



SPOKANE POLICE DEPARTMENT

CHIEF OF POLICE

FRANK STRAUB, Ph.D.

March 27, 2014

Members of the Use of Force Commission:

In August 2013, I provided a six-month update regarding the Spokane Police Department's progress in implementing the Use of Force Commission's (the Commission) recommendations. Following the presentation, the Commission wrote Mayor Condon and commented on three (3) specific recommendations. Recommendation #1 - *Conduct a culture audit of the SPD*, is being addressed by the Police Department (SPD). Recommendation #2 regarding labor negotiations, and #3 regarding the police ombudsman, will be addressed by the City Attorney's Office.

I believe the City and the Police Department have made great progress in implementing all twenty-six (26) of the Commission's recommendations. Within one year, all police-specific recommendations have been initiated, are complete, or are in the process of being completed. Other recommendations, by their nature, are and will continue to be on-going elements of our training, policy development and implementation for many years to come. The progress we have made in implementing the Use of Force Commission's recommendations is the direct result of the commitment, dedication and professionalism of the men and women of the Spokane Police Department.

Regarding recommendation #1 - *Conduct a culture audit of the SPD*, the Department is working closely with the U.S. Department of Justice, Office of Community-Oriented Policing Services (COPS) to accomplish this recommendation through the Collaborative Reform Initiative. In May 2013, the SPD administered the Community Policing Self-Assessment Tool (CP-SAT) which provided a baseline assessment of SPD's engagement in community partnerships, problem solving and organizational transformation. We will re-administer the CP-SAT in 2014, to assess progress in these critical areas. Additionally, the Collaborative Reform Initiative will generate information regarding the Department's use of force and the "cultural" aspects that inform our use of force policies, procedures and training.

The re-engineering process, initiated in January 2013, has introduced a new executive team to the organization and has brought fresh eyes and new ideas. Talented personnel have been identified within the SPD, placed in key leadership positions, authorized to identify and implement best practices, take risks, and drive the Department forward. We have, thanks to the support of the Mayor and City Council, begun a robust recruiting and hiring process, bringing talented individuals into the Department as recruits and laterals. The infusion of twenty-five (25) or more new officers brings new ideas, energy, and enthusiasm to the SPD and will significantly impact our culture.

The Spokane Police Academy staff has introduced ethics and integrity into all in-service evolutions, we have trained every officer in de-escalation techniques built on the well-established principals of "verbal judo." Ninety percent of the Department has completed crisis intervention training, and the academy is using innovative technology to strengthen the integration of de-escalation and use of force techniques. We have invited various community groups to present at in-service, as well as observe or attend our training programs, creating new opportunities for our officers to engage with the community we serve, as well as opening our "windows and doors" to anyone who wants to observe our business practices.

We have combined training and internal affairs under a civilian director. We believe this reporting structure will ensure that we learn from every internal investigation by identifying organizational deficiencies that contribute to bad decision making, unethical behavior, and/or misconduct. We are moving aggressively to hold both individuals and the Department accountable for our actions. We fully supported the creation of the Ombudsman Commission and the expansion of the Ombudsman's authority.





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The Spokane Police Department strives each and every day to improve our business practices and the services we provide to the community. The SPD understands that re-engineering is a continuous process, and that despite our significant accomplishments during the past 12 months, we can never rest or be satisfied with what we have accomplished, rather, we must continuously listen to the community we serve and respond to the many challenges and opportunities that present themselves.

