




# 2020 Accountability Report

December 8, 2020

Public Safety & Human Services Committee



# Two Transformational Events in One Year

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Redefining Accountability and  
Oversight (Institutionally and  
Logistically)



# (Mid-)Yearly Reporting Requirement



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



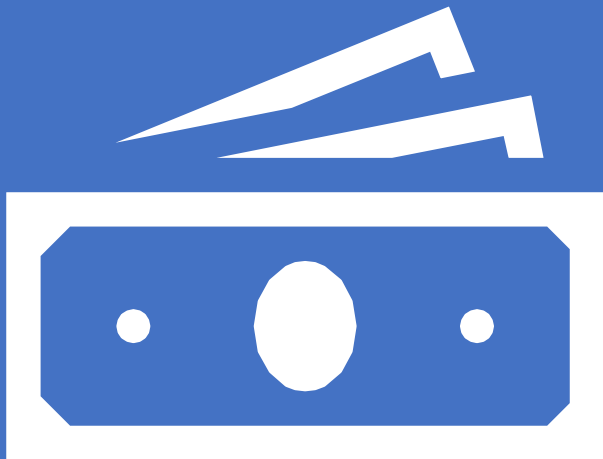
Status of recommendations issued by OPA, OIG, and CPC



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

# Budget Issues & Oversight

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

# State Legislative Agenda Recommendation Highlights

## TOP PRIORITIES IN 2021 SESSION

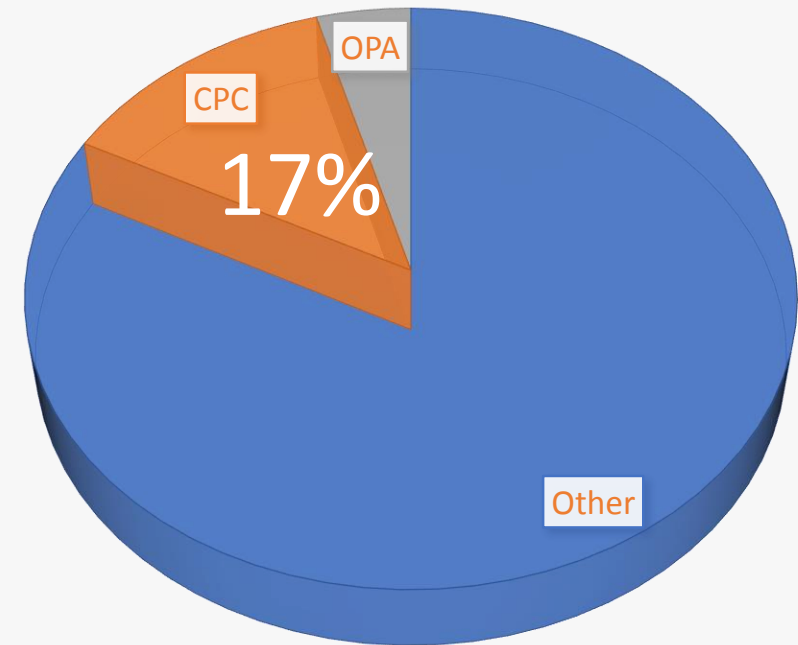
- Reform the police certification and **decertification** process.
- Establish a **special prosecutor** to prosecute police misconduct cases.
- Establish a **statewide investigative entity** for serious/deadly use of force.

