



# SPOKANE POLICE DEPARTMENT

Office of Professional Accountability

Timothy B. Schwering

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## **Office of Professional Accountability**

January 2016 Report

**Public Safety Committee Briefing  
February 8, 2016**



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### Selected Excerpts of Officer Commendation Letters

On Monday night I tried to commit suicide. SPD was called to my address [Officers Stone, Stewart, Anderson, and Briggs.] They treated me with amazing respect and sincere heartfelt thoughts. I was so incredibly grateful of their response and scruples. They were human. Every officer who showed up gave me well wishes and thoughts to move towards a better place in my life. You don't hear enough praise as a police officer in a time when so many others are speaking against SPD. I can truly say thank you from the bottom of my heart and thank you for your positive and well trained force.

*-K.B.*

Officer [Brad] Moon,

Thank you for teaching me the rules of Washington roads. I can't thank you enough for being supremely respectful at the time of my traffic violation and throughout this class. It really was enjoyable.

*-Rachel Stewart*

On the day of the Spokane Marathon, a driver crashed into an Avista power pole on S. Government Way, jeopardizing the races from being held at all. Officer David Kennedy and Sergeant Zach Storment, along with Spokane Marathon volunteers, jumped right in to find an alternate course and to figure out how the course could be altered with as little an impact on the Marathon and Half Marathon as possible. "In the end, after a delay of only 19 minutes, the Marathon and Half Marathon were cleared to start. This situation was only solved so quickly because SPD officers went the extra mile, so to speak, to help save the day. We couldn't be more appreciative of their concern about what we faced and their efforts to find an efficient solution to the closing of S. Government way."

*-Bloomsday Road Runners Club*

As I'm sitting in the Holy Family emergency room with my son tonight, I am reminded of my faith in human kind and respect for Spokane Police Department. An officer came in to the ER and as he was waiting for her to go back a little girl came up to the counter. She was telling the nurse that the vending machine had given her the wrong choice. Without thinking, the cop had then pulled out \$3 out of his pocket and handed it to her. She was so happy! I thought he was gone, but then about an hour later he walked back in with four Dutch Brothers coffees. I figured they were for his crew/partners in the back or something. But two mins later, he came back without the coffees and was telling everyone to have a good night. He had dropped the coffees off to some staff here at the ER. Not just one good deed, but two awesome, simple, noticed acts of kindness by your fellow Officer tonight! Way to go SPD!

*-K.N.*

Just wanted to take some time to thank you, and the SPD for investing your time in us. Because it's just like in the business world, when you invest in something with potential, you can expect to reap the benefits. I look forward to seeing you guys again! Have an awesome day!

*-Trev Nickle, YPI participant*



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## Internal Affairs Unit Update

2016 January 1<sup>st</sup> through January 31st Complaints

Complaints Received:

**Total: 8**

**Closed Out as Inquiries: 3**

\*As of February 2, 2016. Other 2015 cases may be closed out as inquiries as they are processed.

### 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: 3**

Received by the Spokane Police Department **Total: 5**

Internally Generated by the SPD **Total: 3**

### Categories of Complaints\*\*

Allegations associated with **Citizen Complaints** received between January 1<sup>st</sup> and January 31st, 2016. \*\*Note: Some investigations involve multiple allegations.

<b>Allegation</b>	<b>Number</b>
Conduct Unbecoming	1
Demeanor	2
Driving Complaint	1
Excessive Force	2
False Statements	1
Inadequate Response	1
Unlawful/Improper Search	1

### Current Status of 2016 Cases

Only three have been completed so far; all Inquiries.

<b>Status of Allegations</b>	<b>Number</b>
Exonerated	
Sustained	
Not Sustained	
Unfounded	



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Training Failure	
Resigned prior to Termination	
Administratively Suspended	
Changed to Inquiry	3
In Compliance	
Closed due to Mediation	

## 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.)

## Officer-Involved Shooting Incidents Update

### 2014 Open Cases

#### **IA14-057 (Status: Under SPD Administrative Investigation, under ARP review)**

Incident 14-378583 took place on November 8, 2014 near 800 W. Montgomery. The Washington State Patrol investigation is closed and the County Prosecutor's Office completed their review. SPD Internal Affairs completed their review and the case is with the Administrative Review Panel (ARP).

### 2015 Open Cases

#### **F15-039 (Status: Under SPD Investigation)**



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Incident 15-149064 took place May 6, 2015 at 5527 N Ash. The Spokane County Sheriff's Office finished their investigation. It is with the Prosecutor. SPD has begun the internal Investigation.

**F15-061 (Status: Under SPD Investigation)**

Incident 15-257577 took place July 27 2015 at 4120 N. Division. The Spokane County Sheriff's Office finished their investigation. SPD just received the file to begin the internal investigation.

**F15-067 (Status: Under SIRR Investigation)**

Incident 15-274070 took place August 8, 2015 at 616 E. Sanson. The case is under investigation with the Spokane County Sheriff's Office.

**F15-096 (Status: Under SPD Investigation)**

Incident 15-359223 took place October 12, 2015, at 4118 E. Longfellow St. The Spokane County Sheriff's Office finished their investigation. It is with SPD and will be going out to Administrative Panel Review (ARP) very soon.