Below are examples of the progress we've made during the past 12 months:

- Despite significant police officer vacancies, data-driven strategies and the tireless efforts of our police officers and civilians have significantly reduced crime throughout Spokane. Currently, overall crime in the City is down nearly 14% when compared to this time last year.
- More than 90% of officers are certified in Crisis Intervention Training (CIT).
- For the first time in a number of years, we are providing Public Records Requests (PRRs) to citizens in real-time. This is one example of our commitment to transparency and providing timely and accurate information to the public we serve.
- We have ordered body-worn video/audio equipment and will implement the new technology by the third quarter of 2014. We are currently working to develop policies, procedures and training in coordination with City Legal, the Guild, the Spokane County Prosecutor, the ACLU, the Center for Justice, and other groups. Additionally, we are working through the details of video public disclosure as well as building the technology infrastructure to support the use of the cameras, address data storage, redaction, etc.
- We have strengthened our Executive Staff by promoting leaders from within and recruiting talented individuals from our community. The diversification of the Executive Staff has brought new ideas, improved business practices and has helped us to better engage with the community we serve.
- We have standardized our weapons systems and incorporated use of force training consistent with the Commission's recommendations, legal updates, and the best practices of policing in all in-service modules.
- Thirty-five (35) members of the Department have participated in the International Association of Chiefs of Police (IACP) three-week *Leadership in Police Organizations (LPO)* program. The distinguishing feature of the LPO model is a focus on the systematic development of leaders at all levels of the department – the concept of "every officer a leader." The Department's expectation is that officers will take leadership actions at their level of responsibility.
- We have initiated a youth basketball league in the east-central neighborhood and successfully completed our first season of the program. Additionally, we have initiated the nationally recognized Youth and Police Initiative (YPI) community engagement program to foster positive relationships between youth and police officers in all City neighborhoods.
- Building on the success of the Downtown Precinct, we established Police Service Areas in north Spokane and south Spokane.
- Members of the Executive Staff, Precinct Captains, and Lieutenants regularly attend neighborhood association meetings, town hall assemblies, and other community events to listen to our residents. These discussions are helping us identify crime and quality-of-life issues and build collaborative responses to community concerns.

The Department of Justice team has been to Spokane for site visits on three separate occasions and will provide the SPD with preliminary recommendations in April/May. The team's final recommendations will be issued this summer and we will immediately begin implementation of these recommendations.





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The Use of Force Commission's recommendations have helped us develop and implement crime prevention and reduction strategies that are grounded in the principles of dignity, integrity and respect. Our continued work with the DOJ will help us identify critical cultural, management and operational issues to be addressed, as well as guide us in the implementation of appropriate reforms. We are committed to reducing crime and violence, building community trust, and engaging with the citizens we serve.

Thank you for your service to the community and for the opportunity to update you on the progress we are making in implementing your recommendations.

A handwritten signature in black ink, appearing to read "Frank G. Straub".

Frank G. Straub, Ph.D.
Chief of Police
Spokane Police Department



OFFICE OF THE CITY ATTORNEY
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201-3326
509.625.6225
509.625.6277 FAX

PAT J. DALTON
SENIOR ASSISTANT CITY ATTORNEY

ASSISTANT CITY ATTORNEYS

BARBARA A. BURNS	MICHAEL J. PICCOLO
SALVATORE J. FAGGIANO	JAMES A. RICIMAN
ERIN A. JACOBSON	ELIZABETH L. SCHOEDEL
ASHLEY C. MARSHALL	TIMOTHY E. SZAMBELAN
MARY F. MURAMATSU	HUNT M. WHALEY
NATHANIEL J. ODLE	

NANCY L. ISSERLIS
CITY ATTORNEY

MEMORANDUM

Date: March 26, 2014
To: Use of Force Commission
From: Nancy Isserlis, City Attorney
Re: Creation of Police Ombudsman Commission

Pursuant to the Commission's Recommendations 20 and 22, the Office of the City Attorney, in conjunction with the Mayor's Office and the City Council Office, is spearheading the formation of the City's Police Ombudsman Commission. On February 10, 2014, the City Council passed amendments to the City's Office of Police Ombudsman Ordinance. These amendments made substantial changes to the Office of Police Ombudsman, and reflect the agreement entered into between the City of Spokane and the Spokane Police Guild.

Under the new ordinance, the Police Ombudsman Commission is responsible for the selection and appointment of the Police Ombudsman and approves recommendations regarding changes in police department policies and training. The Police Ombudsman Commission can also direct the OPO to examine specific non-disciplinary policy or procedure issues.

