



CITY OF KIRKLAND

City Manager's Office

123 Fifth Avenue, Kirkland, WA 98033 425.587.3001
www.kirklandwa.gov

MEMORANDUM

To: Kurt Triplett, City Manager

From: James Lopez, Assistant City Manager
David Wolbrecht, Senior Neighborhood Services Coordinator
Chelsea Zibolsky, Special Projects Coordinator
Andreana Campbell, Management Analyst

Date: December 17, 2020

Subject: R-5434 EARLY ACTION REVIEW

RECOMMENDATION:

That the City Council receives a briefing on early actions conducted in 2020 to implement Resolution R-5434.

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 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 City Manager's funding recommendations consisted of early action requests and budget process requests. The early action funding was intended to facilitate immediate implementation of several of the elements in the resolution. The early action funding totaled \$380,000 and included:

- Extending Temporary Management Analyst through 12/31/2021: \$160,000;
- Hiring a Temporary Special Projects Coordinator for 6 months: \$70,000; and
- Professional Services Funding for equity/racial justice consultants and related costs: \$150,000.

The Council adopted R-5434 (Attachment A) and the City Manager's funding recommendations at the August 4, 2020 Council meeting.

Impact of R-5434 on CARES Act Funding Dispersals and 2021-2022 Biennial Budget

Although R-5434 was adopted on August 4, staff began applying the principles and intent of R-5434 prior to its adoption in the dispersal of CARES Act funding and the formation of the City Manager's proposed budget. During the June 16, 2020 Council meeting City staff outlined several needs related to human services funding due to the pandemic. To help address the disproportionate impact the pandemic was having on communities of color, staff presented [Resolution R-5433](#)¹, which included several strategies and tactics that ensured Kirkland's human services responses to COVID-19 were done so equitably. These actions included funding for community-based organizations, overcoming language barriers, and investing in the on-going needs of communities of color during the pandemic. As it related to small business support during the pandemic, staff also considered language barriers, digital literacy, and cultural barriers to assistance programs. These and other considerations informed staff in the design and administration of the Kirkland CARES Small Business Grant Program, through the (re)STARTUP 425's Business Response Team's provision of one-on-one technical assistance for relief assistance, and the design and implementation of the Shop Local Kirkland initiative and platform.

The Budget Leadership Team also considered the priorities and intent of R-5434 in the drafting of the City Manager's proposed budget over the summer of 2020. Adopted by Council at the December 8, 2020 Council meeting, the City's 2021-2022 budget prioritizes a more equitable, safe, and resilient Kirkland through several strategic investments. These priorities are most visible in the Human Services funding for grants and staffing as well as in the Community Safety Initiative.

In addition to improving the safety and respect of Black people, another primary goal of R-5434 is to end structural racism in Kirkland. The budget addresses the intersection of race and class by providing additional investments in various human services areas, including food and shelter services, behavioral health services, and creating a path to recovery and self-sufficiency. This was accomplished through the reauthorization of the enhanced human services funding approved by the Council that was intended to expire after 2020. The 2021-2022 budget also expands the Human Services division of the Parks & Community Services Department with additional staffing to better support equitable human services outcomes for the Kirkland community. All this work is further improved by creating more affordable housing and economic opportunity in Kirkland through low income resident rental assistance and construction of new units of affordable housing.

Finally, several items articulated in R-5434 were incorporated into the 2021-2022 Community Safety Initiative (Attachment B). The overview below consists of R-5434 and R-5434-related strategies not included in the 2021-2022 budget and the Community Safety Initiative. Updates to various Community Safety Initiative elements will be brought to Council at subsequent meetings.

Overview of Early Actions

Since the adoption of R-5434 on August 4, 2020, City staff across various departments have undertaken several actions as called for in Resolution R-5434. An overview of those actions is listed below. For ease of reference, staff have organized the actions into the sections in R-5434:

¹ Resolution R-5433. https://www.kirklandwa.gov/files/sharedassets/public/city-council/agenda-documents/2020/june-16-2020/9d1_business.pdf

transparency strategies, accountability strategies, and community engagement strategies. Although beyond the specific scope of R-5434, staff have also listed additional strategies related to the themes of R-5434.

Transparency Strategies

1. Developing Use of Force Dashboard

Last month the Attorney General's Office drafted legislation that outlined the collection and display of data for a police use of force dashboard (Attachment C). The Attorney General's draft legislation would require the City to report quarterly to Washington State University on a number of different use of force metrics. City staff presented this draft dashboard to the Right To Breathe Committee (discussed in more detail later in the memo) as a potential starting point for community discussions. The Right To Breathe Committee supported using the draft legislation as an initial framework. The Washington Association of Sheriffs and Police Chiefs (WASPC) is also looking to standardize reporting on deadly use of force across agencies (Attachment D). Staff will monitor the legislation in the upcoming session, beginning in January. If the Attorney General's draft legislation, WASPC's recommendations, or something similar were to be adopted in the upcoming session, State law would likely require the City to start with these metrics as a baseline to its use of force dashboard. As part of the process to evaluate enhancements to the city's existing police dashboard, staff will reference the Attorney General's legislation as a starting point for a City dashboard in focus groups for feedback. Staff developed the table below to show whether Kirkland currently collects the data included in the legislation.

Attorney General Use of Force Dashboard Metric	Does Kirkland Currently Collect This 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 capture in a searchable field
p) The entity conducting the independent investigation of the incident, if applicable.	Yes

2. Developing a School Resource Officer public dashboard

City representatives from the Police Department and City Manager's Office met with the Lake Washington School District's Director of Risk and Safety Services to begin

collaborating on a School Resource Officer (SRO) public dashboard. [RCW 28A.320.124](#)² requires the collection and reporting a certain data, as well as an annual review process of the program that involves parents, students, and community members. The community engagement process for R-5434 is intended to gain additional insight into what information the community would want in a dashboard, and staff are also referencing the recommendations articulated in the [final report of the SRO Task Force](#)³ that met throughout 2019 for insight. Staff anticipate having a draft SRO dashboard for Council at the second Council meeting in February 2021. After the schools were closed due to COVID 19, the SRO's were initially assigned to patrol, filling in as Police Training Officers with new Officers who had just graduated from the academy. The SRO's have now returned to their previous schedule and are rotating through a variety of community policing oriented assignments.

3. Developing Human Services and Human Resources public dashboards

As a result of national best practice research, staff have identified various dashboards to inspire both the Human Services and Human Resources public dashboards. Specifically, staff have evaluated and identified the [City of Seattle](#)⁴, the [City of Cincinnati](#)⁵, and the [City of Portland](#)⁶ as three model examples for the City's new Human Services Dashboard, and the [City of Portland](#)⁷, the [City of Boston](#)⁸, and the [City of San Francisco](#)⁹ as three model examples for the City's new Human Resources Dashboard. Using these as a basis, staff are beginning assessment to (1) test what City data sources already exist to populate dashboards such as these and (2) evaluate which option (or combination of options) will serve the needs of the City and our community the best. Staff will synthesize first loop community feedback and technical analysis for initial concept dashboards for presentation at the February Council meeting.

