

Seattle Police Monitor
Preliminary Assessment: Crisis Intervention
December 2021

The purpose of these preliminary assessments is to provide updated information to the Court and community about the Seattle Police Department's (SPD) performance across the core areas of the Consent Decree since the prior Monitoring Team last provided comprehensive overviews of SPD's progress.

As a next step, the Monitor will be collaborating with the Seattle Community Police Commission to convene a series of Community Engagement Sessions around these preliminary assessments of the Seattle Police Department. The goal of these Community Engagement Sessions is to inform the public on overall progress of the Consent Decree, communicate results of the assessments, and gain insights and ideas directly from the community on progress needed in 2022 to work toward compliance and closure of the Consent Decree effectively and legitimately.

The Monitor and the Community Police Commission will conduct three Community Engagement Sessions dedicated to core areas of the Consent Decree. These sessions will occur on the following dates:

- Crisis Intervention: January 11, 2022
- Stops and Detentions: February 8, 2022
- Use of Force: March 8, 2022

During these upcoming Community Engagement Sessions, as well as asynchronously through the Monitor website, community input and ideas will be generated in three categories:

- Based on this assessment data and insights, what specific ideas do you have to improve policing services for the City of Seattle, whether through changes to policy and practices, systems, measures, and/or general innovations?
- Based on this assessment data and insights, what new policies, research, and/or general innovations should the Seattle Community Policing Commission pursue in 2022?
- Based on this assessment data and insights, what policy and practice areas, if any, should the Federal Monitor oversee implementation on in 2022?

Upon completion of the Community Engagement Sessions, ideas from the community will help to inform the Monitoring Team's analysis of the data and help determine action items in 2022 for the City and federal oversight.

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Crisis Intervention

A. Context & Key Findings

The Consent Decree required that SPD implement several reforms aimed at reducing force applied to individuals experiencing behavioral crisis and steering individuals in crisis to appropriate mental health and social services. Over the course of the Consent Decree, SPD has implemented new policy, training, and data tracking mechanisms to support improved response to crisis situations. Based on a 2016 assessment of SPD's performance, the Monitoring Team declared that SPD had complied with the crisis intervention requirements of the Decree. This compliance was subsequently confirmed in a 2018 review. This assessment revisits SPD's performance on crisis intervention and finds the following:

- SPD responds to a significant number of crisis events, documenting around 10,000 crisis contacts per year.
- Specially-trained Crisis Intervention Team officers continue to be dispatched to calls for service that appear to implicate behavioral crisis issues. CIT officers were dispatched in 73% of all crisis calls in 2019 and 82% of calls in 2020, according to SPD's records.
- SPD used force in approximately 1.71% of crisis contacts across 2019 and 2020 – with higher-level force (Type II and III force) used in 0.58% of crisis contacts, though these rates should be considered with some caution, as discussed in the report.
- About 0.24% of all crisis contacts in 2020 were the subject of a complaint to the Office of Police Accountability (OPA), with OPA sustaining allegations stemming from those investigations in 0.07% of crisis contacts overall.
- SPD's arrest rate in crisis situations remains consistent with what the Monitoring Team found in its 2016 assessment. The Monitoring Team's 2016 review found SPD crisis contacts resulted in arrest 7.5% of the time. SPD's arrest rate was 8.62% in 2019 and 6.30% in 2020.
- Overall, SPD's outcomes with respect to crisis contacts have largely sustained or improved in the ensuing five years since the Monitoring Team initially declared SPD's compliance with the crisis intervention requirements of the Consent Decree in 2016.

B. Background & Consent Decree Requirements

The Department of Justice's (DOJ) 2011 investigation of the Seattle Police Department (SPD) found systemic issues related to use of force practices, with specific concerns on SPD's interactions with individuals experiencing mental and behavioral health or substance abuse issues. Specifically, DOJ found that:

SPD officers escalate situations and use unnecessary or excessive force when arresting individuals for minor offenses. ***This trend is pronounced in encounters with persons with mental illnesses or those under the influence of alcohol or drugs.*** This is problematic because SPD estimates that 70% of use of force encounters involve these populations.¹

The DOJ investigation found that these problematic crisis outcomes resulted from systemic deficiencies in Seattle’s crisis intervention programs, as summarized by the Monitoring Team:

There was no overarching policy governing response to and performance in crisis events; no crisis intervention committee that brought together key community stakeholders to collaboratively and collectively address community and interagency issues; no ongoing, structured crisis intervention training program; no experienced, trained, and dedicated certified CIT-officers; and no centralized organizational structure to implement a strategic and coordinated approach to policing those in crisis [sic].²

Indeed, there was a “general concern that when SPD officers arrived at the scene of a behavioral crisis event, they did not always have the skill or training to address them in a manner that adequately promoted officer safety, subject safety, and any implicated law enforcement objectives.”³

Paragraphs 130 through 137 of the Consent Decree required that SPD implement a number of reforms aimed at reducing force applied to individuals experiencing behavioral crisis and steering individuals in crisis to appropriate mental health and social services. (As the prior Monitoring Team observed, “[b]ehavioral crises include mental illness, substance abuse disorders, [and] other personal and behavioral issues or concerns.”⁴) These changes included:

- Developing new policies on crisis intervention and de-escalation;
- Enhancing the 40-hour CIT certification training to equip specialized officers to respond and address crisis events;
- Increasing the number of specialized CIT officers available on every shift to respond to crises;
- Training all officers on crisis intervention techniques to ensure all officers have foundational skills in de-escalation and crisis response;

¹ Dkt. 1-1, *Investigation of the Seattle Police Department*, United States Department of Justice, Civil Rights Division, United States Attorney’s Office, Western District of Washington” (Dec. 16, 2011) [hereinafter “2011 Findings Letter”] at 5 (emphasis added).

