



CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Assistant City Manager
David Wolbrecht, Senior Neighborhood Services Coordinator
Andreana Campbell, Management Analyst
Chelsea Zibolsky, Special Projects Coordinator
Tracey Dunlap, Deputy City Manager
Cherie Harris, Chief of Police
Mike St. Jean, Deputy Chief of Police
Todd Aksdal, Deputy Chief of Police
Melissa Petrichor, Administrative Commander
Anh Hoang, Human Resources Director
Darcey Eilers, Assistant City Attorney
Greg Piland, Financial Operations Manager
Leslie Miller, Human Services Supervisor

Date: February 9, 2021

Subject: R-5434 EARLY ACTION UPDATE AND NEXT STEPS

RECOMMENDATION:

City Council receives an update and provides direction on next steps for the various elements of Resolution R-5434 (Attachment A). Staff recommends the Council:

- Receives a briefing on Black-centered focus groups and community outreach results;
- Receives an update on major elements of Resolution R-5434;
- Reviews the proposed data elements to be tracked in the five draft R-5434 dashboards;
- Provides feedback and amendments to the data elements of the five draft dashboards;
- Affirms engagement of broad community outreach on R-5434 and the draft dashboards;
- Approves \$65,000 of R-5434 funds for equity assessment and outreach support;
- Schedules May 18 study session on R-5434 community outreach and draft dashboards;
- Provides direction at the May 18 study session on more focused community outreach for body worn cameras and School Resource Officers

Each R-5434 element can be thought of as a separate project. For each element, staff have detailed community insight, key considerations, national best practice review, and/or consultant input for Council's reference and consideration of next steps. Staff proposes to update the Council at a future meeting tentatively scheduled for May 18, 2021 with Council approval.

The update memo is lengthy, so a brief Executive Summary of key issues is provided.

Executive Summary

Key Insight from the Community Engagement: The Importance of Relationship

One consistent theme throughout the targeted stakeholder engagement centered on Black people was the importance placed on the building of trusted relationships as the first step to discuss topics such as racism. Participants were generally appreciative of the City efforts around R-5434, however many participants still expressed a sense of guardedness from negative experiences engaging local government on this topic in the past. Staff consider these initial meetings as the start of further relationships, and staff plan on following up with all participants for further conversation.

Evaluating Options for Independent Civilian Oversight of Police Use of Force

This element was prioritized by several focus groups during the targeted stakeholder engagement. Kirkland's Council/Manager form of government provides the City Council, which is directly accountable to the public, with the civilian oversight authority to help ensure that the actions of the Police Department reflect the values and expectations of the community. In the Council/Manager form of government, the Chief of Police reports to the City Manager and may be removed by the City Manager in the discretion of the City Manager, for example if the Police Department is not reflecting these values and the Police Chief is not correcting the Department's performance. The City Manager reports to the City Council and may be removed by the City Council in its discretion, for example if the Police Department is not reflecting these values and the City Manager is not addressing the Department's performance. The voters of Kirkland have final oversight on these issues, as they may replace elected officials on the Council if the Council does not address City Manager and Police Chief performance or help ensure Police Department behaviors that reflect the values of the community. Many examples of oversight models exist that could inform a model that's best for Kirkland. Staff recommend convening an advisory committee to clearly define the goals of police oversight within Kirkland and how they inform and advise the current civilian oversight provided by the Council/Manager form of government.

National Best Practices on Alternatives to Police / Co-Responder Models

This element was also prioritized by several focus groups. One consistent comment was not to use the term "alternative policing." Staff will implement this feedback in documents moving forward. The City has engaged consultant Anura Shah of *Beyond Force* to work with staff to evaluate options and help develop recommendations on what type of co-responders would best meet Kirkland's needs. Staff also continue to actively research models in other jurisdictions. The Eugene CAHOOTS program is tentatively scheduled to provide a briefing to the NORCOM Governing Board on February 12, 2021 on how their co-responder model would affect the current NORCOM processes. Staff will to Council with an update from this board meeting during the Spring update.

School Resource Officer Dashboard

The School Resource Officer (SRO) Dashboard, and specifically the SRO Program itself, was among the most widely discussed and prioritized by the Black-centered focus groups. Most focus group participants were generally critical of a police officer being in a school environment as it related specifically to the safety and respect of Black students, as well as students of color

broadly. State law mandates the reporting by the Lake Washington School District of SRO's law enforcement activities, and City staff continue to collaborate with District staff on additional data about SRO activities to present in the dashboard, including student sentiment.

Dashboards

Staff have identified several principles that can be applied to the development of all the new dashboards, regardless of content. Any City dashboard should be accessible, sustainable, and connected. Additional characteristics related to these principles are articulated further in this memo. Staff seek direction from Council on the data set and preferred schedule for posting updated data for each dashboard. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop mockup versions of the draft dashboards for recommended presentation at a May 18 Study Session.

Continued Community Engagement

Staff have now concluded the first round of targeted stakeholder engagement centered on Black people and have begun transitioning to broader community engagement. As a 2021-2022 City Work Plan item, staff are prioritizing R-5434 implementation their respective work programs. Moving forward, staff anticipate the need for an additional \$65,000 to support a robust community engagement process. This would not require new revenue as the recommended funding source is the "Diversity Inclusion Initiatives Citywide" element of the Community Safety Initiative service package (21CS01), of which there is \$109,568 available.

BACKGROUND DISCUSSION:

Following the tragic killing of George Floyd by a police officer on May 25, 2020 in Minneapolis, Minnesota, numerous marches and rallies were held in Kirkland calling for an end to structural racism and for the City to demonstrate that Black lives matter. At the June 16, 2020 Council meeting, the Council issued a statement directing the City Manager to develop a framework for the City's response to the community. At the July 7, 2020 Council meeting, the Council held a public hearing on the City Manager's draft framework, Resolution R-5434. At the July 21, 2020 Council meeting, the Council received further community feedback on the revised resolution and adopted various amendments to it. The Council took up R-5434 for final deliberation at the August 4, 2020 Council meeting, during which the City Manager presented funding recommendations for Council authorization. The Council adopted R-5434 and the City Manager's funding recommendations at the August 4, 2020 Council meeting.

The City Manager's funding recommendations consisted of early action requests and budget process requests. The early action funding totaled \$380,000 and was intended to facilitate immediate implementation of several of the elements in the resolution. A summary of expenditures is detailed later in this memo.

I. Community Engagement for R-5434

The community engagement process for R-5434 began in June 2020 when the City Manager, Police Chief, and Assistant City Manager began holding weekly meetings with the Right To Breathe Committee for on-going policy discussions. The Right To Breathe (RTB) Committee consists of several notable Black leaders from the Eastside Race and Leadership Coalition and

has since become its own organization. This group has met 20 times since June to date although the meetings have transitioned to twice per month. The Right To Breathe Committee is also in conversation with the cities of Bellevue, Redmond, and Issaquah. In late December, the Right To Breathe Committee published a [YouTube video](#) sharing appreciation for the community.¹ On Martin Luther King Jr. Day, January 18, 2021, the Right To Breathe Committee issued City Progress Reports for the various Eastside cities with whom it is engaging in discussions. The status reports give an overview of the Right To Breathe Committee's assessment of how safe that City is for Black people, organized around various policy areas. [Kirkland's Progress Report](#)² can be found online and in Attachment B. These meetings continue to be helpful dialogues centered around the key policy priorities of the RTB Committee, and staff anticipate continuing to meet with the RTB Committee throughout the R-5434 process.

Throughout the summer of 2020, City of Kirkland had already begun planning for a regional Welcoming Week event in collaboration with staff from the cities of Bellevue, Issaquah, Redmond, and Sammamish and the organizations Eastside Refugee and Immigrant Coalition, Eastside For All, and Eastside Race and Leadership Coalition. Upon Council's adoption of R-5434, staff explored ways to strategically link the City's forthcoming community engagement for R-5434 with the event. Held on September 26, 2020, the virtual Eastside Race and Equity Summit attracted over 240 attendees from across the Eastside. The event featured keynote speaker Mr. Delbert Richardson, a local Community Scholar, Ethnomuseumologist, Second Generation Storyteller, and Creator of the National Awarding Winning American History Traveling Museum: The "Unspoken" Truths, and the event highlighted several formal and informal Black-led and/or Black-centered groups on the Eastside who focus on racial equity. City staff reached out to those groups featured at the event to plan focus groups that would be the basis for staff's community engagement process centered on Black people called for in R-5434 § 4a.

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52. The focus groups were conducted using a facilitation format and methodology that the Assistant City Manager, Senior Neighborhood Services Coordinator, and several other City staff were trained in by the Change & Innovation Agency in 2018. City staff first used this methodology for the focus groups for the Gun Safety & Community Safety outreach of 2018, and it has been used numerous times since then by staff to collect feedback on a variety of topics. In general, this focus group

¹ Right To Breathe Committee Shares Appreciation. <https://www.youtube.com/watch?v=chIdpplgEQI>

² Right To Breathe Committee City Progress Reports. <https://www.righttobreathe.us/dashboard>

methodology provides insight into what constitutes a successful program, service, or process. During the focus groups, staff provided a general overview of the various elements within R-5434 and sought guidance from the group on which topics to discuss and prioritize. Additionally, the focus group methodology invited discussion among the participants on any topic that the group wanted. Staff have included the raw focus groups notes in Attachment C.

Building off best practice research and community learning, staff used as inspiration a recently adopted policy by the Puget Sound Regional Council (PSRC) related to offering honoraria to focus group participants. The PSRC policy is included as Attachment D. Staff provided honoraria to early action focus group participants to help decrease barriers to participation for those that may need to obtain child care or incur other expenses in order to participate, while also acknowledging the time, energy, and effort in discussing structural racism with City staff, which often included sharing painful personal stories.

As part of the focus group process, staff requested that participants provide anonymous demographic information. This was an optional component of the focus groups, and approximately half of the participants responded. Attachment E contains a demographic overview of focus groups participants.

Since late Summer, staff have also attended numerous community group meetings, agency network meetings, and workshops held on topics related to R-5434. Although staff would sometimes be called upon to provide an overview or update on R-5434, the focus of staff attendance at these meetings was to listen and learn. Staff have attended numerous meetings not necessary to include in this memo, but some key highlights include:

- Black Policy Advisory Committee meetings (eight meetings since June 2020)
- Eastside Race and Leadership Coalition meetings (five meetings since June 2020)
- Eastside Change Coalition: "BLM? Prove It" event on August 21, 2020
- Eastside4BlackLives: Online Panel on August 25, 2020
- Governing for Racial Equity & Inclusion (GREI): Quarterly meetings (Sept. 18 and Nov. 20, 2020)
- City of Redmond: Listening Session on November 6, 2020
- ACLU: "Transforming Police Culture" on December 8, 2020
- Esri: "Using Location Intelligence to Address the Impact of Racial Injustice on Health Equity" event on January 27, 2021
- King County Coalition Against Hate and Bias (KCAHB) in Conversation with Enrique Cerna on January 28, 2021
- Indivisible Kirkland meeting on February 6, 2021

Additionally, as the targeted stakeholder focus groups concluded in early February, the City hosted a virtual community conversation on racial justice that was facilitated by Chanin Kelly-Rae, the City's consultant for an organizational equity gap assessment (detailed later in this memo). Approximately 35 community members attended and provided general feedback about their experience with race and racism in Kirkland. This event marked the transition from the targeted stakeholder engagement centered on Black people articulated in R-5434 § 4a-b to broader community-wide engagement. As the City continues through the equity gap assessment process as guided by Ms. Kelly-Rae, many more opportunities for community engagement will be available.

Finally, staff have posted two online surveys for the Kirkland community to provide feedback on the specific elements of R-5434. Published on January 5, 2021, the [first survey](#)³ consists of comment boxes for each R-5434 element for respondents to provide feedback, and respondents do not need to comment on each item. The [second survey](#)⁴, published on January 28, 2021, focused specifically on the content of the R-5434 dashboards. The purpose of these surveys is to collect feedback from the broader Kirkland community and will be widely distributed throughout the next phase of the community engagement process.

Key Insight from the Community Engagement: The Importance of Relationship

One consistent theme of nearly all the focus groups centered on Black people was the importance placed on the building of trusted relationships as the first step to discuss topics such as racism. Many focus group participants mentioned how they are generally very distrustful of engaging with local government around issues of racism, discrimination, and bias, as they have provided feedback in the past that did not result in any action or identifiable change in circumstance. Participants were generally appreciative of the City efforts around R-5434 and staff reaching out to seek insight from Black community members. However, many participants still expressed a sense of guardedness despite engaging with staff.

Staff approached these initial meetings as the start of further relationships with these groups and constituents, and staff recognize that trust takes time to build through on-going dialogue. Staff plan on following up with all the focus groups at various points throughout the implementation of R-5434 to report back and/or seek further input.

II. Early Action Updates and Next Steps

What follows is an update on each element of R-5434 presented in the following format:

- *Targeted Stakeholder Feedback* – this represents the feedback collected from the eight focus groups. Staff have articulated themes heard from focus groups, as well as highlighting specific points of insight from specific focus groups and/or participants. In a few instances, staff have included other targeted feedback collected outside of the focus groups.
- *Key Considerations and Best Practice Review* - this includes policy considerations for the element as well as an overview of national best practices.
- *Current Status* - a few elements include an update on this program's current status.
- *Next Steps* - for each element, staff provide a general overview of anticipated action(s). Staff are seeking general direction from Council on each element.

Note: The Right To Breathe Committee focuses its work around a set of policy areas, some of which correspond with specific R-5434 elements. The Right To Breathe Committee's policy areas are articulated in the City's Status Report (Attachment B). Staff continue to engage in

³ R-5434 Community Feedback. <https://us.openforms.com/Form/0b9fd06c-7b59-430f-8299-92614aa846ee>

⁴ Kirkland Dashboard Survey. <https://www.research.net/r/DZH6Y2F>

dialogue about those policy areas with the RTB Committee, however staff have not included those policy areas as feedback for the purposes of this memo.

A. Transparency Strategies Overview (R-5434 § 1)

Section 1 of R-5434 calls for the development of five public dashboards to allow the community and the Council to understand how the City as an organization is performing. In this context, *dashboard* refers to a way to display information that drives accountability and decision making with images and text that are easy to understand. These public dashboards will display various data in number, percentage, and/or graphic form (e.g. pie charts, line graphs, and other infographic types) and will include various filters to display specific data (e.g. disaggregated by race or other factors). Additionally, some dashboards may include written narratives, definitions, or other accompanying information to the numbers and graphs to support the data in number and graphical form.

Please note that Department staff are already reviewing data and taking action to address identified gaps even as the dashboards are being developed. For example, Deputy Chief Todd Aksdal has reviewed all use of force cases in 2019 and 2020 to identify potential operational concerns, and Human Resources Director Anh Hoang has already implemented some recruitment best management practices to improve the diversity of the City's workforce.

• Key Considerations and Best Practice Review

From the early action community engagement and national best practice review, staff have identified several principles that can be applied to the development of all the new dashboards, regardless of content. Any City dashboard should be:

1. Accessible

- a. Easy to find through navigation and search on the City's website;
- b. Accommodating for screen reading technology for vision impairment and designed with color blindness best practices in mind;
- c. Understandable using common language with minimal jargon and acronyms and providing definitions where applicable; and
- d. Translatable for those in our community for which English is not their primary language.

2. Sustainable

- a. Identify and leverage existing data sources and creating efficient means of obtaining additional data as needed;
- b. Develop efficient processes for timely updates with clear staff roles and responsibilities; and
- c. Account for on-going costs to maintain, including staff time, software licensing, and other costs.

3. Connected

- a. Connected to decision making and resource allocation;
- b. Build on prior work by integrating or referencing historical data (when available);
- c. Provide a feedback mechanism for on-going community feedback; and
- d. Articulate relationships between the new dashboards and other maps/reports (e.g. Kirkland Crime Map as it relates to the updated Crime Dashboard).

Staff will use this initial framework of principles to continue to develop the dashboards and will refine and/or add principles as additional best practice and community feedback is collected.

- **Next Steps**

For each of the five dashboards called for in R-5434, staff seek direction from Council on the data set and preferred schedule for posting updated data. Staff recommend a posting schedule of quarterly updates for most dashboards. Staff recommends that both the School Resource Officer dashboard and the Human Services dashboard be updated on an annual basis. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop mockup versions of the draft dashboards. Staff will begin engaging the broader Kirkland community on the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

The following sections detail specific feedback, key considerations, and best practice review (as appropriate) for each of the dashboards for Council consideration.

B. Use of Force Dashboard (R-5434 § 1a)

- **Targeted Stakeholder Feedback**

Generally, focus group participants saw this is an important tool for police transparency and accountability, however very few groups spent much time discussing it during the focus group. Themes that did emerge from focus groups included providing transparency on how the data is collected and to continue to receive feedback from the community throughout an iterative creation and publication process. Finally, it was suggested to include a regular community meeting with police and other City staff as a way for community members to learn more, be heard about issues, and build trust.

City staff presented to the Right To Breathe Committee a draft dashboard based on proposed State legislation as a potential starting point for community discussions. The draft legislation is detailed below. The Right To Breathe Committee supported using the draft legislation as an initial framework.

- **Key Considerations and Best Practice Review**

State legislation currently under consideration by the State House (HB 1092) and Senate (SB 5259) would require the City to report quarterly to Washington State University on a number of different use of force metrics. The Washington Association of Sheriffs and Police Chiefs (WASPC) also support the standardization of reporting on deadly use of force incidents across agencies. If the Legislature adopts a standardized reporting system, State law would likely require the City to start with these metrics as a baseline to its use of force dashboard. Staff will continue to monitor the legislation as the session continues.

Following the presentation of a draft use of force dashboard at the July 7, 2020, City Council meeting, staff has further developed a draft dashboard to include geographical information on the subjects, definitions of terms, as well as further refining the data collected for the dashboard to ensure accuracy and transparency. This is being developed by staff to help guide the on-going discussion and to provide Council ideas for the final dashboard. This draft uses an incomplete data set.

Draft Use of Force Dashboard Data		Does Kirkland Currently Collect This Data?
Attorney General Use of Force Dashboard Data		
1. By January 31, April 30, July 31, and October 31 annually, each general authority Washington law enforcement agency and each limited authority Washington law enforcement agency shall report to Washington State University or its successor, in a manner developed by Washington State University, information under subsection (2) of this section of all incidents that occurred in the preceding three months:		
a. In which a fatality to a person occurs connected to use of force by a law enforcement officer;		Yes
b. In which there is great bodily harm to a person connected to use of force by a law enforcement officer;		Yes
c. In which there is substantial bodily harm to a person connected to use of force by a law enforcement officer; and		Yes
d. In the absence of either death, great bodily harm, or substantial bodily harm, when a law enforcement officer:		
i. Discharges a firearm at or in the direction of a person;		Yes
ii. Points a firearm at a person;		Yes
iii. Uses a choke hold or vascular neck restraint;		Yes
iv. Uses an electronic control weapon (ECW), including, but not limited to a taser, against a person;		Yes
v. Uses oleoresin capsicum (pepper) spray against a person;		Yes
vi. Discharges a less-lethal shotgun or other impact munitions at or in the direction of a person;		Yes
vii. Strikes a person using an impact weapon or instrument, including, but not limited to, a club, baton, or flashlight;		Yes
viii. Punches or kicks a person using closed fists or feet;		Yes

ix. Uses a vehicle to intentionally strike a person or vehicle; and	Yes
x. Deploys a canine that bites a person.	Yes
2. When reporting an incident as required under subsection (1) of this section, the agency employing the officer that used force shall provide the following:	
a) The date and time of the incident;	Yes
b) The location of the incident;	Yes
c) The agency or agencies employing the law enforcement officers;	Yes
d) The type of force used by the law enforcement officer;	Yes
e) The type of injury to the person against whom force was used, if any;	Yes
f) The type of injury to the law enforcement officer, if any;	Yes
g) Whether the person against whom force was used was armed or unarmed;	Yes
h) The type of weapon the person against whom force was used was armed with, if any;	Yes
i) The age, gender, race, ethnicity, of the person against whom force was used;	Yes, if known.
j) The tribal affiliation of the person against whom force was used, if applicable;	No
k) Whether the person against whom force was used exhibited any signs associated with a mental health or a substance use disorder based on the observation of the law enforcement officer;	Yes
l) The age, gender, race, ethnicity, of the law enforcement officer;	Yes for age, gender and race; No for ethnicity
m) The law enforcement officer's years of service;	Yes
n) The reason for the initial contact between the person against whom force was used and the law enforcement officer;	Yes.
o) Whether any minors were present at the scene of the incident; and	No. If captured this would be in the narrative. Not currently captured in a searchable field
p) The entity conducting the independent investigation of the incident, if applicable.	Yes
Additional Use of Force Dashboard Data	
Number of complaints	Yes
Geographic information about the subject's residence	Yes

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Use of Force dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures,

identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

Additionally, the Police Department is actively engaged with several consultants to provide a review of the use of force policies and analysis of the use of force data. The analysis of the use of force policy and data is anticipated to inform the development of the use of force dashboard. If the results of the contracted use of force analysis indicate that department changes are needed, staff won't wait until the dashboard is complete before taking action.

Staff will provide a draft dashboard at the February 16, 2021 Study Session for illustrative purposes only.

C. Enhancements to the Existing Police Dashboard (R-5434 § 1b)

- **Targeted Stakeholder Feedback**

Only one focus group identified this element for discussion. Focus group participants encouraged the inclusion of demographic data for both subject and officer that can be disaggregated. Participants also suggested that the periodic publishing of the updated dashboard data be more inclusive by producing it in different languages and creating more content, such as a video, that is focused on public presentation. Finally, participants thought that the dashboard should be accompanied by a description of how the City uses this data to inform and implement policy.

- **Key Considerations and Best Practice Review**

The existing Police Dashboard had been developed over the course of several years to provide the City Council Public Safety Committee (discontinued in 2020 along with the other standing Council committees in favor of full Council topic reviews) with updates on crime trends, police program performance, and other items that might potentially inform the Council on any needed policy or resource changes. The Police Department had also developed the [Community Crime Mapping online platform](https://www.kirklandwa.gov/Government/Departments/Police-Department/Community-Resources/Community-Crime-Mapping)⁵, which provides Kirkland-specific crime data searchable various search parameters, including date range, crime type, or distance from a specific address.

In order to enhance the existing Police Dashboard to serve the needs of both the full Council (from a policy and resource perspective) and the public (from a performance perspective), the Chief and Deputy Chief St. Jean interviewed the Mayor, Deputy Mayor,

⁵ City of Kirkland Community Crime Mapping. <https://www.kirklandwa.gov/Government/Departments/Police-Department/Community-Resources/Community-Crime-Mapping>

and each of the other five Councilmembers. Several themes emerged from those interviews that could shape the development of a new police and crime dashboard:

- Include call for service data (type of calls & number of calls)
- Expand the current categories to include both crimes and calls for service that are a frequent concern of the community, add:
 - Mail/Package theft
 - Persons experiencing homelessness
 - Persons experiencing mental health issues
- Include demographics where feasible
- Include definitions and or better describe crime categories
- Continue the current Animal Services report
- Continue the School Safety Camera report

There are several examples of police and crime dashboards across the country. Many are geographically focused, which is the current focus of the Community Crime Mapping platform, while some focus more on data trends similar to the current quarterly dashboard. Staff will continue to assess feedback from the community and best practices throughout the development of the crime dashboard.