Accountability Strategies

4. Changes to the Use of Force Policy

The Kirkland Police Department does not authorize the use of choke holds. Prior to June 2020, the Police Department allowed the use of Vascular Neck Restraint (VNR) as an intermediate use of force. However, in response to the death of George Floyd, on June 23, 2020, the Police Department changed the use of force policy and now categorizes VNR as deadly force. As such, the Police Department has discontinued training Kirkland's officers in the use of VNR, which required an initial eight hours for certification and four hours every year to maintain that certification. Any technique or tool categorized as deadly force can only be used by officers to protect themselves or others from what they reasonably believe would be an imminent threat of death or serious bodily injury. VNR remains specifically categorized as deadly force not to support the use of VNR, but to acknowledge that numerous officers have been trained on VNR for many years. Additionally, the Police Department has an independent chapter in its policy manual on

²RCW 28A.320.124 School resource officer programs. <https://app.leg.wa.gov/rcw/default.aspx?cite=28A.320.124>

³ 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>

⁴ City of Seattle Homelessness Response - <https://performance.seattle.gov/stories/s/Homelessness-Response/w79s-qyv8>

⁵ City of Cincinnati Human Services Funding - <https://humanserviceschamber.org/portfolio/human-services-funding/>

⁶ City of Portland Point in Time Count of Homelessness - <https://www.portlandoregon.gov/toolkit/article/562207>

⁷ City of Portland – Human Resources Analytics Dashboard – Excluding Portland Police Bureau - <https://www.portlandoregon.gov/bhr/article/697805>

⁸ City of Boston Employee Demographics <https://www.cityofboston.gov/diversity/>

⁹ City of San Francisco Citywide Workforce Demographics - <https://sfdhr.org/citywide-workforce-demographics>

“crisis intervention incidents” which defines de-escalation and how it should be used while dealing with someone in a behavioral health crisis. This definition is now also included in the forefront of the chapter on use of force in the section under definitions.

An initial review of Kirkland Police Department’s use of force policy was the topic of the July 7, 2020 Council Study Session. More information can be found in the [Council memo](#).¹⁰ Use of force evaluation will be ongoing in 2021.

5. Contracting for Third Party Review of Use of Force

The Kirkland Police Department is researching contractors to conduct third-party review of use of force policies, including use of force data analysis. Internal KPD staff are also evaluating use of force data concurrently with the third-party review contracting process. This is a topic of conversation in most of our neighboring jurisdictions, but few have selected a vendor. The City of Bellevue is currently contracting with the OIR Group, a California based company, along with a retired local law enforcement consultant that also includes community listening sessions. The Police Executive Research Forum (PERF) has also conducted oversight projects and studies of law enforcement agencies in the State of Washington. As part of the February Council meeting, the KPD will present internal staff data analysis as well as its assessment of the current experience in the City of Bellevue, the cost of third-party contractors, and what other vendors may be utilized for conducting the use of force policy review. The KPD expects to select a contractor in the first quarter of 2021.

6. Evaluating Options for Independent Civilian Oversight of Police Use of Force

The City Attorney’s Office is the lead on this element and is currently reviewing independent police oversight models implemented in various cities. With more than two hundred oversight agencies throughout the U.S., the CAO is focusing on models utilized in cities similar to Kirkland in size, resources, and/or community. There are many different configurations for police oversight, with three general categories of oversight models: (1) investigative/ombudsman, where the oversight body conducts independent investigations of specific incidents or complaints through professional, non-police staff; (2) review, where the oversight body, through either professional or volunteer board members, reviews and may hear appeals of completed police investigations of specific incidents; and (3) auditor/monitor/inspector general, where the oversight body, through professional staff, evaluates systemic issues with police investigations, training, policies, and supervision, rather than reviewing specific incidents. With these models and any hybrid iterations, the authority of the oversight body can extend to policy recommendations, facilitating community forums, and more. Staff have also engaged in very preliminary discussions with Bellevue of the concept of a sub-regional oversight body that may be shared by multiple jurisdictions on the Eastside. Staff will present additional information for Council consideration at a subsequent meeting.

7. National Best Practice Research for Alternatives to Police

Staff have been researching co-responder programs across the nation, and an overview of several such programs are provided in Attachment E. Initial community feedback from the first loop engagement process indicate that this is priority item for some in the

¹⁰ Kirkland Police Department – Use of Force Review and Update on Body-Worn Cameras. July 7, 2020 City Council Study Session. https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/070720/3b_Study+Session.pdf

community. Staff technical analysis by the City Manager's Office and Police Department has made a preliminary determination that a program similar to the Crisis Assistance Helping Out On The Streets (CAHOOTS) model that began in Eugene, Oregon may be the most applicable to the City of Kirkland. Chief Harris is working with the same consultant the City used to define the Neighborhood Resource Officer and Mental Health Professional roles from the 2018 Enhanced Police Services and Community Safety Proposition 1. The consultant is evaluating options and also the relationship such a program would have to the Community Court.

Additionally, staff are in discussion with the Eugene Police Department and NORCOM to look at how emergency dispatch is used as a key component of the CAHOOTS model. NORCOM will report out to the Governing Board in February 2021 on their findings of how the CAHOOTS model would affect the current NORCOM process. Staff will also be scheduling a call with the White Bird Clinic that operates CAHOOTS to see what consulting services they provide and the cost.

8. Community Court Implementation

The Kirkland Municipal Court Judge convened a Community Court formation committee in January 2020, but with the onset of the COVID pandemic, meetings were put on hold until September 2020. The committee is actively meeting in anticipation of the Kirkland Community Court's expected beginning in March 2021. Judge John Olson and Community Court consultant Marilyn Littlejohn will provide the Council with an in-depth review of this topic at the January 5, 2021 Study Session. Ms. Littlejohn previously coordinated the Burien Community Court, and she is working with the Judge, Court Administrator, Prosecutor, Public Defenders, and City staff on implementing Kirkland's Community Court, with a first Community Court calendar targeted for the first half of March 2021. Staff is also working on defining and recruiting volunteer roles for a Resource Center, a key component of Community Court.

9. Contract for an Organizational Equity Assessment and Creating an Equity and Diversity Strategic Plan

City staff have contracted with Chanin Kelly-Rae Consulting on conducting an organizational equity needs assessment. 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. In addition to 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. This work is anticipated to begin in early January 2021 and conclude sometime in late 2021.

10. Contracting and Procurement Updates

The City Manager's Office met with local community experts Ms. Ollie Garrett, President and CEO of PMT Solutions and current President of Tabor 100, and Mr. Luis Navarro, Director of Workforce Development in the Office of Equity Diversity and Inclusion for the Port of Seattle. Both are Kirkland residents. Based on those conversations, CMO staff 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 Resolution R-5434's section 3(c). From those meetings, staff have drafted revisions to the City's procurement process that will be discussed in further detail at the second Council meeting in February 2021.

11. Proposed changes to the City of Kirkland Public Art Policy Guidelines

Staff have drafted updates the Kirkland Public Art Policy Guidelines to incorporate the themes and priorities of R-5434. The Kirkland Public Art Policy Guidelines are used by the Kirkland Cultural Arts Commission (KCAC) in the acquisition of public art in Kirkland. The updated policy guidelines include updated goals and criteria for selecting art, as well as including a new racial equity statement. The draft racial equity statement reads:

Racial Equity Statement (draft)

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 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 inequality and injustices. This important work of bringing equity to art is pivotal to the KCAC's efforts to confront injustices of the past and reveal inequalities of the present in order to build a more diverse, inclusive collection of public art, now and in the future.

The draft policy guidelines have been endorsed by the KCAC and will be brought to Council for consideration and adoption at a subsequent meeting.

Community Engagement Strategies

12. Meetings with the Right to Breathe Committee

The City Manager, Police Chief, and Assistant City Manager continue to meet bi-weekly with the Right to Breathe Committee for on-going policy discussions. To date, this group has met 19 times since June 2020. These meetings continue to be helpful dialogues centered around the key policy priorities of the Right to Breathe Committee, and staff anticipate continuing to meet with the Committee throughout the R-5434 process. The Right to Breathe Committee has indicated it intends to issue scorecards for the various Eastside cities with whom it is engaging in discussions. Each City's scorecard will 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. The scorecards are expected to be published on or around Martin Luther King Jr. Day, January 18, 2021.

