

Chief's Advisory Committee

October 28, 2020 at 1:30 p.m.

Participants: Chief Bieber, Captain Braman, Roger Esparza (via Zoom), Earl Gooding, Kanesha Henderson, Noah Leavitt (via Zoom), Curtis Phillips (via Zoom), Roberto Rodriguez, Nadine Stecklein (via Zoom)

Absent: Captain Buttice, Brooke Bouchey, Lindsey Luna, Dick Morgan, and Steve Moss

1) Chief's Welcome and Thank You

2) **Potential Pertinent Legislative Issues**—we reviewed the hand-out titled “Potential Law Enforcement Reform Legislation.” The first thirteen reform items listed were proposed by the Washington Association of Sheriffs & Police Chiefs (WASPC) and these should go forward without any significant push back from law enforcement within our state. Those proposals would change the Use of Force, Transparency and Accountability, and the Role of Law Enforcement. The second page of the handout listed “Other reforms proposed by Legislators;” some of the seventeen proposed reforms may encounter some push back.

- a. Arbitration and Collective Bargaining Agreements—Chief Bieber saw no benefit in taking away binding arbitration, because of the risk of officer strikes.
- b. Use of Force Tactics (banning choke holds, no knock warrants, unleashed police dogs, teargas, firing at moving vehicles, hot pursuits, and militarized vehicles/equipment). No knock warrants are difficult to obtain—it must first be established there is a high risk of violence or destruction of evidence. Captain Braman has never seen a “no knock” warrant during his career at the WWPd. Our policy on firing on a moving vehicle is limited to when being fired on already. The WWPd has a TRV that is used to move officers to a scene to keep them safe for long as possible. This vehicle is not used in parades. It can traverse deep water and would be helpful during a flood. LVNR is only used if a life-threatening situation and firearm use would also be authorized.
- c. De-Certification (including overhaul of CJTC)—was addressed in by item ten on the proposed bill by WASPC.
- d. Brady—If there is a sustained finding that an officer provided false information, there is a case law known as the Brady Finding where this must be disclosed to the defense attorney. It is difficult for officers to provide a believable testimony in court after a Brady finding.
- e. State-level 1983 cause of action personally against officers (qualified immunity)—officers can already be sued if it is proven their actions were done with malice. We are already having difficulty attracting qualified candidates and losing qualified immunity will make it even harder to recruit. Qualified immunity exists so officers making decisions in a split second do not put their family's security at stake.
- f. Retention of disciplinary/misconduct records—there will probably be little push back on changing the retention requirement of these records. If there has been no further

continuation of past misbehavior, then records have little impact after five years have passed from the event. The WWPD follows the current retention rules.

- g. Community oversight boards of law enforcement—incorporating citizen oversight committees would likely not be backed across the state.
 - h. Nine or twelve-month BLEA—extending the academy training time comes with a significant cost increase. It already takes almost a year to wait for a spot in the academy, then to complete the six-month academy time, plus four months of field training officer (FTO) program. The FTO program also ties up the time of a seasoned officer to train each new officer continually individually.
 - i. Statewide jail standards
 - j. Sentencing Reform Task Force—creating a task force to look into sentencing reform could be a good thing.
 - k. Facial Recognition
 - l. Repeal Mandatory Arrest for DV
 - m. Jail release times
 - n. Suicide prevention efforts/training in jails
 - o. 50% good time—this would not be a significant change. Currently the courts reduce sentences to around 50% of the judgment when the inmate has no issues while serving their jail time.
 - p. Tolling of community supervision—law enforcement would welcome having those on probation and parole reimburse the cost for that expense.
 - q. Electronic monitoring in lieu of prison time—there would probably be little push back on this idea from law enforcement.
- 3) WWPD Civic Engagement**—reviewed the handout containing titled “WWPD Community Outreach Programs” that lists 41 ways the PD tries to get a positive message out. Vicki Ruley organizes most of the community outreach programs. C2C invites us to participate in different events that they held (prior to COVID-19).
- 4) Budget Process—where we are currently**—the draft 2021-2022 budget is being reviewed again during tonight’s City Council meeting. There will be some changes before it is finalized and approved during the City Council meeting being held on December 2. The WWPD budget is the largest portion of the City’s general budget. On January 1, the WWPD anticipates having three to four open officer positions, a Records Clerk position, and a Parking Enforcement position. The City revenues have gone down since COVID began, compared to our previous projections. We will fill the open positions as our budget allow.
- 5) PD Hiring—bi-cultural/bilingual efforts**—We have an excellent bi-cultural and bilingual candidate on the entry level officer list. The City does not do deficit spending—our budget must balance. Hopefully, the City revenues will increase enough to allow us to hire off the current list before it expires. It takes close to a year to get new hires trained.
- 6) Information from the Differential Call Response Work Group**—Noah Leavitt provided an update on the first Differential Call Response Work Group meeting, which comprised of approximately half of the Chief’s Advisory Board members, plus Pete Erb from WESCOM (Dispatch). They anticipate the Town Hall Report being issued in early 2021