There are initially five members of the Commission, two nominated by the Mayor and appointed by the City Council, and one member from each of the three City Council districts nominated and appointed by the City Council. We anticipate that during the month of April, professional and community involvement will help refine the qualifications of an ideal candidate. Applications can be sought and received later in the spring, and the nominating authorities can review the applications and make tentative selections thereafter. Those people tentatively selected will undergo an in-depth investigation prior to appointment. The parameters of this investigation will be developed and made known to the applicants prior to the investigation taking place. If there are no significant hurdles in the process, the Commission should be established early this summer.

The Commission's first significant order of business should be beginning the selection process for a Police Ombudsman. The OPO Ordinance provides for a separate selection committee to conduct the search for Police Ombudsman candidates and recommend three finalists for the Commission's selection.



Culture



Spokane Police Department

Use of Force Commission RECOMMENDATION PROGRESS

1. Conduct a Culture Audit of the Spokane Police Department

- Published Spokane Police Strategic Plan
- Administered Community Policing Self-Assessment Tool - Internally and Externally
- Initiated Department-wide Re-engineering Process
 - Strengthened Executive Staff by promoting leaders from within and recruiting talented individuals from our community. Diversification of the Executive Staff has brought new ideas, improved business practices and has helped us to better engage with the community we serve.
- Complete US Department of Justice Office of Community Oriented Policing Services Technical Assistance Project (COPS)
- Provide Senior Management Training Opportunities
 - Senior Management Institute for Police (*Police Executive Research Forum*)
 - Women's Leadership Institute (*International Association of Chiefs of Police*)
 - University of Seattle Leadership Program
 - Leadership in Police Organizations (*International Association of Chiefs of Police*)
- Exchange Best Practices with Other Law Enforcement Agencies Through Site Visits
 - SPD team visited Tacoma Police Department
 - SPD team visited New Haven, CT Police Department
 - SPD team visited Los Angeles Police Department
 - Exchange program with other mid-size city police departments established
 - Members of SPD have and will continue to attend national law enforcement conferences and seminars
- Develop Cultural Awareness Training
 - LGBTQ Issues and Challenges (*Complete*)
 - Spokane's new immigrant community (*Complete*)
 - Other topics to be included in future in-service training sessions

2. Bring Greater Transparency to the City's Negotiations with the Spokane Police Guild and the Spokane Police Lieutenants and Captains Association

- Spokane Police Guild Contract Approved.
- Revisit ground rules regarding confidentiality of negotiations with the Spokane Police Guild and the Spokane Police Lieutenants and Captains Association at the outset of each round of contract negotiations.

3. Rewrite the SPD Mission Statement

- **The Mission of the Spokane Police Department is to Demonstrate Excellence in Policing by Working in Partnership with the Community we Serve to:**
 - Prevent and reduce crime, the fear of crime, and improve the quality of life for our residents and visitors
 - Enforce laws while safeguarding the constitutional rights of all people
 - Provide high-quality police services to all of our residents and visitors through integrity, compassion, and a commitment to innovation
 - Create a work environment in which we recruit, train, and develop an exceptional team of employees

4. Complete the WASPC Accreditation Process

- **Washington Association of Sheriffs and Police Chiefs (WASPC)** (*Completed initial WASPC accreditation process; Waiting for approval from accreditation commission. This will occur in May 2014.*)

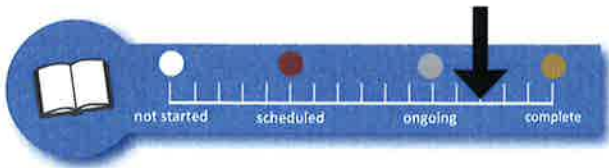
5. Ensure Corporate Ownership of the SPD Policy Manual

- Eliminated Lexipol Title from the SPD Policy Manual
- Posted SPD Policy Manual to SpokanePolice.org
- Embed Ethical Canons in SPD Business Practices, Training, Performance Appraisals and Discipline