13. Co-Hosting City Hall for All presents East King County Race and Equity Summit on September 26, 2020

City of Kirkland staff joined 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 to collaborate on a regional

Welcoming Week event. This year's regional Welcoming Week event's theme was the history of racism on the Eastside and connecting attendees with concrete action steps for those that wanted to get involved in this work. The event featured keynote speaker Mr. Delbert Richardson, a Community Scholar, Ethnomuseumologist, Second Generation Storyteller, and Creator of the National Awarding Winning American History Traveling Museum: The "Unspoken" Truths. The event included small group conversations, resources for taking action, and poetry and music performances. Featured in the event were 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 featured groups as the basis for organizing the "first loop" focus groups in support of the community engagement process for R-5434.

14. Focus Group Meetings

City staff have conducted four focus groups as part of the "first loop" process of the community engagement called for in R-5434. Staff have met with small groups from:

- Eastside Race and Leadership Coalition
- Movement of Advocacy for Youth
- Black Policy Advisory Committee
- Eastside Change Coalition

This first loop is intended to garner insight not only on the specific policies, programs, and practices outlined in R-5434, but also on the community engagement process itself. Staff are in active conversation with two additional groups and anticipate engaging more groups to conclude first loop focus groups in January with between six and ten total meetings. A full report of findings, include a detailed breakdown of focus group demographics, will be provided to Council as part of the second Council meeting in February 2021.

15. Extension of Management Analyst Position through 2021

The City Manager's Office has extended the temporary Management Analyst Andreana Campbell's position through December 31, 2021. This position 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.

16. Hired 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 and has taken lead on coordinating with community groups for additional focus groups, 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.

17. Establishment of a Community Advisory Steering Committee

Building on the feedback that staff have received from the first loop focus groups, City staff have begun exploring contracting with local leaders to create a Community Advisory Steering Committee that will receive compensation for their services. Creating a committee that centers the lived experiences of Black people and also represents diversity in age, gender, and intersectionality will be a key priority. Comprised of people who have extensive experience with Black led community organizing, this committee will give recommendations on progress and outcomes related to R-5434 and the community engagement process, as well as the development of the forthcoming Equity Strategic Plan. Although the formation of this committee is prompted by the community engagement process of R-5434, it is staff's intention to continue the relationships formed with the participants in this process for ongoing engagement beyond R-5434.

18. Kirkland Public Safety Survey

Since 2015, the City of Seattle has partnered with Seattle University (Seattle U) to implement a public safety survey as part of a larger effort known as a Micro-Community Policing Plan (MCP). Annually, Seattle U conducts an independent public safety survey of each neighborhood capturing the concerns of each neighborhood and then providing the Seattle Police Department (SPD) clear areas of focus. The survey is used in conjunction with focus groups and police-community engagement to inform and revise SPD's priorities and strategies. To see previous years' surveys, please visit the [City of Seattle's website](#).¹¹

Staff has engaged representatives from Seattle U to adapt this survey for the City of Kirkland. The survey and focus group process is very similar to the City's Community Policing engagement trek completed in 2019, and conducting such an annual survey was identified as Possible Strategy 1.1 "Annual online survey and focus groups" in the trek [final report](#).¹² This strategy reinforces Recommendation 23.a from the [Kirkland Police Strategic Plan](#)¹³ "Conduct annual Community Satisfaction Surveys in addition to the bi-annual city-wide Citizen Satisfaction Survey".

19. Kirkland Talks Series in 2021

Staff have begun the contracting process with Eastside For All to facilitate various virtual dialogue events throughout 2021 using the Kirkland Talks model to bring the community together for courageous conversations about race. This builds on the dialogue events

¹¹ City of Seattle. <https://www.seattle.gov/police/information-and-data/mcpp-about/survey-results-dashboard>

¹² Community Policing Outreach Findings Report. <https://www.kirklandwa.gov/files/sharedassets/public/city-managers-office/pdfs/community-policing-outreach-findings-report.pdf>

¹³ Kirkland Police Department Strategic Planning: Consultant Report.

<https://www.kirklandwa.gov/files/sharedassets/public/police/police-pdfs/kirkland-police-strategic-planning-consultant-report.pdf>

conducted during early 2020 as part of the Welcoming Kirkland Initiative, some of which were unfortunately cancelled due to COVID-19. Recognizing the intra- and interpersonal facets of structural racism, these dialogues will provide community members the opportunity to dive into the complex and challenging topic of race and racism while also providing a safe practice space for participants around a set of skills that they can take into their lives, workplaces, and schools. Staff will provide an update to Council on this program as the logistics are further refined.

Other Strategies Related to the Themes of R-5434

20. Review and Monitoring of Relevant Draft State Legislation

The City Council approved its state legislative priorities for the 2021 session at its November 4, 2020 meeting and it added a new segment to the City's legislative agenda called the [priority coalition advocacy agenda](#)¹⁴. The priority coalition advocacy agenda highlights a limited number of key legislative priorities that are critical to Kirkland but that are championed by other organizations. For these items, the City may provide support as part of a coalition but would not taking the lead. Council identified three items for this segment going into the 2021 session, one of which includes advocating for the Association of Washington Cities' (AWC) Statewide Policing Reforms priority.

Shortly after Council adopted the City's 2021 priorities and priority coalition advocacy items, the Attorney General circulated for review and comment its request draft legislation related to collecting and publishing information regarding law enforcement use of force. The draft was distributed to subject-matter experts in several city departments including the City Manager's Office (CMO), where staff were encouraged by its model dashboard as well as the proposed legislation's potential to support the city's efforts in implementing Resolution R-5434 if it were passed by the legislature.

According to the AWC, a number of other proposals in the area of police reforms have been offered for review as well, including an ACLU draft bill relating to enhancing public trust and confidence in law enforcement and strengthening law enforcement accountability. The ACLU bill focuses strongly on preventing collective bargaining agreements from limiting police accountability.

Police Reform Bill Drafts Identified (as of December 22 per the AWC)*

1. Decertification – Sen. Pedersen / Rep. Goodman
2. Duty to intervene – Sen. Dhingra
3. Brady / Impeachment – Sen. Dhingra
4. Deadly Use of Force Audits – Sen. Dhingra (Attachment F)
5. Law enforcement use of force data – Rep. Lovick (Attorney General Request)
6. Tactics (ban) – Rep. Johnson
7. Use of Force Standard – Rep. Johnson
8. Civil claim / 1983 – Rep. Thai
9. Community accountability boards – Rep. Johnson
10. Beltran – Serrano (standard of care) – Rep. Johnson

¹⁴ City of Kirkland's 2021 Priority Coalition Advocacy Agenda https://www.kirklandwa.gov/files/sharedassets/public/city-council/city-of-kirkland_2021legislativepriorities_councilamendedandapproved_110420.pdf

11. Felony bar removal (LE) – Rep. Lekanoff / Sen. Frockt
12. Hiring / Civil service/ diversity – Sen. Kuderer
13. Law enforcement accountability (ACLU version Attachment G) – Sen. Salomon
14. CBA / WASPC version**
15. Independent Investigation / prosecutions – Rep. Entenman (Governor Request)

* Aside from the AG's bill, the ACLU's bill and Sen. Dhingra's Deadly Use of Force Audit bill, staff has not seen any other bill drafts, but we have flagged the above list for review when these bills are brought forward.