**F15-102 (Status: Under SIRR Investigation)**

Incident 15-392381 took place November 7, 2015 at Division and Olive. The case is still under investigation by the Spokane County Sheriff's Office.

No cases in 2016

### Use of Force

Total Incidents for January 2016 (as of February 2, 2016): 12 (14 during the month of January 2015)

6 of the incidents are reportable under the new Use of Force policy—these incidents would not reportable with the previous policy. They involve the application of a Level 1 Lateral Neck Restraint (LNR), which does not render the subject unconscious but often a warning is given that if the subject continues to resist, a Level II restraint will be applied. These incidents all involved the Level 1 LNR but no other type of physical force. No incidents involved the Level II LNR.

In addition to the LNR applications, January 2016 included four applications of a Taser, three applications of "Draw and Direct" with a firearm, two Takedown Techniques, two Level 2 Tactics, two incidents with Body Weight/Manual Force/Handcuffing Technique and one K9 application.

\*The 2015 Use of Force Analysis will be available at an upcoming Public Safety Committee Briefing.

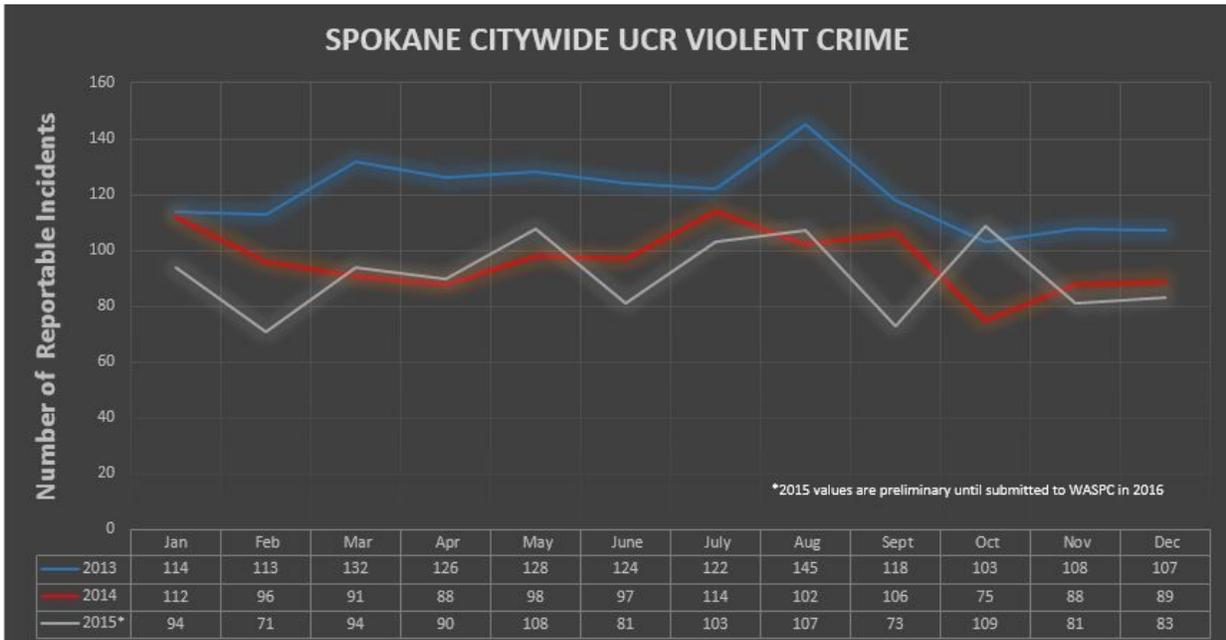
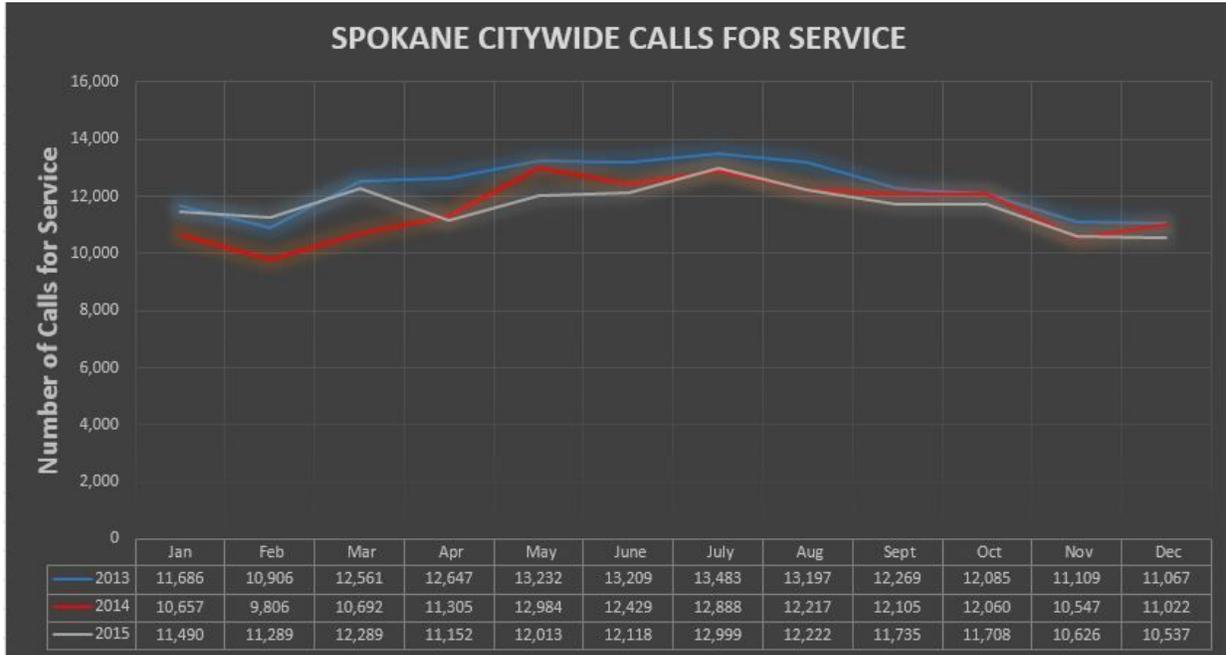