6. Explicitly Link SPD Canons and Ethical Standards to Hiring Decisions and All Force Management Actions

- Incorporated Integrity and Psychological Screening Tool in Civil Service Recruiting and Hiring Testing Process
- Incorporate Ethics and Integrity Training in all In-service and Promotional Training





Policies & Procedures



Spokane Police Department

Use of Force Commission RECOMMENDATION PROGRESS

7. The Chief Of Police and the Command Staff Should Actively Engage the Community in an Ongoing Dialogue About the Department

- Launched the Youth and Police Initiative (YPI) to Encourage Positive Youth-Police Interaction
- Created the Spokane Police Youth Athletic League (SPYAL) Summer Basketball Outreach Program in Partnership with the Faith-based Community
- Attend Monthly NAACP Meetings
- Develop and Implement Procedures to Capture Racial Data During Police-citizen Contacts Consistent with RCW 43.101.400
- Chief, Executive Staff and Senior SPD Leadership Actively Engaged in Community Outreach Activities and Events
- Staff SPD Recruiting and Informational Booths at Spokane-area Events
- On-going Attendance by Lieutenants and Captains at Community and Neighborhood Meetings

8. Ensure Complete Understanding of the Governing Legal Standards for the Use of Force

- Incorporated Use of Force Commission Recommendations into In-service Training
- Receive Direction and Guidance from DOJ COPS Technical Assistance Project; DOJ On-site Visits; Continuing Dialogue
- Update Use of Force Training Annually
- Create a New Defensive Tactics Manual Consistent with the Use of Force Recommendations, Current Case Law and Best Practices of Policing

9. Update and Maintain Certifications of the Department's Defensive Tactics Instructors

- Washington State Criminal Justice Training Commission (WSCJTC) Certify all SPD Defense Tactics Instructors
- WSCJTC Certify Two (2) Master Defensive Instructors

10. Review Current Officer Staffing Levels and Practices to Ensure that Sufficient Patrol Officers are Available to Maintain Public Safety

- Place Police Resources in Neighborhood-based Precincts
 - Downtown Facility (Complete); North and South Police Service Areas (PSAs) established
- Increase Officer Staffing to 300

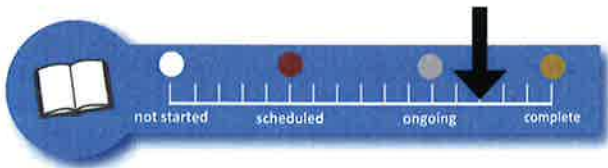
11. Improve Training Plans and Practices

- Purchased and implemented Virtra System – Decision-making Simulator for De-escalation and Deployment Alternatives Training
- Require Annual Re-Certification for Verbal De-Escalation Training, Batons, Pepper Spray and Taser (Electronic Control Devices)
- Recruit New Field Training Officers (FTOs). All Attended WSCJTC Mandated Training as well as SPD Specific Training Regarding Integrity and Ethics Issues
- Created Standardized FTO Manual which will be issued to All Recruit and Lateral Officers
- Establish Professional Standards Division by Integrating Training and Internal Affairs Units Under a Single Command

12. Establish a Continuing Crisis Intervention Training Program and Adopt Protocols for the Deployment of CIT Officers

- All Members of the Department will be CIT Trained (2nd Quarter 2014)
 - More than 90% of officers (including new recruits) are trained in Crisis Intervention Techniques
 - Completed in-service training specifically focused on excited delirium (completed in Fall 2012)
- Develop a Police Training Model of CIT Techniques





Policies & Procedures



Spokane Police Department

Use of Force Commission RECOMMENDATION PROGRESS

13. WSU-SPD Partnership to Develop Simulation-based Training Models Affirm the De-escalation of Potentially Violent Encounters as a Primary Goal of the Department

- SPD Academy Director, Lead Defensive Tactics Instructor and Lead Firearms Instructor Attended De-escalation Training
- All Commissioned Members of Department will Complete De-escalation Training (2014)