** Anticipate WASPC will rerun their data bill and they have an agenda as well. So far Rep. Maycumber has picked up their suicide prevention bill.

The AWC reports that police reform bills will likely be heard the first week of the 2021 session, which officially opens January 11, 2021. In the interim, the City's Government Relations staff will continue to work with the AWC and the City's contract lobbyist to track bill drafts being circulated on this and other topics that could impact the City. The process of tracking and monitoring will become systematic as bill drafts are formally dropped in the hopper and assigned bill numbers. The City's robust bill review process will include reviewing bill drafts for potential impact to the work the City is doing for Resolution R-5434.

21. Welcoming Kirkland Initiative

The Welcoming Kirkland Initiative (WKI) completed its work and published a report titled [*Reflections and Lessons Learned*](#)¹⁵ to the public in early December 2020. WKI was developed to address issues that were identified in a 2018 incident at Menchie's in Totem Lake which highlighted concerns that People of Color in general, and Black people, in particular, have lived experiences of an unwelcoming and inequitable community in contrast to the City's stated goal to be safe, inclusive and welcoming for all. The WKI planning and working groups included more than 20 diverse leaders, representing a variety of public needs. Community talks included topics such as Preparing to be Color Conscious and Color Brave, which brought nearly 100 attendees. As noted by City staff in the *Reflections* report, the City hopes to engage the WKI group as a key point of community feedback and insight throughout the R-5434 civic engagement process.

22. Welcoming Cities Collaborative

The City signed on as a welcoming city through the Welcoming America network in 2017. Since then, staff have continued to explore ways to support the City's safe, inclusive, and welcoming work as directed in the 2017 Resolution R-5240. One such strategy has been meeting for over a year with representatives from neighboring Eastside cities and from Eastside For All to explore the idea of a regional partnership called the Welcoming Cities Collaborative. This effort is envisioned to further the work of equity, inclusion, and racial justice in Kirkland and on the Eastside, while also achieving the requirements of the Welcoming America Standard and Certification. As this work has been directly in line with R-5240 and is further supported by R-5434, the City Manager's Office has committed two years of funding for the City's full participation in this effort, funded from 2019-2020 community engagement funds.

¹⁵ Reflections and Lessons Learned, Welcoming Kirkland Initiative: <https://www.kirklandwa.gov/files/sharedassets/public/city-managers-office/pdfs/wki-lessons-and-commitments.pdf>

23. Preliminary Work on Reimagining Kirkland's Neighborhood U Informed by the Bellevue Essentials Program

CMO staff met with a representative from the City of Bellevue's Neighborhood Outreach group to discuss the Bellevue Essentials Program, a nine-week, 35-40 student civic engagement program that combines a curriculum on the structure of city government with hands-on activities which allow participants to simulate day-to-day challenges of city government. Having just completed their eighth year of running the program, a record 73 community members applied to participate, and all 40 who were accepted successfully completed the program. A key component of Bellevue Essentials is to encourage graduates to stay engaged with the city and their neighborhoods, and the program has an alumni group with more than 250 members. Another highlight of the program is the diversity of participants in the program, which aligns with the intent of R-5434 as well as several "Civic Engagement" actions articulated in the recently adopted Sustainability Master Plan. Neighborhood Services staff will incorporate the insight and resources provided by Bellevue staff into other national best practice research as staff continue to develop the 2021 "Kirkland Essentials" program (final name to be determined).

24. National Day of Racial Healing Proclamation

Based on the first loop focus groups and other research, staff have identified proclaiming January 19, 2021 as the "National Day of Racial Healing in Kirkland" as one potential immediate action the City could do in support of the intentions of R-5434. The National Day of Racial Healing was created in 2016 through a collaboration of hundreds of leaders and the W.K. Kellogg Foundation (WKKF) and is part of WKKF's "Truth, Racial Healing & Transformation (TRHT)" framework. An example proclamation, which would be adapted to the specificity of Kirkland's efforts related to racial equity as articulated in R-5434, is attached (Attachment H).

25. Kirkland Indigenous History Compilation

The CMO Volunteer Services Coordinator is compiling 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. This work will include 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.

26. Americans with Disabilities Act (ADA) Transition Plan and Equity Impact Assessment

The City contracted MacDonald Boyd and Associates to support the City's broader outreach related to its ADA Transition Plan conducted throughout 2019. As part of this process, the consultant developed an equity impact assessment (EIA) for the City's use (Attachment I). This tool can enhance equity and inclusion in the development of policies, programs, services, and initiatives. The consultant hosted one training session in late February of 2020, just before the pandemic emerged, which was attended by 39 staff from various departments and job classifications. In the training, participants had the opportunity to reflect on tangible ways to advance the broader City-wide goals of being a safe, inclusive and welcoming community by practicing using the EIA on existing

or forthcoming policies, programs, or services. Additional staff trainings are forthcoming. This tool is intended to be broadly used across the departments, adapted to meet various equity needs, and can be used to support Action SG-4.2 in the Sustainability Master Plan: "Develop a process to identify and dismantle unintended barriers to public participation by considering and responding to the diversity of our community, including the various cultural, ethnic, and historical experiences of community members."

27. Equity and Inclusion Dashboard

The Equity and Inclusion dashboard is a geospatial map project initiated by the Planning & Building Department that will provide various City departments the tools to review demographics for the City – or for smaller geographic units within the City – as they relate to City projects and programs. The goal is for these projects and programs to efficiently conduct an equity impact assessment to determine whether any groups might be negatively impacted by the project, whether there are issues of access for some groups, and how a project might positively impact equity and inclusion. The dashboard would utilize existing data from sources such as the US Census, American Fact Finder, Washington State Office of Financial Management, Centers for Disease Control & Prevention, and Puget Sound Regional Council, in addition to Kirkland data sets to enable internal users to quickly run queries for user-defined geographic areas. The project team is anticipated to begin focused work on this dashboard in early 2021.

28. Development Services/Welcoming Hall

The City Manager provided a presentation on an initial concept for a development services / welcoming hall 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.

NEXT STEPS

Most of the strategies listed above are in progress, with additional work to be done by staff in various departments over the coming months. Staff are or will soon be working on the other elements of R-5434 not detailed above, including contracting for third party police use of force review developing the process, criteria, and outreach plan for diverse art and event funding opportunities to expand public art and programming in Kirkland in 2021. Updates on these additional items will be incorporated into the staff presentation to Council at the second Council meeting in February 2021.

Attachment A: Resolution R-5434

Attachment B: Community Safety Initiative

Attachment C: Attorney General Draft Legislation

Attachment D: Washington Association of Sheriffs and Police Chiefs Draft Legislation

Attachment E: Summary of Co-Responder Models

Attachment F: Sen. Dhingra Draft Deadly Use of Force Audit Bill

Attachment G: ACLU Draft

Attachment H: Example Proclamation of National Day of Racial Healing

Attachment I: Equity Impact Assessment Template

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



Community Safety Initiative

Investing in a More Equitable, Safe and Resilient Kirkland

The overarching theme of the City of Kirkland's 2021-2022 Budget is ***"Investing in a More Equitable, Safe and Resilient Kirkland."*** Equity, safety and resiliency are all interrelated, and this budget reflects their interdependence. The centerpiece of the 2021-2022 budget is the **"Community Safety Initiative"** designed to help Kirkland become a more equitable city where Black community members feel safe and respected and structural racism is eliminated. This Community Safety Initiative is focused on implementation of **R-5434** and related equity needs and consists of three primary elements.