Draft Kirkland Police Department Crime Dashboard Data	Currently Collected?
• # Crimes of Interest and Calls for Services	Yes
○ Murder	Yes
○ Sex Offenses	Yes
○ Robbery	Yes
○ Aggravated Assault	Yes
○ Burglary - Residential	Yes
○ Burglary - Commercial	Yes
○ Motor Vehicle Theft	Yes
○ Motor Vehicle Prowl	Yes
○ DUI	Yes
○ Collisions	Yes
○ Mail/Package theft	No
○ Persons experiencing homelessness	No
○ Persons experiencing mental health issues	Yes
• 2012-2019 Weighted Average (for each of #1 above)	Yes
• Normal Range (for each of #1 above)	Yes
• 2020 Numbers (for each of #1 above)	Yes
• Change from Weighted Average (for each of #1 above)	Yes
• The age, gender, race, ethnicity, of suspects (for each of #1 above)	Partial*
• The age, gender, race, ethnicity, of officers (for each of #1 above)	Partial*
• Animal Services report	Yes
• School Safety Camera report	Yes

*Ethnicity data is not currently a part of the Police Department's reporting system, nor is it collected for Officers

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the existing Police Department dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

D. School Resource Officer Dashboard (R-5434 § 1c)

- **Targeted Stakeholder Feedback**

The School Resource Officer (SRO) Dashboard, and specifically the SRO Program itself, was among the most widely discussed and prioritized by the Black-centered focus groups. Although staff conveyed to focus group participants the fact that an evaluation of the SRO Program itself was not a part of R-5434, the focus group methodology used by staff invited discussion among the participants on any topic that the group wanted. As such, the focus group feedback on the topic of SROs was mostly related to the program and not an SRO dashboard. Most focus group participants were generally critical of a police officer being in a school environment as it related specifically to the safety and respect of Black students, as well as students of color broadly. Some focus group participants characterized the presence of an officer in schools as itself a “use of force” and that an armed officer generally made students very uncomfortable. Some focus group participants emphasized that an interpersonal relationship can’t overcome an institutional problem, describing how one friendly officer won’t erase years of evidence of police officers in general being an oppressive force. Some focus group attendees expressed past personal stories of negative interactions with SROs at Juanita and Lake Washington High Schools back when they were students there and described the traumatic effect of incidents involving SROs and students of color. Generally, focus group participants suggested replacing school resource officers with mental health counsellors, social workers, or similarly trained professionals to connect students to services, indicating that, although SROs may be trained to do so, they are not as highly trained in this area as other professionals.

- **Key Considerations and National Best Practice Review**

The Department’s SRO program expanded from two officers to six officers with the passage in 2018 of Proposition 1, –the Enhanced Police Services and Community Safety Measure, which provided specific funds dedicated to the additional positions in Kirkland Middle Schools. At the November 2018 election, 57% of Kirkland voters approved Proposition 1. In January of 2020, four additional SROs were assigned to the newly expanded Community Services Unit (CSU) comprised of both the SROs and the

Neighborhood Resource Officers (NRO). They joined the two existing SROs, who were already assigned at Lake Washington High School and Juanita High School.

Once Proposition 1 passed, and as directed by related Resolution R-5339, the City Manager and District Superintendent convened a SRO Task Force charged with becoming educated on the current SRO program, comparing the current program to national best practices, and making recommendations on improvements to the City and the District. The taskforce met seven times between June 2019 and January 2020, with a final report published in March 2020.

On July 7, 2020, Assistant City Manager Lopez and Police Chief Harris presented the final report to the City Council and recommendations from the SRO Task Force, as directed in R-5339. The overall theme of this report was that the Department has an excellent SRO program that is already following many of the national best practices. There were several recommendations presented to the Council, mostly around reinforcing the idea that the overarching goal is keep students physically, socially and emotionally safe and prevent students from entering the juvenile justice system through building relationships, counseling and providing appropriate services.

Building on the previous work of the SRO Task Force, a team consisting of staff from the Police Department, the City Manager's Office, and the Lake Washington School District continue to collaborate on an SRO dashboard. The City's consultant, Ms. Kelly-Rae, has joined these meetings. As developed by the task force as part of its [recommendations](#)⁶, the purpose statement of Kirkland's SRO Program is:

The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:

- *Help keep students physically, socially and emotionally safe at school.*
- *Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.*
- *Connect students with supportive services.*
- *Help keep students out of the criminal justice system.*

As it relates to the stated program goals, the focus group feedback related to SROs generally indicated that the experience of Black students and students of color is that they do not feel safe at school due to the presence of SROs, nor did they express having positive interactions with SROs. Based on this feedback, the City/District staff team explored ways to ensure those experiences were being collected and tracked through the dashboard to help inform program review. Staff used the purpose statement of the program as the basis for a set of questions related to program performance. These questions could be administered to all Kirkland middle and high school students (disaggregated by race and other demographic information) once, or potentially twice, a year. A version of this survey could also be administered to parents, caregivers, and/or others in the school community. The quantitative feedback from those surveys would

⁶ School Resource Officer Task Force Report of Recommendations. <http://kirklandwa.gov/files/sharedassets/public/city-managers-office/pdfs/school-resource-officer-task-force-recommendations.pdf>

provide the basis for five data points to be included in the SRO dashboard. The specific logistics of administering the survey are pending further collaboration with the District.

Additionally, there are very few national examples of SRO dashboards that staff were able to find to model best practices after. One example is from the City of Chula Vista, California. It provides a public [SRO dashboard](#)⁷ embedded in its SRO Program webpage. The dashboard features mostly data related to calls for service by type, as well as crime activity at schools. The SRO Program webpage provides broader information about the program, including mission, SRO role and goal statements, and resources.

As with the Use of Force dashboard, staff relied on state legislation to further inform what data could be displayed on an SRO dashboard. [RCW 28A.320.124 \(2\)\(c\)](#)⁸ requires the collection and reporting of certain data by the School District, nearly all of which is already being documented by the Police Department. One piece of data that is not collected by the Police Department but is reported by the School District under the RCW is regarding whether a student involved in a call for service has an individualized education program (IEP) or a plan developed under Section 504 of the Federal Rehabilitation Act of 1973. Ms. Chanin Kelly-Rae advised that including IEP data on an SRO dashboard would support the intent of R-5434, particularly as it relates to intersectionality between race and disability. Staff will continue to explore with the School District the possibility of incorporating into the dashboard student data that the Kirkland Police Department currently does not collect while ensuring the privacy of students.

Finally, Ms. Kelly-Rae suggested the SRO dashboard could also display information on the various activities undertaken by the SROs in support of the program goals that generally are not collected in current reporting processes, such as classroom instruction and sports and community events, such as games, fund-raising events, and service events.

⁷Chula Vista SRO Program. <https://www.chulavistaca.gov/departments/police-department/programs/sro-program>

⁸RCW 28A.320.124 School resource officer programs. <https://app.leg.wa.gov/rcw/default.aspx?cite=28A.320.124>

Draft School Resource Officer Dashboard Data	Currently collected?	If not collected, method to collect
How successful is the SRO program in helping keep students physically, socially and emotionally safe at school (based on survey feedback)	No	Survey
How physically, socially, and emotionally safe do students feel at school because there is an SRO there (based on survey feedback)	No	Survey
How successful is the SRO program in providing for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable (based on survey feedback)	No	Survey
How successful is the SRO program in connecting students with supportive services (based on survey feedback)	No	Survey
How successful is the SRO program in helping keep students out of the criminal justice system (based on survey feedback)	No	Survey
Number of arrests	Yes	
Number of cases referred	Yes	
Number of cases that could have resulted in an arrest or referral, but instead were handled internally by the school or directly between the SRO/student	Yes	
Number of calls for service	Yes	
Type of Service Call	Yes	
Offense type (if applicable)	Yes	
Race	Yes	
Gender	Yes	
Age	Yes	
Outcome (arrest, referral, internally handled by school or directly between SRO/student)	Yes	
Number of students served	Yes	
Referrals to services by type (mental health, school engagement coordinators, other)	Yes	
Child Protective Services calls supported	Yes	
Number of complaints	Yes	
Reason for complaints	Yes	
Status of Basic SRO Training*	Yes	
Status of Advanced SRO Training*	Yes	
Status of Training Required from RCW 28A.320.124*	Yes	
Classes taught, assemblies attended	No	New SRO process
School/community events attended (games, fund-raising events, service events, etc.)	No	New SRO process

*An overview of SRO training requirements and training status is provided in Attachment F.

- **Current Status**

Since receiving the Task Force's Report in 2020, the Police Department has been implementing the various recommendations. After the schools were closed due to COVID-19 in Spring 2020, Kirkland's SROs were initially assigned to patrol and were filling in as Police Training Officers for new Officers who had just graduated from the academy. The absence of in-person schooling due to the pandemic, and the associated difficulty of meetings with student and parent groups, has limited the SRO Program from moving forward on the Task Force Recommendations to the degree that it otherwise would be able to. An overview of the status of Task Force recommendation implementation is included in Attachment G. The SROs have recently returned to their previous schedule and are rotating through a variety of community policing oriented assignments while continuing to implement various SRO Task Force recommendations. A synopsis of the recent and current SRO duties can also be found in Attachment G.

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the SRO dashboard. Based on potential availability to administer student surveys, staff recommend an annual update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development.

SROs will potentially be returning to schools if middle and/or high schools return to in-person education this Spring. Due to the shortened nature of the time at the schools, staff will use this as an opportunity to refine the data collection process while continuing to incorporate ongoing community input. Although the pandemic still provides a large amount of uncertainty, staff anticipate the earliest potential time to conduct a student survey on SRO Program performance would be late Fall or early Winter of 2021. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September with at least a partial data set to help inform Council policy decisions into the next budget cycle.

E. Human Resources Dashboard (R-5434 § 1d)

- **Targeted Stakeholder Feedback**

Developing a Human Resources (HR) Dashboard was only identified and discussed by one focus group. The focus group suggested the inclusion of promotion data to see if the City is promoting people with diverse backgrounds. Another theme was to include with the dashboard context for the City's other equity and inclusion efforts, in that diversity in staffing does not necessarily define equity but is a helpful starting point. The focus group suggested benchmarking demographics against the whole Eastside, not just the Kirkland community. Finally, the inclusion of data on members of the City's Boards and Commissions was highlighted by the group.

- **Key Considerations and Best Practice Review**

Many of the suggestions from the focus group are potentially implementable. The City currently tracks promotion data and could include that information on the dashboard. Specific information about connections to other City employees would need additional analysis. Providing context of the HR Dashboard to broader City efforts around equity and inclusion supports the broader dashboard principle of being “Connected” and is strongly supported by staff. This dashboard could theoretically benchmark against both Kirkland and broader Eastside community demographics, although defining what is meant by the “Eastside” would be needed. Finally, due to the low number of members on each Board and Commission, aggregating all Boards and Commissions into one data set may be required to ensure the data is de-identified. As volunteers, Board and Commission members could potentially be requested to provide demographic data anonymously to support this effort, although further analysis of the Public Records Act RCW 42.56 requirements and other policy considerations is needed.

There are several examples of HR Dashboards nationwide for analysis. The three that City staff analyzed in depth were the [City of Portland](#)¹, the [City of Boston](#)², and the [City of San Francisco](#)³. Generally, both Portland’s and Boston’s dashboards were highly searchable, and displayed the data in a generally comprehensible format. Portland’s was very user-friendly and provided a range of information mostly related to recruitment, including employee movement (demotion, transfer, promotion, and separation) by month, and a quality of hires analysis that tracked the time of hire to separation. Both Boston’s and San Francisco’s dashboards focused more generally on organization-wide demographics. Boston’s interface was generally considered not as user friendly, while San Francisco’s had more siloed data sets that were not integrated into one user experience. All three examples are from municipalities of far greater size than Kirkland, so pulling inspiration from them while “right-sizing” the data set for Kirkland will be a key next step.

Draft Human Resource Dashboard Data	Currently Collected?
<i>City Overall</i>	
Total number of City employees	Yes
Race / Ethnicity of City employees	Yes
Gender Identity of City employees	Yes
<i>By Department</i>	
Total number of Department employees	Yes
Race / Ethnicity of Department employees	Yes
Gender Identity of Department employees	Yes
<i>Community Demographics</i>	
Kirkland population	Yes
Race / Ethnicity of Kirkland population	Yes
Gender Identity of Kirkland population	Yes
<i>Recruitment and Hiring</i>	
Open positions posted total	Yes

Race / Ethnicity of applicants	Yes
Gender Identity of applicants	Yes
Race / Ethnicity of new hires	Yes
Gender Identity of new hires	Yes
Duration of open positions	Yes
Number of applications per open position	Yes
<i>Employee Separations</i>	
Race / Ethnicity of separated employees	Yes
Gender Identity of separated employees	Yes
<i>Employee Promotions</i>	
Race / Ethnicity of promoted employees	Yes
Gender Identity of promoted employees	Yes

- **Next Steps**

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Human Resources dashboard. Staff recommend a quarterly update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development. Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

While the development of the HR Dashboard continues, the Human Resources Department is making strategic steps towards efforts of diversity recruitment. Notably, HR has hired two analysts, both starting in mid-February. The first comes to the City with ten years of HR and recruiting experience from the high tech and healthcare industries, including experience with Microsoft, Amazon, and OPTUM. This analyst will be responsible for the development and implementation of innovative community outreach, engagement, and recruitment programs to diversify the City's public safety recruits. This HR Analyst will also be assigned to assist the Fire Department to implement the HR-related operational aspects of the Fire Prop 1 Ballot Measure. The second new hire joins Kirkland having spent the last ten years as a diversity recruiter performing full-life cycle recruiting for Boeing, City of Seattle, and King County. This analyst will be responsible for all non-public safety recruitments throughout the City.

F. Human Services Dashboard (R-5434 § 1e)

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

Additional feedback:

The Human Services Commission provided feedback at its January 26 meeting. Commissioners raised the question of whether the dashboard was intended to address equity more generally or racism more specifically. A concern identified with addressing equity more generally is that the urgency of addressing racism is lost. If the intent is to track equity more generally, the success or failure of serving other historically marginalized and oppressed populations, such as transgendered people and people with disabilities, were recommended to be included. Commissioners agreed that the concerns of the members of the Black community needed to be foremost in determining the data to be included in the final dashboard. Finally, the Commission identified an additional way to assess how well the City was ensuring services for people in need, which was to track human services spending by way of measurements such as per capita spending and percentage of City budget and to compare those numbers with other cities.

- **Key Considerations and Best Practice Review**

Examples of human services dashboards are not as widespread as some of the other types of dashboards. City staff identified three dashboards that provided different user experiences, display of data, and levels of detail. The [City of Seattle's Homelessness Response](#)⁹ performance webpage blends data, narrative, and photos by goal category, resulting in an insightful and overall positive user experience. The [City of Portland's Homelessness Statistics](#)¹⁰ dashboard is similar to Seattle's but focuses on recipient category and has pared down narrative support. Finally, the [Human Services Chamber of Hamilton County](#)¹¹ provides a dashboard of the City of Cincinnati's human services funding that includes icons to help convey the categories of statistics provided.

Although the City currently tracks funded agencies, funding amounts and some demographics, additional data collection would be required of agencies in order to determine how well they serve specific populations in the community. For example, requiring disaggregated outcomes by race would be a way to determine if programs the City is funding are as successful serving the Black community as other populations.

⁹ City of Seattle Homelessness Response. <https://performance.seattle.gov/stories/s/Homelessness-Response/w79s-qyv8>

¹⁰ City of Portland Homelessness Statistics. <https://www.portlandoregon.gov/toolkit/article/562207>

¹¹ Human Services Chamber of Hamilton County. <https://humanserviceschamber.org/portfolio/human-services-funding-2/>

Draft Human Services Dashboard Data	Currently Collected?	Method to Collect
<i>Who does the City Fund through human services grants?</i>		
• Agencies Funded	Yes	
○ POC Organization (founded by and led by people of color)	Yes	
○ Non-POC Organization	Yes	
• What Categories of Services Provided?	Yes	
○ Housing and Homeless Services	Yes	
○ Food and Basic Needs	Yes	
○ Supportive Relationships within Families, Neighborhoods and Communities	Yes	
○ A Safe Haven from All Forms of Violence and Abuse	Yes	
○ Health Care to Be as Physically and Mentally Fit as Possible	Yes	
○ Education and Job Skills to Lead an Independent Life	Yes	
• Grant Amount	Yes	
• Who Do They Serve? (client information)	Yes	
○ Race / Ethnicity	Yes	
○ Gender Identity	Yes	
○ Income range	Yes	
○ Age	Yes	
• How Well Do They Serve Them?	No	Agency reporting
○ Outcomes reported by race/ethnicity	No	Agency reporting
○ Outreach to historically underrepresented communities	No	Survey

• Next Steps

Staff seek direction from Council on the data set and preferred schedule for posting updated data for the Human Services dashboard. Currently demographic and outcome information is collected once a year from agencies and funding decisions are made two years at a time, so staff recommends an annual update schedule. Based on Council feedback, staff will refine data collection procedures, identify staff workflow, engage with dashboard vendor(s), and develop a mockup version of the draft dashboard. Staff will begin engaging the broader Kirkland community on all the dashboards throughout development.

Due to the potential cost and burden of additional reporting requirements to human services agencies, staff recommend engaging in conversation with nonprofit human services providers. Staff view this as important in this context because small community-based organizations that often serve their own communities the best tend to be the most burdened by reporting requirements. In addition, because the City shares a

grant application and reporting tools with fifteen other suburban King County cities, staff recommend engaging with Kirkland's human services city partners to explore the costs and benefits to additional reporting requirements, such as collecting outcome information disaggregated by community populations. If collecting outcomes disaggregated by populations, such as race, is identified as a needed tool, the City could consider contributing to the costs this additional work would entail.

Staff recommends returning for another study session at the May 18 Council meeting to present the mockup draft dashboards with real data, convey community, agency, and city partner feedback, and present a workplan for dashboard launch with an intended go live in September to help inform Council policy decisions into the next budget cycle.

G. "8 Can't Wait" Police Use of Force Policy Review (R-5434 § 2a)

- **Targeted Stakeholder Feedback**

Although this specific element was not identified for discussion, the "8 Can't Wait" policy framework was referenced by one group in the context of evaluating options for independent civilian oversight of police use of force. That group recommended the [Campaign Zero](#)¹² model as a policy framework for use of force instead of the 8 Can't Wait framework.

- **Policy Review by the "8 Can't Wait" Organization and Key Considerations**

The Kirkland Police Department contacted the 8 Can't Wait organization for a review of Kirkland Police Department policies related to the 8 Can't Wait framework. The response for each of the eight framework components is included as Attachment H. For context, staff have provided additional information and key considerations in *italics* after each policy item found not in compliance with the 8 Can't Wait policy reform framework.

- **Next Steps**

Staff seek Council direction on any additional actions to take regarding this element.

H. Contracting for Third Party Policy Use of Force Review and Use of Force Data Evaluation and Analysis (R-5434 § 2b)

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

¹² Campaign Zero <https://www.joincampaignzero.org/>

- **Current Status**

As directed by R-5434 § 2b, Police Department staff conducted a preliminary use of force review for incidents involving persons of color in 2019 and 2020, included as Attachment I. Staff also provided in that attachment an overview of current reporting and review procedures for reference.

Review of use of force by a third party is a topic of conversation in most neighboring jurisdictions, but few have selected a vendor. The Police Department has contacted a number of consultants who provide use of force policy and data review, including:

- The OIR Group (www.oirgroup.com) – a California based company focused on Independent Police Oversight and Review. Recently under contract with the City of Bellevue, utilizing a retired local law enforcement consultant that also included community listening sessions. Bellevue has not received their final report as of the date of this memo. The OIR Group provided a draft scope of work for independent review of current policies as they pertain to use of force, use of force reporting and use of force review at \$200 dollars an hour not to exceed an estimated \$25,000 dollars. Limited to policy review and analysis.
- Police Strategies (www.policestrategies.com) – recommended by the OIR Group to provide data analysis of use of force incidents. Currently under contract in Spokane to finalize a lengthy use of force & demographic disparity study with the Police Department. Other work includes analysis of use of force for the King County Sheriff's Office and an annual public facing dashboard. Initial estimates for analyzing use of force data and developing a public facing dashboard are approximately \$35,000 dollars and approximately \$10,000 dollars to complete a demographic disparity study. Limited to data analysis and dashboard development.
- Police Executive Research Forum – PERF (www.policeforum.org) – a nonprofit, police research and policy organization located in Washington DC with consultants and national experts located throughout the country. The OIR group referenced PERF model policies as a standard in their use of force review. PERF recently concluded a significant review of use of force policies, use of force review, training, tactics, tools and analysis of use of force incidents for the City of Vancouver Washington Police Department. This included community meetings to solicit feedback from general members of the public. Initial estimates received are between \$74,574 and \$94,163 dependent on the inclusion of data analysis or limiting the focus to policy, training and tactics review. Provides both policy review and analysis.
- Modern Policing (www.modernpolicing.com) – a Seattle based company with experience in police reform, civil rights enforcement and organizational change to drive best practices. Utilizing a cadre of national experts, Modern Policing was recommended by Police Strategies to provide use of force analysis. As of this writing, the Department has not received a draft scope of work. Limited to policy review and analysis.

- **Next Steps**

In collaboration with the City Manager's Office, the Police Department expects to select a contractor by the end of the first quarter 2021. Any necessary improvements identified by the third-party use of force analysis will be implemented even if the dashboard itself is not yet complete.

I. Structured Council Deliberations on Use of Force Policy and Data (R-5434 § 2c)

- **Targeted Stakeholder Feedback**

No focus groups identified this item for discussion.

- **Next Steps**

Based on feedback and direction from Council, the City Manager will bring forward a proposed timeline for Council discussion of use of force policy and data. Periodic updates will be provided to the Council as part of the R-5434 special presentations and a more comprehensive set of discussions will occur after the third-party use of force review has concluded.

J. Evaluating Options for Independent Civilian Oversight of Police Use of Force (R-5434 § 2d)

- **Targeted Stakeholder Feedback**

This element was prioritized by several focus groups. General themes included the importance of any oversight body being separate from the Police Department and that that body would review all complaints made. Membership on that body was also a theme, including that Council could select some number of positions, while other positions should be appointed based on community engagement process and/or representing specific communities or community organizations. Additionally, it was suggested that the forthcoming Diversity, Equity, and Inclusion Manager position should be involved in the selection process and that membership should be restricted to only those without direct ties through family to police officers. Finally, focus groups placed emphasis on the importance of the body having authority to take actions beyond an advisory role, such as pressing charges or having subpoena authority.

- **Key Considerations and Best Practice Review**

Under Kirkland's Council/Manager form of government, independent civilian oversight of all City personnel, including the Police Department, ultimately rests with the City Council, which is directly accountable to the public. If members of the public are not satisfied with the results of an investigation for a use of force incident from the Police Chief or the City Manager, they may contact the City Council to express their concerns. In Kirkland, the Chief of Police reports to the City Manager and may be removed by the

City Manager in the discretion of the City Manager, for example if the Police Department is not reflecting the values and expectations of the community and the Police Chief is not correcting the Department's performance. The City Manager reports to the City Council and may be removed by the City Council in its discretion, for example if the Police Department is not reflecting these values and the City Manager is not addressing the Department's performance. The voters of Kirkland have final oversight on these issues, as they may replace elected officials on the Council if the Council does not address City Manager and Police Chief performance or help ensure Police Department behaviors that reflect the values of the community. Options for further independent oversight in Kirkland should be viewed in the context of how they inform and advise the current civilian oversight provided by the Council/Manager form of government.

Independent civilian oversight of police departments involve people from outside a police department having a role in reviewing or advising on police actions, policies, and organization. The civilians performing the oversight may be either professional staff or unpaid community volunteers.

Kirkland's Existing Use of Force Review Processes

Officer-involved critical incidents are defined within Policy 305 of the [Kirkland Police Department Policy Manual](#), which essentially includes any incident involving an officer's use of force or other action resulting in the death or serious physical injury to another person, any officer-involved shooting, or any death of an inmate while in KPD custody. Currently, reviewing these critical incidents can involve several separate investigations, including:

- 1) a criminal investigation conducted independently by an outside agency (which will soon be by Independent Force Investigation Team – King County);
- 2) a review by the applicable internal policy review board (Use of Force Review Board, Collision Review Board, or Pursuit Review Board) to determine policy compliance by involved officers and to recommend training or policy reviews as may be appropriate but with no authority to recommend discipline;
- 3) an internal administrative investigation to determine if discipline is appropriate;
- 4) a formal inquest by the King County Executive's Office to determine what actions occurred and whether the officer complied with training and policy; and/or
- 5) the City Ombudsman in the City Manager's office could become involved if a complaint was made to the ombudsman.

The City Manager, City Attorney and City Council have access to the results of each of these investigation options. With the Kirkland Police Department Policy Manual, Policies 300, 301, and 305 provide details on the current policies on use of force, review boards, and investigations into critical incidents. With any officer-involved critical incident, the City engages with the Washington Cities Insurance Authority, which seeks outside legal counsel to provide the City advice and risk analysis regarding the officer's actions. To date, no officer-involved critical incident involving major use of force has resulted in litigation or legal liability for the City.