14. Improve Use of Force Reporting System

- Internal Affairs (IA) Software Purchased and Implemented to Document all Use of Force Incidents and IA Investigations
- Posted Results of Completed Use of Force and IA Investigations Online at SpokanePolice.org
- Revised Investigative Techniques Used During all IA Investigations
- Expanded Reporting of Use of Force Incidents to Include Those in Which Police Officer Points his/her Weapon at Someone
- Implement COPS Technical Assistance Project Recommendations
- Police Ombudsman is involved in all aspects of Internal Affairs investigations; Ombudsman has the ability to engage an outside commission and publish a reports of independent investigative findings

15. Improve Investigative Practices in Use of Force Incidents

- Accomplished Use of Force Investigative Training
 - Responding to Officer Involved Shootings
 - Internal Affairs Investigations
 - Managing Use of Force Incidents
- Implement COPS Technical Assistance Project Recommendations

16. Improve the Administrative Review of the Use of Deadly Force by Officers

- Implement COPS Technical Assistance Project Recommendations
- Continued Review of Spokane Incident Regional Response (SIRR) Team Investigations and Deadly Force Review Board (DFRB) Practices and Findings
- Include Ombudsman In all Future DFRB Reviews

17. Create and Deploy a Fully Developed Early Intervention System

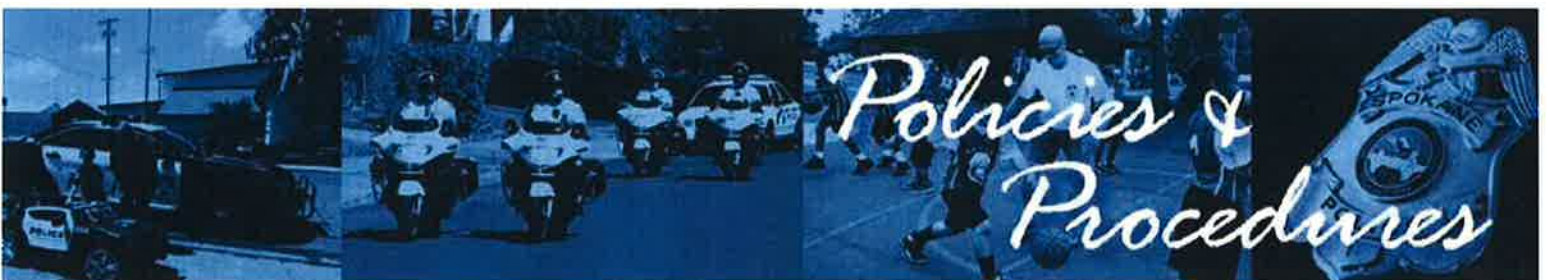
- Purchased Early Intervention Software
- Developed Policies and Procedures for Use of Early Intervention System
- Research Use of Progressive Disciplinary Process

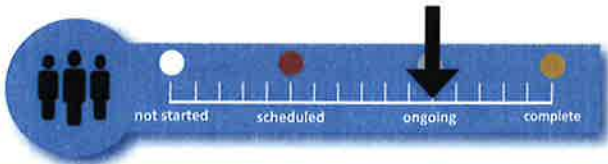
18. Equip Officers with Body Cameras

- All Officers Will be Equipped with Body Cameras (4th Quarter 2014)
- Vendor Selected (Contract Awarded Fall 2013)
- Develop Policies and Procedures in Conjunction with City Legal, Guild, ACLU, Center for Justice, and Other Interest Groups
- Participated in National Best Practices Conference Regarding Police Use of Body Cameras
- Host Public Forums to Ensure the Community Fully Understands the Equipment, its Use and Record Retention Policies and Procedures

19. Explore Standardizing the Weapons Carried by Officers in the Line of Duty

- All Firearms Issued and Deployed by Commissioned Officers Must be Authorized by Chief of Police and Lead Firearms Instructor
- All Officers Must Qualify with Duty Approved and Off-duty Firearms
- Purchased and Issued Single Model of the Taser (Electronic Control Devices)
- Purchased and Issued Single Model of Collapsible Batons