1. Community Safety Partners - (\$2,538,442)

Community safety partners are non-commissioned City employee "co-responders" who partner with Police to respond to service calls that require something different than a Police Officer. These partners will help connect struggling residents with the social and health services they need, reduce the burden of mental health and social service calls on Police Officers, and contribute to the successful de-escalation of challenging behavioral health situations. The City's goal is to ensure availability of "co-responders" 24 hours per day, 7 days a week, 365 days per year.

The preliminary budget includes funding for:

- » **Sustaining the current co-responder positions:** Park Ranger, Animal Control Officer, and one contracted mental health professional
- » **A second dedicated mental health professional** paired with a new firefighter/emergency medical technician, funded by the Medic One levy
- » **Five new community safety partner positions:** four positions are new co-responders plus a proposed Public Safety Community Relations Specialist

2. Community and Police Safety Investments - (\$1,755,877)

Community and Police Safety Investments advance the goals in R-5434 as well as Kirkland's commitment to being safe, inclusive and welcoming for all people. The preliminary budget includes funding for:

- » **Body worn cameras for all Kirkland Police Officers** as well as the evidence technician and public records staff positions necessary to support a body worn camera pilot program
- » **Police community accountability initiatives** that will be defined by the R-5434 process
- » **Diversity recruitment and retention efforts** to increase the diversity of race, cultural backgrounds, gender, and sexual orientation in both the Police and Fire Departments.
- » **Organization-wide efforts to improve equity and diversity** as programs and training are identified through R-5434
- » **A pilot program for Community Court in Kirkland** in partnership with the Municipal Court Judge to divert disadvantaged populations from the criminal justice system and connect them instead with needed support services
- » **A high-level Diversity and Inclusion Manager position:** the scope and duties of this position will be defined by the equity gap analysis as part of R-5434 implementation

What is R-5434?

City of Kirkland Resolution R-5434 is a framework of actions to improve the safety and respect of Black community members and end structural racism. To stay up to date on opportunities to be involved in this community engagement process, please sign up for the City's email list for this effort: <https://bit.ly/3hPpOqz>





Community Safety Initiative

Investing in a More Equitable, Safe and Resilient Kirkland

3. Housing and Human Services - (\$1,338,875)

In addition to improving the safety and respect of Black people, another primary goal of R-5434 is to end structural racism in Kirkland. The proposed budget addresses the intersection of race and class by providing additional investments in food and shelter services, behavioral health services and creating a path to recovery and self-sufficiency. This path is further improved by creating more affordable housing and economic opportunity in Kirkland. The preliminary budget includes funding for:

- » Reauthorizing the **enhanced human services funding** approved by the Council that was intended to expire after 2020
- » **Expanding the human services budget further** with new revenue.
- » **Mental health programs, domestic violence prevention, suicide prevention** and related services, funded through **Police Proposition 1**
- » **Low income resident rental assistance and construction of new units of affordable housing:** the housing sales tax credit revenues authorized by the state legislature through House Bill 1406 in 2019 is projected to provide over \$200,000 per year



Kirkland Place for Families and Women: A permanent, 24-hour shelter — the first of its kind on the Eastside.

Related Affordable Housing Investments - (\$1,930,000)

- » **A Regional Coalition for Housing (ARCH)** staffing and the ARCH Trust Fund contribution - (\$830,000)
- » **Catalyzing affordable housing in Kirkland:** Estate Excise Tax (REET) and new program support dollars have been set aside to create housing opportunities beyond ARCH - (\$1,100,000)

More Information:

To learn more about the 2021-2022 budget process, go to www.kirklandwa.gov/budget. If you have any questions, contact:

David Wolbrecht • Kirkland Neighborhood Services Outreach Coordinator
City Manager's Office • dwolbrecht@kirklandwa.gov • (425) 587-3011





Bob Ferguson

ATTORNEY GENERAL OF WASHINGTON

Administration Division

PO Box 40100 • Olympia WA 98504-0100 • (360) 753-6200

ATTORNEY GENERAL REQUEST DRAFT LEGISLATION

Collecting and publishing information regarding law enforcement use of force.

NEW SECTION. Sec. 1. A new section is added to Chapter [10.114](#) RCW to read as follows.

The Legislature finds that transparency and accountability are important to the public. Data collection is an essential tool that can be used to provide accountability to law enforcement agencies and transparency to the public about the effectiveness of existing practices, which policies and training work and do not work, and any unintended consequences. The Legislature finds that creating a database to track metrics and make those metrics publicly available is the most transparent and objective way to track and report use of force data.

NEW SECTION. Sec. 2. A new section is added to Chapter [10.114](#) RCW to read as follows.

“General authority Washington law enforcement agency” has the same meaning as in RCW 10.93.020.

“Limited authority Washington law enforcement agency” has the same meaning as RCW 10.93.020.

“Local government entities” has the same meaning as in RCW [48.62.021](#).

“Great bodily harm” has the same meaning as in RCW [9A.04.110](#).

“Substantial bodily harm” has the same meaning as in RCW [9A.04.110](#).

“Tort payout” means the amount paid pursuant to the settlement of a claim, settlement agreement or judgment entered by a court in a civil action.

NEW SECTION Sec. 3. A new section is added to Chapter [10.114](#) RCW to read as follows.

(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;
- b) In which there is great bodily harm to a person connected to use of force by a law enforcement officer ;
- c) In which there is substantial bodily harm to a person connected to use of force by a law enforcement officer; and
- 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;
 - ii. Points a firearm at a person;
 - iii. Uses a choke hold or vascular neck restraint;
 - iv. Uses an electronic control weapon, including, but not limited to a Taser, against a person;
 - v. Uses oleoresin capsicum spray against a person;
 - vi. Discharges a less-lethal shotgun or other impact munitions at or in the direction of a person;
 - vii. Strikes a person using an impact weapon or instrument, including, but not limited to, a club, baton, or flashlight;
 - viii. Punches or kicks a person using closed fists or feet;
 - ix. Uses a vehicle to intentionally strike a person or vehicle; or
 - x. Deploys a canine that bites a person.

(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;
- b) The location of the incident;
- c) The agency or agencies employing the law enforcement officers;
- d) The type of force used by the law enforcement officer;
- e) The type of injury to the person against whom force was used, if any;
- f) The type of injury to the law enforcement officer, if any;
- g) Whether the person against whom force was used was armed or unarmed;
- h) The type of weapon the person against whom force was used was armed with, if any;
- i) The age, gender, race, ethnicity, of the person against whom force was used;
- j) The tribal affiliation of the person against whom force was used, if applicable;
- 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;
- l) The age, gender, race, ethnicity, of the law enforcement officer;
- m) The law enforcement officer's years of service;
- n) The reason for the initial contact between the person against whom force was used and the law enforcement officer;
- o) Whether any minors were present at the scene of the incident; and
- p) The entity conducting the independent investigation of the incident, if applicable.

NEW SECTION **Sec. 4.** A new section is added to Chapter [10.114](#) RCW to read as follows.

(1) By July 31 of each year, the office of risk management shall provide Washington State University or its successor the amount of any tort payout, broken out by agency, occurring in the preceding 12 months involving an allegation of improper use of force by any general authority Washington peace officer or limited authority Washington peace officer employed by any agency, department, or division of state government.

(2) By July 31 of each year, local government entities shall provide Washington State University or its successor the amount of any tort payout, broken out by jurisdiction, occurring in the preceding 12 months involving an allegation of improper use of force by any general authority Washington peace officer or limited authority Washington peace officer employed by any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of this state.

NEW SECTION **Sec. 5.** A new section is added to Chapter [10.114](#) RCW to read as follows.