Types of Models

Civilian oversight mechanisms may focus on specific individual complaints against the police department, may advise more broadly on general police practice and policy, or may perform a combination of these roles. There are many different configurations for police oversight, with three general categories of oversight systems: (1) investigation-based; (2) review-based; and (3) auditor/monitor. Communities can combine features from the different models to create an oversight agency addressing the community's specific needs or intentions. Within these models and any hybrid iterations, the authority of the oversight body can extend to making policy recommendations, facilitating community forums, and more. The level of oversight can be narrowly focused only on use of force or other critical incidents, or it can be expanded to also investigate or review any level of citizen complaint.

The three general models and some potential strengths and weaknesses of each are summarized as follows:

1. **Investigative**, where the oversight body conducts independent investigations of specific incidents or complaints through professional, non-police staff.
 - Pros: may increase community trust in the investigation process; may reduce bias or perception of bias in investigation of incidents; professional investigators may have significant training
 - Cons: most expensive approach, with additional professional staffing required; likely to require mandatory collective bargaining; unions may resist non-police investigators
2. **Review**, where the oversight body reviews and may hear appeals of completed police investigations of specific incidents or complaints through either professional or volunteer board members.
 - Pros: transparency; facilitates community involvement; policy recommendations that are public may be more likely to result in policy changes
 - Cons: requires significant, systematic training of board, which can be costly; requires substantial time commitment of board members; likely to require mandatory collective bargaining
3. **Auditor/monitor¹³/inspector general**, where the oversight body evaluates systemic issues with police investigations, training, policies, and supervision, rather than reviewing specific incidents, through professional staff.
 - Pros: professional staff with expertise and more extensive training; generally less expensive than review model; potential for robust public reporting; may promote long-term, systemic change; typically broader access to police records; less likely to require mandatory union bargaining

¹³ Staff recommends avoiding using the term "monitor" as that is the title of the individual appointed by the federal court to evaluate the City of Seattle's compliance with the consent decree (effectively a settlement agreement between Seattle and the U.S. Department of Justice) arising from the DOJ's lawsuit to enjoin Seattle's alleged patterns or practices of unconstitutional policing, including excessive force and discriminatory policing. The federal monitor is separate from Seattle's own internal accountability partners, which include the Office of Police Accountability (primarily handles complaints against officers), a Community Police Commission (provides community input on police reforms), and an Inspector General (primarily focuses on auditing and systemic review and oversight and policy improvement).

- **Cons:** focus on broad patterns rather than specific incidents may not satisfy some community interests; typically make recommendations but cannot compel change; success dependent on quality staffing

The National Association for Civilian Oversight of Law Enforcement (NACOLE), which is a non-profit organization focusing on police oversight, is a helpful resource for implementing a police oversight entity. One of NACOLE's publications, *Civilian Oversight of Law Enforcements: A Review of the Strengths and Weaknesses of Various Models* (September 2016), includes the following table detailing characteristics and forms of authority commonly granted to the different oversight models.

Table 4: Common Characteristics and Forms of Authority by Oversight Model

	Investigation-Focused Agencies	Review-Focused Agencies	Auditor/Monitor Agencies
Receive Community Complaints	Frequently	Frequently	Frequently
Decide How a Complaint will be Handled	Frequently	Rarely	Sometimes
Review Police Complaint Investigations (e.g., for thoroughness, completeness, accuracy)	Sometimes	Frequently	Frequently
Conduct Independent, Fact-Finding Investigations	Frequently	Rarely	Sometimes
Perform Data-Driven Policy Evaluations	Sometimes	Sometimes	Frequently
Recommend Findings on Investigations	Frequently	Sometimes	Frequently
Recommend Discipline to the Police Chief	Sometimes	Rarely	Sometimes
Attend Disciplinary Hearings	Sometimes	Rarely	Sometimes
Have a Board Composed of Community Members	Frequently	Frequently	Sometimes
Hear Appeals	Sometimes	Sometimes	Rarely
Have Paid Professional Staff	Frequently	Sometimes	Frequently
Staffing and Operational Costs	Most Expensive	Least Expensive	Intermediate Expense

Table notes: Based on data collected from 97 U.S. oversight agencies, 2016.

Essentials for Developing Effective Oversight

Regardless of the ultimate design of the oversight model, it will be critical to legitimize the oversight entity, particularly with sworn personnel. As a basic point, in order to legitimize the oversight entity, the City Council will need to pass enabling legislation creating the entity, detailing its authority, and adopting specific procedures for the oversight process.

To ensure that the oversight addresses community needs, the entity can be further legitimized if the City provides interested parties, including the community and police union representatives, an opportunity to provide feedback on what the oversight entity's duties should include. Such community approval can help avoid perceptions that the oversight entity is merely rubber-stamping police actions. It will be important to collect

and analyze data to determine the need for civilian oversight and to ensure that the selected method and approach meets the community's needs.

Finally, with a goal of legitimizing the oversight entity with sworn personnel, oversight experts emphasize the importance of requiring board members to participate in up-to-date training in police procedures and equipment capabilities, to receive ongoing instruction in relevant law, and to participate in ride-alongs with the police department(s) they serve. As previously noted, NACOLE provides many helpful tools for implementing a police oversight entity. Among other services, NACOLE provides annual training for police oversight members and has created a standard code of ethics utilized by many cities.

- **Current Status**

The City Attorney's Office (CAO) is currently reviewing various models implemented in different cities. With more than two hundred oversight agencies throughout the U.S., the CAO is attempting to focus on models utilized in cities relatively similar to Kirkland in size, resources, and/or community. At this point, CAO is collecting information on the oversight agencies, including the extent of each agency's authority, the mechanism for its creation, and the protocols that guide it. CAO has not yet engaged in any analysis of the effectiveness or community perception of the various programs.

Initial Review of Existing Oversight Entities

As a preliminary highlight of some of these cities, staff have collected information on Ann Arbor, Michigan; Corvallis Oregon; and many others. In 2018, Ann Arbor, Michigan (pop. 122,000) created an unpaid 11-member community commission that serves as an advisory body to the City Council. The commission has the authority to review specific incidents following the department's internal review, and the commission can recommend changes in police practices. Ann Arbor has provided the commission with independent legal counsel and also 1 FTE supporting both the commission and another advisory commission.

Additionally, in 2007, Corvallis, Oregon (population 60,000) established a 7-member board that reviews citizen complaints when a citizen is dissatisfied with the police department's resolution, examines all officer-involved fatal shootings, and reviews data and allegations of bias. Both Santa Cruz, California (pop. 65,000) and Palo Alto, California (pop. 67,000) have a paid independent police auditor, who reviews citizen complaints and police policies.

Proposed Legislation

The current state legislative session includes several proposed bills related to law enforcement, including one directly addressing civilian oversight boards. [SHB 1203](#) would require local jurisdictions to establish a community oversight board by January 1, 2025, or by January 1, 2023, if the jurisdiction currently has such a board. SHB 1203 expressly authorizes local jurisdictions to establish a joint community oversight board by interlocal agreement.

The required community oversight board would have broad authority, including authority:

- 1) to investigate complaints regarding sworn and civilian staff of the law enforcement agency and to make findings on and recommend discipline related to such complaints;
- 2) to review and make findings on internal investigations;
- 3) to hold hearings (including subpoena powers);
- 4) to make policy and procedure recommendations with a requirement that the law enforcement agency provide an explanation if it declines to implement such recommendations;
- 5) to be represented on the hiring committee to fill a chief of police vacancy; and
- 6) to make budget recommendations for future appropriations to the law enforcement agency.

Several other bills more indirectly address community oversight. [SB 5134](#) would prohibit police accountability topics (including community oversight entities) from being subject to bargaining in law enforcement union contracts, preclude the use of arbitration for law enforcement officer disciplinary appeals, and dictate mandatory grounds for discharge from employment for Washington law enforcement officers. Focusing on data collection in an effort to increase transparency and accountability in police practices, [SHB 1092](#) would require law enforcement agencies to participate in a program to be developed by the Washington State University to collect, report, and publish information on law enforcement's use of force and other incidents and interactions involving the public. Finally, there are two companion bills, [SB 5051](#) and [HB 1082](#), related to police oversight with a primary focus on expanding the Criminal Justice Training Commission's oversight authority. With this legislation, the CJTC would add civilian members to the Commission for oversight and review of force incidents. Staff will continue to monitor relevant bills throughout the session.

- **Next Steps**

The appropriate oversight model and the features and authority of the oversight body will be dependent on each community, and policy decisions on police oversight should be supported by clear and relevant data. Based on Council direction and feedback, staff recommend convening an advisory committee to clearly define the goals of police oversight within Kirkland. The advisory committee would benefit from a range of inputs, including community members, police guild representatives, police management, and other City officials. If Council would like to proceed, NACOLE provides a [Guidebook for the Implementation of New or Revitalized Police Oversight](#), which should be helpful in creating a civilian oversight model suitable for Kirkland.

K. Developing a Police Body Camera Pilot Program (R-5434 § 2e)

- **Targeted Stakeholder Feedback**

This element of R-5434 received considerable Black-centered focus group prioritization and discussion. One main theme of the focus groups was the importance of having footage review being conducted by a third party outside of the Police Department. This was one criterion for another focus group's support of body cameras; the other two criteria being the need for very clear policy around body camera usage, including ramifications for officers not in compliance with the policy, and the cameras being on at all times. One focus group preferred having security cameras in public places instead of body cameras, as it would diminish the chance of an officer neglecting to turn on the camera. Finally, another focus group explored the idea body cameras being able to catch positive interactions, as only showing negative interactions that highlight Black people as criminals reinforces racial stereotypes.

- **Key Considerations and Best Practice Review**

The City Manager's preliminary budget included funding for a police body worn camera pilot. \$424,000 was budgeted for both 2021 and 2022, as well as an additional \$150,000 in start-up costs. During the Council's budget deliberations, Council identified that a robust community discussion and significant Council deliberation would be necessary in 2021 before deciding whether to proceed with a police body worn camera pilot program. Council reprioritized the \$424,000 budgeted for body cameras for 2021 to create a human services reserve fund to be allocated by the Council in 2021. The 2022 funding for a body worn camera pilot is still budgeted if the Council decides to proceed.

- **Next Steps**

There are several potential programs and policies related to police body cameras to use as a reference point when developing a Kirkland police body camera pilot. Staff recommend that Council waits for the May 18 study session to receive broader community feedback on body worn cameras before providing Council direction to proceed with deeper best practice research in support of the development of a body camera pilot program.

L. National Best Practices on Alternatives to Police / Co-Responder Models (R-5434 § 2f)

- **Targeted Stakeholder Feedback**

The topic of alternatives to police response to certain 911 calls was among the most widely discussed and prioritized by focus groups. One prominent theme of the focus groups was the desire for minimum-to-no police contact on calls, and that co-responders should be dispatched directly, as informed by specific training to dispatchers, as opposed to being referred after contact has been made. Another theme of the focus groups was the differentiation between a co-responder and a Police or Fire first-

responder. Specifically, focus group participants expressed that the co-responders should be a program that is separate from the Police Department, and they should not wear the typical uniforms of those departments. Beyond just the scope of co-responders, focus groups also encouraged investing in crime prevention, as well as focusing on the continuum of care beyond the initial contact. The need for diverse representation was emphasized, including women and people of color. Community education on what resources are available outside of calling 911 was also suggested. Finally, one focus group provided the feedback that using the term “alternatives to police” was problematic, in that it wasn’t clear that the same historical trauma felt by Black people from police wouldn’t be continued in whatever new roles were created.

- **Key Considerations and Best Practice Review**

Focus groups expressed an interest in minimizing or removing uniformed and armed officers from responding to calls and want this program to exist outside of the Police Department. Note that the feasibility of minimizing Police response will need to be evaluated in light of best practice and safety considerations, informed by the dispatch practices of other programs noted below. Another reflection from the focus groups is to focus on the continuum of care when developing this program. Best practice research indicates it is not enough to respond to 911 calls and refer individuals to services. There is a need for helping individuals throughout the entire process from initial contact, to helping guide them to the potential services needed. Continual follow up all throughout from the same case worker who has the capacity to give each person the individualized attention and care that is needed makes a successful program.

The City Manager’s preliminary budget included funding for four new “co-responder” positions as part of the Community Safety Initiative. In total, these four positions represent the most significant funding priority within the Community Safety Initiative and R-5434. These positions are not yet defined or assigned to a specific department, and the most effective use of these positions will be based on the outreach and research completed as part of R-5434. There is a spectrum of co-responder programs across the nation for Council consideration, and staff continue to research best practices.

To help move the co-responder concept forward, the City has engaged consultant Anura Shah of *Beyond Force* to work with staff to evaluate options and help develop recommendations on what type of co-responders would best meet Kirkland’s needs. Ms. Shah founded *Beyond Force* in 2015 as a response to the growing need for customized education and training regarding crisis management. She is a Crisis Intervention Team Training (CIT) Instructor with the Washington State Criminal Justice Training Commission (WSCJTC) and is an Associate Faculty member at Shoreline Community College in the Criminal Justice Department. She has created the first Professional Navigator Certificate program in the nation. She will be working closely with staff and integrating her work into that of Ms. Kelly-Rae’s larger organizational equity assessment as needed. The goal is to bring an update to the Council in the Spring.

Additionally, staff continue to actively research models in other jurisdictions. Initial analysis by the City Manager’s Office and Police Department focused on the Crisis Assistance Helping Out On The Streets (CAHOOTS) model that began in Eugene,

Oregon, the City of Olympia's Crisis Response Unit (CRU), and the City of Bellevue's two-team approach. Key considerations for each program are detailed below.

Based on conversations with the White Bird Clinic, a third-party non-profit that operates CAHOOTS, it became clear that a variant of their program would be necessary for application to Kirkland, as it teams emergency medical technicians (EMTs) with co-responders. Given that EMTs would be doing work in the scope of International Association of Fire Fighters (IAFF), they would need to be City staff members, although co-responders could be from a third party. Based on this dynamic, White Bird identified Denver, Olympia, and Portland as organizations with resources on staff providing services. Additional information on Denver's Support Team Assisted Response (STAR) model is being gathered and will be brought forward at a future Council meeting. Portland's program is just starting up and staff will be tracking its progress and additional information on Olympia's program is provided below. Note that White Bird offers consulting services that may be of use as the City continues in the evaluation process.

The City of Olympia's co-responder program, Crisis Response Unit (CRU) is a partnership between the Olympia Police Department (OPD) and Recovery Innovations International, a third party that provides free and voluntary crisis response assistance. The CRU team consists of six full time "Community Response Specialists" that, like Bellevue, operate only during the day, seven days a week. CRU will proactively respond to 911 calls they are certain they can provide an effective response to as well as being dispatched by 911 and requested by the Olympia Police and Fire Departments. Their proactive response is achieved by operating on the same radio channel as the OPD, through their dispatch service Thurston County Communications (TCOMM).

In addition, staff reached out to the City of Bellevue to inquire about their co-responder models. Bellevue's model consists of a two-team approach. First, the traditional CARES (Citizen Advocates for Referral and Education Services) team is staffed by student advocates, all of whom are in graduate school to obtain their master's in social work. Referrals to the traditional CARES team are made by different departments and organizations. A full list can be seen on page two of Attachment J, provided to the City by Carol Harper of Social Visions. The second team, CARES101 Unit is staffed by professional social workers who are available during the day, seven days a week, to be dispatched to a 911 scene at the request of the Bellevue Police or Fire crews on scene. A full time of day incident report can be seen in Attachment J. As Bellevue is dispatched by NORCOM and serves many of the same individuals that Kirkland may interact with, the cities will continue to communicate to identify common interests and opportunities to work together.

- **Next Steps**

Based on all of the conversation to date, there is strong evidence that dispatch is key to a successful co-responder program. Staff asked that NORCOM evaluate how dispatch operations would be impacted and whether additional resources would be necessary as these programs are developed. The Eugene CAHOOTS program is tentatively scheduled to provide a briefing to the NORCOM Governing Board on February 12, 2021 on how

their co-responder model would affect the current NORCOM processes. Staff will provide an update for the Council from this board meeting during the Spring update.

M. Evaluate Implementation of a Community Court (R-5434 § 3a)

- **Targeted Stakeholder Feedback**

This R-5434 element was only identified for discussion by one of the focus groups. That group identified the opportunity for the Community Court to provide restorative justice and overall thought that a Community Court was very important to support systemic de-escalation. The group also emphasized the importance of resources being provided to help individuals reintegrate back into society and reduce recidivism rates.

- **Current Status**

As discussed as part of the Municipal Court briefing at the January 5, 2021 City Council meeting, the Municipal Court Judge and Administrator, prosecutors, public defenders, City Attorney, and City Manager's Office have been pursuing establishment of a Community Court program in Kirkland since early in 2020. The process has been facilitated by a contract Community Court Coordinator, Marilyn Littlejohn, and the initial Community Court calendar is anticipated to occur during the second week of March of 2021. City staff is in the process of recruiting volunteers to fulfill roles that have been key to the success of other Community Courts and ensuring that key service providers are included in the virtual Resource Center that will be part of the program (in cooperation with the Redmond District Court). The initial pilot was funded by a \$50,000 one-time service package and will be a "soft launch" to work out the logistics related to providing this program in a virtual setting. Public outreach about the program will take place prior to the first session so that the public is aware that the resources can also be accessed by community members who are not in the criminal justice system. Additional outreach will take place once the calendar and services are fully operational.

- **Next Steps**

Judge Olson and City staff will report progress and results to the City Council before the mid-biennial budget process begins in the Fall, including an assessment of the on-going resources to operate the program.

N. Contracting for a Comprehensive City Organizational Equity Assessment (R-5434 § 3b)

- **Targeted Stakeholder Feedback**

This R-5434 element was not identified for discussion by any of the focus groups, although one focus group participant suggested adding "racial" to the title of the effort, which would read "Racial Equity Assessment."

- **Current Status**

The City has contracted with Chanin Kelly-Rae Consulting to conduct the organizational equity assessment called for in R-5434 § 3b. The purpose of this work is to allow City Council, City staff, and the community to better understand issues related to organizational and community inequities and to identify strategies for addressing those inequities in City government and the community. Ms. Kelly-Rae conducts such assessments and has provided similar services to the cities of Seattle, Redmond, and Bothell, as well as Amazon Web Services and Hopelink. Additionally, Ms. Kelly-Rae conducted the organization-wide diversity and implicit bias training for all City staff throughout 2019, which provides the foundation for staff to be prepared for the organizational equity assessment process. Beyond the organizational equity needs assessment, Ms. Kelly-Rae will guide a gap analysis and strategic planning process involving the community to better position the City in identifying internal and external growth opportunities relative to the areas of diversity, equity, and inclusion. The result of this work will be an "Equity Plan of Record", which is intended to inform various programs, policies, and practices across the City organization, not just those identified in R-5434.

- **Next Steps**

This work is now actively underway. Ms. Kelly-Rae has begun interviews with the City's leadership, and Councilmember interviews will be scheduled in the coming weeks. Expanded engagement of City staff through interviews, focus groups, and a survey will follow into the Spring.

O. Review of the City's Procurement and Contracting Processes (R-5434 § 3c)

- **Targeted Stakeholder Feedback**

This element of R-5434 was not identified for discussion by any of the focus groups.

Staff met in the Fall of 2020 with local community experts Ms. Ollie Garrett, President and CEO of PMT Solutions and President of the Tabor 100, an association of entrepreneurs and business advocates who are "committed to economic power, educational excellence and social equity for African-Americans and the community at large", and Mr. Luis Navarro, Director of Workforce Development in the Office of Equity Diversity and Inclusion for the Port of Seattle. Ms. Garrett and Mr. Navarro provided insight on how the City of Kirkland could increase the participation of women and minority-owned businesses in Kirkland projects and assist City Finance and Capital Projects staff to identify barriers and remove them.

- **Best Practice Review and Key Considerations**

Based on the conversations with Ms. Garrett and Mr. Navarro, the Assistant City Manager met with the Financial Operations Manager and the City Attorney to develop options that would align the City's contracting and procurement policies and processes with the goals and intentions of R-5434 § 3c. Additionally, staff researched the practices of Whatcom Transportation Authority, the Washington State Liquor and Cannabis Control Board, and the Port of Seattle for practices and programs related to this element. From those meetings and research, staff have drafted the following proposed revisions to the City's procurement process:

1. Create an aspirational goal for the organization for Disadvantaged Business Enterprises (DBEs), consistent with language in R-5434.
2. Work with current suppliers to understand their utilization of DBE suppliers and how the City could increase its utilization of these suppliers.
3. Advertise purchasing opportunities with The Office of Minority and Women's Business Enterprises (OMWBE), Washington Procurement Technical Assistance Center (PTAC) and other available outlets that can expand the City's outreach to DBE firms. This does not have an increased cost for solicitations.
4. Include language in City solicitations for subcontractor/supplier utilization requirements that could require these opportunities to be made available to registered DBE firms. This could include working with the awarded contractor to ensure they sought at least one quote from a registered firm.
5. Review City contract documents to ensure the language and requirements included do not create a barrier for entry for DBE firms.
6. Provide staff training on how to seek quotes from DBE firms on purchases.
7. Start a system of tracking DBE spend to establish utilization trends and an ability to report out on progress towards the aspirational goal.
8. When soliciting qualifications from our MRSC roster, consider making the inclusion of at least one DBE firm in each project.
9. Require prime contractors to interview at least one Black, Indigenous, or Person of Color (BIPOC) consultant or company before making a sub-contractor selection.

- **Next Steps**

Staff are still working through the details of these recommendations, such as establishing a definition of DBE given that there are different considerations at the State and Federal levels. Staff will continue this work in alignment with the organizational equity assessment currently underway by Ms. Kelly-Rae to ensure these are equitable and attainable recommendations for the City's procurement and contracting processes. Based on Council feedback and direction, staff will return to Council with final recommendations at a future meeting in the Spring.

P. Evaluating and Expanding Public Art, Public Symbols, Special Events, and City programming (R-5434 § 3d-3e)

- **Targeted Stakeholder Feedback**

R-5434 § 3d and 3e were not identified for discussion by any of the focus groups.

- **Key Considerations and Best Practice Review**

This element contains four sub-elements: public art, public symbols, special events, and City programming. Of these, only public art has an advisory board or commission, the Kirkland Cultural Arts Commission (KCAC). Staff determined that the R-5434 § 3d process for public art could begin immediately with the KCAC, while the remaining three sub-elements of 3d would best be evaluated as part of the organizational equity assessment.

The Kirkland Public Art Policy Guidelines are used by the KCAC in the acquisition of public art in Kirkland and would be the appropriate starting point to incorporate the themes and priorities of R-5434. Staff surveyed other agencies for art policy best practices in line with R-5434, including an in-depth analysis of the [City of Seattle Office of Arts and Culture](#)¹⁴, the [San Francisco Arts Commission Cultural Equity Initiative](#)¹⁵, and [Grantmakers in the Arts](#)¹⁶. Although the various programs for these three organizations differ, the terminology used in their racial equity statements, program criteria, and other materials guided staff in drafting updates to the Kirkland Public Art Policy Guidelines. The revisions include updated goals and criteria for selecting art, as well as a new racial equity statement. The KCAC adopted the revised guidelines at its December 16, 2020 meeting. The updated Public Art Policy Guidelines are attached (Attachment K).

As part of the 2021-2022 Budget process, City Council included funding specifically intended to support more diverse public art (\$9,000 per year for 2021-2022) and community events (\$16,000 per year per year for 2021-2022). There are potential models in other communities of programs designed specifically around expanding the diversity of public art and community events. Staff recommend that the creation of any new processes to implement funding of public art and events be evaluated as part of the organizational equity assessment.

¹⁴ City of Seattle Office of Arts and Culture: <https://www.seattle.gov/arts/programs/racial-equity>

¹⁵ San Francisco Arts Commission Cultural Equity Initiative Grant Guidelines: https://www.sfartscommission.org/sites/default/files/20CEI%20Guidelines_Final_0.pdf

¹⁶ Grantmakers for the Arts, Racial Equity. <https://www.giarts.org/arts-funding/racial-equity>

- **Next Steps**

The Public Art Policy Guidelines require Council approval, and staff will return to a future Council meeting for Council’s review and consideration of its adoption. Based on Council feedback and direction, staff will include the remaining three sub-elements of R-5434 § 3d (evaluating public symbols, special events, and City programming) and R-5434 § 3e in the organizational equity assessment process. However, if opportunities for creating cultural events, symbols or programming arise before completion of the equity assessment, staff will still pursue them. As new programs or processes are developed through the equity assessment process, staff will return to Council with an update.