Citizen Oversight



Spokane Police Department

Use of Force Commission RECOMMENDATION PROGRESS

20. Invest the Office of the Police Ombudsman with the Authority and Discretion to Open and Conduct Independent Investigations Concerning the Operations, Actions or Omissions of the SPD

- City Council Enacted an Ordinance on 2/10/14, Granting Independent Investigative Authority to the Civilian Ombudsman and Transferring the Supervision of the Ombudsman to the Police Ombudsman Commission

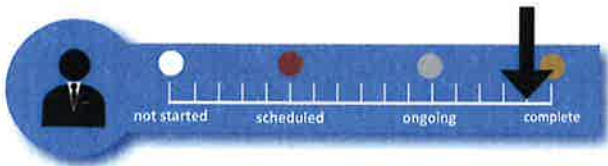
21. Engage and Interact with the Office of the Ombudsman

- Director of Strategic Initiatives is Direct Point of Contact Between SPD and Ombudsman
- Require All City Employees and Those Acting on Behalf of the City to Cooperate Fully and Truthfully With the Office of the Police Ombudsman
- Give the Office of the Police Ombudsman Full, Unrestricted, and Complete Access to Any and All City Information, Files, Evidence, or Other Material Which the Ombudsman Deems Necessary to the Performance of his/her Duties (Subject to Legal Privilege)

22. Create a Citizen Advisory Board for the Office of the Police Ombudsman

- City Council Enacted an Ordinance on 2/10/14, Granting Independent Investigative Authority to the Civilian Ombudsman and Transferring the Supervision of the Ombudsman to the Police Ombudsman Commission
- Form Advisory Group to Establish Independent Citizen Police Ombudsman Commission
- Appoint and Seat Members of the Police Ombudsman Commission





City Administration



Spokane Police Department

Use of Force Commission RECOMMENDATION PROGRESS

23. The Mayor Should Maintain an Active and Visible Role in SPD Oversight and Administration and in Promoting the Department to the Community

- Mayor and Chief of Police Accepted and are Committed to the Implementation of all 26 of the Use of Force Commission's Recommendations
- Mayor Continues to Support the Role of the Police Ombudsman and independent civilian oversight
- Mayor Attends CompStat Crime Strategy Meetings
- Mayor's Priorities Align with Need for Additional Police Resources to Drive Down Crime Rate in the Community
- City Administrator Reviews All SPD Disciplinary Recommendations in Which a Suspension of One Day or Longer is Ordered by the Chief of Police
- Mayor Attends Community Events Engaging Citizens in Discussions About the Importance of Enhanced Policing in the Community
 - Media interviews, radio appearances, and town hall meetings
- The Mayor, in Consultation With the City Attorney and the Chief of Police, has Enlisted the Services of an Independent Counsel to Conduct Investigations and Mediate Legal Settlements as Necessary to Ensure the Integrity and Impartiality of Significant SPD Issues

24. The City Attorney's Office (CAO) Should Maintain Separation of Duties and Functions Between Litigation Support, Employment Law Representation, and Police Legal Advising

- SPD Legal Issues are Screened and Assigned Individually to Avoid Conflict and Ensure the Integrity of Investigations

25. The CAO Should Adopt Strict Policies and Procedures that Ensure the Office Maintains Appropriate Distance from All Criminal Prosecutions of SPD Personnel

- Policies and Procedures Have Been Adopted in the CAO to Ensure Separation from Criminal Prosecutions of SPD Officers

26. The CAO Should Take an Active Role in the Development and Updating of the SPD's Use of Force Policies, and the Department's Use of Force Training Materials and Program

- Police Legal Advisor Assigned Full-Time to SPD to Work in Collaboration with the Chief, Assistant Chief and Director of Professional Standards Division
- CAO Provides Oversight to SPD
- CAO Actively Monitors State and Federal Cases and Their Application to Use of Force Concerns in the Spokane Community
- CAO Ensures that SPD Training Materials Remain Up to Date