(1) Subject to the availability of amounts appropriated for this purpose, Washington State University shall establish and maintain an online repository for the collection of information from law enforcement agencies and the public regarding law enforcement use of force.

(2) Subject to the availability of amounts appropriated for this purpose, Washington State University shall:

- a) By February 28, May 31, August 31, and November 30 of each year, publish the information received under section 3 in a searchable format on a public website;
- b) By March 30 and September 30 of each year, summarize the information received under section 3 on a public website, including through the use of visual displays, including but not limited to graphs and charts;
- c) By March 30 and September 30 of each year, submit the summary information in subsection (2)(b) of this section to the legislature.
- d) By September 30 of each year, publish the information received under section (4) on a public website; and
- e) By September 30 of each year, submit the summary information in subsection (2)(d) of this section to the legislature.

NEW SECTION **Sec. 6.** A new section related to accountability and enforcement for non-compliance or misreporting.

Note: This should include a meaningful opportunity to cure and correct when a violation is identified and a provision to ensure that entities have the time and ability to adequately comply.



SHERIFFS & POLICE CHIEFS

Law Enforcement Reform Recommendations 2020-2021

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

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

Use of Force:

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

Transparency and Accountability:

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

Defining the role of law enforcement:

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

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

SUMMARY OF CO-RESPONDER MODELS:

Name	City	Description	Status	Annual Budget
The Crisis Assistance Helping Out on the Streets (CAHOOTS)	Eugene, Oregon	Provides mobile crisis intervention response to incidents related to mental health, substance abuse, suicide threats, as well as providing conflict resolution and welfare checks. Teams are staffed by two-person teams including a medic and crisis worker in collaboration with the White Bird Clinic.	Full Program Implementation	\$2.1M
Expanded Mobile Crisis Outreach Team (EMCOT)	Austin, Texas	Provides 24/7 mobile mental health crisis co-response of a team of medical and mental health professionals with law enforcement for cases involving mental health issues. The service is provided by the County of Travis' mental health authority DBA Integral Care in partnership with the City of Austin.	Successful Pilot, Renewed Contract	\$4M
Support Team Assisted Response (STAR)	Denver, Colorado	Mobile crisis pilot program provides assistance to individuals experiencing mental health crises, depression, poverty, homelessness, and/or substance abuse. Teams include a Licensed Clinical Social Worker and a paramedic. The service is provided by the Denver Police Department and Mental Health Center of Denver and consists of one van operating in downtown Denver Monday – Friday 10am-6pm.	Pilot Program underway	\$780K
Mobile Assistance Community Responders of Oakland (MACRO)	Oakland, California	Proposed pilot program that will provide mobile crisis response for non-violent incidents, using a mental health professional and an Emergency Medical Technician in lieu of an armed response. The program would be provided through the Oakland Department of Violent Prevention.	Proposed Pilot	\$1.85M
Portland Street Response (PSR)	Portland, Oregon	Proposed pilot program to provide non-emergency response to those experiencing a mental health crisis or non-emergency medical issue by responders trained in behavioral health, crisis intervention, and medical assistance. The program will be provided through the Portland Fire and Rescue Department.	Pilot Program to begin in 2021	\$4.8M

24-Hour Street Crisis Response Team	San Francisco, California	Crisis response team that responds to calls related to behavioral health emergencies in lieu of law enforcement. These response teams are equipped with one paramedic, a behavioral health clinician, and a behavioral health peer and focus on calls in the Tenderloin neighborhood between 10 a.m. to 6 p.m., Monday through Friday.	Pilot Program Underway	\$2M
Crisis Intervention Services Unit	Rochester, New York	Non-law enforcement, comprehensive community response to all homicides, as well as all calls involving mental health, domestic violence and other related crises. The Unit consists of two teams: Team I is a comprehensive homicide response team, while Team II deals with all mental health and domestic violence related emergencies. Both teams will be on call 24 hours a day/seven days a week.	Full Program Implementation	\$1M

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-0112.2/21 2nd draft

ATTY/TYPIST: KS:eab

BRIEF DESCRIPTION: Concerning compliance and transparency of deadly force investigations.

1 AN ACT Relating to compliance and transparency of deadly force
2 investigations; and adding new sections to chapter 43.101 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.101
5 RCW to read as follows:

6 The office of the Washington state auditor is authorized to
7 conduct an audit procedure and review at the conclusion of any deadly
8 force investigation conducted pursuant to RCW 10.114.011 to determine
9 whether the actions of the involved law enforcement agency,
10 investigative body, and prosecutor's office are in compliance with
11 all rules and procedures for the investigation and reporting of
12 incidents involving the use of deadly force. Audit procedures under
13 this section shall be conducted in cooperation and coordination with
14 the commission.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.101
16 RCW to read as follows:

17 Upon the request of the commission, the office of the Washington
18 state auditor is authorized to conduct an audit procedure on any law
19 enforcement agency to ensure the agency is in compliance with all
20 laws, policies, and procedures governing the training and

1 certification of peace officers employed by the agency. A copy of any
2 completed audit must be sent to the commission, law enforcement
3 agency, city or county council, county prosecutor, and relevant
4 committees of the legislature.

--- END ---

SENATE/HOUSE BILL XXXX

State of Washington 67th Legislature 2021 Regular Session
 By **Senators/Representatives** ...

1 AN ACT Relating to enhancing public trust and confidence in
 2 law enforcement and strengthening law enforcement accountability
 3 by: excluding police accountability topics from being subject to
 4 bargaining in law enforcement union contracts; precluding use of
 5 arbitration for law enforcement officer disciplinary appeals;
 6 and specifying mandatory grounds for discharge from employment
 7 for law enforcement officers; adding new sections to chapter
 8 41.56 RCW.

Commented [A1]: We are asking legislative staff to recommend where Sec. 2 and 4 should be placed.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

12 NEW SECTION. **Sec. 1.** The legislature finds that:

13 (1) Policing is unique among governmental functions, due to
 14 the authority and broad discretion of police officers to engage
 15 in state-sanctioned use of force, taking of life, and taking of
 16 liberty. For this reason, collective bargaining agreements and
 17 accountability mechanisms for law enforcement unions and guilds
 18 have significantly different impacts on the public than those of
 19 other public sector employees. More accountability to the public
 20 is necessary than law enforcement collective bargaining
 21 agreements and law enforcement disciplinary appeals arbitration
 22 provide.

23 (2) Considerable local and national evidence demonstrates
 24 that law enforcement union and guild collective bargaining
 25 agreements, and the use of arbitration for appeals of law
 26 enforcement discipline, have resulted in shielding officers from
 27 accountability for misconduct, including use of excessive force.

1 These barriers to accountability have resulted in the
2 reinstatement of law enforcement officers despite having engaged
3 in serious misconduct harming members of the public, undermining
4 public trust and confidence in the work of law enforcement
5 agencies.

6 (3) The legislature recognizes that law enforcement
7 accountability systems, structures, policies, and practices that
8 are transparent and effective, and mete out fair, impartial, and
9 swift discipline commensurate to wrongdoing, will help ensure
10 the civil and constitutional rights of the public are upheld,
11 reduce misconduct, and maintain law enforcement agency cultures
12 of accountability and adherence to policy and law.

13 (4) This bill is intended to reduce barriers to police
14 accountability but does not alter any other collective
15 bargaining rights of law enforcement officers nor does it change
16 collective bargaining rights for public employees other than law
17 enforcement. All public employees maintain the right to bargain
18 with respect to matters related to wages and benefits.

Commented [A2]: Staff to select correct term, here and throughout - is it bill or chapter or other?