Q. Funding Strategies (R-5434 § 5)

The early action funding authorized by Council totaled \$380,000 and helped facilitate immediate implementation of several of the elements in the resolution, notably community engagement, national best practice review, and the organizational equity assessment. Staff have now concluded the first round of targeted stakeholder engagement centered around Black people and have begun transitioning to broader community engagement. As R-5434 implementation is anticipated as one of the 2021-2022 City Work Plan items, staff are prioritizing this work in their respective work programs.

Moving forward, staff anticipate the need for an additional \$65,000 to support the equity assessment and a robust community engagement process that continues targeted stakeholder feedback while expanding engagement with the broader Kirkland community. Below is detailed the total expenditures for early actions and anticipated additional funding needed for continued community engagement. A description of each line item is provided below the table. This would not require new revenue as the recommended funding source is the “Diversity Inclusion Initiatives Citywide” element of the Community Safety Initiative service package (21CS01), of which there is \$109,568 available.

Specific additional funding needs for other R-5434 implementation (not included in the table below), such as dashboard development, use of force data analysis, use of force policy review, and a use of force disparity study, will be brought forward as additional budget and project scope details are determined based on Council feedback and direction at the February 16 Study Session.

Early Action Expenditures	Amount
Extension of Management Analyst through 2021	164,676
Hiring a Temp. Special Projects Coordinator	68,891
Virtual Services Center (Development Services / Welcoming Hall)	8,000
Kirkland Indigenous History Compilation	6,154
Community Court Consultant	2,850
Organizational Equity Assessment Consultant Contract	129,429
Total	380,000
Anticipated Funding Needed	
Organizational Equity Assessment Consultant Contract (expanded)	9,071
Ongoing Community Engagement	55,929
Total	65,000

Extension of Management Analyst through 2021 – The City Manager’s Office has extended the temporary Management Analyst Andreana Campbell’s position through December 31, 2021. Ms. Campbell has taken lead on national best practice review for several topics, has provided internal coordination of consultant contract scopes of work for select vendors, and has supported focus group facilitation. Additionally, this position is anticipated to work closely with the City’s equity consultant and CMO’s temporary Special Projects Coordinator on the organizational equity assessment and equity strategic plan.

Hiring a Temp. Special Projects Coordinator – The City Manager’s Office has hired Chelsea Zibolsky as a temporary Special Projects Coordinator to support all elements of the community engagement process for R-5434. Ms. Zibolsky started on November 23, 2020 and has taken lead on coordinating with community groups for focus groups, organized the February 4, 2021 community meeting, has supported some best practice review and research, and is anticipated to work closely with the City’s equity consultant and CMO’s Management Analyst for the organizational equity assessment and equity strategic plan.

Virtual Services Center – The City Manager provided a presentation on an initial concept for a development services / welcoming hall (renamed the Virtual Services Center) to Council on November 4, 2020. The capital budget includes the adaptation of the pending expansion of City Hall for development services staff into a more open customer service space designed to provide virtual service during the COVID-19 pandemic. The structure of this facility will also create a welcoming space and exhibition hall where the multicultural heritage of Kirkland and the Eastside can be celebrated. This new hall would be funded by development services fees and not general-purpose tax dollars. As directed by Council, staff will return with schematic designs, which will include architectural/engineering consulting, preliminary construction cost estimates, and an overall forecasted project budget.

Kirkland Indigenous History Compilation – The CMO Volunteer Services Coordinator has compiled a first draft from available written resources the hyper-local indigenous history of present-day Kirkland and the shores of Lake Washington. The result of this project will be a 12-page report that includes an equity affirmation, local

land acknowledgment, native place name map, and a summary history narrative. The next stage of this work includes contracting with local Native key experts for their review of the draft report, as well as additional review by leaders of hyper-local tribal governments, federally recognized or otherwise. Staff will bring the final report to Council for review and adoption.

Community Court Consultant – The current status of the work of Ms. Littlejohn, the City’s consultant to support Community Court implementation, is detailed previously in this memo. This expenditure was for 2020 actuals; all remaining cost for Ms. Littlejohn’s contract will be covered by the Community Safety Initiative Service Package.

Organizational Equity Assessment Consultant – The current status of the work of Ms. Kelly-Rae is detailed previously in this memo. This amount is for the entirety of Ms. Kelly-Rae’s contract, which will result in an equity plan of record anticipated to come to Council in late 2021.

Ongoing Community Engagement – This includes both the early action targeted stakeholder outreach, as well as funds for continued outreach. This funding has and/or would be used for various consultants and services, such: translation/interpretation services, an all-city mailing, a paid diversity community advisory group, focus group honoraria, additional communications collateral and advertising, and community organizing consultants and/or staff capacity. Staff anticipated this funding to cover the extent of the community engagement needed through the equity assessment and strategic planning process.

NEXT STEPS:

Staff are seeking direction on the various elements of R-5434 as detailed previously in this memo and approval to schedule the next Council update at the May 18 study session.

Staff are also seeking Council’s concurrence on the allocating the additional funding requested from R-5434 funds to supplement the equity assessment and continue the community engagement for R-5434 implementation.

Attachment A – Resolution R-5434

Attachment B – Right To Breathe Committee Status Report

Attachment C – Focus Group Notes

Attachment D – Puget Sound Regional Council

Attachment E – Focus Group Demographic Overview

Attachment F – School Resource Officer Training Requirements and Status

Attachment G – SRO Task Force Recommendations Status and SRO Current Duties

Attachment H – 8 Can’t Wait Policy Review

Attachment I – Use of Force Preliminary Review

Attachment J – City of Bellevue Citizen Advocates for Referral and Education Services Overview

Attachment K – Kirkland Public Art Policy Guidelines

RESOLUTION R-5434

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND AFFIRMING THAT BLACK LIVES MATTER AND APPROVING THE FRAMEWORK FOR KIRKLAND TO BECOME A SAFE, INCLUSIVE AND WELCOMING COMMUNITY THROUGH ACTIONS TO IMPROVE THE SAFETY AND RESPECT OF BLACK PEOPLE IN KIRKLAND AND END STRUCTURAL RACISM BY PARTNERING WITH THOSE MOST AFFECTED

1 WHEREAS, On February 21, 2017 the City Council adopted
2 Resolution R-5240 declaring Kirkland a Safe, Inclusive and Welcoming
3 Community for all people; and
4

5 WHEREAS, following adoption of Resolution R-5240, the City has
6 taken many budgetary and policy actions to make progress towards this
7 goal but recognizes there is still much more to be done to achieve
8 equity, justice and inclusion for everyone; and
9

10 WHEREAS, since the tragic killing of George Floyd by a police
11 officer on May 25, 2020 in Minneapolis, Minnesota, there have been
12 dozens of protests, marches and rallies in Kirkland calling for an end to
13 structural racism and for the City to demonstrate that Black lives matter;
14 and
15

16 WHEREAS, at the June 16, 2020 City Council meeting, the
17 Council issued a formal statement to the community on issues of
18 structural racism and injustice and requested that the City Manager
19 develop "a framework for a citywide response to the issues of bias and
20 racism towards our Black and brown community members" to be
21 presented at the July 7, 2020 Council meeting; and
22

23 WHEREAS, the June 16 statement also asked the City Manager
24 to bring to the July 7, 2020 Council meeting "a request for necessary
25 resources for early implementation actions and community-wide
26 conversations on these critical topics"; and
27

28 WHEREAS, the Eastside Race and Leadership Coalition has for
29 several years brought together local stakeholders from across the
30 community in pursuit of a vision in which the diversity of leaders in local
31 government, social service and non-profit organizations, commerce and
32 education sectors reflect those living in the communities, and that the
33 decisions they make respect the cultural and social differences of those
34 living, working, learning and growing in these communities and
35 eliminate barriers that would otherwise keep them from achieving their
36 fullest potential; and
37

WHEREAS, several notable Black leaders from the Eastside Race and Leadership Coalition formed a group called the Right to Breathe Committee, and since June 12, 2020 have been engaging the City in discussions and have called upon the City to abolish systemic Anti-Blackness to ensure equal justice, provide oversight and accountability through equitable shared decision-making that embodies the phrase "nothing about us without us", and de-escalate encounters involving people enforcing laws and rules against Black people; and

WHEREAS, community members have encouraged the City to evaluate police policies against the national Campaign Zero's "8 Can't Wait" campaign to end police violence, and to commit to President Barack Obama's four part "Mayor's Pledge", which includes: reviewing the City's police use of force policies; engaging the Kirkland community by including a diverse range of input, experiences, and stories in the review; reporting the findings of the review to the community and seeking feedback; and reforming the City's police use of force policies;

WHEREAS, this resolution incorporates elements of the "8 Can't Wait" and "Mayor's Pledge" initiatives and is also intended to create a path to progress on the goals of community stakeholders seeking change;

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The City Manager is hereby directed to develop Transparency strategies to allow the community and the Council to understand how the City as an organization is performing. These strategies shall include but are not limited to:

- a. Developing a police "use of force" public dashboard;
- b. Evaluating enhancements to the existing police dashboard that help guard against bias in police action;
- c. Developing a School Resource Officer public dashboard;
- d. Developing a Human Resources public dashboard;
- e. Developing a Human Services public dashboard; and
- f. Other strategies identified by the community and the Council.

Section 2. The City Manager is further directed to develop Accountability strategies to allow the community and the Council to understand the City's current police use of force policies and identify possible changes to such policies. These strategies shall include but are not limited to:

- a. "8 Can't Wait" police use of force policy review;
- b. Contracting for third party policy use of force review and use of force data evaluation and analysis;
- c. Structured Council use of force policy and data deliberations;
- d. Evaluating options for independent civilian oversight of police use of force.
- e. Developing a police body camera pilot program; and
- f. Review of national best practices for alternatives to police for

90 serving those experiencing homelessness, behavioral health
91 issues, drug addiction and other community challenges.
92

93 Section 3. The City Manager is further directed to develop
94 further Accountability strategies to allow the community and the Council
95 to understand and identify possible changes to other City organizational
96 structures, programs, and policies. These strategies shall include but
97 are not limited to:

- 98 a. Evaluating implementation of a community court to reduce
99 disproportional impacts on traditionally marginalized
100 populations;
- 101 b. Contracting for a comprehensive City organizational equity
102 assessment to identify gaps in diversity, equity and inclusion
103 in all areas of City policy, practice and procedure, and to
104 identify proposed actions steps to address these gaps;
- 105 c. Conducting a comprehensive review of City procurement and
106 contracting processes and documents to eliminate barriers
107 for disadvantaged businesses enterprises to compete for City
108 projects;
- 109 d. Evaluating whether public art, public symbols, special events
110 and City programming in Kirkland are welcoming to all
111 community members;
- 112 e. Expanding the diversity of public art, symbols, events and
113 programming to be more inclusive; and
- 114 f. Other strategies identified by the community and the
115 Council.
116

117 Section 4. The City Manager is further directed to develop
118 Community Engagement strategies to facilitate citywide conversations
119 about structural racism and policy and program solutions. These
120 strategies shall include but are not limited to:

- 121 a. Community engagement process centered around Black
122 people;
- 123 b. Targeted additional stakeholder engagement including
124 Indigenous people and people of color, with a focus on
125 including intersectional voices;
- 126 c. Town Halls, virtual meetings and small group discussion;
- 127 d. Surveys, mailers and social media campaigns;
- 128 e. Council retreat and public hearings; and
- 129 f. Other strategies identified by the community and the
130 Council.
131

132 Section 5. The City Manager is further directed to develop
133 Funding strategies to implement the entire framework set forth in this
134 resolution. These strategies shall include but are not limited to:

- 135 a. Funding an outside review of police use of force;
- 136 b. Funding a body camera pilot project;
- 137 c. Funding community engagement strategies;
- 138 d. Reserving additional funding to implement ideas from
139 community engagement, a national best practices review,
140 and the equity assessment; and
- 141 e. Meeting other funding needs identified by the community

142 and the Council.
143

144 Section 6. The City Manager is hereby directed to return to the
145 Council by August 4, 2020 with funding recommendations for Council
146 authorization to implement the elements of the framework resolution.
147


148
149 Passed by majority vote of the Kirkland City Council in open
150 meeting this 4 day of August, 2020.
151

152 Signed in authentication thereof this 4 day of August, 2020.




Penny Sweet, Mayor

Attest:



Kathi Anderson, City Clerk

City of Kirkland Progress Report
[Right To Breathe Committee Status Report¹](https://www.righttobreathe.us/dashboard)






**RIGHT TO
BREATHE**

**CITY OF KIRKLAND
PROGRESS REPORT**




Right To Breathe Policies

Purpose: Ensure safety and respect for Black people by abolishing anti-Black systemic racism, establishing equitable oversight and advisory processes, and de-escalating the policing of Black bodies.


Status and Legends

-  Aligned: Common understanding of objectives & means. Work needed towards policy and implementation
-  Exploring: Working to determine whether objectives and means can be aligned.
-  Impasse: Objectives not in alignment

Local Government Domain Status

-  Establish Community Oversight Board/ Commission for Black people.
-  Establish Black people advisory committees for each department
-  Establish Community Forum

¹ <https://www.righttobreathe.us/dashboard>



RIGHT TO
BREATHE


CITY OF KIRKLAND


PROGRESS REPORT

Right To Breathe Policies



Purpose: Ensure safety and respect for Black people by abolishing anti-Black systemic racism, establishing equitable oversight and advisory processes, and de-escalating the policing of Black bodies.

Retailers and Public Accommodations Domain Status




 Post signage for patrons to call Oversight Board/Ombudsman if they feel they are being singled out or followed by employees

 Annual anti-racism training for any public-facing employees for businesses operating in the municipality




City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Municipal Government	Establish Community Oversight Board/ Commission for Black people.	<ul style="list-style-type: none"> Oversight, not advisory - Clarify shared objectives. Made up of Black members of the municipality. <ul style="list-style-type: none"> Centers Black people and their historical/personal experiences. City residents, business owners, or employees in a municipality. Acts as an Ombudsman for issues/concerns that Black people (including City employees) have with the City - investigating concerns and advocating for redress. Authority to review any and all municipal policies. <ul style="list-style-type: none"> While under consideration by commissions, councils, or departments. Review existing municipal policies. 	<ul style="list-style-type: none"> Review and adopt language for shared objectives. City's Management Consultant will review other cities for possible models. 	
		<ul style="list-style-type: none"> Fully independent. <ul style="list-style-type: none"> Self-governing. Board self-selects, not appointed by Mayor, Council, or City Manager. Funding with a separate line item in the budget. Makes rulings directly to the departments, not to Council. 		




City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Municipal Government (Cont'd)	Establish Black people advisory committees for each department	<ul style="list-style-type: none"> Made up of Black members of the municipality. <ul style="list-style-type: none"> Centers Black people and their historical/personal experiences. City residents, business owners, or employees in a municipality. <i>We have to get to the intent in ways that are lawful.</i> Advise on anti-racist hiring policies to help reach defined hiring goals. Acts as a sounding board (and early warning system) for department heads and Council. 	<ul style="list-style-type: none"> City makes next proposal - possibly establish a single advisory committee for whole government (other than police). 	
		<ul style="list-style-type: none"> Quasi-independent. <ul style="list-style-type: none"> Self-governing. Board self-selects, not appointed by Mayor, Council, or City Manager - with criteria established by the municipality. 		
	Establish Community Forum	<ul style="list-style-type: none"> Regularly bring people together to discuss and collectively advance solutions for ongoing issues and concerns for Black people. Could be a part of some larger program. Ongoing education about historical context and current systemic issues related to anti-Blackness. Standing membership/participation includes: <ul style="list-style-type: none"> Community members - Black, PoC and non-PoC. Business Community - Public Accommodations and Employers. Civic/Community/Faith-Based Orgs - Black, PoC Focused and not PoC Focused. City Government including police. City Council members to liaison. Run by and prioritized within the appropriate City Department. 	<ul style="list-style-type: none"> Budgeted. Possible evolution of Welcoming Kirkland Initiative. Next step: planning session for implementation. 	




City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department	Immediate Policing Changes	<ul style="list-style-type: none"> Institute de-escalation measures for protests - use of tear gas and batons only as last resort. Establish a community-led commission to review all arrests and uses of force since May 25th. Distribute financial compensation for all people who have been teargassed or had force used against them. Donate equivalent funds that were used for riot control. 	<ul style="list-style-type: none"> COK believes its actions during the summer protests were consistent with the intent behind these strategies. 	
		<ul style="list-style-type: none"> Eliminate all tactics that restrict the airways (ie. Compressing the neck/knee) Eliminate all choke holds - even in cases of use of deadly force. 	<ul style="list-style-type: none"> Reviewing policy language on key measure of elimination of all chokeholds including Vascular Neck Restraint. 	
	Establish Civilian Oversight and Accountability Committee (in addition to Advisory Committee to the Chief)	<ul style="list-style-type: none"> Oversight, not advisory with public rulings and ability to issue an infraction. Comprised of Black members of the municipality centered on Black people and can include City residents, business owners or employees in a municipality. Fully funded Independent and self-governing body, with ability make rulings to the Chief, IA and Council. With Authority to review any and all incidents including use of force, review incident reports and release all videos within 48hrs to public. Liaise with Police Tribunal, propose policy changes and recommend firing officers, Publicly issue information about the Police Department. Works in parallel to internal police tribunal and/or internal investigations on major incidents. Works in parallel to internal police tribunal and/or internal investigations on major incidents. 	<ul style="list-style-type: none"> Agreement in principle. Next steps include discussions about implementation discussion and timing. 	




City of Kirkland Progress Report


Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Defund School Resource Officers	<ul style="list-style-type: none"> • Reallocate funds to school counselors and mental health support. 	<ul style="list-style-type: none"> • Reviewing Impasse. Direction from levy and School District partnership are among reasons cited. 	
	Establish De-escalation as the highest priority for police interactions	<ul style="list-style-type: none"> • Mandatory to deploy de-escalation tactics upon contact with all subjects. <ul style="list-style-type: none"> • Mandatory de-escalation training of all officers that results in decreased uses of force as well as in-custody and officer casualties. • Evaluate and update training until uses of lethal and potentially lethal means decreases in cases where the officer determines force is needed. 	<ul style="list-style-type: none"> • Agreement on intent. De-escalation language added to Use of Force policy (was in separate location). Consolidating language across functions, including jail. 	
		<ul style="list-style-type: none"> • Develop and train on compassionate Uses of Force For restraint, i.e. use tactics used by nurses and mental health providers. (Excluding tranquilizer/sedatives ie. Elijah McClain). For responses to violent threats, i.e. use non-lethal and less lethal uses of weapons and tools. 		

City of Kirkland Progress Report



Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Demilitarize the police Department	<ul style="list-style-type: none"> Reject AI & Machine Learning surveillance in community. <ul style="list-style-type: none"> Not intended to restrict cameras. Reserve assault weapons for SWAT-specific missions, approved by the Police Chief who will have informed the CEO of the municipality (mayor or city manager as well as the elected council). Money from police department seizures of property goes to community policing and/or school counselors. <ul style="list-style-type: none"> Federal and state law restricts where money can go. Oversight board evaluates and holds accountable. Eliminate military-style equipment and tactics (including "No-Knock" warrants). 	<ul style="list-style-type: none"> Aligned, current practices consistent with this objective. State law restricts No-Knock Warrants. Next steps include clarifying how this interrelates to Oversight. 	
	Mental Health Training for Officers	<ul style="list-style-type: none"> Establish policies to require mental health- and trauma-informed policing by all officers. 	<ul style="list-style-type: none"> Aligned, current practices consistent with this objective. Review language, including whether the State mandate falls short. 	
		<ul style="list-style-type: none"> Clear targets set to decrease uses of force when contacting people with mental illnesses. Clear consequences established if target is not achieved. 		

City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Establish non-commission (unarmed) Officers	<ul style="list-style-type: none"> Create a timeline to make 50% of officers unarmed to handle issues where use of force is rare and/or not anticipated (i.e. traffic enforcement, taking reports, etc). 	<ul style="list-style-type: none"> Aligned on intention behind the Goal. The City's approach is to add unarmed co-responders with subject matter expertise available 24/7 Budgeted 	
	Make enforcement of non-violent quality of life and "broken window" violations the lowest priority for the police department	<ul style="list-style-type: none"> If called to the scene by a civilian, contact the caller first to educate them of steps to take instead of calling the police. If no violation of law - then no law enforcement 	<ul style="list-style-type: none"> Aligned on intention behind the Goal. Review language to ensure no ambiguity 	
	Educate/inform people who call the police due to feeling unsafe or on suspicion	<ul style="list-style-type: none"> Shift the stance of protection and service from the caller to the person who has had the police called upon them. Treat this as a threat of violence, unless, upon arrival, the officer sees a clear violation of law or threat to safety. Do not contact the person who has had the police called on them unless the officer sees a clear violation of law and/or threat. No more "move along" service by the police. Only intervene in cases where a law has clearly been violated. Contact the caller first to assess whether there is a legitimate threat Educate the caller about unnecessary police calls. 	<ul style="list-style-type: none"> Aligned on intention behind the Goal. Review language to ensure no ambiguity. 	

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Police Department (Cont'd)	Establish program to recruit Black police officers	<ul style="list-style-type: none"> Publicly commit to increasing the percentage of Black officers on the police force to reflect the Black population of the municipality. Escalate the issue if target is not achieved. 	<ul style="list-style-type: none"> Agreed and in process. 	

City of Kirkland Progress Report

Policy Domain	Goals	Key Strategies	Notes/Next Steps	Status
Retailers and Public Accommodations	Post signage for patrons to call Oversight Board/ Ombudsman if they feel they are being singled out or followed by employees	<ul style="list-style-type: none"> Calls compiled and tracked. <ul style="list-style-type: none"> Excessive calls lead to termination of business license. Police must consult the tracking list when/if being called for an "unwanted person," trespass, or other contact to add context to the call. Oversight Board publishes an annual rating to be publicly posted at business site. Make requirements for business license application and/or renewal. 	<ul style="list-style-type: none"> Agreed and in process. Next steps include developing a pilot program, potentially with regional partners. Pilot program will likely not include business license requirements. 	
	Annual anti-racism training for any public-facing employees for businesses operating in the municipality	<ul style="list-style-type: none"> Minimum training specifications established by Community Oversight Board. <ul style="list-style-type: none"> Make certification a requirement for business license renewal. Access to training that meets the specifications made available for free through the city or local chamber of commerce. 	<ul style="list-style-type: none"> Clarify shared objectives to move this to alignment. Include in workplan for development of Community Oversight Function. 	

R-5434 Targeted Stakeholder Engagement - Focus Group Notes

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52.

Below are staff's raw notes from the focus groups. All focus group notes are organized together by R-5434 topic.

Use of Force Dashboard

- Is supplemented by a monthly standing meeting with KPD / City staff
- Listening/conversational session; gives an opportunity for community members to be heard.
- Is easily findable and accessed
- Has transparent methodology for tracking
- Transparent about how the data is collected (for example race and gender)
- Use of Force Investigation – Should be a third party investigating
- Need accessible information and objective analysis.
- Reduce the potential to have a conflict of interest.

Existing Crime Dashboard

- Including drug offenses - tends to discriminate on POC.
- Don't just include DUIs
- Diversify who looks at the data and gives the City feedback on the data.
- Make it available in different languages
- Report on non-criminal activities - conditions and criteria of the call; what criteria would we put it on the dashboard?
 - Was the call made anonymously; who is the individual who made the call; and what was the reason for their call; the officers' reaction(s) to the call.
- Turn the report into a video
- Don't just post to website and not say anything
- Do more than just present to the council; mailing list for updates; also in different languages
- Include demographic data
- How does the city use this dashboard to inform and implement policy?
- Break down each metric to show demographics, reasons for the call, outcome of the call.
- Usable data. Capture metrics that you can then use to respond to what the community needs

- Make it clear to the community that this data will not be siloed
- Get many points of feedback from the community throughout the process
- All the dashboards play into one another.

