

IMPLEMENTATION OF RECOMMENDATIONS MADE BY 21CP FOR THE PORT OF SEATTLE POLICE DEPARTMENT



21st Century
Policing Solutions

Implementation Progress Report 3

April 30, 2025

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Port of Seattle Task Force on Policing and Civil Rights

In 2020, the Port of Seattle (the “Port”) engaged 21st Century Policing Solutions (“21CP”) to conduct a comprehensive assessment of the Port of Seattle Police Department’s (“POSPD” or the “Police Department”) policies, protocols, and procedures impacting issues of diversity, equity, and civil rights.¹ The Port of Seattle Commission (the “Port Commission”) created a Task Force on Port Policing and Civil Rights (the “Task Force”) to design a structure and process for 21CP to use in assessing the POSPD regarding diversity in recruitment and hiring; training and development; equity; use of force; oversight and accountability; police union participation; budget, roles, and equipment; mutual aid; and advocacy. A complete description of the approach the Task Force created for the assessment, a summary of 21CP’s methodology to gather and analyze information, and a description of the many ways Task Force members, 21CP, and the POSPD collaborated throughout the engagement can be found in 21CP’s assessment report (September 2021), Recommendations for the Port of Seattle Task Force on Policing and Civil Rights (Recommendations Report).² 21CP made 52 recommendations for ways the POSPD could align itself with best and emerging promising practices.

In 2023, the POSPD contracted with 21CP to conduct a review during each year of a four-year period that addresses the POSPD’s progress in implementing the 52 recommendations 21CP previously made for ways the Police Department could align itself with best practices in law enforcement. 21CP shares its findings each year in a report making transparent the implementation process and outcomes.

Implementation Progress Report 1 summarized 21CP’s review for 2023, which made findings regarding implementation outcomes for twenty (20) recommendations. In 2024, 21CP reviewed evidence of implementation for nine (9) recommendations (Implementation Progress Report 2), including one found lacking in proof during its 2023 review.

In 2025, the POSPD submitted proof of implementation for thirteen (13) of 21CP’s assessment recommendations. Following an overview of the implementation approach used by the Port and Police Department and a summary of 21CP’s review process, Implementation Progress Report 3 addresses the status of each of the 13 recommendations, including 21CP’s reasoning for the recommendation, the Port’s initial response as documented through the Policing Assessment Recommendations Review, and the evidence of implementation offered by POSPD regarding each recommendation.

¹ The engagement was framed by the July 14, 2020, Port Commission Motion 2020-15.

² 21CP’s Recommendations Report can be found at: <https://www.portseattle.org/sites/default/files/2021-10/Recommendations%20for%20the%20Port%20of%20Seattle%20-%2021CP%20Solutions%20-%20September%202021.v2.pdf>.

Policing Assessment Recommendations Review

After 21CP submitted its 2021 Recommendations Report, the Port's Office of Strategic Initiatives ("POSI") organized a group of Port and POSPD representatives who had in-depth knowledge related to potential impacts in implementing 21CP's recommendations. The Policing Assessment Implementation Team ("PAIT") included the Port Chief Operating Officer, the POSPD (then Acting) Chief, the Port Chief Strategy Officer; staff from POSPD's Finance and Budgeting and Training, Hiring, and Recruitment; and representatives from the Port's Offices of Labor Relations, Human Resources, Workplace Responsibility, and Legal.

POSI facilitated a PAIT meeting every three weeks, beginning in January 2022, to work through each of 21CP's 52 recommendations. PAIT members were asked to review selected recommendations and associated sections of 21CP's Recommendations Report in preparation for each meeting and then discussed implementation implications regarding Port and POSPD's budget, policy, community/external relations, and legal concerns. Each recommendation then was classified as being of High, Medium, or Low priority. In assigning a priority, PAIT considered factors such as whether a recommendation concerned a matter where Washington State law imposed related requirements, and thus needed to be addressed expeditiously, or whether a recommendation required a minor shift in policy or protocol, and thus could be easily and quickly addressed.

The discussion about each recommendation was synthesized on a form that included the recommendation, its priority level, the recommendation's area of focus (e.g., Use of Force, Diversity in Recruitment and Hiring, etc.), the recommendation's implementation status, and PAIT's insights on implementation implications. These impact statements and a description of PAIT's structure and process were collected in a document titled, "Policing Assessment Recommendations Review" ("PAIT Review"). A summary of PAIT's perspectives concerning the 13 recommendations reviewed by 21CP for 2025 is included below in the discussion of each specific recommendation.

21CP's Process for Reviewing Implementation of Recommendations

As occurred in 2023 and 2024, the POSPD identified a subset from 21CP's original list of 52 recommendations that the Police Department had or planned to implement during 2025. The 2025 subset includes 13 recommendations and, as an initial step, the POSPD offered written proof of implementation, such as draft policy changes or email communications with subject matter experts regarding specific items. 21CP also considered the PAIT team's evaluation for each of the 13 recommendations reviewed in 2025. 21CP's point of contact at the POSPD throughout the 2025 review process was Commander Andrew Depolo, Office of Professional Standards and Development.

Based on the initial written proof of implementation submitted by POSPD, 21CP made preliminary findings that it shared with the POSPD as to whether satisfactory evidence was provided in support of

implementation for each of the recommendations considered during this reporting period.³ If clarification or more information was needed concerning a particular recommendation, 21CP sought input from Commander Depolo and other POSPD and Port subject matter experts. 21CP also observed POSPD training on topics related to some recommendations implemented in 2025. Port and POSPD representatives all readily provided information and perspective on the recommendation implementation process and specific related topics, offered to make themselves available for follow-up questions, and suggested other resources when relevant. Details concerning the documentation reviewed, the subject matter experts interviewed, and the training observed is provided below in the discussion of each recommendation considered in 2025.

In 2024, Senior Director Bookda Gheisar, Office of Equity, Diversity, and Inclusion (“OEDI”), a co-leader of the Task Force the Port Commission created to help guide 21CP's original assessment, was asked by Port leadership to provide ongoing input about the Police Department's implementation of recommendations and 21CP's implementation progress reports. During the 2025 reporting period, 21CP met with Senior Director Gheisar and representatives from the Port Human Resources and Labor Relations to review the process being used to assess implementation of recommendations and to discuss specific recommendations of interest.⁴ Input from these individuals is noted in this report when relevant to the discussion of specific recommendations. Further, as occurred in 2024, after 21CP submits its annual progress report to POSPD, the Police Department will provide OEDI with a copy and an opportunity to comment. If OEDI suggests any implementation actions not addressed by POSPD or 21CP's progress report, the suggestions are to be included in POSPD's annual EDI goals and kept separate from 21CP's implementation review process.

³ The initial written findings were presented to the POSPD in an Excel spreadsheet used by 21CP to track implementation of all 52 recommendations, color coded by the year under review, and included 21CP's notes as to whether more documentation or subject matter expert interviews were necessary to clarify the status of implementation for each recommendation under review.

⁴ 21CP provided Senior Director Gheisar with an updated copy of the Excel spreadsheet used to track implementation of recommendations, described above in fn. 3.

RECOMMENDATIONS REVIEWED FOR IMPLEMENTATION IN 2025

Following is a discussion of 21CP's review and finding for each of the 13 recommendations the POSPD identified as implemented for the current reporting period. Satisfactory evidence of implementation was provided regarding 12 recommendations, and one (Recommendation 38) was determined to be no longer applicable.

Recommendation 15 - Use of Force: Reporting

The use of force reporting policy should require that a supervisor respond to all applications of reportable force, not just those that result in "visible injury."

