

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Panel Presentation on Police Accountability: Legislative Activity in Olympia and the Uses and Limitation of Data		
DEPARTMENT:	City Manager's Office		
PRESENTED BY:	Jim Hammond, City Manager's Office		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

The City of Shoreline ("City") contracts with the King County Sheriff's Office (KCSO) for policing services. Recent events, both locally and nationally, have prompted a significant degree of public interest in policy issues, as well as proposals for change, related to law enforcement.

Tonight's panel presentation consists of two separate discussions: (1) a conversation about police accountability measures being considered this session in the Washington State Legislature; and (2) a discussion with a criminal justice researcher about both the value and the challenges of using data when looking at topics related to law enforcement.

Tonight's guests are:

1. *Devitta Briscoe*, a community advocate who is part of Not This Time and the Washington Coalition for Police Accountability, and is active in the current state legislative session;
2. *Sharon Swanson*, an Association of Washington Cities (AWC) staff member who is tracking police accountability legislative proposals in Olympia; and
3. *Jaqueline Helfgott*, a Professor at Seattle University, and Director of the school's Crime & Justice Research Center.

RESOURCE/FINANCIAL IMPACT:

Tonight's discussions are intended to provide information to Council on key topics related to police accountability in advance of its Strategic Planning Workshop in early March. There is no direct financial impact.

RECOMMENDATION

No action is required by the City Council. Staff recommends City Council discuss issues related to proposed police accountability legislative measures and the uses and challenges of data. This information is intended to provide Council with information that could be used in deciding local policing accountability policies.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

The City of Shoreline (“City”) contracts with the King County Sheriff’s Office (KCSO) for policing services. Recent events, both locally and nationally, have prompted a significant degree of public interest in policy issues related to policing.

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DISCUSSION

Some background on tonight’s panelists:

Devitta Briscoe works on behalf of [Not This Time](#) and the [Washington Coalition for Police Accountability](#) to advocate for what would change current processes for police accountability. She will share her experience as a community advocate in Olympia and outline key priorities.

Sharon Swanson is a Government Relations Advocate for the Association of Washington Cities, and police accountability legislation is a major part of her portfolio. Attachment A to this staff report provides a table that outlines the many pieces of legislation related to this issue that she is tracking (as of February 11, 2021). By the time of this presentation, it is expected that there will be greater clarity regarding progress on the many legislative proposals, and Ms. Swanson will provide that update.

The large number of proposals and the wide range of interests weighing in on these bills mean that there are still differences of opinion between key stakeholders (e.g., cities and sheriffs) on aspects of many of these measures. The Washington Association of Sheriffs and Police Chiefs (WASPC), has articulated its own legislative agenda regarding law enforcement reform recommendations, which is included in this report as Attachment B. The broad range of positions and perspectives are being actively discussed on a daily basis. Ms. Swanson will be able to help Council understand where those differences exist and the possible path forward to resolution.

For the second presentation of the evening, [Jaqueline Helfgott](#) will talk about both the value and the challenges of using data in the realm of criminal justice. She will have looked at the public safety questions asked by the City in its biannual survey of

Shoreline residents, and will share thoughts on what those questions do and do not reveal about public safety. In order to provide Council with some sense of her work, Prof. Helfgott's shared links to some of her recent research, which includes:

- [Research Network on Misdemeanor Justice](#) – This is a study of misdemeanor case processing undertaken through a grant at John Jay College of Criminal Justice. It is noteworthy for its interactive data dashboard, which includes reports from all of the eight different research sites, of which Seattle is one.
- [SPD Micro-Community Policing Plans](#) – The Seattle Police Department (SPD) MCPP is the research in its 6th year involving a community perceptions survey of public safety and quality of life in Seattle neighborhoods. In 2021 the research will include qualitative police-community dialogues in addition to the survey. The website includes the reports from every year 2015-2019, an interactive dashboard to compare year to year, and a link to the report on the MCPP implementation evaluation.

