016. The 2016 Citizens Academy begins April 20, 2016. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*

### **Recommendation 10.4: SPD should form a chief's advisory council.**

The Chief's Office's approach to this recommendation is two-fold-- strengthening the existing Police Advisory Committee (PAC) and the establishment of a new group, The Spokane Faith Leaders & Police Community Alliance. PAC continues to grow and improve. SPD is also promoting PAC through social media, advertising, and emailing contacts. Kathy sends information about PAC and the quarterly public meetings to many groups such as Center for



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Justice, Native Project, the Ombudsman Office and Ombudsman Commissioners, etc. The most recent PAC public meetings have been featured in the City's Gazette publication. 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, including a review of critical incident body camera footage with SPD employees prior to media release. PAC's awareness and involvement with SPD continues to increase, and community participation in PAC is increasing as well.

The Spokane Faith Leaders & Police Community Alliance was established in the summer of 2015 to create and maintain open and ready lines of communication between the Spokane Police Department and leaders of Spokane's faith community. The goal of this Alliance is to ensure mutual respect between the police and the community and to build and sustain trust and legitimacy between the citizens in the City of Spokane and the Spokane Police Department. It is the intent of the Alliance to foster mutual knowledge and understanding between faith leaders and the police department, the clergy's respective congregations, and the communities in which they serve. It is anticipated that improved mutual understanding, respect and trust, communication and access will come about between the police department, leaders of Spokane's various religious faiths and traditions and all ethnic communities through monthly meetings, ride-a-longs, training, and personal communication.

The Alliance does not replace PAC but will serve a different purpose. The Faith Alliance, as part of its mission, will serve as a catalyst to bring about healing within the community. Many of the Alliance members are actively involved with a variety of SPD functions, including outreach and training. One of the primary programs is Community-Police forums that bring understanding and healing through panel discussions with law enforcement and community members, particularly multicultural communities. Alliance members also support outreach in other ways. Pastor Lonnie Bingle is planning a fundraiser to support PAL and YPI. *Status: SPD considers this recommendation to be Complete but is waiting for confirmation from DOJ COPS.*

**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 Programs' Diagnostic Center is providing technical assistance to SPD regarding workload analysis and an evaluation of community policing efforts. Kathy initiated the contact with the Diagnostic Center in March 2015 and applied for technical assistance in May; the engagement will continue over the rest of the DOJ recommendation implementation period. The Diagnostic Center's technical assistance will allow SPD to evaluate its existing resources and make the best possible decisions in allocating resources. The Diagnostic Center designated Dr. Gary Corder as the subject matter expert working with SPD. The first Diagnostic Center



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site visit took place January 12-14, 2016. The second visit took place March 15-16, 2016. The Diagnostic Center is working on a report of recommendations for SPD; it will be available sometime this summer.

In order to fully meet the recommendation of conducting a staffing analysis, SPD also participated in Police Resource Allocation & Deployment training. SPD issued a Request for Proposals for a formal patrol staffing analysis. The selection panel met February 24, 2016 and a vendor was chosen. Tim Freesmeyer of Etico Solutions is conducting the patrol staffing study. His first site visit took place April 25-27, 2016. *Status: In Progress. Work on this recommendation began in March 2015 but the engagement with the Diagnostic Center is a long process. The staffing study with Tim Freesmeyer will continue throughout 2016.*

**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.**

In order to provide consistent and prompt communication with the community following a critical incident, Spokane Investigative Regional Response (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.

The SIRR Protocol was officially updated (to include the media template) and finalized at a meeting on October 29, 2015. The updated SIRR Protocol is now a public document and was posted to the SPD website.

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.



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In efforts to improve transparency, it will also now be the practice of Spokane Police Department to release the critical incident video from body worn cameras as soon as legal and practical following the criminal investigation being forwarded to the Spokane County Prosecutor for review. CNA may want to review files to see that this practice is in place; however, press releases shared with CNA show that SPD is releasing available body camera video and reports as soon as possible—usually at the completion of the criminal investigation, before the Prosecutor has rendered the decision.

It is also important to note that SPD brought in FBI-LEEDA trainer Judy Pal in March 2016 to help develop a team of line-level Public Information Officers. *Status: SPD considers this recommendation to be Complete.*

**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. Surveys are also done for participants of community outreach presentations, Enhancing the Survival Mindset safety awareness classes, Citizen Academies, and community forums. In April 2015, 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 this summer.

She arranged a city-wide survey with questions specific to Spokane Police. The Citywide survey started October 1, 2015. One excellent take-away from the survey was that 85% of respondents felt that SPD's recent reforms benefit the community regardless of any previous awareness of the outreach effort. The survey also showed that many people are unaware of SPD's new programs and that outreach is still greatly needed (54.4% are aware of training, 42.1% are aware of youth outreach, and 55.7% are aware of the creation of specialty units). SPD has had some traditional media coverage on the new programs but it's not reaching everyone.

Work on this recommendation will continue throughout the 18-month implementation period. At the advice of DOJ, SPD participated in the CP-SAT community-policing survey on March 2016, nearing the end of the Collaborative Reform Initiative. Kathy worked with ICF, the CP-SAT provider, to administer the survey. It concluded March 29, 2016.



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A recent survey of citizens who had direct interactions with officers in the Spokane Police Department found that citizens were satisfied with how they were treated during the encounter. 82.6% of respondents agreed/strongly agreed that the officer acted professionally.

The survey is part of research being conducted by Arizona State University's Center for Violence Prevention and Community Safety on body-worn cameras. Professor Michael D. White's study is entitled: "Assessing the Impact and Consequences of Police Officer Body-Worn Cameras: A Multi-Site Randomized Controlled Trial." The two-year study began in March 2015 and is funded by The Laura and John Arnold Foundation.

Researchers found that most (81.6%) citizens who had interacted with officers felt that officers had treated them fairly. 81.9% agreed with the statement, "The police officer you spoke with treated you with respect." Citizens were equally supportive of the Department's body-worn camera program.

While the study is ongoing and will not be published until 2017, the foundation approved the release of information regarding the Spokane citizen survey research because it was such good news for the department and Spokane community.

Mike White says, "The study clearly demonstrates that the citizens we interviewed were very satisfied with their encounter with a Spokane police officer. The vast majority of citizens agreed they were treated in a procedurally just manner: the officer listened; the officer treated them fairly and with respect; and the officer was honest. The findings reflect positively on the Spokane Police Department, their relationship with the community, and their efforts to achieve police legitimacy through procedurally just encounters with citizens."

SPD will continue to survey the community after the implementation period is over. *As of June 30, SPD expects this recommendation will be complete.*