Recommendation 15 indicates that POSPD should update its use of force policy to require that a supervisor respond to all incidents of reportable force, whereas the policy in place only required that supervisors be called to incidents resulting in a visible injury and only when a supervisor is "reasonably available."⁵ As noted in 21CP's Recommendations Report, POSPD officers are involved in relatively few uses of force annually, and, in every use of force case reviewed for the original Recommendations Report, a supervisor responded to the scene, regardless of whether there was a visible injury.⁶

PAIT found Recommendation 15 to be of high priority, and the PAIT Review notes indicated that the POSPD use of force policy had already been updated to require that a supervisor respond to all applications of reportable use of force by the time PAIT reviewed the issue. At that point, in addition to 21CP's recommendation, Washington State law also required that a supervisor respond to all reportable uses of force.⁷ The PAIT Review notes suggested that there could be budgetary implications if POSPD required this supervisory response, as it "greatly increases the amount [of] staff time needed to comply."⁸ However, given that 21CP previously determined that a supervisor already was responding in every instance of reportable use of force reviewed, it is highly unlikely that memorializing existing practice in policy will affect the budget. While a legal review had been completed by the time PAIT considered Recommendation 15, the PAIT Review noted, "Any policy requiring such must be in compliance with applicable law, including RCWs that may be amended over time."⁹

As an offer of proof regarding implementation of Recommendation 15, the Police Department provided a copy of POSPD's Use of Force policy and referred to §300.7 - Supervisor Responsibilities, which states, "A

⁵ §300.7 - Supervisor Responsibilities.

⁶ Recommendations Report, p. 59.

⁷ *Use of Force Reporting, Investigation & Review Best Practices*, Washington State Office of the Attorney General (July 1, 2022): https://agportal-s3bucket.s3.amazonaws.com/uploadedfiles/Another/UOF%20Report_Invest_070122_FINAL.pdf

⁸ PAIT Review, p. 21.

⁹ Ibid.

supervisor shall respond to all applications of reportable force." The cover memo submitted with the policy indicates that the section initially used "should" instead of "shall" regarding the supervisor's duty to respond to reportable use of force applications but adopted the imperative "shall" in the 12/15/2022 POSPD Policy Manual Update.

Satisfactory evidence was presented that Recommendation 15 has been implemented.

Recommendation 18 - Use of Force: Reporting

Video evidence should be downloaded and included in BlueTeam or linked within the system.

Recommendation 18 was grounded in 21CP's concern that all relevant evidence be readily available in a case file or through a link for those responsible for reviewing an incident involving force. Since it appeared that the POSPD was moving toward implementing a Body Worn Camera ("BWC") program, 21CP thought it was especially important that BWC footage be easily accessible.

The PAIT review team found this recommendation to be of medium priority, though noted that POSPD had begun implementation at the time of the review. PAIT Review notes indicated that the Police Department already downloaded and included video evidence in BlueTeam or linked it within the system when feasible and that POSPD was looking at systems with greater capacity to accept large files.¹⁰

To establish implementation of this recommendation, POSPD originally referred to §300.5 - Reporting the Use of Force, and offered a copy of an email string (variously dated June 11 - August 6, 2024) between Office of Professional Accountability Administrative Sergeant April Doyle, POSPD Communication Manager Stacy Wassall, and Office of Professional Standards Police Officer Scott Colby (and copied to others) discussing whether police incident video can be downloaded or linked via IAPRO/BlueTeam and/or through an interface in the new CAD/RMS system. These subject matter experts indicated that, while there were questions about interfacing with the CAD/RMS system, downloading video evidence could be accomplished in BlueTeam. As implementation of this recommendation was discussed with Commander Depolo, 21CP's point of contact, and others, it was noted that downloading large video files was problematic at times.

On August 24, 2024, after the email exchange noted above, the Port of Seattle experienced widespread system outages consistent with a cyberattack.¹¹ The response team isolated critical systems, took some systems offline, and worked to safely restore systems. An investigation was initiated to determine what happened and what data may have been impacted. POSPD representatives indicated that repercussions

¹⁰ PAIT Review, p. 24.

¹¹ Information concerning the cyberattack was drawn from the Port Cyberattack Archive: <https://www.portseattle.org/news/port-cyberattack-archive>

from the cyberattack continued to impact Police Department technological systems into the current review period. Whether related to the cyberattack or an inherent problem with IAPro/BlueTeam, downloading large video files into BlueTeam became increasingly difficult, though a hard copy DVD or link to the video was added to the case file, if needed.

For a number of reasons, POSPD decided to move away from BlueTeam and IAPro and will be using Axon Standards, which will allow it to more easily download or link video evidence. According to the company, "Axon Standards is a Professional Standards and Internal Affairs tool that...combines several software systems" that include report writing, an early intervention system (EIS), and Internal Affairs software.¹² Axon asserts that Axon Standards will allow the Police Department to "seamlessly access digital evidence,"¹³ through Axon Evidence, including BWC video footage. Since POSPD uses Axon BWCs, officers will be able to offload video wirelessly, so it can be readily added to Axon Evidence and available for review by supervisors and others.¹⁴ Axon and POSPD completed the planning phase in March 2025 and installation of Axon Standards is being scheduled.

The POSPD has developed work arounds when video files are too large to download into BlueTeam, including using links to video and hard copy DVDs, meeting the intent behind Recommendation 18 that video evidence be readily available to reviewers. However, the Police Department's transition to using Axon Standards will assure that digital evidence is downloaded to the case file, providing even easier access moving forward.

Satisfactory evidence was presented that Recommendation 18 has been implemented.

Recommendation 20 - Mutual Aid

The POSPD should continue to take the lead on updating current mutual aid agreements to drive best practices regionally and align with the new state policing laws.

POSPD is a party to three formal interlocal agreements:

- The Interlocal Cooperative Agreement Valley Special Response Team ("Valley SWAT"), which makes available "enhanced use of personnel, equipment, budgeted funds, and training" to respond to high-risk incidents.¹⁵
- The Valley Independent Investigative Team ("Valley IIT"), which serves to "independently, thoroughly and objectively investigate the most serious incidents involving police officers."¹⁶

¹² https://my.axon.com/s/article/Axon-Standards-Overview?language=en_US

¹³ <https://getstarted.axon.com/axon-standards-ia-pro>

¹⁴ <https://www.axon.com/resources/a-deep-dive-into-body-worn-camera-capabilities-video>

¹⁵ Interlocal Cooperative Agreement Valley Special Response Team.

¹⁶ Valley Special Response Team Operational Agreement.

- Valley Civil Disturbance Unit (“Valley CDU”), which provides South King County Cities “with well-trained and equipped police response for effective crowd control and quelling civil disturbances.”¹⁷

As noted in 21CP’s Recommendations Report, POSPD and (then Acting) Chief Villa in particular demonstrated “strong leadership in response to the 2020-2021 legislative session, which passed many new laws concerning law enforcement. The POSPD funded legal support for meetings of the Valley Chiefs (and other regional departments) to begin coordination on policy development incorporating new law and discussion of any implementation concerns. 21CP was present for a meeting in Kent, Washington, that was well-attended and observed the regional departments working collaboratively to resolve the impacts of recent legislation.”¹⁸ Recommendation 20 was intended to encourage an ongoing demonstration of leadership by the POSPD as agencies completed the process of updating mutual aid agreements to comply with legislative changes, many of which involved police use of force and de-escalation tactics.