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## Calls for Service and Crime Rates

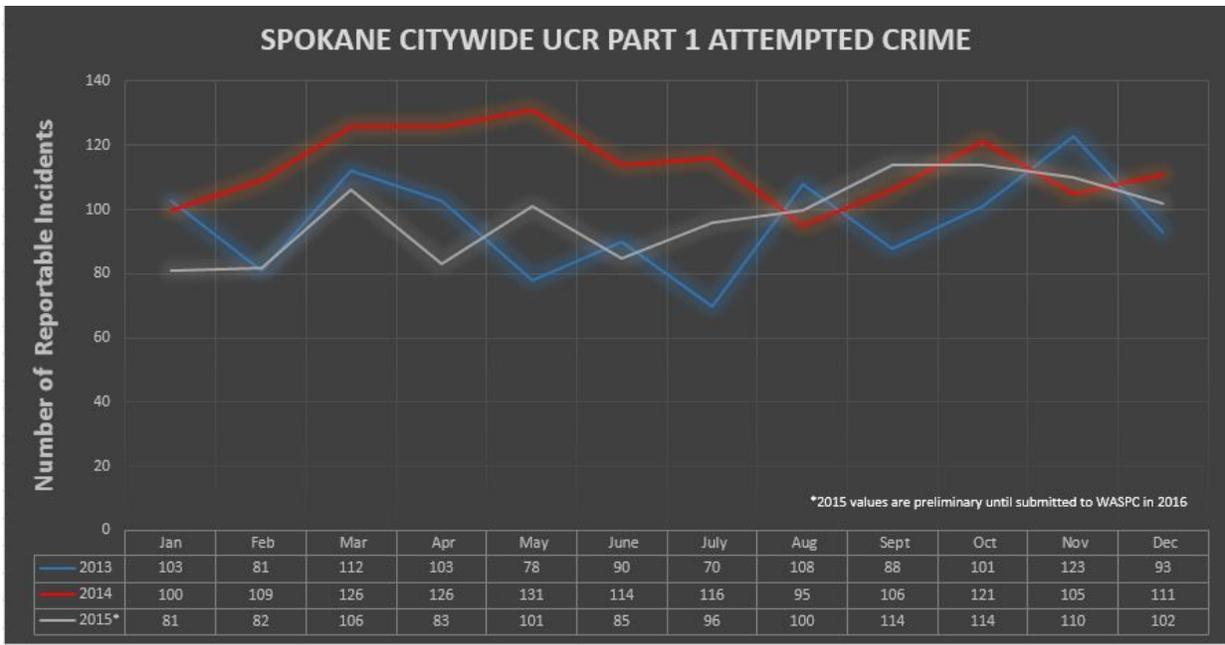
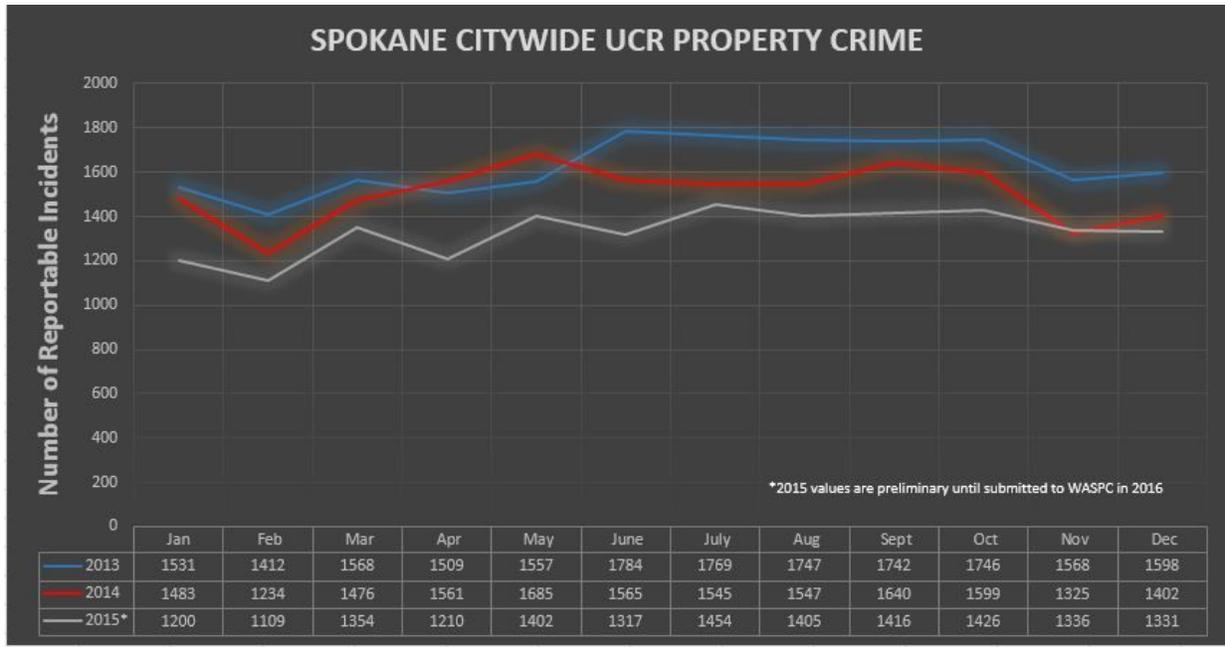




