

# Commission Task Force on Policing and Civil Rights Progress Update

April 27, 2021

# BACKGROUND

# Areas for Assessment

- 1. Diversity in Recruitment and Hiring
  - 2. Training and Development
  - 3. Equity
  - 4. Use of Force
  - 5. Oversight and Accountability
  - 6. Police Union Participation
  - 7. Mutual Aid
  - 8. Advocacy
  - 9. Budget, Roles, and Equipment
- 
- Subcommittees currently meeting
- Subcommittee work completed
- Subcommittees will be convened next month

# Engagement Activities

## Outreach to Community Groups

Shilshole Bay Marina residents and Dock Captains

Duwamish Valley Stakeholders

Harbor Island Stakeholders

Drayage Truck Companies and Drivers

Aviation Community Stakeholders

Airport Customer Service/Pathfinders

Homelessness advocates/service providers

City of Sea-Tac government

## POSPD Survey / Engagement

111 surveys received out of approximately 151 employees

Remote listening sessions for officers, sergeants, commanders, and non-commissioned employees.

# Identified Processes That Support Equity Goals

- De-escalation
- Procedural Justice
- Recognition of the sanctity of human life
- Accountability system that provides checks and balances
- Acknowledge value of continuous improvement

# Policing Assessment Current Insights

# Use of Force Insights

- Subcommittee focused on high-level values as well as technical changes to the policies and practices:
- Having the Mission and Vision Statements in the policy manual more clearly express:
  - Commitment to the sanctity of human life
  - Department’s values of equity and fairness
  - Commitment to de-escalation and achieving the best possible outcome for all involved.
- Reviewed technical changes to strengthen the new de-escalation policy:
  - Clarifying the policy on providing medical treatment
  - Updating the reporting and review requirements
- Use of Force incidents average approximately 30 per year (32 incidents in 2020) :

Suspect Race	2017	2018	2019	2020
White	51%	52%	60%	31%
Black	44%	42%	30%	28%
Other	5%	6%	10%	3%
Unknown	0%	0%	0%	38%*

\*12 incidents in 2020 were in a crowd control context in which the identities of the individuals were not available

# Oversight, Accountability, Equity & Civil Rights Insights

- Technical changes can be made to improve transparency and accountability for external complainants
- Need for clarification of protocols between POSPD, HR and Workplace Responsibility for EEO concerns
- Differing viewpoints regarding the proper balance between the Port-wide consistency provided by mandatory HR review of written reprimands and higher level of discipline, vs. the supervising Sergeant's authority to document performance issues
- Police Civil Service Commission is authorized to review a suspension of 5 or more days, demotions, and discharges, but only 1 appeal to PCSC in 12 years; instead, discipline appeals pursued through CBA grievance process.



# Mutual Aid Insights

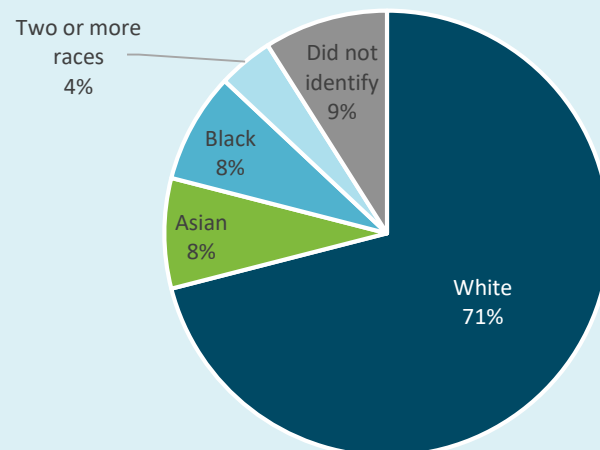
- Subcommittee focused on updating interlocal agreements to ensure consistent approaches to use of force, crowd management, and values
- Need for the POSPD to formalize its processes for ensuring that decisions to engage in mutual aid meets the POSPD and Port of Seattle values
- Explored the role of POSPD in after-action review for all mutual aid engagements to inform policy and training
- Noted that the POSPD does not have its own Crowd Management policy for events outside the mutual aid context