PAIT rated Recommendation 20 as being of low priority, but nonetheless noted that implementation had started at the time PAIT reviewed the recommendation. The PAIT Review indicated that mutual aid between law enforcement jurisdictions is provided for by Washington State law,¹⁹ and that there is a statewide mutual aid agreement signed onto by many police agencies around the state (as discussed below). PAIT also noted that there are “interlocal agreements where signatories share liabilities and some cost for services rendered under the agreement.”²⁰ Regarding budget implications, PAIT indicated that POSPD generally is not reimbursed for time and resources used, nor are other jurisdictions reimbursed for mutual aid provided for the Port.²¹ PAIT Review notes commented that interlocal agreements with regional partners such as Valley SWAT are likely set as they have been thoroughly negotiated. “Any changes have to be moved through all municipalities in order to have them approved, making changes difficult.”²² However, PAIT indicated that the [then Acting] Chief was working with multiple committees to ensure that the POSPD is in sync with their partners, that sometimes the POSPD has taken the lead, and that discussions concerning partner interactions in different situations should continue.²³ Finally, PAIT Review notes specified that Port Legal would have to be involved in any change to mutual aid agreements and cited the model policy on law enforcement use of force and de-escalation tactics issued in 2022 by the Washington State Attorney General’s Office (“AGO”), consistent with new legislative standards that had been adopted.²⁴

¹⁷ Valley Civil Disturbance Unit Tactical Standard Operating Procedures.

¹⁸ Recommendations Report, p. 69.

¹⁹ RCW §10.93.

²⁰ PAIT Review, p. 26.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

Evidence in support of implementation of Recommendation 20 included a memorandum from Commander Depolo, Sergeant Matuska, and Officer Colby dated January 1, 2025, that outlines steps the POSPD has taken to ensure its mutual aid protocols follow best practices, and provided links to RCW 10.93.070 (which enumerates the circumstances when a general authority Washington peace officer may enforce traffic and criminal laws throughout the state), the Washington Association of Sheriffs & Police Chiefs (WASPC) - Police Officers Powers Act (creating a process and an electronic consent form for agencies to use granting authority for mutual aid ahead of an event requiring mutual assistance),²⁵ and the agreement signed by POSPD Chief Villa pursuant to RCW 10.93.070 on October 30, 2023, which is posted to the WASPC website and available for public access and review.²⁶ While all of these items offered in support of implementation relate to mutual aid matters, the focus of Recommendation 20 was to encourage POSPD to continue playing a leadership role in bringing mutual aid agreements into alignment with best practices and Washington State law.

21CP was informed that, in most regards, the interlocal mutual aid agreements to which POSPD is a party were updated to align with the 2021 legislative changes on use of force and de-escalation and the AGO's subsequent model policy and best practices guide issued in 2022.²⁷ POSPD continued to lead that process in some circumstances, including instances observed by 21CP. As the process of updating policy and negotiating changes to interlocal mutual aid agreements has been completed, the intent behind Recommendation 20 has been met.

Satisfactory evidence was presented that Recommendation 20 has been implemented.

²⁵ <https://www.waspc.org/police-officers-powers-act>

²⁶ <https://www.waspc.org/assets/Port%20of%20Seattle%2010-30-23.pdf>

²⁷ POSPD use of force and de-escalation policy changes in response to Washington State legislative changes, the AGO model policy, and 21CP's recommendations were primarily addressed in Implementation Report 1, issued in 2023. RCW 10.120.030(2) mandates that law enforcement agencies notify the AGO as to whether they are following the model policy. On November 1, 2024, POSPD informed the AGO that it was not in compliance with the model policy in two respects (neither of which were addressed in 21CP's list of recommendations): (1) The model policy provides that officers carry an Electronic Controlled Weapons (ECW) on the support side of the body and, in all but extreme circumstances, draw the device with the support (non-pistol firing) hand. POSPD requires officers to carry the ECW on the support side of the body, but allows for either a support hand draw or dominant hand cross-draw. (2) The model policy states that officers should only draw a firearm in the low ready position when observations indicate that deadly force would be authorized. POSPD officers are trained to draw their firearms based on the situation, which may involve circumstances that do not meet this standard. Further details regarding the rationale for POSPD's position in regard to both of these standards can be found at: <https://www.atg.wa.gov/law-enforcement-use-force-and-de-escalation/port-seattle-police-department>

Recommendation 22 - Mutual Aid/Crowd Management

The POSPD should develop its own crowd management policy outlining the POSPD's terms of engagement, facilitation of first amendment activities, and which specifically sets forth the POSPD engagement strategy with demonstration leadership.

21CP's Implementation Progress Report 2 addressed two other recommendations related to mutual aid. Specifically, Recommendations 21 and 23 focused on policy changes to address approval criteria and processes prior to engaging in mutual aid, and after-action assessments following a mutual aid event. Recommendation 22 is concerned with crowd management during a policing event. While the Valley Civil Disturbance Unit has a policy manual addressing command structures, use of force, permitted equipment, training, event planning, deployment, mass arrests, and record keeping, 21CP included Recommendation 22 because POSPD did not have its own Crowd Management policy that would apply to larger events that do not involve mutual aid.²⁸ 21CP's Recommendation Report noted that the process of writing a POSPD Crowd Management policy also might inform potential changes to the Valley CDU policy manual and operating procedures.

PAIT rated Recommendation 22 as being of medium priority, noting that a crowd management policy was mandated by Washington State legislation and that creation of the policy had been initiated by the POSPD.²⁹ PAIT Review notes indicated that this recommendation did not carry budget implications and that creating a new policy would be time-consuming and implicate issues related to depleted staffing levels. However, the notes indicated that POSPD would tailor provisions of the Valley CDU to fit POSPD, with Legal reviewing the new policy for compliance with applicable law.³⁰

As an offer of proof of implementation, the Police Department provided a copy of a draft Crowd Management Policy. The new policy appears to have taken a number of other policies and protocols into consideration, including reference to and consideration of the Seattle-Tacoma International Airport Schedule of Rules and Regulations, the POSPD Unusual Occurrence Manual, the Valley CDU Standard Operating Procedures, and the Valley Special Weapons and Tactics ("SWAT") Manual. Further, the Crowd Management policy directs the reader to other specific POSPD policies that may be relevant depending on event circumstances, such as POSPD's policies on Mutual Aid, Use of Force, Handcuffing and Restraint, Control Devices and Techniques, and Conducted Energy Device (Taser) Guidelines.

POSPD's draft Crowd Management Policy, in §435.2 - Policy, acknowledges that the POSPD respects the rights of people to peaceably assemble, providing that it is the Police Department's policy "not to unreasonably interfere with, harass, intimidate, or discriminate against persons engaged in the lawful

²⁸ Recommendations Report, p. 70. POSPD indicated that it followed the Valley CDU in such instances, though there was no policy or other documentation to confirm that protocol.

²⁹ PAIT Review, p. 29.

³⁰ Ibid.

exercise of their rights, while also preserving the peace, protecting life, and preventing the destruction of property." The policy includes definitions and some general considerations.³¹ An incident command structure consistent with the Incident Command System ("ICS") is required and an initial assessment stage is provided for whether the event is planned or unplanned.³² An operational plan is contemplated with consideration given to the need for mutual aid and referral to POSPD's Mutual Aid policy.³³ Intervention steps are addressed, including unlawful assembly dispersal orders, use of force, and arrests, with reference to other POSPD policies where applicable.³⁴

Consistent with 21CP's recommendations, POSPD's Mutual Aid Policy includes protocols for an after-action independent assessment of each large-scale event. The new Crowd Management Policy provides for specific tasks Post Event and After-Action Reporting, indicating, "consistent with the POSPD After Action Report Section of the Mutual Aid Policy, the Incident Commander or a POSPD CMU Sergeant assigned/deployed to the event will complete a report with the POSPD CAD/RMS."³⁵ The policy does not mention an after-action assessment. Although an after-action assessment process was not specifically addressed in Recommendation 22, nor in the discussion supporting the recommendation, 21CP was informed that this sort of analysis would occur. 21CP encouraged POSPD to add language requiring an after-action assessment to the newly drafted Crowd Management Policy, or a link to the assessment required following mutual aid events, requiring that the same steps be followed. Subsequently, POSPD provided a copy of revisions made to §435.1.1 - After-Action Reporting that detail the after-action assessment requirements following large-scale POSPD responses that do not involve mutual aid.

Satisfactory evidence was presented that Recommendation 22 has been implemented.