19
20 **Sec. 2.** Definitions applicable to this bill only. For this
21 section and sections 3 through 6 of this act the following
22 definitions apply:

Commented [A3]: Legislative staff to figure out where to put this, to carry out the intent that this bill applies to law enforcement only and not to any other public employees.

23 (1) "Law enforcement officer" means "general authority
24 Washington peace officers" employed by "general authority
25 Washington law enforcement agencies" as defined in RCW
26 10.93.020(1) and (3).

27 (2) "Law enforcement union" means any bargaining entity
28 that engages in collective bargaining on behalf of law
29 enforcement officers.

30
31 NEW SECTION. **Sec. 3.** A new section is added to chapter
32 41.56 RCW to read as follows:

33 (1) A collective bargaining agreement with a law
34 enforcement union shall not:

1 (a) Require a waiting period before an officer is
2 interviewed by the officer's employer or an agent of the
3 employer about a use of force incident or other significant
4 incident involving alleged misconduct, or allow an officer to
5 watch video recordings of the incident or talk to other officers
6 about the incident prior to submitting to an interview. An
7 immediate interview of an officer alleged to have been involved
8 in a use of force incident or other significant incident
9 involving alleged misconduct, or to have witnessed such an
10 incident, must be allowed;

11 (b) Preclude the investigation of a complaint or the
12 imposition of discipline by the officer's employer based on a
13 time limit for filing of a complaint or concluding an
14 investigation;

15 (c) Limit the manner in which complaints of misconduct are
16 initiated, investigated, litigated, or otherwise resolved by the
17 officer's employer;

18 (d) Prevent the officer's employer from pursuing other
19 incidents or types of misconduct revealed during an
20 investigation;

21 (e) Limit retention, disclosure, use, or review of body
22 camera and in-car video footage by the officer's employer;

23 (f) Limit secondary employment management, oversight, and
24 policies established by the officer's employer;

25 (g) Limit internal review boards or early intervention
26 systems established by the officer's employer or local
27 jurisdiction;

28 (h) Limit the authority, composition, or responsibilities
29 of civilian oversight entities established by the officer's
30 employer, local jurisdiction, or other governing body;

31 (i) Limit the use or authority of civilian supervisors and
32 investigators by the employer or civilian oversight entity
33 receiving complaints and conducting investigations;

1 (j) Limit full subpoena authority for civilian oversight
2 bodies, or otherwise limit civilian oversight and review;
3 (k) Limit public access to, retention of, or disclosure of,
4 information and records regarding incidents, complaints,
5 investigations, findings, disciplinary decisions, litigation,
6 appeals, or decertification of officers;
7 (l) Limit a chief's or sheriff's authority to remove an
8 officer from duty or place an officer on leave;
9 (m) Limit the procedures or timelines for the retention or
10 destruction of officer misconduct and employment records;
11 (n) Allow sealing, removal, redaction, or destruction of
12 information in officer misconduct and employment records;
13 (o) Allow officers or union representatives to raise
14 previously undisclosed information at disciplinary appeal
15 hearings where that information was known and not disclosed by
16 the officer or union representative during the underlying
17 investigation;
18 (p) Require a specific standard of review or that the
19 burden of proof in order to find misconduct, or to impose or
20 uphold discipline, must be greater than a preponderance. Nothing
21 in this subsection shall be construed as limiting a local
22 jurisdiction's authority to apply a standard for appeals that is
23 more deferential to management than a preponderance;
24 (q) Allow the use of arbitration to decide disciplinary
25 appeals;
26 (r) Include any provision addressing the processes or
27 information regarding imposition of discipline, hearings,
28 appeals, or decertification for misconduct;
29 (s) Limit the officer's employer or civilian oversight
30 entity regarding who shall investigate, and in what manner,
31 complaints of criminal misconduct;
32 (t) Prohibit the employer from releasing misconduct and
33 employment information to prospective employers or obtaining

1 such information from prior employers of prospective law
2 enforcement officers; or

3 (u) Limit the composition, appointment requirements,
4 policies, procedures, or rules of civil service commissions or
5 public safety civil service commissions.

6 (2) The provisions of subsection (1) of this section shall
7 not be subject to bargaining with law enforcement unions and may
8 not be modified by collective bargaining with law enforcement
9 unions.

10 (3) Any provision of a contract or collective bargaining
11 agreement entered or amended after the effective date of this
12 act that is contrary to this section is void and unenforceable.

Commented [A4]: Question for legislative staff: should this be worded differently? Should it include "that is contrary to 'any provision of' this section," e.g.?

13
14 **Sec. 4.** A new section is added to chapter 41.56 RCW to read
15 as follows:

16 (1) Notwithstanding the provisions of RCW 41.56.122,
17 discipline of law enforcement officers for misconduct shall not
18 be subject to arbitration, but instead shall be subject to
19 appeal to a civil service commission or a public safety civil
20 service commission if a jurisdiction has one.

Commented [A5]: Is the Administrative Procedures Act implicated by this section?

21 (2) A party may appeal the decision of a civil service
22 commission or public safety civil service commission to a
23 superior court only if the decision violates an explicit, well-
24 defined, and dominant public policy established by case law.

25 (3) For discipline of law enforcement officers for
26 misconduct, the following procedures must be followed:

27 (a) The civil service commission or public safety civil
28 service commission shall uphold the discipline imposed on a law
29 enforcement officer and may not reduce the discipline imposed if
30 the finding of misconduct is upheld, unless it finds that the
31 discipline was arbitrary, capricious, or based on an illegal
32 reason. Deference to factual findings is required and de novo
33 review is not permitted.

1 (b) Appeals of discipline imposed on law enforcement
2 officers shall be governed as follows:

3 (i) Hearings, except for commission deliberations, shall be
4 open to the public;

5 (ii) All requests by the officer or union for an appeal
6 shall be made within ten days of receiving the notification of
7 discipline, such appeals shall be heard within ninety days of
8 the imposition of the discipline, and the decision shall be
9 entered within thirty days of the completion of the hearing;

10 (iii) The written decision resulting from the appeal shall
11 be made available to the parties and the public and subject to
12 disclosure under the public records act. The decision shall be
13 final and binding without further appeal other than as set forth
14 in Section 4(2) of this Chapter; and

15 (iv) Commission members hearing appeals must be appointed
16 or selected on the basis of merit, have the necessary subject
17 matter expertise, not have a conflict of interest, and not have
18 worked for a law enforcement agency for any period within the
19 ten years preceding appointment or selection.

20 (c) The commission or jurisdiction, including the
21 Washington state patrol, may choose to use an administrative law
22 judge or hearing examiner in lieu of a civil service commission
23 or public safety civil service commission to hear officer
24 disciplinary appeals, provided that the administrative law judge
25 or hearing examiner is selected on the basis of merit, has the
26 necessary subject matter expertise, does not have a conflict of
27 interest, has not worked for a law enforcement agency for any
28 period within the ten years preceding appointment or selection,
29 and is on contract or staff for the commission or jurisdiction,
30 not selected on a case-by-case basis.

31 (d) The commission or jurisdiction shall adopt rules to
32 effectuate this act.

33 (4) Any provision of a contract or collective bargaining
34 agreement entered or amended after the effective date of this

1 act, that is contrary to this section, is void and
2 unenforceable.

Commented [A6]: Same question for legislative staff: add "any provision of" before "this section"?

3
4 NEW SECTION. Sec. 5. A new section is added to chapter
5 41.56 RCW to read as follows:

Commented [A7]: This section like the ones above should go in a place that makes clear it applies to law enforcement officers only.