School Resource Office Dashboard

- Students don't generally have that great of a relationship with their SRO
- The SRO makes students more uncomfortable (armed individual walking around the school)
- For the dashboard to be effective, need to reimagine SRO program
- Right now SROs are dealing with the fear of an active shooter, but that's something that's not day-to-day; instead they should be working with counsellors to support students as highly-trained mental health professionals; data will follow
- Armed individuals (SROs) in middle schools is not needed because students are too young
- SROs seem to monitor / hang around Black and brown students, implicit bias at play
- Undermines confidence in SRO system due to Asian and white students being able get away with drugs, etc.
- Armed individuals do not help students feel safe
- Makes students uncomfortable, predatory feeling
- Doesn't seem like SROs are there to protect students but are there to criminalize students
- Reprioritize funding for counsellors (particularly BIPOC) to connect students with services they need
- SRO Program itself needs evaluation
- Should work more as mental health professionals
- How are we counting "number of students served."
- Middle school students are too young to have SRO
- Tend to hang around the black and brown kids at school; Implicit bias; don't need to be armed
- Doesn't make students feel safe; more money should go to BIPOC counselors
- Uncomfortable around the SRO
- Predatory presence
- SRO would constantly hover over groups of black and brown people, chime in their conversations in the common area when students were minding their own business (all were saying this was their experience).
- Seems like it's only meant to deal with active shooters, and not patrol drugs at all
- Especially when those drug using kids are white/Asian
- SRO – plays into the same rules as outside of school but is more detrimental
- An environment dedicated to learning, students of color see badges as threats to the lives
- Want SROs taken completely out of schools
- Money reinvested in counsellors, co-responders
- Initial impetus for SROs was Columbine, but they have detrimental effects
- SROs allow for prison pipeline to happen in schools
- Officers might enter situations inappropriately – could lead to arrests, etc. Oftentimes officers don't see de-escalation as being their priority
- If student taken out of school, then they're just getting behind
- Reductive to assume putting a "good officer" in front of student of color will help them become more comfortable with police

- An institutional problem can't be overcome with an interpersonal relationship
- Presence of police is a form of use of force – presence of a weapon imposes your authority over others
- One friendly cop won't melt years of evidence that cops are an oppressive force
- Police officer in a school – purpose of police officer outside of school will be replicated in school – default is to criminalize
- For those that say SRO does more than policing (building connections with students, wellness, etc.), those actions should be carried out by "wellness responders"
- Systems/programs in place to help achieve this, but lacking funding
- Don't just reform the program; invest in counseling and therapy – not just reactive policing; definition of SRO seems more in line with counselor than officer; need for targeted conversations with BIPOC students that the average experience isn't capturing; Define SRO and ask the community if these roles and responsibilities could be filled more effectively with a different position.
- Community Wellness Committees: adults serving the overall health of students (mental and physical); Mental Health Counselor – proactively checking in with students; potential for a board that helps provide mentorship for students; could perform the role of SROs at a higher proficiency
- Student advocate model in place of SROs - in line with ECC vision
- Do we have data on the number of crimes on a school day?
- How often are ready-on-call police officers needed?
- Activities SROs are doing daily?
- If no arrests are made, why do we have officers on site?
- How are things being reported?
- Is evidence being misinterpreted?
- Introduce the SRO – students may not know their role or the fact that they're there.
- Role of the SRO is diluted when they're asked to handle things like mental health – divest those resources into positions that are more equipped to handle these things (Restorative justice counselor)
- We need representation in schools of Black SROs
- Address the issue of the "empathy drop" (cognitive dissonance) around BIPOC students by raising our level of understanding.
- Need more than just a month dedicated to Black history.
- Address systemic sustained racism with the same urgency and COVID.
- Take accountability
- Want to see people of color on the 5434 team so when we have these conversations we're not needing to be educated on the past.
- Visibility of an SRO doesn't tell the full story of what the data is showing.
- Be very cognizant of what your policies are inadvertently allowing SROs to do/be.
- Students' rights inside and outside of school are very different.
- Proactive accountability needs to be written into the policy.
- "Good apples in a bad orchard" isn't going to cut it.
- A restorative justice dashboard is needed.
- RJ Counselor helps students with restoring individuals into the community, between students and teachers, etc.
- Invest in new programs and don't just allow SROs to have more resources for them to send students to.

- Divest in SROs and reinvest in other resources for mental health, domestic violence, and general instances that need de-escalation
- Don't like the phrase "alternative policing" because it's not all encompassing of the problem that needs to be solved – same guidance for "co-responders" as well ("Support and Serve" should be front and center).
- Larger review by a committee that consists of a broad range of stakeholders (especially the schools regarding SROs) – ongoing engagement with the community on the process.
- Imbalance of negative SRO impact on BIPOC community.
- Rather you spend the money to train officers to not be abusive/racist/profiling behavior rather than catch poor behavior on camera and review and debate about it the treatment. Think about what the answer be if it were profiling/abusing white students. Equal and opposite reactions to consider
- Stats on incidents that need police response – i.e. need for full police gear, immunity? If not much data, why do we need police officers at schools?
- A Dashboard for Restorative Justice is needed
- SRO experience – student accused of having a knife, the SRO didn't confront them, but called for backup (3 officers), no knife found; why have a police officer there in the first place? As a Black student, does not feel comfortable to ever go up to an SRO
- Common denominator for African American students to ever go up to an SRO is that situations are often not assessed correctly (being misinterpreted by SROs)
- Didn't know had SRO for a year – SRO should be introduced
- Biggest defense is they can be a bridge for service – seems to dilute the role of SROs, don't believe SROs are best equipped to handle things like mental health; divest those resources to people that are more – restorative health counsellors, school counsellors, psychologists or Restorative Justice Counsellors – relationship, racial healing circles
- There is safety in SRO relationships when the SRO is a Black man. Safety for Black students is with Black representation present in their schools. That is not the case in suburbia schools on the Eastside. [Seattle SRO's]
- The school where my son attended in NC had a Black man as an SRO. He was a mentor to many students of color and Black students. I have seen a very different role here. My Black students have absolutely been tracked and followed by the SRO.
- Rise level of understanding so policing won't be needed in schools
- Racism is the biggest disease that we face; learning loss and bringing students back to school – there's equal learning lost when Black students are in places where they are oppressed; these conversations can't remain siloed; accountability
- Hire Black people to positions of power to address and held accountable; people not held responsible for racism and racist acts
- There's also a stress factor to our BIPOC students' ability to access their education to the fullest that white people will never understand.
- SRO – pandemic of silent policing; even if we have SROs giving presentations, at the same time, they are still policing and profiling Black and brown students; call to rewrite policy to be direct about what the SRO can and can't do; youth rights is an ongoing issue – within schools those rights are blurred; re: representation matters, but not all the way for police in a school; "Good apples in a bad orchard"; no uniform "he's one of you, but he still has all the power to intimidate".
- There is no accountability for any of it. SRO is not transparent while they have total access to students with no protection from them. Their word against white male adult.
- More effective to invest in schools that need school psychologists or other resources

- Hopes that it doesn't become a jurisdiction issue where the city sees it a District issue, etc.
- Wants us to go to City Council to put real pressure for divesting SRO in support of co-responders
- Police in schools: 1) badge can be a means for intimidation (if that officer can't relate to students, that is a problem)
- Majority of SROs are not PoC; if white officer in majority (or just high amount of) POC student school, communication is key
- Students of color need to have leadership examples
- Those wearing the badge need to respect students of color as well as other students
- (growing up, experienced harassment) different here than in CA;
- Putting cops immediately into children's lives is not helpful for students – presence of authority isn't necessary for a school; SROs were never nice, blew situations into a bigger situation
- No reason to have cops in schools in Kirkland (as opposed to other cities with more danger for students) – resources should be going somewhere else; white students at schools can feel safe around the nice cops – can be manipulative;
- Went to Juanita HS, saw kids get arrested, if both Black and white kids, observed Black kids getting arrested first – different treatment by administration, officers; in Kirkland we don't have the same type of issues as in other cities, but there's a clear difference in treatment between Black and brown kids vs. white kids; instead of having someone with a badge and gun, would prefer counselling skills, instead of arrest could talk kids out of the behavior issues to keep students out of prison system
- Saw someone get detained – white and Black students got in a fight, SRO decided to detain the Black student and do nothing to the white student, when tried to complain/report, was denied rights; whenever that SRO walked into the room, all the Black and brown students would take three steps back; SROs were cold to students of color; all the students wanted him fired; if the Black students feel uncomfortable, there's a reason for that, listen to that; white students could get away with vaping, students of color were reported/searched – reports about white students wouldn't be followed up on; ... would have very happy to never see an SRO again – students would skip classes or avoid areas because the SRO was there, when grades drop whose fault is that – the hostile environment or student? Whenever brought up with school administration, always dismissed for students being too young and not knowing; SROs automatically putting experience onto students of color is not okay; SRO made the situation uncomfortable; day to day interactions
- Dealing with administration at the school on a couple occasions, made contact with the SRO – automatic fear from SRO; authority mis-used is going to traumatize kids; the America of PoC is different from the SRO's America
- If only 1 arrest for the whole year, then funding should be reprioritized for other services
- Whole system issue – America as a country is so ingrained with white supremacy and anti-Blackness, so subsidiary systems (schools, etc.) will have that also; to decrease harm is an urgent thing – replace people with guns with counsellors, etc.
- Not just the SROs – administration and teachers, brush issues under the rug

HR Dashboard

- Includes City leadership, appointed Boards and Commissions

- Disaggregated (management – is the City advancing into leadership positions people with diverse backgrounds?)
- Includes context for equity and inclusion efforts – that diversity in staffing does not equal/define equity, but is a helpful starting point; context in a demographic landscape with larger explanation of equity in hiring -Has benchmarks with the larger Eastside, not just Kirkland demographics

Civilian Oversight of Police use of Force

- One pillar of Campaign Zero - <https://www.joincampaignzero.org/oversight>
- History or track record review of officers
- Reference Campaign Zero for structure/format
- Campaign Zero goes beyond 8 Can't Wait
- Use of Force is part of 8 Can't Wait
- Other pillar – community representation, demilitarization, end of for-profit policing
- Who is chosen to be on that oversight, and what powers do they have?
- Housed completely separate from PD building
- No friends/family, etc. of PD – no way related to PD -Should have power to press charges within a timeframe depending
- Community members should have easy access to view and submit complaints
- All complaints should be going to oversight board separate from PD
- DEI Manager should have stake in who's on the oversight board
- Council can select some number of positions
- Others should be appointed based on community engagement process
- Reaching out to specific community organizations for reps and/or recommendations, and/or providing input to Council appointee selection
- Semi-judicial authority; subpoena power
- Needs to have actionable power, so they can have correct info when needed and can act upon the info if they deem actions were handled incorrectly by the PD
- Would like to see a Black commission or board
- Middle option described in our memo – are there additional powers depending on the outcome of the investigation? What happens after the appeal is given is open for discussion – ECC likes this if the board can elevate to a third party to perform an investigation
- One of the biggest issues is that they are overfunded – toys and gadgets that essentially results in a military force (no need for that level of equipment, assault rifles, etc.) overuse of money
- Officers trained more to use force than not to use force – de-escalation needs to be first
- Personal experience with officers always results in force Agree with divesting of KPD; getting overpaid and there are no repercussions; equipment/gear, wages, and number of officers
- Defund 50%; teachers and social workers are underpaid compared to police officers
- Generally, the concept of “defund police” means take X amount from PDs and put those funds into the community – put the mental health –type concerns to trained professionals (psychologists, mental health counsellors, social workers, etc.)
- Readdress background checks (if patterns of excessive force [ref: officer who killed George Floyd])
- If you defund the police departments, then most of the officers of color would lose their jobs

- The gear/equipment is for what might happen; actions of a few reflect on the attitude of the mass
- If you defund, they're not sending the equipment back; defunding takes dealing with the Unions – designed to protect the people they represent, lawsuits
- Tough work, good training out there, but some troublesome people causing issue
- When you are being fired upon or have to fire back
- Some people out there should not be in certain jobs; people making choices, and there are unfortunately white people out in the community that look at Black people and think the worst
- Laws should be made so Unions can't protect people doing bad things; if there are police officers who have patterns of excessive force, then the Union shouldn't be protecting them; what happens after review of excessive force incidents? Real accountability and consequences Notion of defund the police therefore BIPOC officers will get laid off is a manipulative tactic of police
- Kirkland could follow Seattle's example of defunding

Body Cameras

- Whether we need these things or not, get body cams out there, do the hard police reform work.
- There's a desire to focus on other things, but those other things are not what the public is focusing on and the media isn't focusing on either.
- Body camera memo - quotes an old 2013 ACLU report that has since been superseded. Thinks the ACLU will reach out to the City.
- Worn and on at all times, with ramifications if not done
- Outside body should be able to access that footage – community oversight
- PD shouldn't be only ones reviewing their footage – that would defeat the purpose
- Outside body can evaluate for use of force policy
- Policy is very clear – very clear actions if policy broken – then they can serve a great function
- We want body cams as long as they're on at all times
- Clear consequences if not, and third party oversight
- If no to any of the above, then no body cams
- Use the body cams to catch the positive interactions; only showing bad interactions, highlighting Black people as criminals, reinforces the stereotype
- Body cam needs to happen with the identity work first; Having the police see Black people as human and Black people see them as human, that's more important than the camera
- Instead of body cams, rather have security cams in public places
- How does the City gauge success in a pilot program (body cameras)?
- Works only if the review of footage doesn't come directly from the PD.
- Needs to be progressive.
- Worth investing in, but needs independent review.
- Training is needed, not cameras that address the issue after the fact – be proactive.
- Body cams for sure!
- It'd be helpful for to go back and check what happened
- Will only work if review of footage isn't within PD; it being in Charlottesville helped; worth investing but would need to be reviewed by outside body to be effective
[seconded]

- Makes the most sense to have a third party conducting investigations; PDs are struggling to have more accessible info, so even from that standpoint, having a 3rd party would add validity
- Reviewing SRO program (Chief, PD, parents, students) and hired independent contractors to review use of force – middle ground of addressing stakeholders and having them be involved in review, as well as PD
- Input about SROs in schools and a connection/understanding that there is actually legislation (RCW) – very important that people are educated (nothing about us without us); Black community has been the most impacted historically by racism and racist acts in this area; bring this out to broader community (not just word of mouth – who you know)

National Best Practices on Alternatives to Policing

- (Reference) Eugene's CAHOOTS program; from dispatcher's perspective for calls that are nonviolent; has the same resources as the police department (can be dispatched from 911 calls)
- Police aren't present when healthcare professional doesn't arrive; if PD is there, they should stay in the car or monitor from a distance; armed individuals can be incredibly stressful (particularly mental health situations), and may help deescalate situations
- (Reference) New Zealand where police officers aren't armed – aren't considered scary because they don't have guns; not carrying guns will help build trust
- Not in typical police/fire uniforms; shouldn't look like a police officer; easily identifiable and not armed
- Having these co-responders be diverse as well would be really beneficially. More women and POC would be better
- Should come automatically to calls and not on a request basis; will help with baseline de-escalation; 911 operator could ask certain questions to help inform and understand the specific situation, what kind of crisis; when is a weapon even necessary/needed in a situation – how does that influence the escalation of a call?
- Informing excessive force usage to ensure safety; can take action to intervene on police action to protect suspect from potential abuse of use of force
- Is separate from police department culture; distanced from the institution while culture change is happening
- Based on a relationship of trust between the co-responder and the police officers; co-responder has full authority (legal, reporting, etc.) over the police officer – separate enough to still encourage action if needed -CAHOOTS
- Officers stays in the car and doesn't wear a uniform; can trigger a negative response from
- Are the co-responders on every call or on a request only basis? Should be on every call
- Who should make that decision? The dispatcher? Maybe ask certain questions of the situation to figure out who should respond to the call; get an idea of the crisis and respond accordingly.
- Excessive force - when is that necessary? Which areas of a body not to touch? - neck
- Do you exchange efficiency and safety for accountability?
- Are there going to be mental health co-responder program part or adjacent to PD?
- What department will they be in?
- Who's responsible for showing up to homelessness coordinators
- Redmond has co-responder in PD and homeless coordinator in different department

- We want to see more where they are housed outside of PD
- We don't want to add mental health to PD budget
- Dispatch logistics will need to be worked out
- Our goal is to create alternative systems, groups that are separate from PD
- Homeless coordinator should be department of their own, or together with mental health responder
- First FTE should be separate from PD
- "Community Wellness" Department – designated to these alternative functions
- Drug resources
- Homeless coordination
- Mental health assistance
- If unclear PD presence is necessary and MHP sent, PD should have pulse on situation
- De-escalation really comes in; PD should never be the ones to escalate
- Historically PD has escalated situations with those experiencing homelessness, mental health issues, etc.
- Escalation only harms community more
- Policing is inherently reactionary
- PD has authority to exercise use of force
- Situations that require a forceful reaction are very few
- Many reactionary responses need to have de-escalation
- Use of force - enabled individual should not be default response
- Crime – people break the law, but only those caught, tried, guilty are criminal
- The increase of policing tied to increase in crime because more police find more crime
- Instead fund those that stop the crimes before they happen
- Survival crimes – lack of housing, food, etc.
- Crux of defund police movement is to shift that funding to treat issues before crime occurs
- We need to invest in crime prevention and not forceful reactions to crime (i.e. police)
- Resources for mental health co-responder program in City of Redmond Demand Document <https://bj.a.ojp.gov/program/pmhc>
- More than one-year plan
- Growth of alternative policing strategies; homeless coordinators > police showing up on scenes where police are not needed
- Big need for a homeless coordinator – continuum of care, connecting homeless individuals to resources
- Redmond homeless coordinator has 60 cases alone – not sustainable; recidivism rates could be diminished if coordinator has less cases.
- No police officer in a social situation where they don't belong – not the complete abolishment of the police dept.; sweeps of encampments do more harm than good – this position can help; funding community systems in place of what police have been asked to do.
- Model for a City: Mental Health Dept.; specialized training for dispatcher to determine requirements needed on scene and what social services are required – a 911 call is not an immediate need for police to be dispatched; educating the community on the resources besides calling 911; streamlining of City resources; connection to the "complete system;"
- Police Mental Health Collaboration - ECC's demands have a link to a "how to" – unique to each cities needs; prefer separate PD and Mental Health Dept but have strong

collaboration; subtle differences are key; Council of State Govt Justice Center – reach out and begin conversation on collaborative efforts.

- “Alternative Policing” – doesn’t like that phrase, having racial equity and support and services and understanding of Black community experience – look creatively at what will support Black community; begin with how we’re respectively saying services, support, and collaborate
- CAHOOTS (Oregon) - 911 call related to mental distress, drugs – there’s a team of trained social workers with or without police depending on situation; models like that are cities in general need to be looking at; mental calls don’t necessarily need to respond to those calls; when you add a gun to a mental distress situation, it generally would escalate.
- Need to rely less on police being social workers Kirkland has an opportunity to do something that can be used elsewhere.

Community Court

- Very important
- Needs to have community representation
- Anyone who goes through community court has resources, so they don’t repeat crimes; part of their “sentence” is to engage in resources
- Reference Redmond
- Safety net – shouldn’t be one strike and you’re done. Should restorative justice, prevention. Tying in with systemic de-escalation
- Restorative not punitive justice
- Ties well with defund the police conversation – end goal is to have no need for policing in the first place. If there are disputes, then they can be handled civilly.
- Community Court support system
- Community Court – community service restorative justice workshops/ideas to repair the situation that led to community court engagement; link social services to individuals as they come out of court; addresses the smaller, but equally important community issues.

Organizational Equity Assessment

- Add “racial equity” to title of organizational assessment

Diversity Equity and Inclusion Manager

- Job description / responsibilities include that they are there for anti-racism, specifically anti-Black racism, work
- Reference - Vera Institute re: funding of staffing
- (Relations Specialist) – isn’t just to make the City look good; job description as the mechanism for safeguarding against this

General Notes

- Add the list of groups we're reaching out to, to our website.
- Keep demographic questions very open ended.
- With an enhanced effort towards Black inclusion, are City of Kirkland events and festivals typically directed at resident businesses and organizations or more widely open to (what I assume) application to participate? If it's by application, the city Black/BIPOC pool is fairly small.
- Uncomfortable with the lack of Black representation on this meeting; Doesn't want to represent Black opinions and priorities when they aren't Black.
- Recommends asking each participant to state their racial identity when they introduce themselves.
- Glad it's City employees and not a third party doing the outreach.

- Define terms to make sure we're all speaking the same language when we review these 11 actions. SRO, Use of force, diversity initiatives within the city (HR dashboard, org equity assessment, and additional staff for diversity and inclusion efforts).
- Address the statistics from the Indivisible Kirkland meetings; Money per week spent on small crimes, amount of Black population v. reports involving Black people and use of force incidents on Black people.
- Be proactive about sharing Police information; WKI letter out to the City might be an appropriate place for this report; Presentations about the report as well; Also include when the Police Chief asks for money in memos to the Council.
- Make sure that there are BIPOC people representing services and staffing
- Relationship was the most important – but relationship wasn't reflected on any of the tiles for review
- KPD should issue an apology about what is happening and has happened to Black people; What would it mean for KPD to apologize?; Humanize them to our communities
- Relationship is the real progress; tangible action
- Upsetting to see the first slide – is that really the beginning of this conversation?; Acknowledgement that 5434 starts in May, but don't want the City to be off the hook that it's taken this long. Timeline should start in 2013-2014; if not earlier; Acknowledge history
- The City listening and following up about the empathetic/relationship focus sends a message hope
- Need to acknowledge that you've told a lie about us and have upheld; We feel like we're not part of the community because of how we're viewed by police; Relationships are built on trust, on agreements.
- Historically, Black people do not trust white people;
- When you start to move forward with this work, you need to consider why Black people might not trust what you're doing; Just because you are doing something for Black people doesn't mean that you should expect Black people to stop telling you about issues/concerns.
- White people have said things for centuries, but their actions speak louder than words
- Funds go to priorities
- Conversations with the City, we know what the priority is by what the City is funding.
- Hoping that through this process that the City can do this right.
- Funds follow priorities – hope that this does begin to have action and funds follow.
- A lot of what we're talking about is around PD – more so it has to go back to starting from square one – how do we train? How do we humanize how officers view Black people? Until we get the police department to that side, all the rest isn't as important
- How do we make the organization a compassionate organization?
- Accountability levers to balance out the over-power that Police has; Need to have a mechanism to influence – way to provide complaints
- It'd be great to have compensation for these meetings
- What is the funding sustainability of these issues?
- Hoping for consistency across region (ref: RTB); although students from Bellevue, experience is mirrored across the Eastside
- Impressed with where Kirkland is at compared to other Eastside cities
- Be present and start to connect with communities
- We've never been openly asked or invited to help
- When filling out forms there are no checkboxes that made us feel included

- American culture of “titles” excludes a lot of immigrants.
 - In my country I am white, here I am a person of color, that is not something I identify as
 - I do not identify as Latinx
 - It would be better to ask “What is the country you identify with?”
- Mosquito bite theory, one bite is okay... lots of bites can make you exhausted and annoyed
- Training for the “first faces” of the city - being able to be culturally responsive, speak other languages
- Colorism within government
- When I moved here I couldn't navigate the website, I had to get married in Redmond because I couldn't find out how to do that here. I couldn't find ways to volunteer or get involved. I live in Kirkland but travel to other cities to be a part of their communities.
- How can families be involved or communicate their needs when they don't speak English?
- There are fears over their status and whether they can get involved at a community level
- Build relationships to different ethnic groups, understand their culture
- We need to include them in our conversations and when you do, be ready for people to want to be actively involved.
- Asking is not enough, building relationships is very important
- Understanding that Spanish speakers are not all the same
- It would be helpful to create different community “ambassador” groups who could build trust in the community. Start small and then have them all meet together
 - School level
 - Neighborhood
 - Whole community
- Family Connection Centers & Equity teams in schools - all schools should have this
- Invite more people to participate
- Build small groups to grow community
- Coneccion de Familiar - they help families in schools with resources
- Also important to remember we have individuals in the community without kids who need access and support
- Look into the programs Bellevue has, but dont think similar programs are a fix all, understand the needs of Kirkland’s community and then meet them
- I learned a lot about inclusion and acceptance through my children, they will be the next generation to carry on this work
- Schools and/or the City could invite communities to come together and share their culture
- Relationship building
- We need people within the City who speak different languages and understand the passion behind the culture
- When I first immigrated here there were four things I needed to know:
 - School
 - Health
 - How to get other services
 - My rights
- I would travel far to get services at Hopelink

- Workers feel less than others - Gardeners, cleaners etc.
 - Need for professional development
 - Resources for business owners in different languages
- This community doesn't just need help, they want to offer help too. There is a missed opportunity in that
- People will give their hands and hearts
- Translators vs. facilitators - we need actual employees who speak the language
- There is a lot of economical help, but we need heart language
- There is so much talent and knowledge in the community - it's a shame it's not being used
- It states with the initial connection
- Immigration status, disability, homeless
- The community is ready, it's just matter of starting the conversation
- Tired of being viewed as "people in need" there are many people who want to help
- How do you feel about interactions with police?
- In my country you see cops, and cross the sidewalk... I have interacted with the police twice and they were good interactions, but I know a lot of that had to do with the fact that I can speak English
- The police make me very nervous. I worry that they will treat me differently because of my accent and wonder what my immigration status is. I am a female and I feel that way, I can only imagine how scary it is a young Black man who might be going out at night to walk his dog.
- We conducted a survey, the answer to "do you feel comfortable around police" was much different than "who do you call in an emergency" - most people felt comfortable but wouldn't call them



Puget Sound Regional Council

ACTION ITEM

October 15, 2020

To: Operations Committee

From: Josh Brown, Executive Director

Subject: **New Policy on Compensating Members of PSRC Funded Focus Groups and/or Committees**

IN BRIEF

A new policy for compensating certain committee members to participate in focus groups and/or committees is being proposed. The intent of this policy is to engage and elicit feedback from historically underrepresented residents through their participation on focus groups and/or committees.