Recommendation 25 - Oversight, Accountability, Equity, & Civil Rights

POSPD policy should make explicit the types of complaints that should be pursued internally versus those that should be handled through Port of Seattle Human Resources, Workplace Responsibility, or other avenues of complaint, with explicit protocols between components developed, including timelines for completing investigations of employee complaints.

As discussed in 21CP's Recommendations Report, while the survey conducted during 21CP's assessment of the POSPD indicated that most respondents were aware of their options for filing a complaint, POSPD policies did not clearly delineate which types of complaints should be handled by the Police Department's Office of Professional Accountability ("OPA") and which should be processed

³¹ §§435.1.1 and 435.3.

³² §§435.4 and 435.5.

³³ §§435.5.2 and 435.5.3.

³⁴ §§435.6, 435.7, and 435.8.

³⁵ §§435.11 and 435.11.1.

through other Port complaint handling resources. The OPA Sergeant at the time of the assessment indicated that the Port Human Resources and Workplace Responsibility staff were consulted regularly about complaint handling and several individuals interviewed during the current recommendations implementation review process stated that there is a continuing collegial relationship. However, developing written protocols gives subject matter experts from the different entities an opportunity to clarify the processes that have been developed, provides guidance for those taking over these roles in the future, and makes transparent, for POSPD employees and others, the specific types of complaints that will be handled internally versus externally.

Recommendation 25 was considered by PAIT to be of low priority, though the POSPD had begun implementation.³⁶ PAIT indicated that implementing the recommendation would require a subcommittee of representatives from OPA, Human Resources, and Workplace Responsibility, and that setting out processes between these entities would help differentiate complaint handling responsibilities.³⁷

The proof of implementation provided by the Police Department included a revised Personnel Complaints Policy. §1019.5 - Administrative Investigations, provides that when a serious and credible allegation against a POSPD employee is received, "the POSPD Office of the Chief, POSPD Office of Professional Accountability (OPA), Port Human Resources (HR), Port Workplace Responsibility (WPR), and Port Legal will meet to confer on the details of the allegations(s) and determine if the whole of the case will be investigated by OPA, HR, or WPR. In some cases, the investigation may be conducted by both OPA and HR/WPR, depending on the variety of issues involved." §1019.5.1. - Assignment of Administrative Investigations, lists the types of complaints to be investigated internally by the POSPD OPA:

- Anything specific to the law enforcement professions, e.g. violations of firearms safety policy, evidence collection methods, chain of custody issues, officer safety tactics, report writing issues and/or decision-making/judgment on calls
- Conduct on- or off-duty that does not involve bias or harassment, e.g. issues with punctuality, responsiveness to training, adherence to lawful orders
- DUI
- Theft and/or misappropriation of resources
- DV

The updated policy further provides that complaints regarding an allegation of bias or harassment, or other violation of employment law protections of any person, including a Police Department colleague, other Port employee, or "person-at-large" are to be investigated by Port HR and/or Port WPR.³⁸

³⁶ PAIT Review, p. 32.

³⁷ Ibid. PAIT also noted that Human Resources and Workplace Responsibility already had a process improvement project underway. PAIT Review, p.33.

³⁸ §1019.5.1 - Assignment of Administrative Investigations.

In a meeting held March 31, 2025, with OEDI Senior Director Gheisar and representatives from POSPD and Port Human Resources, Workplace Responsibility, and Legal, collaboration efforts between the Police Department and the other Port entities was noted. One person stressed the "direct, open line of communication" that has historically been in place with the POSPD Chief. Another noted that Port Human Resources representatives meet with the Chief monthly. When the complaint involves the Port Code of Conduct or discrimination, it is generally handled by Human Resources/Workplace Responsibility. If there is a mix of allegations that also implicates POSPD policies, there are discussions with POSPD's Office of Professional Accountability to determine how the complaint is to be handled (steps now made explicit in POSPD's revised policy). OEDI Senior Director Gheisar suggested that process mapping the complaint handling system would be a useful next step for the group to consider. Cynthia Alvarez, Port Employee Relations and Diversity Program Manager, indicated that she would work with others to develop an infographic to summarize complaint processing details, pulling in policies and procedures followed by POSPD, Human Resources, and Workplace Responsibility.³⁹

The complaint handling infographic was not available for 21CP's consideration before submitting this report, though POSPD's revised policy responds to the concerns that prompted Recommendation 25. Once completed, the infographic should provide further guidance to those at the Port and POSPD who handle complaints and Port/POSPD employees and people using Port services who file complaints.

Satisfactory evidence was presented that Recommendation 25 has been implemented.

Recommendation 26 - Oversight, Accountability, Equity, & Civil Rights

The complaint classification scheme (inquiry and minor, moderate, or major complaint) should be revised as it is unnecessarily technical, the terms used are not consistently well defined, and use of a methodology to assist in complaint classification will promote objectivity and consistency.

Recommendation 26 is another way to improve transparency and accountability for POSPD's complaint handling system, by making the complaint classification scheme easier to understand and administer. 21CP previously noted that investigations of complaints that could result in serious consequences for the named officer if sustained should be prioritized.⁴⁰

In PAIT's review, it indicated that Recommendation 26 was of medium priority, and that, "Currently, much of complaint intake and classification protocols depend on who is doing intake. This practice is not as . . . objective or transparent as it could be."⁴¹ POSPD policy implications included the need to review policies

³⁹ Alvarez expected that the infographic would be available for review two or three weeks after the March 31, 2025, meeting.

⁴⁰ Recommendations Report, p. 84 - 85.

⁴¹ PAIT Review, p. 34.

to ensure classification consistency, a note that POSPD's Personnel Incident Documentation/Early Intervention System Policy would be impacted, and indication that Human Resources and Workplace Responsibility would be available to support POSPD development of a complaint classification scheme.⁴² As with Recommendation 25, implementation of Recommendation 26 would require a subcommittee of representatives from OPA, Human Resources, and Workplace Responsibility.⁴³

As initial proof of implementation, POSPD provided a copy of the draft revised Personnel Complaints Policy, with specific reference to the sections on definitions and complaint classification. §1019.1.1 - Definitions defines a complaint as, "The available information credibly indicates the possibility of misconduct by at least one identifiable member of the Port of Seattle Police Department." An inquiry is defined as, "The available information contains elements of a complaint without meeting the definition of a complaint." POSPD continues to use a classification scheme involving minor, moderate, and major misconduct terminology:

- "Major Complaint - The most serious of allegations which are generally investigated by OPA or Workplace Responsibility. Major complaints allege an act or omission that would constitute willful or wanton disregard for agency policies and procedures.
- Moderate Complaint - Those complaints alleging actions by an employee in disregard of agency policies and procedures.
- Minor Complaint - Those complaints that may involve perceptual differences and possible violations of agency policies, procedures, and service."⁴⁴

The definitions used for these three categories of complaints in the version of the policy reviewed during 21CP's assessment were sometimes unduly complicated or somewhat circular. For example, "Minor Complaints" were defined as, "Complaints involving allegations against department members when the actions or behavior of the employee constitutes violations of department policy that are minor in nature." The draft revised policy definitions benefit from being shorter and more focused on the presence or absence of intentional wrongdoing. In that regard, the draft revised definitions provide more transparency for POSPD members, Port employees, and public stakeholders, and better serve the goals of accountability and legitimacy in the complaint handling process.

Under the draft revised policy on POSPD Personnel Complaints, classification of complaints and inquiries is to be handles as follows:

Complaint allegations are classified as Minor, Moderate, or Major. The classification of the complaint allegation is assigned by the OPA, and the complaint is reviewed at the Commander or Chief of Police level, consistent with the classification of investigations.

⁴² Ibid.

⁴³ PAIT Review, p. 35.

⁴⁴ Draft revised §1019.1.1 - Definitions.