and finalizing their mission soon. There was interest expressed from the local social service agencies to provide guidance. How do we get the right services to the people that need them? We do not need to send the police to everything. We need to look at all options for call response, which could reduce the number of officers needed. Kanisha Henderson requested to be being copied on the meeting notes.

- 7) Next Meetings—November 25 and December 30—Do we need to reschedule?** The next two meetings fall on holiday weeks. Chief Bieber proposed moving the November 25 meeting to either November 18 or December 2. We are moving to a complete Zoom meeting platform (no in person) until which time we are on the safe side of this pandemic. ***Update: After the email vote was completed, the group consensus was holding the next meeting on November 18 at 1:30p.m.***

Next meeting: November 18 at 1:30 p.m. on Zoom platform only (not meeting at the WWPD building).

The meeting adjourned at 2:28 p.m.
Submitted by Deborah Minter

Potential Law Enforcement Reform Legislation

Proposed by WASPC - <https://www.waspc.org/reforms>

Use of Force:

1. Standardize the use of force policies and training centered on the cornerstone principle of the sanctity of human life. De-escalation, proportionality, and the use of time, cover and distance will be emphasized, and the required training from I-940 should be accelerated. This required curriculum also includes training on implicit bias and the history of race and law enforcement.
2. Require all law enforcement officers to intervene and report to their agency whenever another law enforcement officer uses excessive force or knowingly violates the rights of any person. Violation of this duty should be cause for discipline, up to and including termination.

Transparency and Accountability:

3. Establish and expand wellness, resiliency and mental health support for law enforcement and corrections officers.
4. Establish clear and meaningful support for law enforcement and corrections agencies to become accredited (undergo a Best Practice Audit) by a recognized state or national law enforcement or corrections accreditation entity.
5. Reform the civil service system to provide greater access for more diverse candidates into the law enforcement profession and enable Sheriffs and Police Chiefs greater flexibility to hire and promote law enforcement officer who are best suited to carry out the agency's mission.
6. Assist law enforcement and corrections agencies to establish intervention programs to identify troubling patterns and behaviors among law enforcement and corrections officers so intervention and support can be offered in a non-disciplinary manner.
7. Establish a monitoring and review mechanism to ensure existing requirements for independent investigations regarding the use of deadly force are followed. Additionally, explore models for creating a completely independent statewide deadly force investigative team governed by a board that includes community members.
8. Facilitate the implementation and use of body cameras.
9. Reform binding interest arbitration to provide greater authority for Chiefs and Sheriffs to dismiss officers who are not helpful to the agency's mission or betray the public's trust.
10. Change licensure rules to provide that a law enforcement officer can lose their Peace Officer Certification for excessive use of force, showing a pattern of failing to follow public policy, and other serious breaches of the public's trust.
11. Require all Washington law enforcement agencies to submit data regarding the use of deadly force (creation of a statewide data base as proposed in SHB 2789 in 2020).

Defining the role of law enforcement:

12. Partner with the Washington Commission on African American Affairs, Commission on Asian Pacific American Affairs, Commission on Hispanic Affairs, and the Governor's Office of Indian Affairs to build relationships and trust between law enforcement and the community.

