

## MEETING SUMMARY

### REGIONAL LAW SAFETY AND JUSTICE COMMITTEE

**Thursday, February 26, 2015**

7:30 – 9:00 A.M.

Seattle City Hall, Bertha Knight Landes Room  
600 4<sup>th</sup> Ave., Seattle, WA 98104

#### **Theme:**

This meeting included an update from King County, Seattle and Suburban Cities representatives on the State legislative process, highlighting public safety issues in play in Olympia. Police accountability was the theme of presentations from King County Sheriff John Urquhart, which focused on the topic of body cameras, and Seattle Police Department (SPD) Deputy Chief Carmen, which focused on the Use of Force Review Board. Ideas for future meeting topics were solicited from the group and collected for Steering Committee discussion.

#### **Legislative Update**

Rebecca Johnson, Seattle Office of Intergovernmental Relations  
Rachel Smith, King County Director of Governmental Relations  
Lyset Cadena, Sound Cities Association

This is the first year of the biennial budget cycle, which means it is a long session lasting at least 104 days, although most people expect the session to run long this year. Despite the economic upturn of the past few years, the State's budget continues to be in crisis, in part because balancing in previous years relied on one-time fixes. Maintaining current service levels will require a couple hundred million more in funding. In addition, funding education to comply with the McCleary decision will require \$3 to \$4 billion over the biennium. The budget crisis means that all bills with a fiscal impact are an even harder lift than usual.

The Senate and the House are controlled by different parties, which makes it more challenging to reach agreement on budget issues. However, there is opportunity to make progress on many public safety issues where support cuts across party lines.

Highlights of the Seattle legislative agenda include: rationalizing the medical and recreational marijuana systems, supporting body cameras for police, shifting the charge for patronizing a prostitute from a misdemeanor to a felony in some cases, implementing the Justice Reinvestment Act and revisions to the sentencing grid, and changing a fourth Driving Under the Influence (DUI) charge to a felony.

King County legislative priorities are in alignment with the cities on many issues, with an emphasis on nuts and bolts issues related to maintaining current services. Specific County priorities include: rationalizing the medical and recreational marijuana systems; adjusting the property tax cap from 1% to inflation plus population growth, with councilmanic authority for accountability and flexibility; supporting safety net issues, such as integrating the mental health and substance abuse systems and ensuring there are sufficient resources to serve those in need.

The Sound Cities Association (SCA) does not lobby in Olympia, but does monitor legislative activity closely to ensure that its member cities are informed and able to stay engaged. SCA does support revisions to the property tax cap and is closely monitoring the public health conversation.

Key dates for the session include:

- February 20 – cutoff for policy bills to move from their committee of origin
- February 27 – cutoff for fiscal bills to move from their committee of origin
- March 11 – last day to consider bills in their chamber of origin
- April 1 – second cutoff for policy bills
- April 7 – second cutoff for fiscal bills
- April 15 – last day to consider opposite house bills
- April 26 – scheduled end of session

General Fund budget conversations have already begun. Exceptions to the calendar above include bills that will likely have an impact on the budget, which are in play throughout the session, as well as bills where there is the political will to resurrect.

## **King County Sheriff's Office Update/Initiatives**

John Urquhart, King County Sheriff

The Sheriff discussed the competing perceptions of police officers between the public and law enforcement and the value of police accountability in narrowing the gap between public perception and reality. Body cameras are one tool law enforcement can use to address the perception gap and improve accountability, if the rules around their use are constructed thoughtfully.

Body cameras eliminate the he said/she said effect that often happens after an encounter with police. The technology has improved in the last few years and its use has expanded to jurisdictions throughout the country. Body cameras have the potential to make both police officers and the public behave better and could be a revolutionary change to law enforcement.

The Sheriff identified three impediments to implementing body cameras in King County:

1. **Cost** – \$400/unit for the camera itself, in addition to Cloud storage and access. About \$1 million per year for a police agency the size of the sheriff's Office.
2. **Public Disclosure** – large, over-reaching public disclosure requests, such as requesting all video, will cripple local governments. In addition, release of video depicting victims, informants, minors, crime scenes must be addressed.
3. **American Civil Liberties Union (ACLU)** – the ACLU supports body cameras, but only if police officers are almost never allowed to turn them off and the digital images cannot be used for criminal prosecution, only officer accountability. Legislation supported by the ACLU has died in the State legislature this year.

Unless their images can be used for criminal prosecution and the public disclosure aspect can be controlled, the Sheriff will not implement body cameras in King County.

### Seattle Police Department Update – Use of Force and Training

Deputy Chief Carmen Best

In response to a Department of Justice finding of excessive force and biased policing, the Seattle Police Department (SPD) has been operating under a Federal consent decree since mid 2012. Part of consent decree compliance is a new use of force policy that SPD has implemented. While the basic policy has not changed much, the amount of review and paperwork associated with uses of force (i.e. use of pepper spray, tasers, batons or any force resulting in non-transient pain) has increased significantly.

The Use of Force Review Board examines not only the moment at which force was applied, but also the events that led up to the use of force. The Board looks specifically at whether the officer attempted to de-escalate the situation before resorting to force. Officers can be disciplined for not de-escalating a situation, even if the use of force was justified at the moment it was deployed. SPD believes this emphasis on de-escalation in the review and disciplinary process will minimize the use of force in the future.

All sworn staff, from the Chief down, are required to participate in the use of force training. In 2014, this amounted to approximately 40 hours of training per officer. Officers were taken off the streets for the training, but their posts were not back-filled.

SPD spent over \$7 million to comply with the consent decree in 2014 (supplied by Scott Lindsay), which did not include the 40 hours of training. The expanded Use of Force Review Board required \$900,000 in overtime and related expenditures.

To address the need for better data to analyze police behavior SPD has issued a request for proposals for a new data analytic platform that will enable the department to analyze disparate outcomes based on race, as well as other factors. The program is expected to cost \$11 million.

The Department of Justice is now recognizing SPD as a national model for use of force.