When a complaint allegation is investigated by a Sergeant, a Commander's review is required. When a complaint allegation is investigated by the OPA, review is required by the Chief of Police. Citizen concerns about police performance that do not rise to the level of complaint will be classified as an inquiry. Refer to the Definitions Subsection of this Policy for corresponding definitions.⁴⁵

The approach to complaint classification provided for in the draft revised §1019.3.3 - Classification of Complaints and Inquiries is a process improvement over the original protocol reviewed during 21CP's assessment, where complaints were initially processed differently depending on whether they were in writing or oral, and a classification decision could be made by supervisor.⁴⁶ These and other policy revisions made to address 21CP's concerns about confusing language all contribute to a complaint handling process that is more transparent.

Satisfactory evidence was presented that Recommendation 26 has been implemented.

Recommendation 27 - Oversight, Accountability, Equity, & Civil Rights

When an on-duty supervisor handles complaint intake and the investigation of an inquiry or minor complaint, their investigation memo should indicate the rationale behind the classification decision, the complaint classification should be explicitly approved by the Commander, and complaint classification decisions should be regularly audited to check for consistency in application of policy and other classification guidance.

21CP's Recommendations Report reviewed various ways the POSPD's complaint classification and processing systems were confusing, unnecessarily complicated, and did not consistently provide for checks and balances that serve the goal of accountability.⁴⁷ As noted in the discussion above concerning Recommendation 26, one issue of concern to 21CP was that a supervisor could classify and investigate a complaint without reviewing the matter with the Office of Professional Accountability (OPA). While there is no question that supervisors should have authority to handle some relatively minor concerns at the front end, and perhaps all the more so when dealing with the traveling public, the original Personnel Complaints policy did not provide for clear routing and review of these incidents.

PAIT rated Recommendation 27 as of medium priority and indicated that implementation by POSPD had begun. With regards to Port policy implications, PAIT noted that Human Resources and Workplace Responsibility were available to support POSPD in development of complaint classifications for POSPD investigations.⁴⁸

⁴⁵ Draft revised §1019.3.3 - Classification of Complaints and Inquiries.

⁴⁶ Recommendations Report, p. 86.

⁴⁷ Recommendations Report, p. 85 - 86.

⁴⁸ PAIT Review, p. 36.

As with the two previous recommendations discussed, POSPD relied on draft revised Personnel Complaints Policy to establish implementation of Recommendation 27. Under the updated policy, complaint classification decisions are made by OPA, with review by the Commander or Chief of Police.⁴⁹ The policy acknowledges a supervisor's authority to resolve inquiries and to investigate minor allegations of a policy violation and provides a list of investigative steps to follow, material to include in IAPro/BlueTeam, and the review process once the investigation is complete.⁵⁰ 21CP recommended that any available audio or video recordings of the incident underlying the complaint be included in the list of documents the supervisor should include in the file, a change POSPD made to the draft revised policy.

Satisfactory evidence was presented that Recommendation 27 has been implemented.

Recommendation 29 - Oversight, Accountability, Equity, & Civil Rights

The POSPD should develop policy that identifies potential conflicts of interest and protocols to address actual or perceived conflicts related to misconduct complaint handling and discipline matters.

As 21CP's Recommendations Report noted, "Because officers handling police misconduct complaints internally, through an Internal Affairs Unit or POSPD's Office of Professional Accountability, naturally will have worked with and have relationships with officers who are named in complaints, it is easy for real or perceived conflicts of interest to arise."⁵¹ It is not unusual for some people to distrust the complaint handling process where they view "officers investigating officers" as being inherently conflicted, which underscores the need to ensure that all involved in the investigation process can be "objective, fair, and unbiased with regards to the subject officer, complainant, witnesses, and issues raised."⁵²

PAIT rated Recommendation 29 as being of low priority, though PAIT Review notes indicate that a conflicts of interest policy was mandated by Washington State legislation⁵³ and that implementation had started by the POSPD.⁵⁴ The PAIT notes also state that a conflicts of interest policy would impact POSPD's Personnel Incident Documentation/Early Intervention System Policy, that Port Human Resources/Workplace Responsibility (HR/WR) is available to support policy development regarding potential conflicts of interest

⁴⁹ §1019.3.3 - Classification of Complaints and Inquiries. Because OPA is making complaint classification decisions, Recommendation 26's reference to the supervisor providing a classification rationale is no longer applicable.

⁵⁰ §1019.5.3 - Supervisor Responsibilities.

⁵¹ Recommendations Report, p. 87.

⁵² Recommendations Report, p. 88.

⁵³ Presumably, PAIT was referring to the Washington State mandatory assessment of potential conflicts of interest on the part of individuals involved in the independent investigations of deadly use of force that results in death, substantial bodily harm, or great bodily harm. WAC 139-12-030.

⁵⁴ PAIT Review, p. 38.

in POSPD investigations, and that a policy change would require a subcommittee of representatives from the Police Department's Office of Professional Accountability (OPA) and the Port's Offices of HR and WR.⁵⁵

Proof of implementation for Recommendation 29 was offered by way of reference to the revised §1019.5.3 - Administrative Investigation Procedures, which provides, "(a) If there is the question of possibility of a conflict of interest in an investigation, the Chief of Police will determine how deconfliction will occur." 21CP advised that it would be beneficial to provide more direction in the policy as to the kinds of issues that can create actual or perceived conflicts of interest in handling misconduct complaints, and suggested that the policy should cover the protocol to follow if the Chief of Police has a potential conflict of interest in the matter under investigation. 21CP provided examples of conflict of interest policies used in other law enforcement organizations and POSPD added a new section §1019.5.2 - Conflict of Interest and Investigative Recusals to include additional language that provides more detailed consideration as to how potential conflicts of interest can arise and are to be addressed. The policy changes include a provision that any complaint allegation naming the Chief of Police will be reported to the Port Deputy Executive Director.

Satisfactory evidence was presented that Recommendation 29 has been implemented.

Recommendation 38 - Hiring: Female Applicants

Follow up with Public Safety Testing to explore why female applicants to the Port of Seattle Police Department fail the written test at a higher level than male applicants and whether the Port is receiving all data analytics needed to assess applicant and hiring patterns and give follow-up consideration as to why there have been no female entry-level hires in the past three years.

When PAIT reviewed this recommendation, it asserted that there had been an error in reference to female applicants failing the *written* test at a higher rate than male applicants, as the higher female failure rate was with regards to the *physical* test.⁵⁶ PAIT also indicated that the test has changed as of 2021, after 21CP's assessment was completed, such that new disaggregated data on fail rates would have to be gathered to learn if the higher failure rates for females persisted, and that any changes would have to be coordinated with the Washington State Criminal Justice Training Commission (WSCJTC).⁵⁷

During 21CP's assessment of the POSPD, it was provided with data indicating that entry-level female applicants failed the written test administered by Public Safety Testing (PST) at a higher rate than males - a 7% failure rate for females verses a 5% failure rate males.⁵⁸ It was not evident that the difference in

⁵⁵ Ibid.

⁵⁶ PAIT Review, p. 48.

⁵⁷ Ibid.

⁵⁸ Recommendations Report, p. 104.

failure rates was statistically significant, as there was very limited data available through PST regarding failure rates by gender for either the written or physical tests. However, because POSPD had not hired any female entry-level applicants for the three years leading up to the Recommendations Report issued in 2021, potential impediments to female applicants was a concern.⁵⁹

Regardless of the confusion and lack of information about the data at issue, the recommendation to follow up with PST to better understand applicant testing outcomes is now moot. As proof of implementation regarding Recommendation 38, POSPD provided a memorandum dated February 7, 2025, from Commander Depolo, Office of Professional Standards & Development, indicating that the POSPD has transitioned away from PST for written and physical testing for entry-level officers. Commander Depolo's memorandum states that, following a process spearheaded by Candie Lorenzo, Port Human Resources - Talent Acquisition, POSPD transitioned to using the National Testing Network ("NTN") in 4th Quarter 2024. NTN testing is more robust, involving multiple prongs, including situational judgement, report writing, reading, and a self-assessment, all measuring specific skills and ethical challenges facing law enforcement. Commander Depolo notes that NTN testing encourages diversity without sacrificing standards and quotes from NTN material that states, "In addition to developing examinations that allow departments to identify the most qualified candidates, one of NTN's top priorities is to provide exams that promote racial and gender diversity in the departments we serve. NTN tests are shown to have both high validity and low impact on protected groups." NTN shows a 95% vs 94% passing rate in general for male and female candidates respectively, based on the written test package used for entry-level applicants.⁶⁰ POSPD does not have data specific to the department at this point in time.