13. Study and establish clear expectations for state investments and expansions of programs that support social services to address mental illness, substance use, and other adverse events that are shown to increase the likelihood of future criminal justice involvement.

Other reforms proposed by Legislators include:

1. Arbitration and Collective Bargaining Agreements
2. Use of Force Tactics (banning choke holds, no knock warrants, unleashed police dogs, teargas, firing at moving vehicles, hot pursuits, and militarized vehicles/equipment).
3. De-Certification (including overhaul of CJTC).
4. Brady
5. State-level 1983 cause of action personally against officers (qualified immunity).
6. Retention of disciplinary/misconduct records.
7. Community oversight boards of law enforcement.
8. 9 or 12 month BLEA
9. Statewide jail standards
10. Sentencing Reform Task Force
11. Facial Recognition
12. Repeal Mandatory Arrest for DV
13. Jail release times
14. Suicide prevention efforts/training in jails
15. 50% good time
16. Tolling of community supervision
17. Electronic monitoring in lieu of prison time.

WWPD Community Outreach Programs

COVID has really affected how we do community outreach...but we are starting to get it figured out...

1. Zoom Webinar, Human Trafficking Webinar
2. ZOOM Webinar, CFRH Property Management Two day 3 hours –topics and speakers
 - Landlord Tenant Law with Attorney Eric Steven
 - HUD -Fair Housing
3. National Night Out Community Parade
4. National Night Out at Pioneer Park
5. National Night Out Yard Decoration Contest
6. Crime Victims LOGO -Football and ducks handed out this spring and summer by officers on patrol
7. Chief for a Day
8. ZOOM WEBINAR for Walla Walla Disability Network – Law Enforcement and Disabilities --- “How does law enforcement respond?”, this included Dispatch and a police officer.
9. Backpack Project -School supplies and backpacks given away at National Night Out
 - This year we gave School supplies to Sager School in College Place because they had a need.
10. Bike Project This is a program for Children --- bikes from Property Room fixed up and given away to someone in need
11. Cops and Kids Holiday Shopping program
12. Cafeteria with a Cop – school lunch program where officers stop in at schools and eat lunch with kids
13. Take Back Weekends, which include:
 - Drug Take Back
 - Shred Event
 - Take Back discarded electronics and computers
 - Sharps
 - Cell phones
14. Popsicles with a Cop – officers handing out popsicles in the summer
15. Community Graffiti Abatement – Pine Street underpass
16. Community Graffiti Abatement
17. Blue Ridge School MOM’s Group - Personal Safety
18. Blue Ridge School DAD’s Group - Personal Safety
19. Dog Walker Watch
20. Block Watch
21. Citizens Academy
22. Coffee with a Cop up to 4 times a year
 - Starbucks downtown
 - McDonalds Eastgate
 - McDonalds 9th Street
 - Super 1
 - Harvest Foods

- Hot mamas
 - Walla Walla Housing Authority Gym
 - Wa-Hi
 - College Place HS
23. C2C - Neighborhood Gatherings with Commitment to Community
 24. C2C – family Christmas parties
 25. C2C El Nino (Children’s Day) at Washington Park
 26. Children’s Day with School District at Fort Walla Walla
 27. Crime Free Rental Housing (CFRH) 12- Hour Property Management Seminar
 28. Realtor’s Association training of new Realtors – Personal Safety
 29. Parks and Recreation – Police visits to the Park programs in the summer
 30. FOOD Bank giveaways – Crime Victim Bags and helping hand out the boxes of food.
 31. Crime Victims presentations Speaking at Assistant Living Programs
 32. Bean bag baseball at Park Plaza assisted living
 33. Safe Assured ID Program – partner with Walla Walla Area Crime Watch
 - For parents Identification program that parents keep for themselves saved to a cd with their child’s personal information, video of mannerism, and digital fingerprints.
 34. Traffic Safety Bike Rodeos
 35. Personal Safety for several Church groups
 36. Battle of the Badge – basketball and baseball – raised over \$120,000 for local non-profits over 5 years
 37. Nextdoor.com
 38. Career Days – Wa-Hi and WWCC
 39. Work-place safety seminars
 40. Vulnerable adult safety workshops