6 (1) The legislature has determined that when law
7 enforcement officers commit certain misconduct impacting the
8 public interest, discharge from employment is the appropriate
9 discipline. The employer may not consider past discipline
10 practices as an extenuating circumstance and may not impose
11 discipline other than discharge based on past practice for
12 similar misconduct. The following specific misconduct shall
13 result in discharge of law enforcement officers:

14 (a) Use of excessive force, as defined by _____, or
15 was present, aware of another officer's use of excessive force,
16 able to intervene, and failed to intervene or report another
17 officer's use of excessive force;

Commented [A8]: There will be a separate bill currently called the de-escalation bill that will define what constitutes excessive force; our intent is to reference the de-escalation bill here and make them consistent.

18 (b) Knowingly making misleading, deceptive, untrue, or
19 fraudulent statements or representations during an official
20 investigation, in law enforcement documents or reports, or while
21 testifying under oath;

22 (c) Theft or misappropriation of funds or property, or use
23 of the position of law enforcement officer for personal gain
24 through fraud or misrepresentation;

25 (d) Serious or repeated harassment or discrimination based
26 on a legally protected class defined in chapter 49.60 RCW;

27 (e) Conviction or the commission of a felony offense or
28 gross misdemeanor domestic violence offense under the laws of
29 this state, or of a comparable offense under federal law or the
30 laws of another state;

31 (f) Acting with deliberate indifference to a substantial
32 risk of harm to a person in custody;

33 (g) Engaging in nonconsensual sexual contact with a person
34 in custody; or

1 (h) Violations of duties established under chapter
2 10.93.160.

3 (2) Nothing contained in this section is intended to
4 prohibit a law enforcement officer from being discharged for
5 misconduct not contained herein.

6 (3) Any provision of a contract or collective bargaining
7 agreement entered or amended on or after the effective date of
8 **this bill** that is contrary to or inconsistent with this section
9 is void and unenforceable.

10

11 NEW SECTION. Sec. 6. A new section is added to chapter
12 41.56 RCW to read as follows:

Commented [A9]: Does the bill need to reference 41.56.100(1)?

13 (1) The state, as to the state patrol, and cities, towns,
14 counties or other municipalities or political subdivisions, must
15 adopt laws or policies establishing procedures for receiving and
16 investigating complaints of law enforcement misconduct and
17 imposing discipline. Such laws and policies must be consistent
18 with **this act**, and the process by which a jurisdiction proposes
19 and adopts such laws or policies must include reasonable
20 opportunity for public review and comment, as well as review and
21 comment by civilian oversight officials if a jurisdiction has
22 them, taking into consideration challenges to access such as
23 availability of public transportation, differences in access to
24 technology and the internet, and disability and language
25 barriers.

Commented [A10]: Add this to a place in the statute where it is clear that this is limited to law enforcement union collective bargaining agreements only

26 (2) Local laws and policies, including but not limited to
27 provisions labeled "officer bill of rights", memoranda of
28 understanding, settlement agreements, or other agreements that
29 are inconsistent with the requirements of state law, **shall** not
30 be enacted and are preempted and repealed, regardless of the
31 nature of the code, charter, or home rule status of the city,
32 town, county, or municipality.

Commented [A11]: Legislative staff should advise on proper term here.

--- END ---

American Library Association
"National Day of Racial Healing"

WHEREAS, we have all witnessed racial divisiveness rising in America's urban, rural, suburban, and tribal communities today that threatens the very core of this great country's unified front; and

WHEREAS, just like those who came before us, it is our duty to protect the children of this country and maintain communities in which they may all be given the opportunity to succeed; and

WHEREAS, we understand and recognize that there is a racial divide in our country and we must all work earnestly to heal the wounds created by racial, ethnic and religious bias and build an equitable and just society so that all children can thrive; and

WHEREAS, children have the right to be provided every opportunity to learn, grow, and thrive in nurturing environments that don't violate their safety, dignity, and humanity; and

WHEREAS, every single person has the capability to make a simple change within him or herself that can have a profound effect on an entire society; and

WHEREAS, if we all dedicate ourselves to the principles of truth, racial healing and transformation, we can all bring about the necessary changes in thinking and behavior that will propel this great country forward as a unified force where racial biases will become a thing of the past; and

WHEREAS, racial healing is a vital and crucial commitment to the education, social, mental and over all well-being of all our children; and

WHEREAS, **the American Library Association (ALA)**, in conjunction with others throughout the United States of America, acknowledges January 21, 2020 as the "National Day of Racial Healing," and urges all citizens to promote racial healing and transformation in the ways that are best suited for them individually, as a means to working together to ensure the best quality of life for every child.

NOW, THEREFORE, I, **Wanda Kay Brown**, do hereby proclaim that this organization honors and recognizes January 21, 2020 as the "National Day of Racial Healing."



EQUITY IMPACT ASSESSMENT (EIA)

Stage 1 – Big Picture Thinking

While it may sound obvious, having a clear description of the policy, program, service or initiative is critical.

What is the PPSI?

- *Why is it needed?*
- *Who is it aimed at?*
- *What are the intended outcomes?*

How is the PPSI related to equity and inclusion along the following markers of difference? Is there likely to be a high, medium or low impact for certain groups of people in your community?

- *Race or ethnicity?*
- *Gender and gender identity?*
- *Disability?*
- *Age?*
- *Sexual orientation?*
- *Religion, Faith or Belief?*
- *Socio-economic factors?*

Which communities and groups will need to be involved in the development of the PPSI?



Stage 2 – Learning & Consultation

EIA's should ensure that the PPSI incorporates the best available data, and that outreach and engagement approaches include communities and groups that will be most impacted. This stage should set out how equity information, research and best practice has been collected. It should also describe in detail the fieldwork plan and the feedback loops back to stakeholders and communities.

What available data do we have on the service users/customers/communities that will be impacted by this PPSI?

- *Equity profile of service users by race/ethnicity, gender and gender identity, disability, age, sexual orientation, religion/faith and socio-economic status.*

- *Evidence from relevant surveys, complaints, outreach efforts*

What do stakeholders think about the PPSI?

- *How have you consulted with key stakeholders in the process of developing the PPSI?*

- *What do stakeholders think? What have we done already and what more do we need to do?*

- *What are some potential barriers to participation for different groups? What voices have been missing from your outreach?*

- **Gaps:** *Areas where more information is required and longer-term measures to be taken to strengthen data?*

- *How feedback and challenge from informed groups and individuals will be used to ensure that the final PPSI is robust, addresses identified need and promotes equity and inclusion.*



Stage 3 – Analysis

This is where you start synthesizing your information and assessing impact. It is essential to consider not just the intended consequences of the PPSI but also any unintended consequence and barriers that might prevent it being effective for certain community groups. This section sets out how equity information has been analysed and the likely impact identified.

- *Will any groups be negatively impacted because of the PPSI?*

- *Will there be issues of access for some groups?*

- *How might the PPSI positively impact equity and inclusion?*



Stage 4 – Making a Plan

This section sets out recommendations, actions to be taken to address any adverse impacts, and other areas that could promote equity and inclusion. It is recommended that Stage 4 identifies who in your organization is accountable for next steps; that it sets out clear measures for tracking progress; and clearly shows how communication will flow back to stakeholders and the broader community.

- *How can we mitigate any negative issues identified in Stage 3?*

- *How will the PPSI promote equity and inclusion? Are there further ways to maximize the positive impacts?*

- *How will the PPSI be implemented and communicated to make it accessible and transparent?*

- *Who is responsible for making recommendations to the appropriate body? i.e. City Manager, City Council, Department Director? How will we track progress on recommendations?*

Recommendations