RECOMMENDED ACTION

Recommend that the Executive Board approve a new policy on compensating members of PSRC funded focus groups and/or advisory committees.

DISCUSSION

Many members of PSRC's existing committees represent local jurisdictions, agencies, and professional advocacy groups and are paid by their respective employers to attend meetings. The proposed new policy would allow PSRC to compensate focus group members and/or committee members who are not already compensated by their employer, thereby encouraging greater participation by members of the community.

This policy would be used as a basis for providing compensation to focus group and/or committee members engaged in the upcoming Regional Housing Strategy effort and in the development of a new Regional Equity Strategy.

The guidance for the compensation policy comes from a combination of scoping conversations conducted with peer MPOs, member jurisdictions, partner organizations, consultation with PSRC's consulting CPA firm, and staff research into best practices.

Contingent upon approval, the policy will be added to PSRC's Administrative Policies and Procedures Document.

For additional information, please contact Diana Lauderbach at 206-802-5231; email dlauderbach@psrc.org.

Attachments:

Focus Group and/or Committee Member Compensation Policy and Procedures

**Puget Sound Regional Council
Focus Group and/or Committee Member Compensation Policy and Procedures
October 22, 2020**

Purpose

To establish a policy and procedures for compensating focus group members or committee members who are not compensated by their employers for participating in the PSRC funded meetings.

Policies

Members of focus groups/committees who are not already being compensated by their employers or other organizations for participating in the PSRC funded meetings may be compensated for attending the group meetings.

The compensation rate structure is set by PSRC based in part on its review of focus group/committee compensation paid by other peer metropolitan planning organizations (MPOs), member jurisdictions, and partner organizations. The compensation rate structure will be subjected to periodic evaluation, at the discretion of PSRC.

At the discretion of PSRC, adjustment may be made to the set compensation rate per meeting, if unusual and significant time commitment would be required for a particular meeting.

Procedures

1. Member's Questionnaire

Each member of the focus group/committee must fill out the Member Questionnaire, on an annual basis. The Member Questionnaire is required to be updated when personal information changes. The Member Questionnaire form is available at PSRC's website: www.psrc.org.

Members of focus group/committees must disclose in the Member Questionnaire if he or she is being compensated by his or her employer for preparing for and attending the meetings.

Member Questionnaire must be submitted to PSRC's accounting department, email to finance@psrc.org.

2. Attendance

Regular attendance to focus group/committee meeting is required for the member's compensation. Attendance must be recorded by the focus group/committee and emailed to PSRC's accounting department within 3 business days after each meeting. The record of attendance will serve as support for processing compensation to members.

Attendance sheet is available at PSRC's website: www.psrc.org.

3. Compensation

PSRC's accounting department is responsible for calculating the total compensation per member based on the current compensation rate structure. This task can be delegated to a consultant. The Compensation Schedule will be the current standard compensation per meeting and any adjustment based on anticipated unusual time commitment for a particular meeting. The Compensation Schedule shall be communicated to each focus group/committee two weeks prior to the schedule of meeting, as the schedule allows.

PSRC's accounting department, or the consultant, is also responsible the processing of checks for the member's compensation in accordance with its accounts payable policy and procedures. The check will be mailed to the focus group member's address provided on the member's questionnaire.

Exhibits:

Exhibit A: Sample Member Questionnaire

Exhibit B: Sample Attendance Sheet

Exhibit C: Sample Compensation Schedule

Exhibit A: Sample Member Questionnaire

Puget Sound Regional Council
1011 Western Avenue Suite 500, Seattle, WA 98104

www.psrc.org

(Focus Group/Committee Mission): _____

(Name of Focus Group/Committee) Member Questionnaire

Name: _____

Address: _____

Phone: _____ Email Address: _____

Occupation/Position: _____ Employer: _____

1. Have you ever served on a Board or been a Member of (Name of Focus Group/Committee)? If yes, please describe, including dates served.

2. Based on your experience and skills, what do you anticipate would be your primary contribution(s) to the work of the (Name of Focus Group/Committee)?

3. Are you compensated by your employer or other organization for participating in (Name of Focus Group/Committee)?

4. If your answer is no for the question 3 above, please provide your social security number for identity and tax reporting:

I certify the above information is correct and true.

Signature: _____

Date: _____

Exhibit B: Sample Attendance Sheet

Date	Purpose of Meeting or Name of Focus Group/Committee

Signature

Date

I attest that I attended these meetings

Exhibit C: Sample Compensation Schedule

**Puget Sound Regional Council
Compensation Schedule
(Name of Focus Group/Committee)
Date: _____**

Members of (Name of Focus Group/Committee) that are not already compensated by their employers or other organizations for participating in the (Name of Focus Group/Committee) will be compensated for preparing for and attending the (Name of Focus Group/Committee) meetings.

The compensation rate structure is set by PSRC based in part on its review of equity advisory member compensation paid by other peer metropolitan planning organizations (MPOs), member jurisdictions, and partner organizations. The compensation rate structure will be subjected to periodical evaluation, at the discretion of PSRC.

The current compensation rate for (Name of Focus Group/Committee) members is a flat fee of \$125 per meeting. No other expenses shall be reimbursed by Puget Sound Regional Council.

Puget Sound Regional Council makes a discretionary decision on the compensation adjustments for each (Name of Focus Group/Committee) meeting based on the level of commitment required for each meeting.

Adjustments to be made to the flat fee of \$125 for the meeting scheduled on: _____

Reason for Adjustment	Increase and Reduction in Compensation Rate	Adjusted Compensation Rate

Prepared by: _____

Date: _____

Approved by: _____

Date: _____

Targeted Stakeholder Engagement - Focus Group Demographic Overview

Staff conducted a total of seven focus groups with Black-centered and/or Black-led groups between November 2020 and January 2021 and one focus group with a Latino group in February 2021. Below is a listing of the groups that staff met with for focus groups:

- Eastside Race and Leadership Coalition (ERLC)
- Black Policy Advisory Committee
- Movement of Advocacy for Youth
- Eastside Change Coalition (met twice)
- ERLC -organized student focus group
- Eastside Embrace
- Kirkland Promotores

Total attendance at the above eight meetings was approximately 52. As part of the focus group process, staff requested that participants provide anonymous demographic information. This was an optional component of the focus groups, and approximately half of the participants responded. Below is a demographic overview of the focus group participants.

Racial Identity		Number of Respondents	Percentage
American Indian or Alaska Native ONLY		0	0%
American Indian or Alaska Native AND Black or African American		1	4%
Asian ONLY		2	8%
Asian AND White		1	4%
Black or African American ONLY		17	65%
Native Hawaiian or Other Pacific Islander ONLY		0	0%
White ONLY		4	15%
Not Listed		1	0%
TOTAL		26	4%

Hispanic or Latino Identity	Number of Respondents	Percentage
Yes	1	4%
No	25	96%
TOTAL	26	100%

Gender Identity	Number of Respondents	Percentage
Female	16	62%
Male	10	38%
Non-binary or third gender	0	0%
Not listed	0	0%
TOTAL	26	100%

Age	Number of Respondents	Percentage
Under 18	5	19%
18-24	10	38%
25-34	1	4%
35-44	0	0%
45-54	4	15%
55-64	6	23%
65+	0	0%
TOTAL	26	100%

Housing Situation	Number of Respondents	Percentage
Own	10	38%
Rent	5	19%
Unhoused	0	0%
I live with family or friends and don't pay rent	9	35%
Other ("college campus" specified)	2	8%
TOTAL	26	100%

Location of Residence*	Number of Respondents	Percentage
South Kirkland (Moss Bay, Everest, South Rose Hill, Lakeview, Central Houghton, Bridle Trails)	1	4%
Central Kirkland (Market, Norkirk, Highlands, North Rose Hill)	0	0%
North Kirkland (Finn Hill, Juanita, Kingsgate, Totem Lake)	3	12%
I live outside of Kirkland	22	85%
TOTAL	26	100%

*Some focus group participants noted that they had previously lived or attended school in Kirkland, although they don't reside in Kirkland currently. Staff have noted this feedback and are evaluating how to update the location of residence demographic question for future surveys.

School Resource Officer Training Requirements and Status

Kirkland's School Resource Officers have mandated training either via state law (RCW or WAC) and/or Kirkland PD Policy. Kirkland requires that SROs complete both the Basic and Advanced SRO training courses. An overview of the training is provided below:

- Basic SRO training course

The National Association of School Resource Officers Basic School Resource Officer Course is a forty-hour (40) block of instruction designed for law enforcement officers and school safety professionals working in an educational environment and with school administrators. The course provides tools for officers to build positive relationships with both students and staff. The course is also beneficial for educational professionals dedicated to providing a safe learning environment and provides a more in-depth understanding of the role and functions of an SRO. The course emphasizes three main areas of instructions:

1. Law Enforcement Function – Instruction on the differences between law enforcement when conducted inside a school environment including understanding the teen brain and de-escalation techniques.
2. Mentoring Students – Instruction designed to provide tools to be a positive role model for youth including informal counseling techniques.
3. Guest Speaking – Instruction on a variety of instructional techniques as well as classroom management tools to provide law-related education to students.

Attendees gain a solid working knowledge of the School Resource Officer concept and how to establish a lasting partnership with their schools. The purpose of this course is to provide participants with information regarding the school resource officer concept and the skills necessary for its successful implementation.

Course Objectives:

- Clearly define and explain the SRO Triad concept.
 - Demonstrate positive and professional communication.
 - Apply the concepts of planning, prevention, and response to school safety
- Advanced SRO training course
- The NASRO Advanced School Resource Officers Course is a twenty-four hour (24) block of instruction that focuses on more advanced techniques for the School Resource Officer. Topics covered include law updates, technology and social media, improving communication with administrators and information on current youth-related topics. Participants will also spend two hours at a school building conducting a "Site Assessment." The Course is designed for any law enforcement officer working in an educational environment. This course, following the SRO Triad model, advances the SRO's knowledge and skills as a law enforcement officer, informal counselor, and educator.

Course Objectives:

- Learn strategies to work closely with school administrators on problem solving and crime prevention strategies.
 - Develop a better understanding of the causes and solutions for school violence.
 - Conduct a site assessment on the school buildings within their school district.
-
- RCW 28A.320.124 Required Training Topics
 1. Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools
 2. Child and adolescent development
 3. Trauma-informed approaches to working with youth
 4. Recognizing and responding to youth mental health issues
 5. Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities
 6. Collateral consequences of arrest, referral for prosecution, and court involvement
 7. Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement
 8. Local and national disparities in the use of force and arrests of children
 9. De-escalation techniques when working with youth or groups of youth
 10. State law regarding restraint and isolation in schools, including RCW 28A.600.485
 11. Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants
 12. The federal family educational rights and privacy act, FERPA

Basic and Advanced SRO training classes are offered during the Summer months. Kirkland's more experienced SROs, who are assigned to the two high schools, have attended both the Basic and Advanced classes. Kirkland's newest four SROs, who are assigned to the middle schools, attended the Basic SRO class in their first year and will hopefully attend the Advanced class during their second year of SRO assignment dependent on availability due to COVID. All of Kirkland's SROs have attended the required training per the RCW.



CITY OF KIRKLAND
Kirkland Police Department
11750 NE 118th Street, Kirkland, WA 98034
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police
Mike St. Jean, Deputy Chief of Police

Date: January 29, 2021

Subject: SCHOOL RESOURCE OFFICER TASK FORCE RECOMMENDATIONS AND CURRENT DUTIES

RECOMMENDATION:

It is recommended that the City Council receive a status check on the recommendations contained in the SRO Taskforce final report.

BACKGROUND DISCUSSION:

The Department's SRO program expanded from two officers to six officers with the passage of Proposition 1, which provided specific funds dedicated to the additional positions in Kirkland Middle Schools. At the November 2018 election, 57% of Kirkland voters approved Proposition 1, the Enhanced Police Services and Community Safety Ballot Measure. In January of 2020, four additional SROs were assigned to the newly expanded Community Services Unit (CSU) comprised of both the SROs and the Neighborhood Resource Officers (NRO). They joined the two existing SROs, who were already assigned at Lake Washington High School and Juanita High School.

Once Proposition 1 passed, and as directed by related Resolution R-5339, the City Manager and District Superintendent convened a SRO taskforce charged with becoming educated on the current SRO program, comparing the current program to national best practices, and making recommendations on improvements to the City and the District. The taskforce met seven times between June 2019 and January 2020, with a final report published in March 2020.

On July 7, 2020, Assistant City Manager Lopez and Police Chief Harris presented the final report to the City Council and recommendations from the SRO Task Force, as directed in R-5339. The overall theme of this report was that the Department has an excellent SRO program that is already following many of the national best practices. There were several recommendations present to the Council, mostly around reinforcing the idea that the overarching goal is keep kids out of the juvenile justice system through building relationships, counseling and providing appropriate services.

School Resource Office Program Update

The Kirkland Police Department, in partnership with Lake Washington School District (LWSD), provides six School Resource Officers (SRO) assigned to Lake Washington High School, Juanita

High School, Kirkland Middle School, Finn Hill Middle School, Kamiakin Middle School, and International Community School/Emerson High School. Currently there are 18 public schools in the City of Kirkland: three high schools, three middle schools, and twelve elementary schools.

In March of 2020, LWSD closed all schools due to the Covid-19 pandemic. The Department SROs were rotated out of the Community Services Unit to Patrol squads (three to day shift patrol and two to swing shift). They remained assigned to Patrol squads throughout the summer to help with staffing and to function as Police Training Officers for newly hired recruits. SROs returned to the Community Services Unit in September 2020. Their current assignment consists of (but is not limited to):

- Conducting school checks and communicating with school staff
- Assisting LWSD with checks on absentee students
- Conducting investigations related to Child Protective Service (CPS) referrals concerning students
- Conducting directed enforcement on community complaint areas (parks, traffic complaints zone, etc.)
- Community-specific projects such as organizing presentations for community engagement groups about the role of SROs.

LWSD schools are scheduled to reopen in a phased approach, starting with elementary schools on February 18th. Middle schools and high schools are scheduled to return possibly in March, but there is no firm date yet, and more delays could occur. The SROs will return to the schools as the students return to in class learning.

Task Force Recommendations

The following is a list of the recommendations developed by the SRO Task Force and the current status of the work being done to accomplish these recommendations. It is the Department's belief that the work done by this task force, along with the input gathered from the City's outreach and engagement team will drive many aspects of what a future SRO public dashboard will contain.

- Recommendation 1.1: Define a clear statement of purpose for the SRO program that includes "help keep students out of the criminal justice system" as one key purpose of the SRO program. ***In Progress***
 - The following statement was developed by the SRO taskforce for use in defining the SRO program:
The Kirkland School Resource Officer program is a partnership between the City of Kirkland and the Lake Washington School District. The primary purposes of the School Resource Officer (SRO) Program are to:
 - *Help keep students physically, socially and emotionally safe at school.*
 - *Provide for positive interactions between the SROs and students, families, and community members in order to make the Police Department more accessible and approachable.*
 - *Connect students with supportive services.*
 - *Help keep students out of the criminal justice system.*
 - The Lake Washington School District is currently working on updating the contract language between the Kirkland Police Department and the district. Kirkland SROs are members of the National Association of School Resource Officers (NASRO) where they have received training aligned with the sentiments of the Task Force recommendations. The Washington State School Directors Association has developed a model policy, which states, amongst other things, the focus of any SRO working in the district is to keep students out of the

criminal justice system when possible. The full model policy can be found here: <https://wssda.app.box.com/s/9mrdb038xxqy5q86vnpbi0fk13u725ih> .

- The Department will continue to collaborate with LWSD to incorporate the above statements into the new SRO contract.
- Recommendation 1.2: Align authorization documents related to the SRO program to use a consistent purpose statement and roles and responsibilities. ***In Progress***
 - As the task force developed and released a concrete purpose statement, the next steps will be to align the purpose statement with the LWSD program and the Department policy manual (Lexipol). The Department's contract with LWSI is still under development/review with their legal advisors. The LWSD experienced recent turn over with the departure of their Risk, Health, and Safety Manager. LWSD is currently hiring a new "School Safety and Crisis Manager," a currently empty position due to the unexpected departure of the prior manager. This position will be the liaison position between the Department and LWSD.
- Recommendation 1.3: Include future documents currently being developed by the State Superintendent's Office to update relevant authorizing documents, such as the City-District contract, KPD policies, and SRO job description. ***In Progress***
 - The Department's SRO policy and job description are in the process of being updated to better match model policy from the State Superintendent's Office and the task force language recommendations. See above concerning the current status of the LWSD-KPD contract.
- Recommendation 2.1: Create proactive communication materials to better introduce the SRO program to the school community, including potentially impacted community members. ***Completed/On-Going***
 - City Staff and the Department have taken multiple steps to introduce the program and the SROs to the school community and residents of Kirkland. This continues to be a focus by the City and the Department, with presentations continuing throughout 2020 and into 2021 with community stake holders. This included, but was not limited to:
 - A video from Chief Harris that had video introductions and interviews with the current SRO team
 - Meet-and-greets with the SROs at the beginning and end of multiple school days at schools that were receiving a new SRO (Kirkland Middle School, Finn Hill Middle School, Kamiakin Middle School, International Community School, and Emerson High School)
 - Community groups, PTA/PTSA, and school staff presentations on the role of SROs in schools (on-going).
 - SRO presentations to the AM and PM Rotary, Kiwanis, and the Downtown Business Association.
 - The Department assigned a bilingual (Spanish speaking) SRO to Kamiakin Middle School to help serve the Spanish speaking population that attends.
- Recommendation 2.2: SROs should meet with affinity groups, which are groups formed around a shared interest or common goal, to learn about the varied perspectives and experiences of students and families. ***In Process***
 - The current SROs have been actively reaching out and presenting to community engagement groups.

- SROs have been actively engaging student groups that represent students of color, LGBTQ+ students, students with disabilities, and students new to the country and their families. However, COVID 19 has limited the opportunities with these groups.
 - SROs were able to meet virtually with the AM and PM Rotary, Kiwanis and the Downtown Business Association. The City and the Department will continue to reach out to student body and community groups for comments, discussions, and presentations.
- Recommendation 2.3: Formalize the community feedback requirement of RCW 28A.320.124, with a focus on proactive outreach to potentially impacted community members. *In Progress*
 - The process of community feedback has been an on-going project for the City and the Kirkland Police Department. Community outreach through participation in community meetings, PTSA/PTA meetings, student group meetings, LWSD staff meetings, and other venues has been a focus of the SROs for the last six months.
 - The new City website offers the option of completing an online survey and other feedback forms within the SRO program page. These online forms are currently being explored by the Department. Members of the community have the ability to file concerns about any SRO via the City of Kirkland website or e-mail/phone or in person at the Kirkland Police Department through the formal complaint process, which is in accordance with state law.
 - Staff is currently working on a survey of the SRO program, as part of their outreach and engagement efforts.
- Recommendation 2.4: Explore ways for SROs to be provided information on student behavior-intervention plans for use in emergency response situations, so SROs are best prepared to interact with students who may have specific needs. *In Progress*
 - SROs are currently collaborating with LWSD to develop systems of communication for students with behavior-intervention plans. Due to privacy concerns, SROs are not allowed access to the LWSD's Skyward student database where this information is housed. SROs only are made aware of behavior plans/individualized education plans (IEP) by staff on a case-by-case basis. SROs also become aware of behavioral or mental health issues as they build personal relationships with the students over the school year. The SRO unit will continue to engage LWSD on this matter in the upcoming year. This recommendation is complex in nature, and requires compliance with all relevant privacy regulations, including recognizing the confidential nature of medical information or IEP plans.
- Recommendation 2.5: Explore ways to regularly collect and report relevant data that indicates whether disparate negative impacts are occurring for particular groups of students, including students of color, LGBTQ+ students, and students with disabilities. *In Progress*
 - The Department and LWSD are currently collaborating on the continued data collection concerning SRO interactions with different student groups. The City and the Department are actively developing a SRO dashboard to better display this information to the public. There are privacy concerns that need to be taken into account to prevent identifying individuals when the information is presented. This also requires an ever-evolving method to accurately document SRO interactions with students, which is not easily quantifiable.

- SROs took 292 total cases between 2017 and 2020. Of those cases, 92% did not involve an arrest or any charges being filed with the King County Juvenile Court or the City of Kirkland Municipal Court.
 - The types of cases handled by SROs during this time period were generally related to Child Protective Service (child abuse/neglect), drugs, mental/emotional/suicidal cases, assault, theft, threats, and sexual assault/rape.
 - The most common type of cases taken by SROs are CPS-related cases.
 - There were 32 total criminal charges forwarded by SROs, with only 4 being physical arrests.
 - The other 28 criminal charges did not involve an in-custody booking; instead charging documents were forwarded to prosecutors for review, charging, and in many cases diversion.
 - Of those 32 criminal charges: 27 were male, 5 were female, 23 were White, 2 were Black, 4 were Asian, and 3 were Hispanic.
- Recommendation 2.6: Evaluate additional mechanisms for feedback, such as 360 or other similar evaluation tools, that includes students, staff, and families to help inform existing evaluation protocols. *In Progress*
 - The CSU unit is developing internal goals for the SRO program and the individual SROs to continually evaluate their performances. Currently, LWSD staff are asked to provide input for annual evaluations for SROs by the CSU supervisors. A community survey of the SRO program is currently being drafted by City Staff, as part of their outreach and engagement efforts.
- Recommendation 3.1: Update training requirements and offerings for SROs to meet or exceed expectations for RCW 28A.320.124. *Completed/On-Going*
 - All Department SROs have attended the National Association of School Resource Officers (NASRO) Basic SRO course. This is a 40-hour course that focuses on providing tools and best practices for law enforcement officers and school safety professionals working in an educational environment and with school administrators to build positive relationships with both students and staff. SROs are encouraged and regularly complete additional training in the form of webinars and other training opportunities outside of the NASRO. Per RCW 28A.320.124, SROs are now required to have received specialized training in the below 12 topics.
 - As of August 2020, each Department SRO had attended these trainings and are in compliance with current state training requirements:
 - Constitutional and civil rights of children in schools, including state law governing search and interrogation of youth in schools;
 - Child and adolescent development;
 - Trauma-informed approaches to working with youth;
 - Recognizing and responding to youth mental health issues;
 - Educational rights of students with disabilities, the relationship of disability to behavior, and best practices for interacting with students with disabilities;
 - Collateral consequences of arrest, referral for prosecution, and court involvement;
 - Resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement;
 - Local and national disparities in the use of force and arrests of children;

- De-escalation techniques when working with youth or groups of youth;
 - State law regarding restraint and isolation in schools, including RCW 28A.600.485;
 - Bias free policing and cultural competency, including best practices for interacting with students from particular backgrounds, including English learners, LGBTQ, and immigrants;
 - The federal family educational rights and privacy act, FERPA.
- Recommendation 3.2: Maintain the current expectation of NASRO training for all SROs. ***Completed/On-Going***
 - All Department SROs have attended the National Association of School Resource Officers (NASRO) Basic SRO course which is offered on an annual basis in the summer months.
 - The two senior SROs have also attended NASRO's Advanced SRO course, which is also offered on an annual basis in the summer months. This is a 24-hour course that focuses on advancing the SRO's knowledge and skills as a law enforcement officer, informal counselor, and educator.
 - All four SROs who were appointed in 2020, have applied to attend this training in the summer of 2021 (pending COVID 19 restrictions).
 - All SROs maintain an active NASRO membership, allowing them to receive occasional updates and information on best practices for SROs along with legal updates.
- Recommendation 3.3: Ensure SROs receive training on referring students to counseling or other services. ***Completed/On-Going***
 - Department SROs receive training on resources available in the community that serve as alternatives to arrest and prosecution and pathways for youth to access services without court or criminal justice involvement. Along with training, and resources, SROs collaborate with school counselors and school administration directly to refer students to resources. The CSU supervisors are involved when a physical arrest, or criminal referral may be warranted. The CSU supervisors also help to identify any appropriate alternatives to arrest. SROs are expected to follow the training they have received and make every effort to avoid creating any "school to prison" pipeline. SROs in the schools are in a unique position to build relationships with at risk students, and they encourage students to make positive decisions.
- Recommendation 3.4: Maintain the current hiring requirement of a minimum of two years of experience as a commissioned police officer. Additionally, in the SRO job description, pursuant to bargaining with the Police Guild, consider replacing "willingness and desire" with "demonstrated ability" with respect to interactions with youth. ***In Progress/Ongoing***
 - The Department intends to maintain the minimum experience requirement for the SRO position. The current job description and command structure still need to be updated (see Plans Going Forward section below). The Department has a documented history of not appointing officers to the SRO position if they have not demonstrated the desired qualities.
- Recommendation 3.5: Continue emphasizing retention of SROs through the current five-year SRO assignment commitment. ***Completed/On-Going***

- SROs are currently assigned to the unit for 5-years, with the possibility of one-year extensions. With the current 5-year assignments, it is common for SROs to look to other job opportunities within KPD between the 4, and 5-year mark. The length of assignment for the SRO's could be increased but would need to be bargained between the City and the Kirkland Police Guild.