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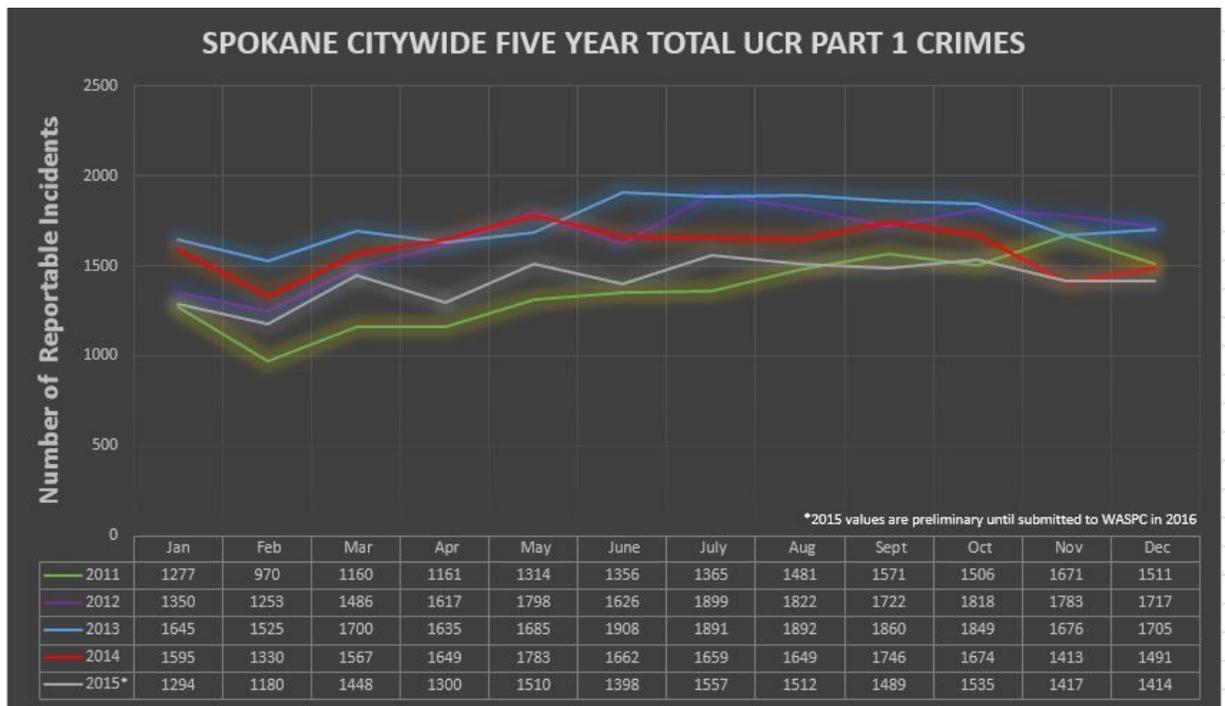
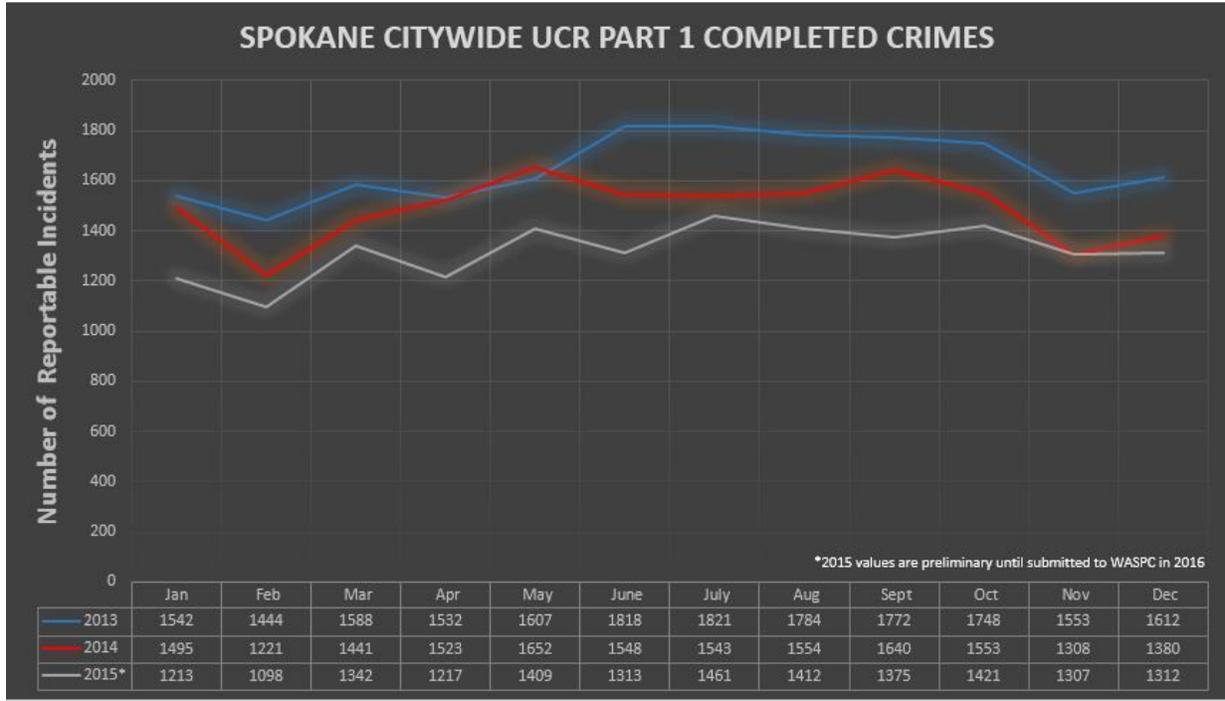