# Diversity & Hiring

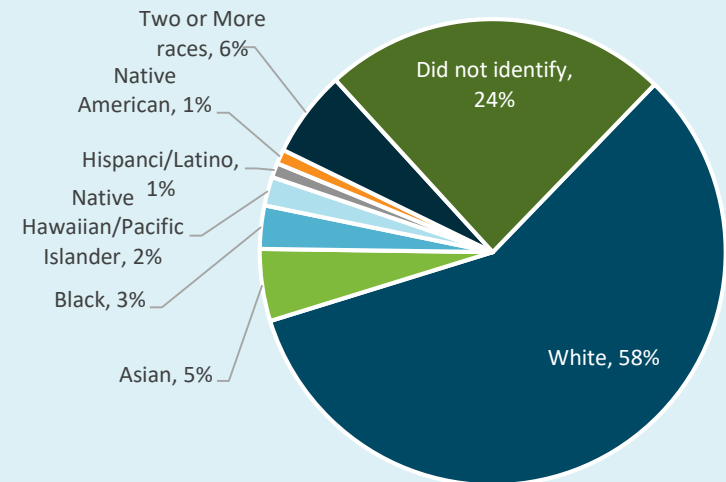
- Reviewing POSPD recruitment and hiring processes, commissioned staff demographic data, utilization and availability data, demographic data on the hiring process, and ways to consider and increase diversity
- Of hires 2018 - 2020, 20% were entry level and 80% were lateral (total of 28 lateral hires)
- Issues to consider
  - 25% of POSPD employees do not identify race/ethnicity unless mandatory (backgrounding)
  - Gender identification options across the Port are binary
  - Need to address the training budget if training recommendations are adopted
  - Need to balance advantages of lateral hires with potential unintended consequences

## CURRENT DEMOGRAPHICS FOR POSPD COMMISSIONED STAFF

### Command, includes Sergeants (80% Male)



### Patrol Officers (90% Male)



# Training & Development

- To-date, has reviewed
  - POSPD five-year training plan
  - Anti-bias training curriculum
  - Patrol Officer Training program
  - Promotional processes
- Noted that the POSPD's Patrol Officer Training program focuses on problem-based learning rather than just teaching competencies
- Concern expressed that POSPD only has on-line anti-bias training and does not have any training around "History of Policing"
- Subcommittee will also look at by communications protocols, both external and within the organization.

# 2021 State Legislative Session

- Utilized the Task Force and “kitchen cabinet” of Port and external advisors to evaluate state legislation
- Focused on sharing insights with Legislature related to the Port’s core policing principles and any areas aligned with subcommittee recommendations
- Key legislative changes:
  - Restricting the use of tear gas, choke holds, neck restraints and banning no-knock warrants.
  - Ensuring that police department arbitration procedures are not used to shield officers from accountability if they violate department guidelines.
  - Authorizing the state auditor’s office to review whether deadly force investigations followed procedures.
  - Requiring reasonable care when officers use force, including using de-escalation techniques.
  - Mandating the collection of data on police uses of force so the state can better understand how and when officers do so.

Questions?

# APPENDIX

# Commission Motion 2020-15

- Adopted on July 14, 2020
- Three directives:
  1. Endorsed immediate steps taken by Executive Director to reform Port police policies and practices such as an immediate ban on chokeholds and ensuring officers receive regular de-escalation training, bystander intervention and anti-discrimination training
  2. Directed a comprehensive assessment of the Port of Seattle Police Department to ensure alignment with the highest national standards and best practices related to policing
  3. Established a Commission Task Force on Port Policing and Civil Rights to lead the assessment and develop recommendations for action

# Key Dates

- **By October 31, 2020** – First Task Force Progress Report and recommendations for immediate actions
- **Ongoing** – As recommendations are developed, the Task Force Co-Chairs shall submit a report to the Commission and Executive Director
- **By July 31, 2021** – Deliver Final Recommendations to Commission
- The Task Force *shall collect and review existing research, data, and best practices* from similar assessments and reports completed throughout the country, as well as remain coordinated with current local and state efforts in order to maximize efficiency and alignment.
- The Task Force *shall establish key metrics for evaluation of success for this process*, and metrics for measurement of progress toward any resulting recommendations.