The SROs have been exploring new ways to reach out to different groups within the community and have adapted to online remote meetings to actively engage with new groups. The SROs have attended several group meetings over the previous year and will continue to make group engagement a top priority. One proposal being explored is to add a "request an officer" portal on the new Department School Resource Officer and Neighborhood Resource Officer webpage; where community members can request a SRO or NRO officer to attend group meetings in which they may not have historically been requested. When the schools reopen, the SROs will make it a priority to meet with different student groups, with a specific focus on affinity groups that meet after school.

The Department will continue to make progress in implementing the above listed recommendations from the School Resource Officer Task Force as schools "return to normal" and the SROs return to their assignments.

Next steps

The Department is actively collaborating with City Staff and the School District to develop a new "SRO Dashboard." This public facing dashboard would allow for increased transparency, but it is not a common feature among other police agencies. The Department has developed a new way to record SRO generated reports so it will be easier for our agency to pull case report data when schools reopen. One challenge is finding ways to document or showcase the positive work conducted by Kirkland SROs without invading the privacy of students. In the meantime, the Department SROs will continue to complete monthly reports to document their activity. Listed below are just a few of the positive and impactful incidents the Department's SROs experienced in just the first quarter of 2020:

- A high school SRO and Associate Principal responded to an incident of an emotional student who had brought a large kitchen knife from home. They were able to peacefully persuade the student to surrender the weapon. The SRO was familiar with the student's mental disability and we worked with the school to get the student appropriate help. No criminal charges were filed.
- A student reached out to our SRO as she was being bullied about relationship issues as well as a teen pregnancy and miscarriage. The SRO worked closely with the student to help her through a difficult time.
- An SRO was able to intervene when he observed a group of students bullying another student in the hallway. The SRO involved the school administration to help in drawing an end to the ongoing bullying behavior.
- A special needs middle school student missed their bus and did not make it home. The SRO was able to locate the student and return them back to the school for parent contact.
- A middle school SRO participated in an 8th grade assembly where he had the opportunity to answer questions the students had about police.

- During the start of the COVID-19 Pandemic, several students looked to their school SROs for reassurance that things would be “OK” during uncertain times.
- A School Resource Officer earned the trust from a female student, who finally built up enough courage to report a sexual assault she had suffered at the hands of a coach three years prior. The SRO was able to support her through the victim interview process.

DRAFT



CITY OF KIRKLAND

Police Department

11750 NE 118th Street, Kirkland, WA 98034-7114 425.587.3400

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MEMORANDUM

To: Cherie Harris, Chief of Police

From: Mike St. Jean, Deputy Chief of Police

Date: February 2, 2021

Subject: Response to 8 Can't Wait policy review

I have included the policy review e-mail we received from 8 Can't Wait on August 13, 2020 in the below text. I have responded in red text to those areas in which they have found our current policy to not be in compliance with their suggested policy reform.

From: 8 Can't Wait <community@8cantwait.org>

Sent: Thursday, August 13, 2020 11:41 AM

To: Cherie Harris <CHarris@kirklandwa.gov>

Subject: Re: Policy Review

Hi Cherie,

We've reviewed the Kirkland policy and here is what we have concluded the following:

- 1. The policy requires de-escalation: YES*
- 2. The policy includes a use of force continuum: NO*
 - A use of force continuum is a chart or checklist that correlates specific tools and tactics to specific forms of resistance. For example, if, in the continuum, a suspect's resistance is identified as "passive resistance or verbal refusal," a use of force continuum might identify acceptable force responses as "verbal commands, control holds, and/or pain compliance techniques." Several police reform groups advocate for law enforcement agencies to adopt a use of force continuum as a means of addressing concerns of excessive force and to reduce the types of force used by law enforcement professionals. Proponents of a use of force continuum assert it "restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic."

As numerous legal and police professionals have noted, however, use of force continuums are difficult to apply because they cannot encompass all the variables present in use of force incidents, which are often unpredictable and dynamic. The inconsistencies and discrepancies within continuum models (one

report highlighted more than 50 variations) also create risks by mandating that officers use a level of force that may be far greater or far less than what is reasonable in a given situation. Further, use of force continuums fail to take into account, as the Supreme Court has noted, that the use of force occurs in "tense, uncertain, and rapidly evolving" situations. Neither case law nor state legislation requires the adoption of use of force continuums within policy. Accordingly, Lexipol's Use of Force Policy does not include a continuum, instead following precedent set by the Supreme Court in *Graham v. Connor* that force must be "objectively reasonable."

3. *The policy bans or restricts neck restraints: NO While neck restraints are classified as deadly force, and deadly force is defined correctly in this policy, the issue with this language is that it does not say that the technique may "only" be used in those circumstances. Also, there are no deadly force restrictions included in the document. "Neck restraints are considered deadly force and may be used in circumstances outlined in the Deadly Force Applications section of this manual..."*

- The policy language was amended in January of 2021 to the following:
 - Neck restraints, to include carotid control holds, are considered deadly force and may be used in circumstances outlined in the Deadly Force Applications section of this manual. A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual and was taught as a defensive tactics skill in this department until 2020. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and effective June, 2020, is no longer taught at this department. The use of any neck restraint is subject to the following:
 - Any individual who has had a Neck Restraint applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.
 - The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to a Neck Restraint and whether the subject lost consciousness as a result.
 - Any officer attempting or applying a Neck Restraint shall promptly notify a supervisor of the use or attempted use of such hold.
 - All Neck Restraint applications shall be thoroughly documented and reviewed in accordance with section 300.5 of this policy.
 - All Neck Restraint applications that result in the death of, or serious injury to, another person will be thoroughly investigated using the Officer-Involved Critical Incident policy.

- The following deadly force language is found in our policy manual and is based on federal case law and state law.
- 300.4 DEADLY FORCE APPLICATIONS
Use of deadly force is justified in the following circumstances:
 - a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
 - b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible. Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:
 1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.
 2. The person is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the person intends to do so.

4. *The policy requires officers to warn suspects before using deadly force: NO*

- Some police reform groups recommend requiring officers to give a verbal warning in every instance where deadly force might be used. There is no legal precedent for this position. Instead, the Supreme Court only requires a warning before the use of deadly force to stop a fleeing felon, and then only when the warning is feasible. There are also practical reasons not to require warnings in every incident: We can imagine a use of force scenario where a verbal warning would not be reasonable (e.g., hostage situation). Accordingly, best practice is to require officers to provide verbal warnings in deadly force situations whenever it is **feasible** and safe to do so. Lexipol policy reflects this position. Ultimately, training is vital to lower the likelihood of death or serious injury to officers, suspects, and other citizens in any encounter.

5. *The policy bans officers for shooting at a moving vehicle: NO In this case, the use of the word "should" reduces the language to suggestive rather than directive. A simple solution would be to replace "should" with "shall". "Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or*

others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle."

- Shooting at moving vehicles, whether in an attempt to disable the vehicle or neutralize the driver, is often ineffective and dangerous. It typically does not stop the vehicle, fails to mitigate the threat to the officer, jeopardizes uninvolved people, and injures or kills occupants. Recently, police reformers have initiated a movement to ban police from shooting at moving vehicles. As with many position statements, this view at first sounds sensible. However, there have been numerous incidents where vehicles were used as weapons in attacks on crowds. A complete ban on shooting at moving vehicles would prevent officers from intervening to save lives in such situations. Accordingly, Lexipol policy acknowledges the ineffectiveness and dangers of shooting at moving vehicles without prescribing a complete ban.

6. *The policy requires that officers exhaust all means before resorting to the use of deadly force: NO*

- A common push in police reform efforts is to require officers to exhaust all alternatives before resorting to deadly force. It is not uncommon to hear the question, "Why couldn't you have just shot the (knife/crowbar/gun, etc.) out of his hand or shot him in the leg? Why did you have to kill him?" While this may initially sound sensible, in practice it is an unrealistic expectation that fails to account for the split-second decisions officers may have to make during rapidly evolving situations. There is no general law that every alternative must be exhausted before using deadly force. Instead, courts require the force used by an officer to be "objectively reasonable" given the totality of the circumstances known to the officer in the presenting situation. This does not mean, however, that officers shouldn't consider other alternatives before using deadly force when they can—they should, and Lexipol policy supports doing so. Lexipol policies make it clear that officers may only use reasonable force, and, in a number of situations, recommend or prescribe actions and alternatives that make it less likely an officer will need to use deadly force.

7. *The policy explicitly states that officers have a duty to intervene: YES*

8. *The policy requires comprehensive reporting of all use of force incidents, including when an officer threatens force by aiming a firearm at a suspect: NO*

- Transparency and accountability are critical to ethical policing. Without these two factors, the public rightfully becomes mistrustful of and cynical toward the law enforcement profession. Comprehensive reporting of police use of force, including threats to use force, is a key component of transparency and accountability, which is why police reform advocates have made reporting a focus of their efforts. Lexipol policy requires officers to completely and accurately document the circumstances that surround all uses of force. In addition, **Lexipol policy includes requirements to document even the threat of certain intermediate force options (e.g., TASER use), the circumstances why warnings were not given, and pointing of a firearm.** These policies remain

consistent with best practices and allow agencies, courts, and communities to analyze the reasonableness of officer threat assessments and responses. Agencies that adopt Lexipol's reporting policies have the data necessary to track uses of force, identify force and resistance trends, monitor individual officer trends, develop responsive training programs, adjust deployment strategies in response to data, and share data with their community in an effort to remain transparent.

DRAFT



CITY OF KIRKLAND
Kirkland Police Department
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Cherie Harris, Chief of Police
Mike St. Jean, Deputy Chief of Police
Todd Aksdal, Deputy Chief of Police
Melissa Petrichor, Administrative Commander

Date: February 2, 2021

Subject: UPDATE ON R-5434: USE OF FORCE PRELIMINARY REVIEW

RECOMMENDATION:

It is recommended that the City Council review the department's preliminary review of use of force incidents involving persons of color that occurred in 2019 and 2020.

BACKGROUND DISCUSSION:

At the July 7, 2020, City Council study session, Chief Harris presented a draft visual of a public facing use of force dashboard developed by staff. Council provided feedback, which has been utilized to further refine the draft dashboard.

The Council adopted R-5434 and the City Manager's funding recommendations at the August 4, 2020, Council meeting. As part of the transparency strategies outlined in Section 1 of R-5434, the City Manager was directed to develop a police use of force public dashboard. In addition, under the accountability strategies outlined in Section 2 of R-5434, the City Manager was directed to contract with a third party to review the department's use of force policies and to conduct a use of force data evaluation and analysis.

Use of Force evaluation and analysis by the Department

Current Reporting and Review Procedures

- Department members are required to document any use of force including the display of weapons to gain compliance. Documentation includes writing a case report in the records management system as well as a use of force report in the department's use of force tracking system.
- Sergeants and Corporals (the involved Officer's supervisor) conduct the initial review of all case reports and use of force reports. The supervisor can either send the use of force report back for additional investigation or approve it. Once supervisors are

satisfied with the documentation, they forward the use of force reports to their assigned Lieutenant with input on any policy and training issues.

- Lieutenants are responsible for conducting the second review on all use of force reports. Lieutenants can either close the use of force report with a finding on policy compliance or request additional investigation. Additional investigation may include additional review by Department subject matter experts, such as the Supervisor assigned to the Less Lethal Training Unit for a Taser deployment, sending the report back for additional documentation or having the incident reviewed by the Chief of Police for assignment as an Internal Investigation.
- Policy violations and training issues that are identified during the use of force review process are addressed via documented coaching and counseling, remedial training and/or formal discipline.
- The Administrative Lieutenant drafts an annual use of force report as part of the Washington State Sheriff's and Police Chief's Association Accreditation process. That report is provided to the Risk Management Lieutenant for review and distribution to Supervisors in each of the training units such as the firearms instructors, less-lethal instructors and defensive tactics instructors.
- Supervisors and Lieutenants receive internal training on reviewing and approving use of force reports as well as attending WCIA sponsored classes specific to their role in the process.

Deadly Force Investigation

- When a use of force response occurs that involves deadly force, the Chief of Police requests mutual aid from an outside law enforcement agency to conduct an independent criminal investigation. The outside law enforcement agency takes responsibility for conducting the investigation and forwards their findings directly to the King County Prosecuting Attorney's Office for review. These findings are available to the City Manager and City Attorney. As reported in the January 19th, 2021 City Council meeting, an Independent Force Investigative Team (IFIT-KC) which will include members of the community, is in the final stages of development by Interlocal Agreement (ILA).

Use of Force Review Board

- A Use of Force Review board is convened when an Officer uses force that results in either death or serious bodily injury to another.
- The Board is composed of the Administrative Lieutenant, a Deputy Chief or a Lieutenant not involved in the Officer's chain of command, a certified instructor for the type of force used, a non-administrative commissioned supervisor and a peer of the Officer who used force (a peer is considered a member of the Department in a similar classification as that of the involved Officer)
- The Board thoroughly reviews all available information and develops a written report to the Chief of Police that includes recommendations for training, equipment and/or policy violations.
- The Chief of Police reviews the written recommendations of the Board and makes the final determination as to whether the employee's actions were within policy. The Chief of Police will determine whether additional actions, investigations or reviews are appropriate.
- The Chief of Police may direct a Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

Early Warning System

- The Department utilizes an early warning system to alert supervisors and members of command staff if an employee reaches a preset threshold on certain types of incidents in a rolling 12-month period.
- Use of Force entries are part of the Department's early warning system. If an Officer is involved in six (6) use of force incidents within a rolling 12-month period, their supervisor receives an automated email that triggers additional review of all the specific reports during that time period. This includes the actual use of force and or the show of force by drawing a firearm or Taser. This threshold was set during training conducted by the Department's vendor "IA Pro – Blue Team" a nationally recognized software solution utilized to catalog use of force reporting.

Analysis of 2019-2020 Use of Force Incidents Involving Persons of Color or Unknown Race

- The Deputy Chief of Professional Standards and the Deputy Chief of Operations recently conducted additional reviews of all use of force incidents from 2019 and 2020 involving persons of color or unknown race.
- There were 39 use of force incidents in 2019 and 2020 involving persons of color or unknown race. Those incidents were documented in 77 individual use of force reports. Individual officers are required to document their own use or display of force in a separate use of force report for each incident. If more than one officer uses or displays force during an incident, there will be more than one report generated to thoroughly document an incident.
- Dispatched calls for service accounted for 28 (72%) of the 39 uses of force.
- The remaining 11 (28%) were associated with incidents that were observed by officers, not all are considered self-initiated activity as in some instance they were flagged down by community members.
- A show of force (only) safely resolved 18 (46%) of the incidents (the display of a Taser or firearm only.) In these incidents, no other use of force was applied.
- The remaining 21 (54%) use of force incidents involved one or more applications of a force technique.
- Injuries to subjects were observed or reported in six (15%) of the incidents. There were no observed injuries or complaints of pain in the remaining 33 (85%) of incidents.
- All 39 use of force incidents have previously been reviewed by at least a Sergeant or Corporal and their Lieutenant following the procedures previously discussed in this memo.
- Two of the 39 incidents were found to contain policy violations or training issues:
 - During the first incident, the reviewing Lieutenant requested that the Supervisor of the Firearms Training Unit review an Officer's deployment of a rifle. The Supervisor of the Firearms Training Unit determined that the rifle deployment was out of policy and that the Officer had not followed training and best practices when he pointed his rifle at a subject who was being taken into custody, instead of keeping his rifle pointed towards the ground. Having no other similar training, policy violations or history of discipline, the Officer received documented coaching and counseling as well as remedial training as a result of this incident. When the Deputy Chief's reviewed this incident, they disagreed with the finding that the officers decision to deploy the rifle was out of policy but

agreed with the finding that the officer had not followed training and best practices when he pointed his rifle at the subject.

- During the second incident, Officers located a subject that was wanted on a misdemeanor warrant and had fled from officers in his vehicle on multiple occasions in the preceding days. The subject was observed parked near the pumps at a gas station, located just outside the Kirkland City limits. Officers utilized their patrol cars to put pressure on the front and rear bumper of the subject's car to prevent him from fleeing again. The subject refused to exit his car and a prolonged standoff ensued. Eventually, the subject started his car and began ramming the patrol cars in front of and behind him in order to create enough space to flee. While he was ramming the patrol cars, the on-scene Sergeant directed an Officer to break one of the car windows using a less lethal munitions launcher. Once the subject had created enough room, the subject fled. The Officers did not pursue him. A short time later the car was located at a grocery store. The on-duty Sergeant requested assistance from the Washington State Patrol (WSP) in case the subject tried to flee again. The subject did in fact flee, driving out of the City and was pursued by WSP Troopers. The on-duty Sergeant had authorized the deployment of spike strips and a Kirkland Officer was able to successfully deploy spikes on the subject's vehicle as Troopers pursued him. The subject eventually entered I-405 traveling southbound (the wrong way) in the northbound lanes. He collided with a Trooper who was traveling northbound and was taken into custody. The review of this incident included analysis by the Supervisor of the Less Lethal Training Unit as well as the Supervisor of the Emergency Vehicle Operations Unit and was coordinated by the Investigations Lieutenant. The Supervisor of the Less Lethal Training unit found that the deployment of the less lethal munitions launcher to break the window was out of policy. Department policy did not allow for deployment on inanimate objects. However, he recommended that the policy be amended to reflect the agency's past practice of utilizing less lethal munitions on inanimate objects to safely resolve barricaded subject calls. The Supervisor of the Emergency Vehicle Operations unit found that the tactic of using the patrol cars to pin the subject's car had not been trained by the Department and was not reasonable given that the subject was wanted for a misdemeanor warrant at the time of contact. The Supervisor also found that the authorization and the deployment of the spike strips was a violation of policy because the pursuit itself was not within policy. The final investigation was reviewed by the Chief of Police. The Officers who executed the pin tactic and deployed spike strips received documented coaching and counseling. The Sergeant received formal discipline for failing to provide appropriate command and control of the incident.
- During the initial review process, Officers were found to have acted within policy in the remaining 37 use of force incidents. The Deputy Chiefs agreed with those findings.



Fire Department

January 20, 2021

Deputy City Manager Tracy Dunlap
TDunlap@kirklandwa.gov

Dear Deputy City Manager Dunlap,

Thank you for your interest in our CARES program. I'm writing to provide the information you were interested in regarding time of day of incidents that are referred to our CARES team.

Our CARES program was launched in 2012 and has grown exponentially since then. Our highly capable staff have been an essential service to our community, especially during this pandemic. CARES is currently comprised of two teams. The traditional CARES team is staffed by student advocates, all of whom are in graduate school to obtain their Masters in Social Work. Referrals to this team are made internally, through an online referral form. Our second team, the CARES101 Unit, is staffed by professional social workers who are available during the day, seven days a week, to be dispatched to a 911 call at the request of police or fire crews at the scene.

Please do not hesitate to reach out to me or to our CARES Program Manager, Natasha Grossman (ngrossman@bellevuewa.gov), if we can be of any help as you develop your program.

Again, thank you for your concern and support.

Respectfully,

A handwritten signature in cursive script that reads "Jay Hagen".

Jay Hagen
Fire Chief

Attachment: Bellevue CARES Time of Day Incident Report

Bellevue CARES
Analysis of 2020 Referrals by Incident Day of Week and Time

In 2020 Bellevue CARES received a total of 707 referrals. Most of the referrals were to the traditional CARES team which received 59.3% (419) of all referrals while CARES101 received 40.7% (288) of these referrals. Table 1 provides both the count and percent of referrals to each CARES team. It also provides data on which organization made the referral. Bellevue Fire Department (BFD) accounted for 60.4% (427) of all referrals to the CARES Program. BFD was the most likely referent to both traditional CARES team and CARES101.

Table 1: 2020 referrals by program type and referent type

Program and Referring Organization	Count	Percent of all referrals
<i>Traditional CARES</i>	<i>419</i>	<i>59.3% of all referrals</i>
Bellevue Fire	281	39.7%
Bellevue Police	114	16.0%
CARES	8	1.0%
Redmond Fire	7	1.0%
Homeless Outreach	4	0.6%
Overlake Hospital	3	0.4%
Code Compliance	2	0.3%
Parks Department	0	0%
NORCOM	0	0%
Eastside Fire and Rescue	0	0%
Other	0	0%
<i>CARES101</i>	<i>288</i>	<i>40.7% of all referrals</i>
Bellevue Fire	146	20.7%
Bellevue Police	129	18.2%
CARES101	13	1.8%
<i>Total CARES Program</i>	<i>707</i>	<i>100%</i>

An analysis of incidents by day of week and time for the 707 cases referred to the CARES program, revealed that 79% of the incidents occurred between Monday through Friday. Incident time was available for most cases. However, 17% (117) referrals did not have incident times. Just over one-fifth (21%, 149) of all incidents occur between 6 p.m. and 6 a.m. The data in Table 2 presents numbers and percentages which includes those referrals with missing time of incident.

Table 2: Day of week and time of incident for all referrals

Day of week (percent & number of referrals)	Monday 18% (124)		Tuesday 15% (107)		Weds 13% (95)		Thursday 17% (123)		Friday 17% (123)		Saturday 9% (67)		Sunday 10% (68)		Total 100% (707)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	15	12%	24	22%	15	16%	23	19%	19	15%	12	18%	9	13%	117	17%
12 a.m. to 5:59 a.m.	14	11%	16	15%	8	8%	17	14%	9	7%	5	7%	5	7%	74	10%
6 a.m. to 6:59 a.m.	0	0%	1	1%	1	1%	1	1%	5	4%	2	3%	2	3%	12	2%
7 a.m. to 7:59 a.m.	3	2%	3	3%	3	3%	2	2%	4	3%	2	3%	5	7%	22	3%
8 a.m. to 8:59 a.m.	10	8%	1	1%	3	3%	1	1%	1	1%	1	1%	1	1%	18	3%
9 a.m. to 9:59 a.m.	6	5%	10	9%	5	5%	7	6%	6	5%	5	7%	4	6%	43	6%
10 a.m. to 10:59 a.m.	5	4%	8	7%	9	9%	7	6%	17	14%	6	9%	7	10%	59	8%
11 a.m. to 11:59 a.m.	12	10%	8	7%	9	9%	4	3%	6	5%	7	10%	5	7%	51	7%
12 p.m. to 12:59 p.m.	6	5%	8	7%	7	7%	11	9%	7	6%	3	4%	4	6%	46	7%
1 p.m. to 1:59 p.m.	9	7%	5	5%	8	8%	10	8%	4	3%	1	1%	3	4%	40	6%
2 p.m. to 2:59 p.m.	7	6%	4	4%	7	7%	2	2%	8	7%	6	9%	4	6%	38	5%
3 p.m. to 3:59 p.m.	10	8%	8	7%	2	2%	11	9%	7	6%	5	7%	5	7%	48	7%
4 p.m. to 4:59 p.m.	8	6%	1	1%	4	4%	13	11%	14	11%	4	6%	4	6%	48	7%
5 p.m. to 5:59 p.m.	3	2%	1	1%	2	2%	3	2%	4	3%	2	3%	1	1%	16	2%
6 p.m. to 11:59 p.m.	16	13%	9	9%	12	13%	11	9%	12	10%	6	9%	9	13%	75	11%

In support of decision-making regarding staffing during the day, percentages in this narrative include only those incidents where incident time is known (590 referrals). Nearly 73% (407) of these incidents occurred during the CARES program business hours (between 8 a.m. and 6 p.m.). A majority (63%) of the incidents occurred between 9 a.m. and 5 p.m.