Entry-level applicants must also demonstrate a requisite level of physical fitness as established by the Washington State Criminal Justice Training Commission (WSCJTC).⁶¹ The POSPD uses NTN to administer the Washington Physical Abilities Test (WAPAT), which includes three individual fitness components. In order to receive a passing score, applicants must complete 20 push-ups in 90 seconds, 25 sit-ups in 90 seconds, and 35 squat thrusts in 3 minutes, with a 3 minute rest period between the first two events and a 5 minute rest period between the second and third event. Again, given the relatively small number of applicants since POSPD began using NTN for entry-level testing purposes, data is not available for comparative pass/fail rates between male and female applicants.⁶²

⁵⁹ Ibid.

⁶⁰ While there continues to be a slight difference in outcomes by gender for the written portion of the assessment process, NTN provides much more information concerning test validity. Also, Commander Depolo's memorandum indicates that while POSPD is currently using NTN's recommended scoring matrix, it can change the weightings of test subcategories if testing outcomes do not meet Police Department expectations.

⁶¹ WAC 139-05-230.

⁶² POSPD Recruiting and the Command Team are reviewing entry-level oral board questions to ensure they align with POSPD values and present a neutral playing field for all those involved in the application process. 21CP Recommendation 40 addresses issues with oral board questions and, presumably, the recommendation will be considered for implementation in the next (and last) reporting period.

POSPD created a full-time recruiter position in late 2024, tasked with reviewing the hiring process from top to bottom to identify systemic improvements. Commander Depolo reported that the recruiter has been proactive in finding locations to promote POSPD hiring that typically have been underserved by the Police Department. He noted that female POSPD officers are often present at recruiting events. For instance, at a recent Seattle University event and a Diversity in Law enforcement Careers workshop co-sponsored with other Valley agencies, a large portion of potential applicants who attended and provided contact information were female.

Finally, and perhaps most importantly, one female entry-level officer graduated from the WSCJTC Basic Law Enforcement Academy (BLEA) in March and is now undergoing POSPD PTO training. A second female recruit has accepted an offer of employment with the POSPD and is being scheduled for BLEA training.

When 21CP met with Senior Director Gheisar and representatives from POSPD and Port Human Resources, Workplace Responsibility, and Legal in March 2025, POSPD Commander Depolo and Human Resources personnel supporting the Police Department indicated they will be working to better understand where applicants fall out during the entry-level application process. It is hoped that more data on failure rates at the different application stages will be available through NTN. Also, there was to be an upcoming training on oral board questions and review of questions to consider for areas of improvement.⁶³ Previously, there has not been any formal tracking of oral board pass/fail data, though that is a process the Port and POSPD can more closely monitor. During the meeting with POSPD and Port representatives held in March, there also was discussion about the variety of recruitment efforts being made, ways to encourage and support entry-level test taking, and opportunities to collaborate with other jurisdictions to support preparation and practice for the physical fitness test.

Recommendation 38 is no longer applicable, given POSPD's transition to using the National Testing Network for screening entry-level applicants and the recent success in hiring two female officers.

Recommendation 44 - Special Team Assignment Process

*The POSPD should consider ranking applicants for special team assignments to increase transparency in those processes.*⁶⁴

During 21CP's assessment of the POSPD, many officers expressed concerns about the fairness of assignments to specialty units, such as K9, SWAT, Hostage Negotiation, Dive Team, Boat Team, Police Training Officer (PTO), Bomb Disposal, Honor Guard, Peer Support, and Crowd Management. Testing for these assignments is required, and the Chief of Police or head of the relevant unit makes an assignment

⁶³ Oral board questions are the subject of Recommendation 40, which has not been reviewed for implementation.

⁶⁴ There was a typographical error in this recommendation, as ranking applicants does not necessarily result in increased transparency. The recommendation should have been stated as: The POSPD should consider ranking applicants for Special Team Assignments *and* increase transparency in those processes.

selection from the pool of successful test takers rather than selecting from the top of the list according to the ranked results of test takers. Command Staff reported that selections are generally made based on test scores, but the possibility for substantial discretion to enter the selection process creates a perception of unfairness. 21CP considered the demographics of various special units and found a lack of diversity among some team members, adding to the perception of unfairness about the selection process.⁶⁵

21CP emphasized throughout its Recommendations Report that POSPD leadership is responsible for creating the conditions necessary to build a sense of internal procedural justice in the Police Department. "POSPD leadership can enhance internal procedural justice with a focus on developing collaborative decision-making, team building, employee inclusivity, and empowerment, transparency, and effective internal communication."⁶⁶ Developing a process so there is more transparency and communication regarding special team assignments will help facilitate a sense of fairness and internal procedural justice in the Police Department.

PAIT Review notes indicated that the POSPD needs to have some flexibility in assignments so that selection is not completely based on test scores. Special team positions are not covered by civil service rules and labor contracts already allow for some flexibility with these assignments. During the PAIT review process, the POSPD team expressed openness to 21CP's recommendation and for there to be more transparency, with PAIT Review notes indicating that the Police Department "is already running assessments to provide additional information to the Chief when making selections."⁶⁷ PAIT made the following suggestion: "Mandatory feedback to all participants following appointment/selection."⁶⁸ Port Human Resources offered to collaborate on how to improve the process and its transparency.

POSPD's offer of proof regarding implementation of Recommendation 44 included two emails. One email was dated January 2, 2025, and was addressed to POSPD Chief Villa (and copied to Deputy Chief Thomas) from Commander Depolo, POSPD Professional Standards & Development, regarding Special Team assessment ranking. Commander Depolo wrote:

To summarize our discussion:

- After the completion of a process, a communication will be sent out to all applicants with the ranked list. Scores will not be disclosed to the group.
- Assessment performance feedback will be offered either by the Commander or Sergeant, who will then notify Cmdr Barros that feedback has been completed for EDI tracking.

⁶⁵ 21CP did not have applicant data, so could not determine whether the process was in fact unfair, i.e. whether selection outcomes were representative of the applicant pool. Recommendations Report, p. 113.

⁶⁶ Recommendations Report, p. 114.

⁶⁷ PAIT Review, p. 54.

⁶⁸ Ibid.

- The communication will include that Special Teams assessments are not subject to Civil Service Rules and the assessment process is but one item the Chief will consider when making an appointment to the Special Team.

The second email offered in support of proof of implementation for Recommendation 44, also sent by Commander Depolo, was dated January 3, 2025, and was addressed to seven POSPD officers (and copied to 5 other individuals), with the subject, "PTO Assessment Results."⁶⁹ The email provided a ranked list of the seven POSPD officers who were sent the email and indicated the list was based on the assessment process. The email further notes that the PTO position is not governed by Civil Service rules and, "...the list generated by this process is just one of many factors that the Chief of Police will consider when making appointments to the cadre." Commander Depolo referred to a POSPD Sergeant having spoken with each of the officers on the list, but stated that the recipients could contact the Sergeant or Commander Depolo if anyone wanted additional feedback about the process. Finally, Commander Depolo notes that he anticipates that there will be multiple appointments off the list taking place slowly throughout the year, but that the group will be updated as the time to make appointments draws closer.