# Task Force Leadership

## Task Force Co-Chairs

- Bookda Gheisar, Senior Director of Equity, Diversity and Inclusion
- Delmas Whittaker, Senior Manager of Fishing Vessel Services; President of the Port's chapter of Blacks in Government (BIG)

## Task Force Commissioners:

- Commissioner Peter Steinbrueck
- Commissioner Ryan Calkins

# Task Force Members

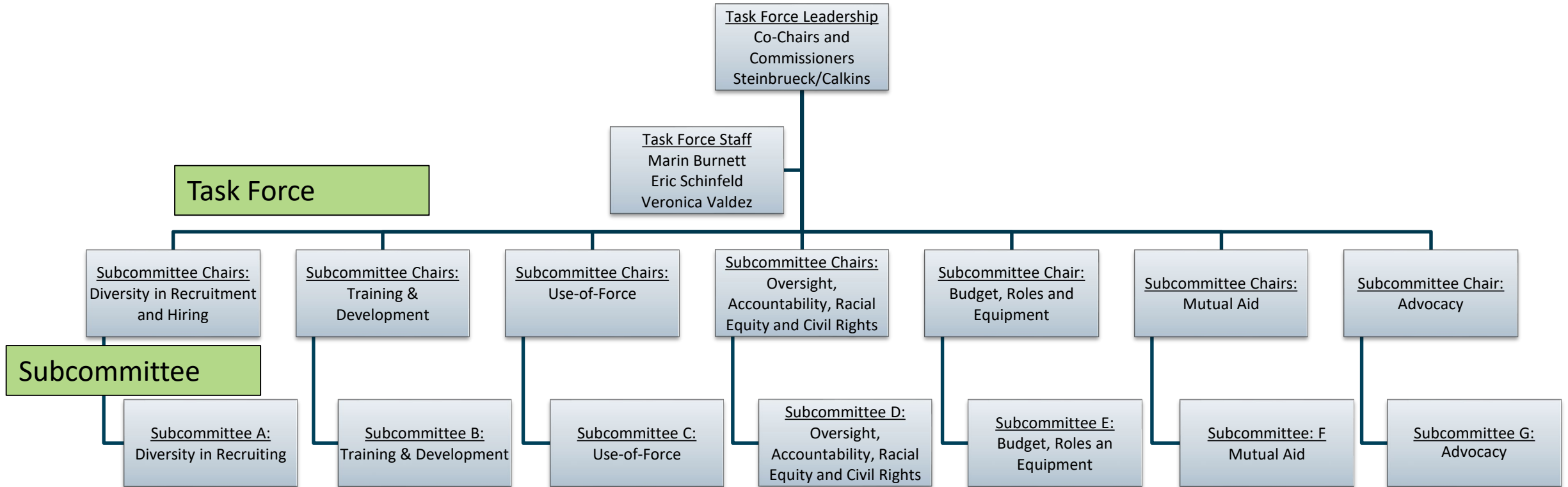
1. **Marin Burnett** – Port of Seattle, Strategic Initiatives, Strategic Planning Manager
2. **Milton Ellis** – Port of Seattle, Labor Relations, Labor Relations Manager
3. **Sean Gillebo** – Port of Seattle Police Department, Commander
4. **Monisha Harrell** – Equal Rights Washington, Chair
5. **John Hayes** – Seattle Police Department, Captain
6. **Jesse Johnson** – Washington State Representative
7. **Deborah Jacobs** – Consultant, Police Accountability
8. **Anne Levinson** – Retired Judge, Deputy Mayor, and police accountability Oversight Auditor
9. **Sofia Mayo** – Port of Seattle, Central Procurement Office, Senior Manager Service Agreements
10. **Sam Pailca** – Microsoft, Associate General Counsel, Office of Legal Compliance; Board Member of ACLU Washington
11. **Eric Schinfeld** – Port of Seattle, External Affairs, Senior Manager, Federal and International Government Relations
12. **Ericka Singh** – Port of Seattle Human Resources, Talent Acquisition Manager
13. **Jessica Sullivan** – REI, Corporate Security and Emergency Manager; retired Captain, King County Sheriff's Office
14. **Veronica Valdez** – Port of Seattle, Commission Office, Commission Specialist
15. **Michelle Woodrow** – Teamsters, Local 117, President and Executive Director
16. **Shaunie Wheeler** – Teamsters, Local 117, Political & Legislative Director Joint Council of Teamsters No. 28