## OTHER HIGHLIGHTS

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

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

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



# CPC Advocacy Activities



## **CPC Advocacy Authority**

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

# City Draft Agenda vs. CPC State Legislative Agenda

## Aligned

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

## Not Aligned

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

## Disagree

- Ban tear gas in Washington State
- End qualified immunity



# Collective Bargaining Accountability

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



## 2020 Collaboration Highlights

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



CPC

# CPC Publications and Reports

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

# Challenges



Lack of recommendation implementation



Unfulfilled information and data requests

# Community Engagement & Events

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



# CPC Recommendation Tracker

## WHAT DOES IT LOOK LIKE?

- 20 columns with recommendation, status, and supporting documentation

## WHAT ARE THE NEXT STEPS?

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

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

# Consent Decree Compliance

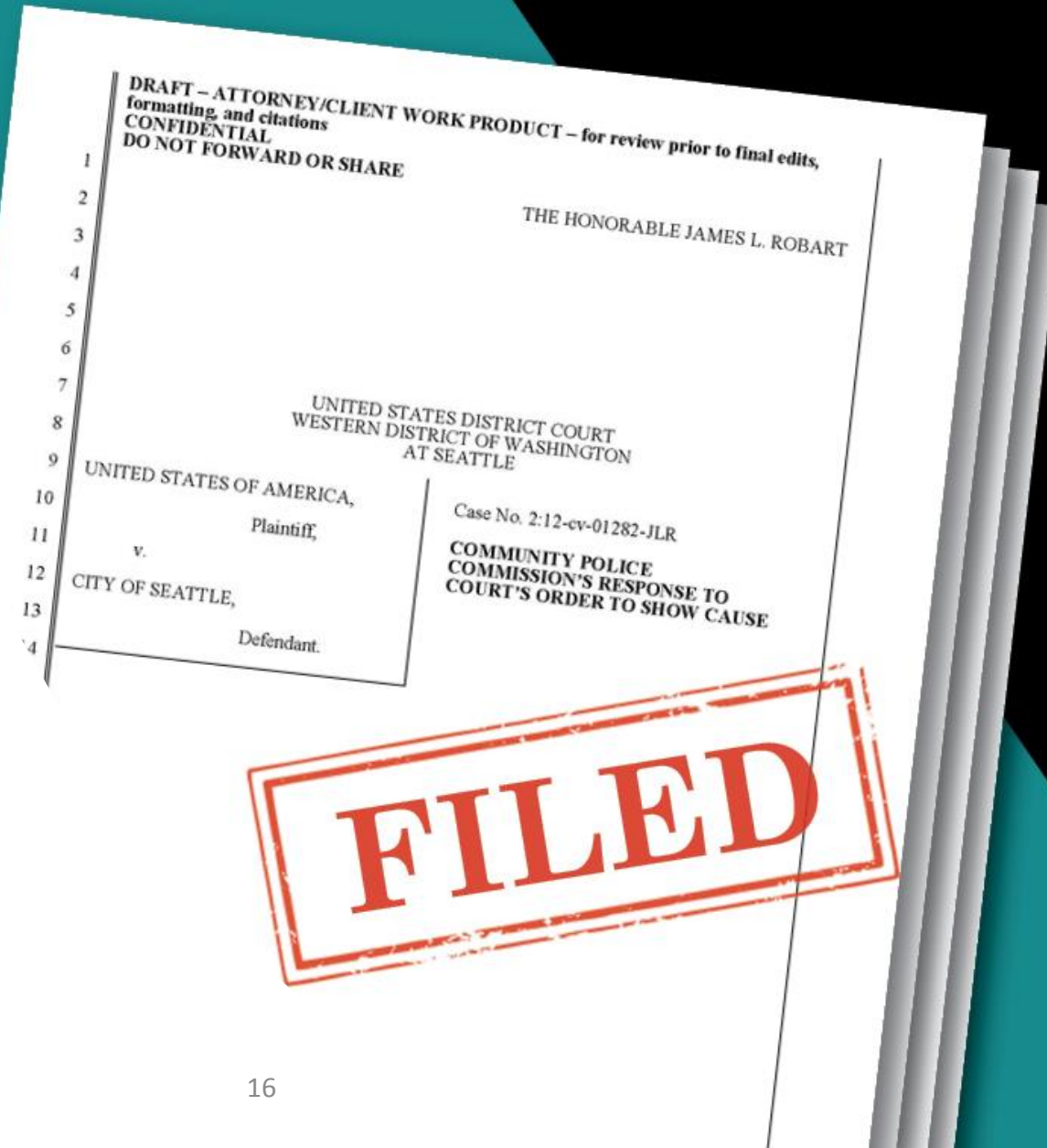
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## City remains out of compliance on accountability

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

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

- City withdrew that motion in June after protests began





# Other CPC Priorities

## **Community Engagement**

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

## **Police Practices**

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

## **Collaboration**

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

## **CPC Internal Business**

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

OIG

# OIG Protest Response Oversight

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



# OIG Audits & Assessments in 2020

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

# OPA Review

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

# Joint Project: Improving Investigative Interviewing of Suspects and Witnesses

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



OPA

# OPA 2020 Policy Recs

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



# OPA 2020 Policy Recs

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

SPD

# Peer Intervention Program

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





Any Questions?