The POSPD is using a ranking system in assessing applicants for a Special Team assignment and shares the list with all applicants, though the POSPD Chief will continue to have some discretion in making a final selection. Those interested in a Special Teams assignment are provided with individualized assessment performance feedback, with an option to seek further feedback if desired. This move toward increased transparency about the selection process and more communication concerning individual performance demonstrates a commitment to promoting internal procedural justice at POSPD.

Satisfactory evidence was presented that Recommendation 44 has been implemented.

Recommendation 46 - Use of Force: Training

The POSPD should continue to stress a "guardian mentality" in its trainings.

21CP's Recommendations Report acknowledged that by 2021, POSPD was incorporating a "guardian mentality" in its policies and training. However, trainings prior to 2020 had emphasized a "warrior mindset," with some explicit direction to reinforce the approach throughout training.⁷⁰ Recommendation 46 was included as a reminder that promotion of the "guardian mentality" involved a "career long education process designed to ensure the development of a highly evolved police officer who is prepared

⁶⁹ When a new officer is hired by the POSPD, they must complete a Police Training Officer (PTO) Program lasting 8 - 17 weeks. The training team for each new recruit consists of at least two PTO trainers, the PTO sergeant, the PTO commander, and the PTO evaluator. More information about the PTO Program can be found on the POSPD website: <https://www.portseattle.org/police-units/police-training-officer-ptu>

⁷⁰ Recommendations Report, p.115-116.

at any moment to reflect the best of what policing demands."⁷¹ A police culture with a "guardian" mindset, as developed by the Washington State Criminal Justice Training Commission (CJTC), emphasizes justice-based policing, crisis intervention, tactical social interaction, and individual respect as ways of advancing community safety.⁷² In that regard, Recommendation 46 overlaps with similar recommendations made by 21CP, including those concerning the role of procedural justice in policing, crisis intervention, POSPD's development of alternative responses to issues of homelessness, and training on de-escalation.

Recommendation 46 was considered to be a high priority during the PAIT review process and, at the time the PAIT team considered the recommendation, implementation was underway.⁷³ PAIT Review notes indicate that the "guardian mentality" (Recommendation 46) was "incorporated into our training and will be part of 2022 In Service Training" and that POSPD was working to get related materials from CJTC to expand the curriculum. The PAIT Review also point out that, "measuring the effectiveness of the [guardian mentality] training is difficult."⁷⁴

The Police Department provided a memorandum dated February 11, 2025, from Sgt. R. Leavengood, Office of Professional Standards & Development, to Commander Depolo, that documents the different ways in which the POSPD stresses the "guardian mentality" throughout its trainings, to ensure that engagements are not only lawful, but also moral and ethical. Sgt. Leavengood noted that, in different types of training, instructors underscore the importance of being ready and prepared to take action to protect the public, the subject, one's partners, and oneself. Sgt. Leavengood's memorandum indicates that trainers encourage officers to treat all persons with respect, dignity, empathy, and patience. The memorandum states that training teaches that the lives of innocents are to be prioritized over those of suspects and officers, while using reasonable care, which is manifested in exhausting all other resources prior to using force. De-escalation techniques that are emphasized to avoid using force include less lethal implements, use of the "one voice" principle to facilitate clear communication with the subject, taking advantage of distance and cover opportunities, and repositioning. Sgt. Leavengood also noted that the duty to intervene is taught in scenario-based instruction, another example of how the "guardian mentality" is a focus in POSPD training.

21CP attended a number of POSPD training events during the original assessment of the Police Department and requested an opportunity to observe use of force and other training as follow-up during the recommendation implementation phase. The purpose of observing training at this stage is to watch for examples of implementation in action and to confirm written and verbal information submitted by the POSPD, all of which contributes to building accountability, transparency, and legitimacy in 21CP's audit of the Police Department's implementation progress.

⁷¹ Ibid., referencing the Washington State Criminal Justice Training Commission and as quoted by POSPD.

⁷² Rice, Stephen, and Sue Rahr. "From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals." *New Perspectives in Policing*, Harvard Executive Session on Policing and Public Safety, 2015.

⁷³ PAIT Review, p. 56.

⁷⁴ Ibid.

21CP had the opportunity to observe both classroom and scenario-based training during the current reporting period and was invited but unable to attend Crisis Intervention Team training. POSPD's classroom based "De-escalation and Lethal Force Safety Training" had the stated dual goals for "Police officers to give proper weight to the SAFETY of the PEOPLE in their communities" and for "Police officers will give proper deference to their own SAFETY in the process."⁷⁵ Using a variety of videos and other illustrations throughout, the lead trainer stressed the importance of giving proper weight to both goals. The de-escalation techniques of using time, distance, and cover to avoid the use of force were also illustrated through videos, attendee participation exercises, and sample scenarios. The trainer stressed the importance of regular and frequent shooting practice, both with ammunition and by dry firing, to improve and maintain accuracy and muscle memory, and as a means to help avoid the unnecessary use of force (and avoidance of use of necessary force) due to lack of preparation.

The scenario-based training that 21CP attended was directed at recent new and lateral hires. Several scenarios involved officer interactions with an actor playing a person sleeping at the airport, apparently there without a legitimate travel-related purpose. Working individually or in a pair, the officers were tasked with contacting the individual to determine their reason for being at the airport, to consider whether the situation involves a criminal trespass, and to take appropriate follow-up action. Once contacted, the actor responded differently in the various scenarios, such as standing up and walking away, staying seated and indicating he was picking up a friend, but not knowing his arrival time or having any other flight information, or indicating the friend was arriving on an airline no longer in operation. In another scenario, an individual was observed using a screwdriver to open up a locker. Once contacted, the actor claimed to be an employee who did not have identification, though continued to hold the screwdriver.

After each trainee engaged with the actor in each scenario described above for a period of time, the trainer stopped the action and asked the trainee about their purpose in making the contact, their chosen course of action once contact was made, what appeared to work well, and where they encountered the unexpected or challenges. Usually, the scenario was repeated, with the training focused on working on a particular skill or aspect of the encounter. The trainees were acknowledged for using a tactical approach to the encounter, for demonstrating respect while maintaining authority, and for avoiding escalation of the situation, such as not responding incredulously when the actor provided clearly implausible flight information. Instructors called out appropriate use of, or reminded the officers to use, time, distance, and cover, and to request officer back-up, a supervisor, the Crisis Coordinator and mental health professional, or other resources, as needed.

While far from a complete description of all that was addressed in the training observed, the examples above illustrate ways the POSPD continues to stress a "guardian mentality" in its officer instruction.

Satisfactory evidence was presented that Recommendation 46 has been implemented.

⁷⁵ Emphasis in the original.

Recommendation 47 - Use of Force: Training

The POSPD should provide positive examples to reinforce good police tactics rather than stressing poor outcomes in training.

The suggestion in Recommendation 47 to provide positive examples that reinforce good police tactics rather than only stressing poor outcomes in training is aimed at emphasizing what officers should do instead of solely what they should *not* do." For example, using BWC videos that demonstrate the use of procedural justice techniques when making a contact provides role modeling for those being trained and shows how justice-based policing potentially can assist in avoiding use of force.

Recommendation 47 was rated as being of medium priority by PAIT, though implementation was underway.⁷⁶ The PAIT team mentioned that the POSPD Training Unit was working to identify videos showing examples of "good policing."

As offers of proof regarding POSPD's implementation of Recommendation 47 and the use of training examples that teach good police tactics, the Police Department provided two memoranda, one from Training Officer Nari Shin and the other authored by Commander Depolo, Office of Professional Standards & Development. Commander Depolo's memorandum summarized the wide range of in-service training POSPD provides to officers September through April each year. He notes that when a training video uses a less than ideal outcome, it is often followed by one illustrating more positive tactics. Commander Depolo indicates that the debrief following scenario-based training exercises aims to help trainees identify the best possible outcome for each event.