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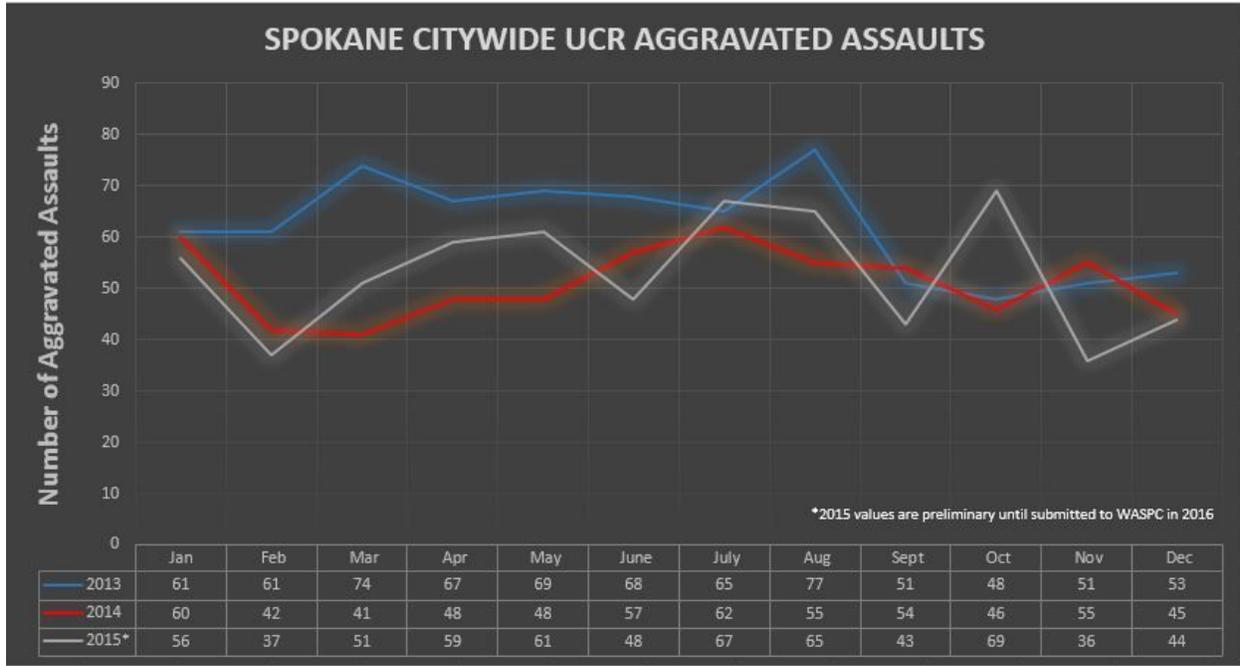


