



SEATTLE CITY COUNCIL | DISTRICT 1
COUNCILMEMBER LISA HERBOLD

May 11, 2022

Dear Dr. Oftelie,

I appreciate your partnership with the Community Police Commission (CPC) to present your preliminary assessments at the CPC community engagement sessions to get community feedback prior to your filing your recommendation with the Court. In that spirit, thank you as well for considering my observations and requests.

Crisis Intervention Preliminary Assessment

1. *Alternative Mental Health Responses*

On page 11 of the preliminary assessment, there is reference to the fact that SPD has five mental health professionals who work in tandem with sworn officers in crisis response. Please consider inclusion of details for how that approach may expand or adjust. Should there be more details on how these mental health providers can change the outcome, or more data analytics on how mental health professionals either aid/change outcomes? Background on protocols on how police change their tactics when these professionals arrive could be helpful as well.

2. *Those in Crisis killed by SPD officers*

Though the preliminary assessment covers the time that Terry Caver was killed, reference to that case is very limited, despite that the OPA found the officer's actions out of policy. Nor does the preliminary assessment address, in broader terms, police shootings of people in mental health crisis.

3. *"Sharp Rise" in People Contacted More Than 5 Times by SPD*

While generally the preliminary assessment demonstrates that the number of people who have been repeatedly contacted by SPD in crisis is down – that does not hold true for people contacted more than 5 times. The sharpest increase can be found in the number of people who have been contacted in crisis more than 16 times – with the number more than tripling from 8 in 2019 to 25 in 2020.

4. *Levels of Force Usage Data*

The data on levels of force usage in crisis intervention does not include data points such as demographics. Should this data be included and publicly available? SPD has mentioned that there may be multiple incidences of force that occur within these crisis intervention incidents. Publicly posting the data could enhance public confidence.

Stops and Detentions Preliminary Assessment

1. *“Frisk Hit Rate”*

This preliminary assessment demonstrates that SPD is more likely to stop and search people of color, but less likely to find a weapon on them compared to white people. Please consider whether further disaggregation of the data, detailing whether the gun was legally in the possession of the subject, would make this a more useful metric.

Additional information about the methodology for the frisk analysis would be helpful. For example, how the random sampling was done (e.g. sample size, confidence intervals, etc).

2. *Requirement to Appropriately Articulate Reasonable Suspicion for a Stop*

In 2017, the monitor found that 99 percent of stops adhere to the requirement that officers adequately and appropriately articulate reasonable suspicion for their stop. In this preliminary assessment, SPD’s adherence rate dropped to 94.3 percent. You report that this reduction may have been the result of changes in the review process. Please consider including more information for why you believe this to be so.

3. *Higher Frisking Likelihood for Those Who Do Not Match the Area Racial Composition*

Please consider addressing the need for accountability for individual officers in these cases, as they have the discretion to determine whether they will stop and frisk.

4. *Disparities in Traffic Stops*

I have continued concern about disparities in traffic stops, especially regarding the 33% of stops being for Black persons. I appreciate the Preliminary Assessment calling for continued collaboration by SPD with the Community Police Commission and the Office of the Inspector General “to identify opportunities for improvement and implement recommendations toward more equitable policing, in line with SPD’s bias-free policing framework, which requires collaborative community engagement toward addressing unwarranted disparities.” Significant and persistent racial disparities suggest that continued monitoring of implementation of bias-free policing could result in positive community outcomes.

Use of Force Preliminary Assessment

1. *Unknown/Data mapping issue*

The preliminary assessment finds that percentage of uses of force on a subject of unknown race more than doubled from 12% in 2014 and 2015 to 28% in 2021. I appreciate the Monitor highlighting this. SPD has provided an update about the data issue, which dates to 2017; given the importance of this data to the public, an update in the final assessment would be very helpful.

Accepting that there will still be anomalies, what should occur when individual Use of Force forms are reviewed and found incomplete? What is done to ensure complete data is reported? What do supervisors do when it is not? How should the department seek to correct omissions?

2. *Disparities in Use of Force*

Racial disparities in the use of force are among the most significant and persistent findings. I appreciate the Monitoring Team's discussion of the reduction in the pointing of lethal firearms, and recommendation to expand disparity analyses "related to force practices and engaging with the Community Police Commission and Office of Inspector General on the most impactful path forward, as discussed in the Stops & Detentions section of this report."

Significant and persistent racial disparities suggest that continued monitoring of implementation of bias-free policing could result in positive community outcomes. I look forward to learning more how your community engagement, in collaboration with the Community Police Commission, will inform the Monitoring Team's analysis of the data and help determine action items in 2022 for the City of Seattle and federal oversight.

Sincerely,



Lisa Herbold

District 1 Councilmember, Chair Public Safety and Human Services Committee

CC: Brandy Grant, Executive Director, Community Police Commission
Reverend Walden and Douglas Wagoner, Co-Chairs, Community Police Commission
Lisa Judge, Inspector General
Gráinne Perkins, Interim Director, Office of Police Accountability
Adrian Diaz, Interim Chief of Police
Andrew Myerberg, Public Safety Director Office of the Mayor