# Consultant

## 21CP Solutions

- Selected through a rigorous RFP process, 21CP was formed by members of President Obama's Task Force on 21st Century Policing
- 21CP Solutions “helps cities and communities effectively tackle the challenges of delivering safe, effective, just, and constitutional public safety services in the 21st Century.”
- Role of consultant:
  - Conduct analysis of police department policies, practices and programs
  - Facilitate subcommittee meetings
  - Prepare reports, minutes and recommendations

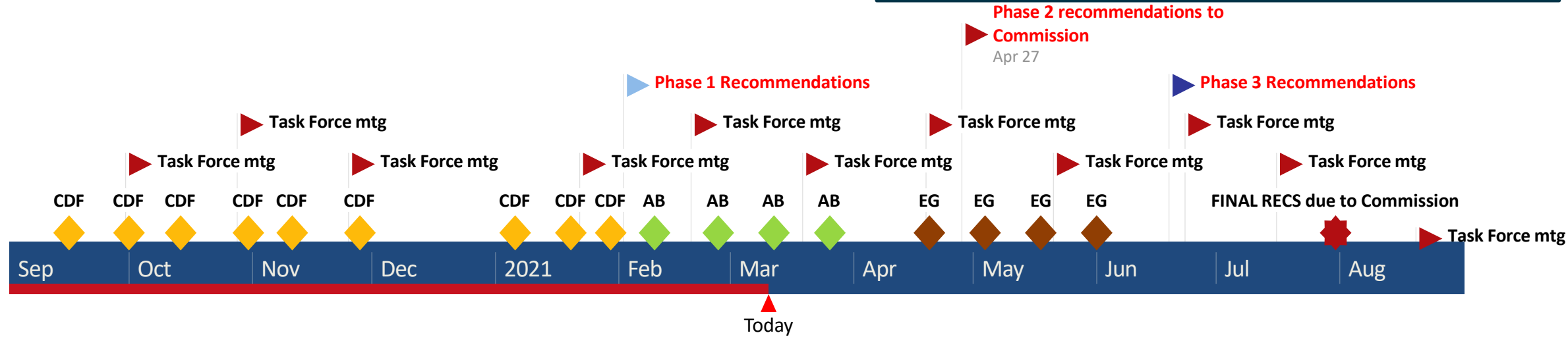
# Task Force Structure



- Each member of the Task Force (excluding Commissioners, Co-Chairs and staffers) will lead a subcommittee

# UPDATED (12.9.20) Policing Motion Subcommittee Meeting structure

Phase 1	Phase 2	Phase 3
Subcommittees C,D,E,G	Subcommittees A,B	Subcommittees F,H
18 weeks	9 weeks	6 weeks
7-9 meets	3-5 meets	3-5 meets
Sept-Jan	Feb-Apr	Apr-May



SubCom C - Use-of-Force	Sep 8 - Jan 29
SubCom D - Oversight, Accountability & Civil Rights	Sep 8 - Jan 29
SubCom F - Mutual Aid	Sep 8 - Jan 29
SubCom A - Div & Hiring	Feb 8 - Apr 2
SubCom B - Training & Dev	Feb 8 - Apr 2
SubCom E - Budget, Roles & Equip	Apr 19 - May 31
SubCom G - Advocacy	Apr 19 - May 31

Note: Due to anticipated variances in the complexity of certain issues, subcommittees have varying numbers of meetings. All timelines/dates are tentative. Subcommittees are activated at their allotted start time but may be disbanded before or after the estimated dates depending on necessity.

# Use of Force Review

- 21CP requested and received all 90+ uses of force from 2018-2020 and has reviewed 50% of those cases in depth.
  - POSPD engages in de-escalation most of the time by communicating, calling additional resources, coordinating with medical services, and slowing the approach to suspects.
  - All but one case followed POSPD policy; most were reasonable, necessary, and proportional.
  - Four of the five cases that reviewers flagged as potentially not reasonable, necessary, and proportional were Lateral Vascular Neck Restraint applications that while compliant with the previous policy, were not properly considered under a deadly force standard. The elimination of this technique by the Resolution resolves this issue.
  - Over 50% of the uses of force were in the context of trespassing people from the terminal.
  - Almost 50% of the subjects of force were identified as a person in crisis; over 10% involved people who were later involuntarily committed.
  - POSPD reviews all uses of force through the Chief level, but reviewers noted that formalizing this process would help ensure consistency of review.
  - PLACEHOLDER FOR RACIAL DISPARITY DATA