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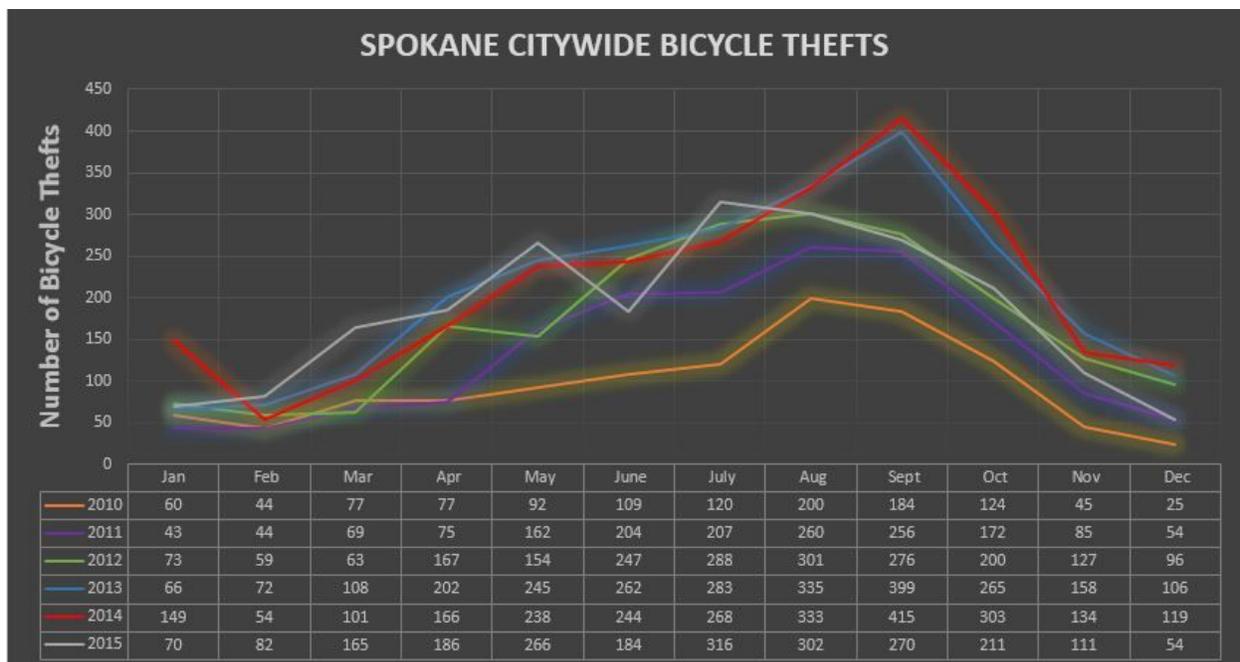
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## Aggravated Assaults