Officer Shin's memorandum, also offered in support of implementation, indicates that POSPD's training focus is centered on highlighting what officers can do to achieve successful outcomes (rather than how to avoid mistakes) and states that this is a key element of ensuring effective, safe, and thoughtful interactions with the public. Officer Shin discussed ways that POSPD's training on crisis coordination and mental health and lethal force and de-escalation use success stories where officers communicated effectively with individuals in distress or used de-escalation tactics to defuse potentially dangerous situations. The Training Unit uses Body-Worn Camera (BWC) footage and police training videos to analyze real-life encounters, reviewing both successful interactions and areas for improvement. Officer Shin also summarized POSPD's immersive six-week training program, including scenario-based training such as that observed by 21CP and described above regarding Recommendation 46. The memorandum concludes, "By providing officers with resources, practical scenarios, and constructive feedback, we aim to enhance both individual performance and the overall safety and well-being of our community."

⁷⁶ PAIT Review, p. 57.

As noted in the discussion on implementation of Recommendation 46, 21CP recently attended both classroom and scenario-based training. Both types of training provided examples of POSPD incorporating positive examples to reinforce good police tactics. For instance, where multiple officers were involved in a videotaped event being used for classroom training, discussion centered around which officers used poor tactics as compared to those who took positive steps to resolve the police encounter. During the scenario-based training, trainee actions that the trainers wanted to positively reinforce were highlighted up front and the trainers explained or role modeled specific tactics for the trainee to practice where an alternative approach was suggested. While 21CP was not able to attend the New Hire Crisis Intervention Team instruction, 21CP did review the training's PowerPoint materials. The concept of using positive examples in training could be identified in a slide on POSPD reporting requirements that provided a list of helpful descriptions used to illustrate behavioral health issues based on observation or as relayed to the officer. Overall, POSPD appears to have embraced 21CP's recommendation to use positive examples in training when available, to accentuate tactics the Police Department expects officers to use.

Satisfactory evidence was presented that Recommendation 47 has been implemented.

Recommendation 49 - Training

The POSPD should consider incorporating existing community engagement opportunities as part of training to better understand cultural differences.

POSPD officers engage with a population of people who use the Port of Seattle's services that come from a variety of backgrounds and experiences. However, as 21CP's Recommendations Report noted, given the size of the Police Department, it cannot always commit resources towards creating new opportunities for officers to refine their cultural competency in order to enhance their ability to interface effectively with people from such varying backgrounds.⁷⁷ Thus, Recommendation 49 encourages the POSPD to take advantage of existing community engagement opportunities as an alternative approach to provide training and increase officers' capacities to interact with diverse groups. This might involve officers attending Employee Resource Group (ERG) meetings held among Port employees, sampling affinity group meetings convened through other law enforcement agencies (e.g. the Seattle Police Department's African American Community Advisory Council⁷⁸), or requiring that new recruits work a set number of hours during their PTO training assisting at a local organization that provides food or shelter services for the homeless or other disadvantaged groups.

PAIT considered Recommendation 49 to be of medium priority, though training in cultural competency is mandated by Washington State and the POSPD had begun implementation at the time of the PAIT review,

⁷⁷ Recommendations Report, p. 117.

⁷⁸ <https://www.seattle.gov/police/community-policing/community-programs/demographic-advisory-councils/african-american-community-advisory-council->

as exemplified by POSPD Sergeants connecting with community leaders in the Duwamish district.⁷⁹ PAIT also noted a possible link to Recommendation 42, 21CP's proposal that the POSPD bring representatives of all ERGs into the recruitment and hiring process at all steps, not just for oral boards, so that a variety of perspectives and ideas are shared with the Police Department and the Port throughout the process.⁸⁰

In a memorandum dated February 6, 2025, by Patrol Commander Arman Barros, he summarized ways cultural competency and Equity, Diversity, and Inclusion (EDI) events and training opportunities were provided to officers. In 2024, the Police Department hosted two events open to all Port employees through a program called "Lunch and Learn," in which speakers external to the Port of Seattle provided insight on strategies to address bias. One speaker, Ron Stallworth, was the first African American detective in the Colorado Springs Police Department and worked undercover to infiltrate the Ku Klux Klan, an experience later developed into a book and movie, *BlackKlansman*.⁸¹ A second speaker, Dr. Robert Livingston, is a social psychologist and leading expert on the science underlying bias and racism in organizations. He authored the book, *The Conversation: How Seeking and Speaking the Truth about Racism Can Radically Transform Individuals and Organizations* (Penguin Random House, 2021).⁸² The Lunch and Learn events lasted an average of two hours and POSPD and Port of Seattle employees received EDI credit for their attendance.

The Office of Equity, Diversity, and Inclusion (OEDI) requires six hours of EDI training annually for supervisors and five hours for non-supervisors, and includes the courses Racial Equity 101 and 102, which are required on a rotating two-year basis. During these courses, employees (including POSPD officers) are broken into small groups representing employees from across the Port, to share, discuss, and problem solve. OEDI and other Port groups also host Lunch and Learn events, which POSPD members can attend.

In 2024, the POSPD offered a class in "Spanish for Law Enforcement" to improve the Police Department's ability to communicate and provide law enforcement services for Spanish speaking individuals with whom officers engage. Discussion also began in 2024, continuing into 2025, about offering a "Lunch and Learn" event for Port employees that provides information on the POSPD officer recruitment, hiring, and training process, along with perspective on the diversity of individuals working for the Police Department. While this event seems to be aimed at helping Port of Seattle employees appreciate how officers are hired for the Department and the demographic variety among those currently employed, rather than the goal of enhancing cultural competency among POSPD officers themselves, educating the Port community about the Police Department facilitates understanding and relationship building with diverse individuals working at the Port who might participate.

⁷⁹ PAIT Review, p. 59. 21CP was unable to clarify the nature of the efforts being made with Duwamish community leaders.

⁸⁰ Recommendation 42 was considered in 2023 and is discussed in 21CP's Implementation Progress Report 1.

⁸¹ <https://en.wikipedia.org/wiki/BlackKlansman>

⁸² For more information about Dr. Livingston's background, see: <https://robertwlivingston.com/bio/>

While Recommendation 49 was particularly focused on encouraging the Police Department to take advantage of existing community engagement opportunities in order to leverage available resources, the POSPD's hosting of Lunch and Learn events, its offer of a course on Spanish for Law Enforcement, and the training through OEDI all appear to support the goal of providing opportunities for officers to better understand and appreciate cultural differences. The OEDI training required of all employees, including those at the Police Department, may offer a particularly robust opportunity for a diverse assembly of officers and other Port employees to interface and learn from each other, given the small group break-out approach used in the training. In addition, the POSPD can continue to consider whether there are existing opportunities such as those mentioned that might prove beneficial to enhancing officers' cultural competency.

Satisfactory evidence was presented that Recommendation 49 has been implemented.

CONCLUSION

POSPD continues to make progress in implementing improvement recommendations related to 21CP's assessment of the Police Department. To date, approximately 80% of 21CP's 52 recommendations have been successfully implemented. Of the 13 recommendations reviewed for 2025, there was satisfactory evidence of implementation for 12, with one recommendation determined to be no longer applicable. Representatives of the Police Department and other Port of Seattle entities readily provided information necessary to determine whether the concerns behind the recommendations reviewed have been addressed and were always available for follow-up discussions and receptive to 21CP's input.

As labor negotiations take place and the 2025 update to the Police Department's Policy Manual is completed in the Fall, some policy adjustments may result that relate to some of the recommendations assessed in 2025. Nevertheless, 21CP is optimistic that, if there are relevant policy changes related to recommendations 21CP has already reviewed for implementation, they can be considered along with the recommendations yet to be implemented—and that all remaining matters can be addressed by the time of the 2026 implementation review.