Since the CARES program consists of two teams, incident data (day of the week and time) was also analyzed separately for CARES101 and Traditional CARES. The CARES101 service model ideally has the team on-site at the time of incident. They are available between 8 a.m. and 5:30 p.m., working seven days a week. The analysis of the 288 incidents referred to CARES101, revealed that 87% of the incidents occurred between Monday through Friday (it is notable that CARES101 did not extend their service time to the weekends until August of 2020). With regards to incident times, times were unavailable for 4% (12) of these referrals. Excluding these incidents revealed that 88% (243) of all incident times occurred during the hours CARES101 is available to response (between 8 a.m. and 5:30 p.m.). The flow of calls/referrals to CARES101 are nearly equally distributed between 9 a.m. and 4 p.m. Additional details are provided in Table 3.

Table 3: Day of week and time of incident for CARES101 referrals

Day of week (percent & number of referrals)	Monday 18% (52)		Tuesday 17% (48)		Weds 16% (45)		Thursday 20% (58)		Friday 16% (47)		Saturday 7% (20)		Sunday 6% (18)		Total 100% (288)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	0	0%	3	6%	2	4%	5	9%	2	4%	0	0%	0	0%	12	4%
12 a.m. to 5:59 a.m.	5	10%	4	8%	0	0%	4	7%	3	6%	1	5%	1	6%	18	6%
6 a.m. to 6:59 a.m.	0	0%	0	0%	0	0%	0	0%	1	2%	1	5%	0	0%	2	1%
7 a.m. to 7:59 a.m.	0	0%	3	6%	3	7%	2	3%	1	2%	1	5%	2	11%	12	4%
8 a.m. to 8:59 a.m.	3	6%	1	2%	1	2%	1	2%	0	0%	0	0%	0	0%	6	2%
9 a.m. to 9:59 a.m.	3	6%	6	13%	3	7%	6	10%	5	11%	2	10%	2	11%	27	9%
10 a.m. to 10:59 a.m.	3	6%	4	8%	7	16%	4	7%	6	13%	1	5%	3	17%	28	10%
11 a.m. to 11:59 a.m.	9	17%	4	8%	5	11%	4	7%	1	2%	4	20%	3	17%	30	10%
12 p.m. to 12:59 p.m.	4	8%	6	13%	7	16%	6	10%	5	11%	1	5%	0	0%	29	10%
1 p.m. to 1:59 p.m.	7	13%	5	10%	5	11%	7	12%	1	2%	1	5%	1	6%	27	9%
2 p.m. to 2:59 p.m.	5	10%	4	8%	6	13%	2	3%	7	15%	4	20%	1	6%	29	10%
3 p.m. to 3:59 p.m.	6	12%	6	13%	2	4%	9	16%	5	11%	2	10%	3	17%	33	11%
4 p.m. to 4:59 p.m.	7	13%	1	2%	2	4%	8	14%	8	17%	2	10%	2	11%	30	10%
5 p.m. to 5:59 p.m.	0	0%	0	0%	2	4%	0	0%	2	4%	0	0%	0	0%	4	1%
6 p.m. to 11:59 p.m.	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%	0	0%	1	0%

Traditional CARES staff work Monday through Friday. Over 77% of the incidents referred to them occurred on those days. Incident times were unavailable for 25% (105) of these referrals as shown in Table 4. However, to assess time of day impact, the referrals without incident times were excluded from the analysis in this narrative, leaving a total 314 referrals. Since the Traditional CARES model does not involve real time incident engagement, the incidents referred to them were more evenly distributed throughout the day. In other words, unlike CARES101 there was not a pattern of peak incident times occurring during the business day (8 a.m. to 6 p.m.). In fact, 52% of the incidents with time data occurred during business hours, compared to 88% for CARES101 referrals. Additional details are provided in Table 4.

Table 4: Day of week and time of incident for Tradition CARES referrals

Day of week (percent & number of referrals)	Monday 17% (72)		Tuesday 14% (59)		Weds 12% (50)		Thursday 16% (65)		Friday 18% (76)		Saturday 11% (47)		Sunday 12% (50)		Total 100% (419)	
Incident Time	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Missing time	15	21%	21	36%	13	26%	18	28%	17	22%	12	26%	9	18%	105	25%
12 a.m. to 5:59 a.m.	9	13%	12	20%	8	16%	13	20%	6	8%	4	9%	4	8%	56	13%
6 a.m. to 6:59 a.m.	0	0%	1	2%	1	2%	1	2%	4	5%	1	2%	2	4%	10	2%
7 a.m. to 7:59 a.m.	3	4%	0	0%	0	0%	0	0%	3	4%	1	2%	3	6%	10	2%
8 a.m. to 8:59 a.m.	7	10%	0	0%	2	4%	0	0%	1	1%	1	2%	1	2%	12	3%
9 a.m. to 9:59 a.m.	3	4%	4	7%	2	4%	1	2%	1	1%	3	6%	2	4%	16	4%
10 a.m. to 10:59 a.m.	2	3%	4	7%	2	4%	3	5%	11	14%	5	11%	4	8%	31	7%
11 a.m. to 11:59 a.m.	3	4%	4	7%	4	8%	0	0%	5	7%	3	6%	2	4%	21	5%
12 p.m. to 12:59 p.m.	2	3%	2	3%	0	0%	5	8%	2	3%	2	4%	4	8%	17	4%
1 p.m. to 1:59 p.m.	2	3%	0	0%	3	6%	3	5%	3	4%	0	0%	2	4%	13	3%
2 p.m. to 2:59 p.m.	2	3%	0	0%	1	2%	0	0%	1	1%	2	4%	3	6%	9	2%
3 p.m. to 3:59 p.m.	4	6%	2	3%	0	0%	2	3%	2	3%	2	4%	2	4%	14	3%
4 p.m. to 4:59 p.m.	1	1%	0	0%	2	4%	5	8%	6	8%	3	6%	2	4%	19	5%
5 p.m. to 5:59 p.m.	3	4%	1	2%	0	0%	3	5%	2	3%	2	4%	1	2%	12	3%
6 p.m. to 11:59 p.m.	16	22%	8	13%	12	24%	11	17%	12	16%	6	13%	9	18%	74	18%
7 p.m. to 11:59 p.m.	15	21%	21	36%	13	26%	18	28%	17	22%	12	26%	9	18%	105	25%

CITY OF KIRKLAND PUBLIC ART POLICY GUIDELINES

Public Art Vision

Kirkland maintains a diverse public art collection that invites interaction, fosters civic identity and community pride, inspires a sense of discovery, stimulates cultural awareness, and encourages economic development.

The Kirkland Cultural Arts Commission (KCAC)

The Kirkland Cultural Arts Commission is responsible for helping the City Council implement the Public Art Vision in Kirkland. The KCAC is a volunteer advisory board that works to help arts, culture and heritage grow and thrive in the City of Kirkland. Along with supporting art and cultural initiatives, the KCAC promotes strategic arts planning and advises the City Council on art acquisition in Kirkland.

KCAC Mission

The KCAC curates and advises the City Council on public art acquisitions and loans, and it reviews and recommends projects under the City's "1 Percent for Art" program.

KCAC Goals:

- Curate a diverse public art collection representing various cultural and ethnic communities and perspectives
- Facilitate exposure to public art
- Encourage community dialogue through public art
- Use public art to reflect the characteristics of the greater Kirkland community
- Determine that the art is appropriate for its location
- Regularly re-evaluate the Commission's policies, practices, and programs to ensure there are no structural barriers to artists from historically marginalized communities.

RACIAL EQUITY STATEMENT

Background

The Kirkland City Council took action in August of 2020 in response to community calls for the City to demonstrate that Black lives matter and help end structural racism. The City committed to several actions intended to improve the safety and respect of Black people and to examine and dismantle structural racism in Kirkland. Among other actions, the City was to develop accountability strategies for evaluating whether public art, public symbols, special events and City programming in Kirkland are welcoming to all community members, as well as expanding the diversity of public art, symbols, events and programming to be more inclusive.

Racial Equity Statement

The KCAC, in alignment with the City Council, seeks to dismantle structural racism in Kirkland. The KCAC affirms that all people, their cultures, and their art contribute to the meaning and understanding of our shared humanity and should be honored and celebrated. The KCAC strives to proactively solicit and curate art that reflects the diversity of the Kirkland community, encourages a sense of belonging for all people, and supports the expression of historically marginalized communities. The art created by Black, Indigenous, and People of Color performs a unique role in our community and helps provide inspiration to resolve societal inequity and injustice. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

A. PUBLIC ART ACQUISITION GUIDELINES

Proposed public art acquisitions shall be reviewed by the KCAC with recommendations to the City Council as appropriate. A recommendation will be requested from affected boards, commissions, organizations, and associations when appropriate.

Proposed public art acquisitions will be evaluated on the following:

1. The quality and aesthetic merit of the artwork.
2. Context within the City collection should be considered with the following criteria:
 - a. Does the artwork add diversity, convey artistic expression rooted and reflective of historically marginalized communities by artists from those communities, or enhance existing collections?
 - b. How does the piece engage the public?
 - c. Are the materials appropriate?
 - d. Is the piece susceptible to vandalism or graffiti?
3. Coordination with the Park Board or other affected commissions and departments concerning siting, costs of installation, and maintenance of artwork.
 - a. Availability of an appropriate site.
 - b. Appropriateness in size, scale, material, form and style for the area in which it is to be placed.
 - c. Condition, durability, installation, and maintenance requirements of the artwork.
4. Donor conditions, if applicable.
5. If applicable, loaned artwork can be purchased if there is sufficient public support to acquire it via public fundraising or City Council action.

Other Considerations:

- Whenever appropriate, siting decisions that are not part of a pre-authorized location will be determined by a public art jury made up of surrounding neighbors, businesses, or associations (e.g., business or neighborhood) impacted by an artwork location.
- Priority will be given to artists based within the greater Puget Sound region.

- For a work proposed for loan to the City, the owner or owner's representative will be required to enter into an Art Display Agreement setting forth the length of the loan and other terms such as location, maintenance requirements, insurance, value of art work, installation and removal responsibility, and other conditions pertinent to the agreement.
- Donated or loaned artwork will include identifying plaques if accepted by the City.
- Donated or loaned art may be declined at the discretion of the City consistent with the criteria in the public art policy guidelines.
- All accepted donated works become part of the City art collection and, as such, may be relocated.
- Unrestricted monetary donations to help fund public art acquisitions will be accepted at any time. Donations with conditions or restrictions such as use for acquisition of a specific artwork or theme will be reviewed and accepted in accordance with this policy and declined if the conditions or restrictions are not approved.
- The KCAC may form a racial equity subcommittee to help guide its process to examine and seek to expand the diversity of the City's public art.

B. APPROVAL PROCESS FOR ART ACQUISITION

For the purposes of these guidelines, public art can be classified according to the following categories:

- Cost
 - Less than \$7,500
 - Greater than \$7,500
- Duration of Display
 - Ephemeral Art – art intended to be displayed **up to 60 days**
 - Temporary Art – art intended to be displayed **from 60 days to two years**
 - Permanent – art intended to be displayed **for more than two years**
- Location
 - Pre-Authorized Location
 - New Location
 - Park - For a proposed public art acquisition to be sited in a park, a recommendation from the Kirkland Park Board will also be requested.

Approval Authority

To streamline the art acquisition process, the KCAC has the authority to approve ephemeral and temporary art that is sited in a pre-authorized location and is less than \$7,500. For all other types of art acquisition, the KCAC will make a recommendation to the City Council for review and approval. The following table articulates the approval authority for different categories of art:

ART CATEGORIES	PRE-AUTHORIZED LOCATION	NEW LOCATION
Less than \$7,500; Ephemeral	KCAC	City Council
Less than \$7,500; Temporary	KCAC	City Council
Less than \$7,500; Permanent	City Council	City Council
Greater than \$7,500	City Council	City Council

C. PRE-AUTHORIZED LOCATIONS

Objectives

To provide clear guidelines for locations on public property - such as in parks, in the right-of-way, or along the Cross Kirkland Corridor - that are pre-authorized for site selection of public art. The City currently has several locations/pedestals located in the downtown business district provided for the purpose of displaying temporary and ephemeral public art. Other venues throughout the community, in public facilities and neighborhoods, are encouraged.

General Guidelines

- The KCAC will work with relevant City staff in the Parks and Community Services, Public Works, and other departments to develop a list of Pre-Authorized Locations
- Proposed use of the existing locations for artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services for installation assistance (if required) and Public Works for any permit requirements.

Proposed use of the existing pedestals on Park Lane or artwork in public parks or rights-of-way shall be reviewed by the KCAC in coordination with Parks and Community Services for installation assistance (if required), Public Works for any permit requirements, and Transportation for possible right-of-way clearance review.

PARK LANE OUTDOOR ART GALLERY - An outdoor art gallery located on Park Lane intended to display art to the public.

Park Lane Outdoor Art Gallery Guidelines:

- Generally, no more than six pieces of art will be displayed at one time on city-owned plinths that have been installed in the public right-of-way. The City may establish an agreement with the artist for the sale of selected art to the public.

- The KCAC may accept sculpture display applications on a rolling basis and curate the selection of art based on recommendations by the Kirkland Cultural Arts Commission's Park Lane Outdoor Gallery Committee.
- Generally, art is displayed as temporary art for up to two years unless it is sold, at which time the display term may be shortened, and the art replaced with another selected piece.

Cross Kirkland Corridor - a civic open space and active transportation connection. Art on the CKC has been envisioned as civic expression of the City and its residents, and as a catalyst for the corridor becoming a sought-after destination for visitors to the City. Reference the CKC Masterplan and CKC Art Integration Plan for further detail.

Cross Kirkland Corridor Guidelines:

- Stakeholders, representatives from the KCAC, representatives from the CKC Steering Committee, Office of the Special Events Coordinator and others as deemed appropriate may be included in conceptual review of the art.
- Approval of the art may require recommendations from these stakeholders and any other affected City departments with final approval vested in the KCAC. The CKC Art Integration Plan requirement that: "The City Council makes final decisions about all art on the CKC" (page 6: <https://www.kirklandwa.gov/Assets/CMO/CMO+PDFs/Art+Integration+Plan+for+the+CKC.pdf>) shall be limited to the terms of section B of these guidelines.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
 - The compatibility of the concept to the proposed character zone of the Cross Kirkland Corridor as specified in the Cross Kirkland Corridor Art Integration Plan.
 - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
 - The compatibility and sensitivity of the art to abutting neighborhoods, business districts and schools.
 - The art must not impede transportation flow – bike and pedestrian - on the CKC, or connections from the CKC.
 - That artists or event producers be charged with making sure the art remains in good condition while on display, (is not a safety hazard or the target for graffiti, and that it is removed if the latter conditions ensue).
 - That artists and event producers abide by the city events policies and business licensing and insurance requirements.

- The artists and/or event producers will be required to leave the location or locations of the art as they found them unless exceptions are made.

PUBLIC PARKS

Public Park Guidelines:

- Stakeholders, representatives from the KCAC, representatives from the Park Board, Office of the Special Events Coordinator, the Parks Operation Manager and others as deemed appropriate may be included in the conceptual review of the art.
- The art must be evaluated by the Parks Operation Manager for ongoing maintenance requirements and susceptibility to vandalism and graffiti.
- Whenever possible, at least one onsite meeting shall be convened, including the Parks Operation Manager, representative(s) from the Park Board, representative(s) from the KCAC, and other stakeholders as deemed appropriate, to evaluate and discuss potential locations for the art.
- In reviewing the art concept, in addition to the requirements in section A of these guidelines, the KCAC and other parties involved in the decision shall consider:
 - The compatibility of the concept and its ability to integrate into the proposed park location.
 - The compatibility and sensitivity of the art to its natural surroundings and particularly critical areas.
 - The compatibility and sensitivity of the art to different facets of the proposed park, including beaches, docks, off-leash dog areas, playgrounds, athletic fields, picnic areas, public spaces, and walking/jogging/hiking trails.
 - The art must not impede the ability of parkgoers to fully utilize the park.

D. ART EXHIBIT DURATION

Objectives

To provide clear definitions and guidelines for ephemeral, temporary, and permanent art installations.

Ephemeral Art

Ephemeral Art is built to last and/or be displayed only a short period of time, up to 60 days. These artworks are often left to degrade in natural environmental conditions. Examples of such art include art made out of natural material and water-soluble paintings. Ephemeral Art can also be art performances or art installations that are created and then dismantled after their exhibit.

Ephemeral Art Guidelines

- Ephemeral art, visual or performance art or some other art expression will last for no more than 60 days, and in this way is distinguished from permanent art and other temporary art.
- Art Display Agreements are required.
- Ephemeral art installments require a plan for demobilization and a commitment by the artist to leave the site as it was prior to the art installment or better.
- Ephemeral art exhibits that are performances shall be conducted with respect to site surroundings with deliberate consideration given to noise levels and proximity to neighbors.

Temporary Art

Temporary Art allows for the exhibition of artwork in cooperation with art galleries and other organizations and to showcase artists, promote awareness and foster education regarding public art in the community.

Temporary Art Guidelines

- Art Display Agreements are required.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Length of term on loans is clearly established in artwork loan agreements between 60 days and two years. Loan term shall be reviewed and considered by the KCAC on an individual basis.

Permanent Art

Permanent Art is planned, positioned and constructed for longevity. Art curated as the result of the 1 Percent for Art program typically manifests as fixed, permanent art installations at designated project sites. Permanent Art undergoes a robust process for inclusion into the permanent City collection, including feasibility, ongoing maintenance costs and susceptibility to theft, vandalism and graffiti. All Permanent Art shall be reviewed by the KCAC and relevant stakeholders. The KCAC recommends Permanent Art to the City Council. All Permanent Art requires City Council approval.

Permanent Art Guidelines

- All permanent, public art curated through the 1 Percent for Art process must adhere to the 1 Percent for Public Art Guidelines and follow the established process for 1 Percent for Art projects.
- Donated permanent art will be carefully considered based on above Public Art Acquisition Guidelines.
- If appropriate, partnerships with other arts organizations, agencies, and the business community are encouraged.
- Art Display Agreements may be required.

E. MEMORIAL PUBLIC ART CONSIDERATIONS

- Donation of memorial artwork can honor the memory of an event (contemporary or historical), an occasion, an outstanding member of the community, or serve a similar purpose.
- Proposed memorial public art shall be reviewed by the KCAC and recommended to the City Council. The KCAC will work with the donor and relevant City departments to recommend an appropriate site for the work. For proposed memorial public art to be sited in a park, a recommendation from the Kirkland Park Board and an assessment by the Parks Operation Manager are also required.
- Proposed commissioned memorial art shall not ordinarily honor a living person, unless that person has made a significant and outstanding contribution to the arts or civic service. A waiting period of at least one year should elapse from the time of (1) the initial nomination of the living individual, (2) the passing away of the deceased individual(s) or, (3) the occurrence of the event in order to be eligible for consideration as a commissioned memorial public art work.
- Celebratory gifts may be commemorative in nature or may mark a life event such as: the birth of a loved one, an anniversary, a graduation, a business, or a celebration of an event or a group.
- Memorials accepted by the City become a part of the City art collection and, as such, may be relocated.

In addition to the requirements in section A of these guidelines, proposed memorial public art will be evaluated on the following criteria:

- A. Cohesiveness of the artwork with the overall character of public art already on display throughout the city.
- B. The timeless qualities of the artwork, including its significance and appeal to future generations. Memorial proposals honoring individuals or a personal event should be represented in a form that has a broader community interest and moves the viewer to a special experience. Examples include community parks, landscaped gardens and plazas, sculpture and artworks, plaques about history or the environment, poetry, fountains, park benches, and site furnishings.
- C. The artwork's success in expressing the spirit of the person(s) or event to be commemorated.
- D. Memorial artwork should not set a precedent that goes against the criteria outlined above. Artwork should be congruent with the existing collection, its immediate environment and site-specific existing artwork.
- E. The artistic merit of the artwork.
- F. The proposed location of the artwork. The location should be an appropriate setting for the memorial and should not interfere with existing and proposed circulation and use patterns. It is recognized that a particular location may reach a saturation point and it would then be appropriate to consider limitations or a moratorium on future memorial installations at that location or area.

- G. The fit in terms of the size, scale, material, form and style for the area in which it is to be placed.
- H. Condition, durability, installation, and maintenance requirements of the artwork.

F. DEACCESSION OF ARTWORK

Objectives

To provide procedures for the withdrawal of City-owned permanent artwork from public display.

Guidelines

Deaccessioning should be cautiously applied only after careful and impartial evaluation including input from the KCAC, art professionals, the public, the artist, and final review and decision by the City Council.

- Deaccessioning of artwork may be considered for one or more of the following reasons:
 - A. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
 - B. The artwork presents a public safety risk.
 - C. The artwork is damaged and repair is not feasible.
 - D. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
 - E. The artwork requires excessive maintenance or has failures of design or workmanship.
 - F. The artwork no longer meets the mission and goals of the Public Art Policy.

G. RELOCATION OF ARTWORK

Objectives

To provide procedures for the relocation of City owned artwork.

- A. The condition or security of the artwork cannot be reasonably guaranteed in its present location.
- B. The artwork presents a public safety risk.
- C. Significant changes in the use, character or actual design of the site require a re-evaluation of the artwork's relationship to the site.
- D. A more suitable location for the artwork has been proposed.

Procedures for possible deaccessioning or relocation of artwork shall be initiated by a majority vote of the KCAC or direction from the City Council. The following describes specific procedures for deaccessioning or relocation of artwork:

- A. Review of any restriction which may apply to the specific work.

- B. Assessment of options for storage or disposition of artwork, which may include sale, trade, return to the artist, or gift.
- C. Analysis of reasons for deaccessioning and a deferral to City Council for the final decision. The KCAC may seek additional information regarding the artwork from the public, the artist, art galleries, curators, appraisers, or other professionals prior to making a recommendation.

H. PUBLIC ART JURIES FOR COMMISSIONED WORKS OF ART

- The KCAC may convene a jury to review individual public art memorials or acquisitions.
- Candidate jurors can include but will not be limited to: artists, architects, landscape architects, engineers, urban designers, representatives from the community, art professionals and other stakeholders.
- An appointed jury shall not include City Councilmembers, or their partners or families.
- A jury shall not ordinarily be comprised of more than 50 percent membership from the KCAC.
- Proposals for commissioned works shall include:
 - A. A three-dimensional model (when appropriate) or complete drawing of a two-dimensional work
 - B. Drawings or photographs that demonstrate the relationship of the artwork to the site
 - C. Material samples for the artwork and any relevant construction materials
 - D. Installation details
 - E. Description of routine maintenance and estimate of maintenance costs
 - F. Approval for the installation and use of site by the appropriate city department(s)
 - G. Artist's resume
 - H. Budget and schedule

I. PUBLIC INPUT FOR PUBLIC ART OPPORTUNITIES

Objective

To encourage community involvement in art, cultural and heritage activities, the City Council may seek community input on public art decisions.

- After City Council receives the recommendation from the KCAC and/or Public Art Jury, the Council, at its discretion, may seek broader community input on the recommendation before making a decision to acquire and site public art, to approve temporary and memorial art, or to approve the deaccession of public art.