## Bicycle Theft and Recovery Update

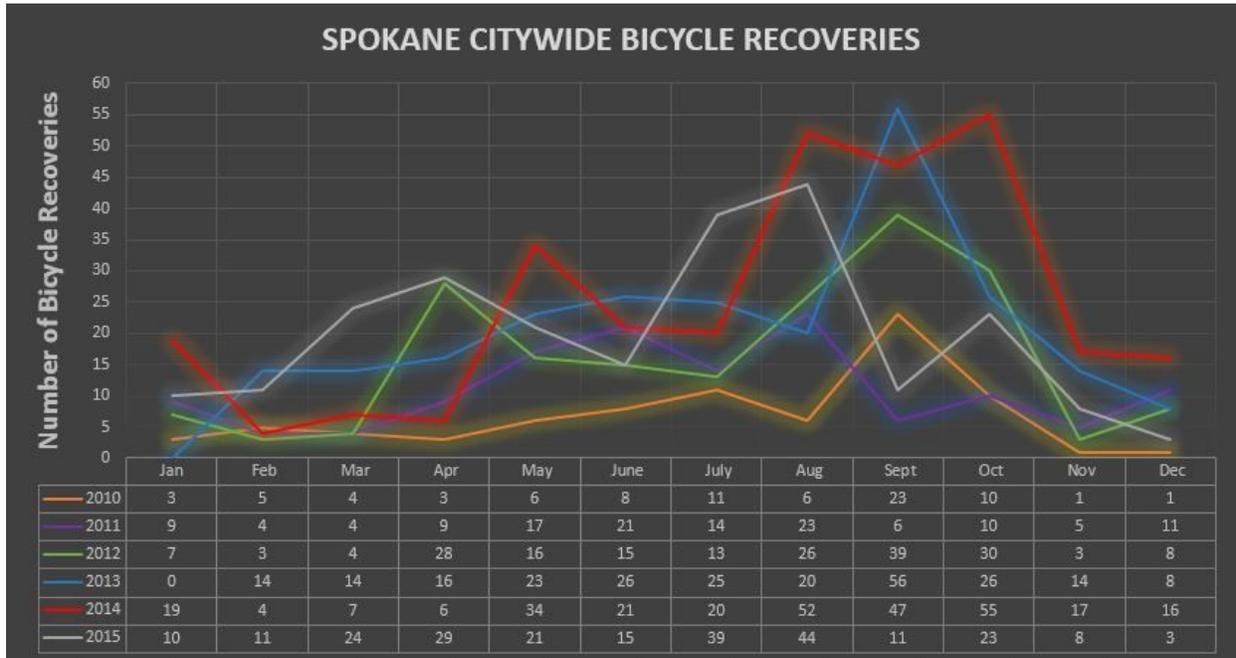




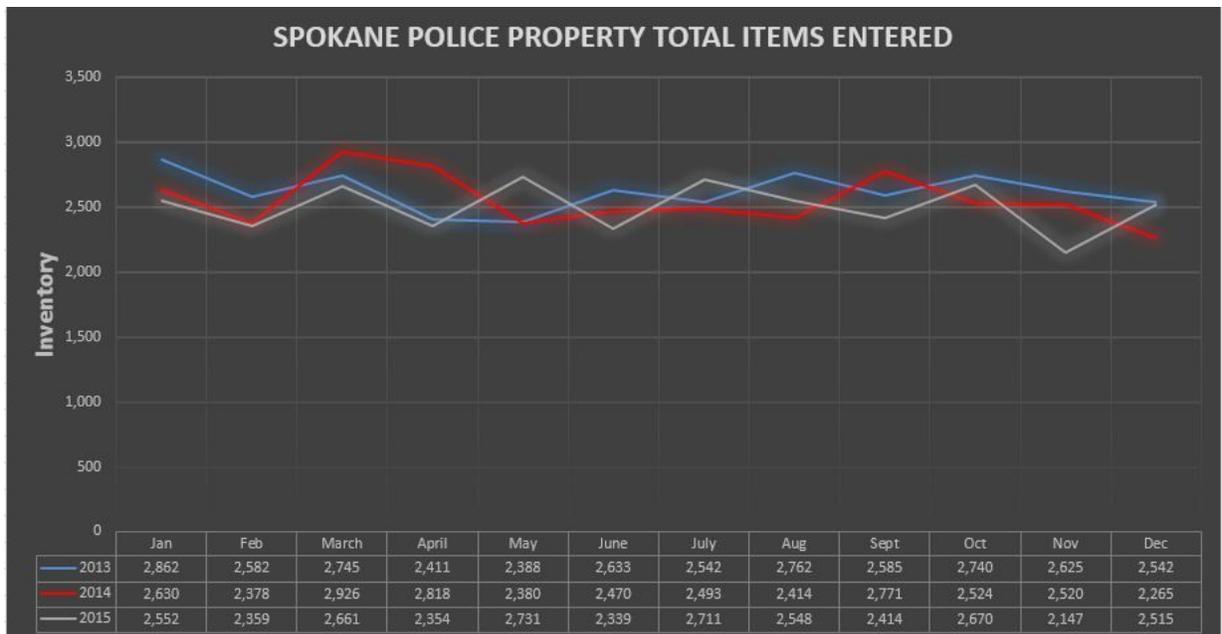
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## Property Unit Update





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## Records Unit Update

### Public Record Disclosures as of 1/25/2016

Oldest request not completed:	9/10/2015
New requests received this week:	333 records/146 requestors
Total requests started but not complete:*	786 pending records
*(39 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:	96 (oldest date 1/18/2016)
Requests for body camera video:	224

## Outreach Update

### Youth & Police Initiative (YPI)

The January YPI session took place at Eagle Peak School. Spokane Public Schools posted on their Facebook page:

**BREAKING BARRIERS:** Officers with the City of Spokane Police Department had dinner with a group of Eagle Peak students last Wednesday, celebrating the culmination of another Youth and Police Initiative training. The five day program is focused on creating authentic connections in order to eliminate barriers and stereotypes between youth and police. The youth meet officers who patrol their particular neighborhood for team building and mutual sharing of life experiences. So far, 18 YPI sessions have included students from each SPS high school, along with three community centers. At this point the program has connected 223 youth with 92 different police officers.

Our YPI graduates have been invited to a special success training event being held this Thursday at the IMAX Theater at Riverfront Park at 3:30pm. The 30 minute session will provide insight to the application and hiring process, pointers on how to act and dress for success, assistance with completing the application as well as additional information on available jobs. This success training will prepare them for the Riverfront Park Job Fair held this Saturday, Feb. 6th from 9am-12:30pm.

YPI Sessions are a scheduled for the first five months of 2016:

- March 8-16: Ferris High School
- March 22-30: North Central High School
- April 12-20: Rogers High School
- April 26-May 3: Lewis and Clark High School
- May 10-17: Excelsior Youth Center

Community Outreach staff members attended many outreach meetings and events in January:



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- Midnight Basketball at East Central Community Center
- Compass Club outreach presentation
- NAACP meeting
- Mayor's Advisory Council on Multi-Cultural Affairs
- Homeless Coalition meeting
- Homeless Coalition Leadership meeting
- Christian Summit
- Restore Our Kids meeting
- Salvation Army Advisory Board meeting
- "Communication in the Culture of Poverty" workshop at Sacred Heart.
- Excelerate Success Leadership Team Meeting
- Juvenile Court Coordination of Services
- Faith Leaders-Community Police Alliance meeting
- Junior League Meet and Greet
- Community Action Team at Shadle Park High School.

Staff enjoyed marching in the Martin Luther King Jr. Unity March. Teens from past YPI programs organized the march with the police, carrying signs that said, "Youth & Police Stand Together."





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## **Implementation of DOJ Recommendations: Progress Report as of February 2, 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 delivered an in-depth training to supervisors on Internal Affairs procedures and Blue Team reporting software on September 17 and 22, 2015. Supervisors were trained on the use of Evidence.com to view videos associated with administrative use of force reports in February 2015. Supervisors received additional training on Blue Team software and reporting use of force during the Sergeant Academy in January 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 will receive the training beginning November 20, 2015 through the end of 2015. 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. *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 entered into Blue Team as a Use of Force by IA Sergeant Staben. *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



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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.*

**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.*

**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 document explains the details. Supervisors were trained during the fall 2015 supervisor training.