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ATTACHMENTS

Attachment A: Table of Current Law Enforcement Related Legislation
Attachment B: Law Enforcement Reform Recommendations 2020-2021

Attachment A: Table of Current Law Enforcement Related Legislation

Subject	Bill (HB = House SB = Senate)	Sponsor	Companion Bill (opposite chamber)	Purpose
Use of force (Tactics)	HB 1054	Rep. Johnson		Bill proposes to prohibit many law enforcement (LE) tactics currently allowed.
Duty to intervene	SB 5066	Sen. Dhingra		Requires LE officer to intervene if they witness misconduct or illegal activity by fellow officer.
Investigation audits	SB 5069	Sen. Dhingra	HB 1089	Establishes audits to make sure I-940 is being followed when investigations of lethal use of force.
Brady standards	SB 5067	Sen. Dhingra	HB 1088	Requires the WA Assoc. of Prosecuting Attorneys (PA) to update policy and training regarding potential impeachment disclosures.
Decertification bill;	SB 5051	Sen. Pedersen	HB 1082	Calls out use of force as grounds to decertify; database to track officers who have separated from service; investigations must be completed once started.
Independent Investigations	HB 1267	Rep. Entenman		Applies when lethal use of force is used. Stand-alone agency created.
Independent prosecutions	HB 1507	Rep. Entenman		Creates process if the county PA has a conflict with prosecuting LE officers.
Mental health supports for police	HB 1000	Rep. Maycumber		Additional supports to LE, with focus on suicide prevention.
Grants to diversify LE	HB 1001	Rep. Maycumber		Grants to encourage a broader diversity of candidates in LE.
Felony Bar Removal	SB 5263	Sen. Frockt		Currently, personal injury or wrongful death claims against LE have a defense if the person was committing a felony. Bill removes the bar, creating greater liability for LE and cities.
Qualified immunity repeal	HB 1202	Rep. Thai		Allows cities to be held independently liable for actions of LE. Holds cities liable for training, hiring, firing, discipline.

Attachment A: Table of Current Law Enforcement Related Legislation

Subject	Bill (HB = House SB = Senate)	Sponsor	Companion Bill (opposite chamber)	Purpose
Data collection	HB 1092	Rep. Lovick	SB 5259	Data shared with WSU to track use of force incidents.
Deadly Force Std	HB 1310	Rep. Johnson		Establishes a standard for use of physical force by LE and modifies criminal liability protections.
Community Oversight	HB 1203	Rep. Johnson		Requires departments with 15 or more officers to have a community oversight board.
Law Enforcement Bargaining	SB 5055	Sen. Nguyen		Requires the PERC to appoint a roster of 9 to 18 arbitrators who hear disciplinary grievances for law enforcement personnel on a rotating basis.
Vascular Neck Restraint	SB 5094	Sen. Padden		Training focus: CJTC develop model policy. Allows VNR; 50% of LE need to be trained on proper use.
Data, deadly force	SB 5261	Sen. Padden		Data through WASPC, not as much data collected as 1092.
Background checks	HB 1262	Rep. Klippert		Use of polygraph or rapid eye.
Hiring of peace officers	SB 5089	Sen. Kuderer		Age and education requirements to be hired as LE.



SHERIFFS & POLICE CHIEFS

Law Enforcement Reform Recommendations 2020-2021

Washington's law enforcement leaders acknowledge the hurt, trauma, and anger caused by a history in which our profession has often failed to live up to our own ethical ideals, particularly in our relationships with communities of color, and we recognize our responsibility to address racial inequality.

We are committed to work with policy makers, community groups, and other stakeholders to improve the public service of law enforcement in our state. Change is necessary and we support meaningful reform and a conversation about law enforcement that focuses on transparency and accountability, reduces barriers to discipline and termination, and ensures a fair and more equitable criminal justice system. We do not present these recommendations as the only credible options for reform, rather as our contribution to the larger conversation.*

Use of Force:

- Standardize the use of force policies and training centered on the cornerstone principle of the sanctity of human life.
- Require all law enforcement officers to intervene and report to their agency whenever another law enforcement officer uses excessive force.

Transparency and Accountability:

- Expand wellness, resiliency and mental health support for law enforcement and corrections officers.
- Support accreditation (best practice audits) for law enforcement and corrections agencies.
- Support civil service reforms to increase diversity and flexibility to hire and promote deputies and officers.
- Establish interventions for troubling patterns and behaviors among law enforcement officers.
- Explore models for an independent statewide deadly force investigative agency.
- Facilitate the implementation and use of body cameras.
- Provide greater authority for Chiefs and Sheriffs to dismiss officers who betray the public's trust.
- Enable de-certification of officers who use excessive force and other serious breaches of the public's trust.
- Require all Washington law enforcement agencies to submit data on the use of deadly force.

Defining the role of law enforcement:

- Establish state and local programs to build relationships and trust between law enforcement and the community.
- Establish clear expectations for state investment in programs to address mental illness, substance use, and other adverse events that are shown to increase the likelihood of future criminal justice involvement.

* These recommendations are abbreviated summaries of the official recommendations adopted by WASPC. The full text of each recommendation, along with recommended legislation to accomplish each, are available at www.waspc.org/reforms