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. On a continual basis, Internal Affairs will check Use of Force Reports and verify that all appropriate documentation is attached. Annually, each case for the prior twelve months will be audited again to verify that all supporting documentation is attached. *Status: SPD considers this recommendation Complete.*

**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.**



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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. Spokane Mayor David Condon formed a citizen Police Leadership Advisory Committee (PLAC) to lead a conversation about what the community is looking for in its next police chief and provide input about what a cultural audit of the Spokane Police Division should consider. The committee will make recommendations about factors to be considered, approach, reporting and expected outcomes. Kathy Armstrong was appointed as the lead staff person. She will be obtaining input a large variety of internal and external stakeholders during the month of January 2016 and reporting it to the PLAC in February 2016. *Status: In Progress.*

**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. Lundgren memorialized the report in the updated IA Standard Operating Procedures (SOP), which was finalized September 2015. The 2015 Analysis will be published in the first quarter of 2016. *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. This recommendation is considered to be completed. *Status: At the six months review, the COPS Office determined this recommendation was Complete.*

**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



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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).

*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 training that took place April 2015 and October 2015. Kathy sent all the in-service rosters and evaluations to CNA. SPD adopted an Internal Communications Strategy. Executive leadership is scheduled to meet with staff during spring 2016 In-service training as well. *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 is currently working on the Career Development Plan. As part of the promotional training process, SPD is offering in-house training schools for employees that are new to roles or are expected to promote into new roles soon. SPD held its first Detective Academy in December 2015 and the Sergeant Academy in January 2016. *Status: In Progress.*

**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 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. Additional related training took place in November 2015; the Washington State Criminal Justice Training Commission 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).

All SPD supervisors (commissioned and civilian) will attend Procedural Justice training that is facilitated by the University of Illinois, the technical assistance provider that the COPS Office uses. The training took place January 27-28, 2016. *Status: In Progress.*



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**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 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. Lt. Lundgren educated SPD supervisors about the EIS during his training for supervisors in September 2015. He will be attending roll calls to discuss EIS with officers. The policy will be officially incorporated into the SPD Policy Manual along with several other new/revised policies. *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.**

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 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 with input from the City Attorney's Office, bargaining units, Captains and Executive Staff, and CNA. It is being incorporated into the SPD Policy Manual with many other new and revised policies. *Status: SPD considers this recommendation to be Complete.*



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**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 will receive 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 will be very specific about the types of training required and how often it 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 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 trainings being added in. *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. Staff is now trained on the software and it is being implemented. *Status: In Progress.*



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**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). SPD also implemented yearly training on the technique. 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 will receive additional training during Spring 2016 In-Service training. *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 draft policy is under review by the bargaining units and Executive staff. The review should be completed by the end of November 2015. As with the other policies, this 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 will receive 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



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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. *Status: SPD considers this recommendation to be Complete.*

**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, 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. *Status: No action until the collective bargaining process begins in 2016.*



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**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. *Status: No action until the collective bargaining process begins in 2016.*

**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 document detailing the system 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 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. Roll call trainings and additional training at in-service will be provided. Monthly UOFRB meetings have been 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. *Status: No action until the collective bargaining process begins in 2016.*



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**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.**

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. Roll call trainings and additional training at in-service will be provided. *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.**

Lt. Lundgren will communicate 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). *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.**

**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 throughout the rest of 2015 and 2016, promoting transparency and open communication. *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. At this point, 220 youth have graduated from YPI. A 2015 YPI Reunion took place on December 22, 2015.
- 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).
- Youth from the YPI program 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.
- The Faith Alliance, built upon stakeholders working in youth outreach programs like PAL and YPI, is now holding monthly Community-Police forums. Forums are being scheduled for the first five months of 2016.

*Status: In Progress; work will continue throughout the implementation period.*



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**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.

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 three 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.” *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 will be handling this recommendation. The Police Advisory Committee (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 Justice, Native Project, the Ombudsman Office and Ombudsman Commissioners, etc. The most recent PAC public meetings have been featured in



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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 Spokane Faith Leaders & Police Community Alliance, as part of its mission, will serve as a catalyst to bring about healing within the community. Many of the Alliance members will be 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. Two forums took place in 2015. There are five scheduled for the first five months of 2016. *Status: In Progress.*

**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 Cordner as the subject matter expert working with SPD. The first Diagnostic Center site visit took place January 12-14, 2016. In order to fully meet the recommendation of conducting a staffing analysis, SPD also participated in Police Resource Allocation &



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Deployment training and will be commissioning a staffing study of Patrol during spring 2016.  
*Status: In Progress.*

**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.

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. Kathy confirmed that Spokane County Sheriff's Office is using the media template in their investigation of deadly force incidents.

The SIRR Protocol was officially updated (to include the media template) and finalized at a meeting on October 29, 2015. However, not all participating agencies were at the meeting, and their signatures were required. Captain Olsen has worked to get all the required signatures. The updated SIRR Protocol is now a public document and was posted to the SPD website.

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



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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 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 will be implementing the CP-SAT community-policing survey in 2016, nearing the end of the Collaborative Reform Initiative. *Status: In Progress.*