² Fifth Systemic Assessment at 3.

³ Fifth Systemic Assessment at 3.

⁴ Fourth Semiannual Report at 76.

- Improving documentation of crisis events to help SPD evaluate its crisis intervention response and identify opportunities for improvements; and
- Continuously engaging with a Crisis Intervention Committee on policy, training, data capture, and opportunities for improvements in the city’s crisis response.

C. Progress to Date & Previous Assessments

Over the course of the Consent Decree, the Monitoring Team evaluated and provided feedback on SPD’s implementation of crisis-related requirements. In 2016, the Monitoring Team concluded that SPD was in compliance with required Decree reforms after conducting a systemic assessment of SPD’s crisis performance.⁵ Specifically, the Monitoring Team found:

- “[A]lthough there is no bright line percentage”⁶ required by the Decree, SPD’s response rates of specially-trained, crisis-intervention-certified officers to the scenes of incidents involving individuals experiencing a crisis was “impressive” and “supportive of initial compliance.”⁷ Such officers were staffed such that they could be available across shifts and precincts.⁸
- Specially-trained crisis-intervention-certified officers were “tak[ing] appropriate roles at crisis incidents” to which they responded.⁹
- Officers used force in two percent of contacts with individuals experiencing a crisis, which was “indicative of” a “culture shift that has taken place” within SPD with respect to crisis intervention and was “supportive of initial compliance.”¹⁰
- A qualitative review of documentation of crisis incidents “indicates that officers are skillfully dealing with those in crisis,” placing the Department “in initial compliance in this respect.”¹¹
- Monitoring Team review of training and interviews with SPD officers, a survey by Seattle University, and SPD data indicating that as many as two-thirds of the Department having completed advanced crisis training all suggested that SPD’s crisis training “meets the intent of, and is supportive of initial compliance with, the Consent Decree with respect to having a force adequately trained to take on the challenge of dealing with individuals in crisis.”¹²

⁵ Fifth Systemic Assessment at 13.

⁶ Fifth Systemic Assessment at 9.

⁷ Fifth Systemic Assessment at 7.

⁸ Fifth Systemic Assessment at 15–16.

⁹ Fifth Systemic Assessment at 11.

¹⁰ Fifth Systemic Assessment at 12.

¹¹ Fifth Systemic Assessment at 13.

¹² Fifth Systemic Assessment at 14.

- SPD’s collaboration with the wider Seattle community on issues relating to crisis intervention was currently “meet[ing] . . . expectations[,] and the Department is in initial compliance with these requirements.”¹³
- “SPD is developing and institutionalizing a thoughtful approach geared toward guiding those in crisis to appropriate services rather than jail.”¹⁴

The Monitoring Team “conclude[d] that SPD has made great strides toward implementing a very successful CIT program and is in initial compliance with the Consent Decree.”¹⁵

In December 2018, SPD issued a report assessing its compliance with the crisis intervention requirements of the Decree, in keeping with Phase II’s approach of transferring preliminary monitoring responsibilities to the City and SPD with subsequent assessment and validation by the Monitoring Team and DOJ. SPD’s assessment concluded the agency had sustained compliance with the crisis intervention requirements of the Decree.¹⁶ The subsequent review by the Monitoring Team and DOJ validated SPD’s finding of maintained compliance. Specifically, the Monitoring Team and DOJ concluded that SPD:

- “Engag[ed] with individuals in crisis in a manner generally consistent with crisis intervention and force policies.”¹⁷
- “[W]here issues related to the use of force against a person in crisis did exist, the chain of command made appropriate referrals.” DOJ and the Monitoring Team added that “such instances of self-referral indicate a willingness and ability to manage risk in the Department and, where appropriate, hold fellow officers accountable for violating policy.”¹⁸
- There “were markedly high rates of CIT certification among patrol officers (73%),” and “[a]pproximately 80% of crisis contacts involved a CIT certified officer.”¹⁹

Consequently, the Monitoring Team and DOJ concluded that SPD had continued its compliance through 2018 and satisfied its obligations related to crisis intervention for the required term of sustainment.²⁰

D. SPD’s Recent Performance

¹³ Fifth Systemic Assessment at 18.

¹⁴ Fifth Systemic Assessment at 20.

¹⁵ Fifth Systemic Assessment at 22.

¹⁶ Dkt. 511 at 5.

¹⁷ Dkt. 511 at 40.

¹⁸ Dkt. 511 at 41.

¹⁹ Dkt. 511 at 40.

²⁰ Dkt. 511 at 36-40.

1. Scope & Approach

The task here is to update the Court and Seattle community on SPD's performance with respect to interacting with individuals experiencing behavioral health crises in the period since the Phase II assessment. To do so, the Monitoring Team reviewed a variety of data as well as crisis analyses conducted by SPD, in line with the sustainment phase of the Decree. Specifically, the Monitoring Team reviewed data pertaining to use of force reporting, dispatch, crisis intervention documentation, and Force Review Board meetings to assess SPD's current practices pertaining to crisis intervention.

To assess many of the statistics that follow in this report, it is important to understand how SPD documents and reports its crisis intervention efforts. **Policy 16.110 – Crisis Intervention** requires that SPD “Officers Shall Document All Contacts With Subjects Who are in Any Type of Behavioral Crisis.” This means that officers are required to document a crisis contact regardless of whether the officer has to complete other documentation for the event (for a use of force or an arrest, for example). SPD officers are required to complete crisis contact information for each individual in crisis they engage. For example, an officer would complete two crisis contact forms if the officer engaged with two individuals in crisis on a single dispatched call. This also means that the officer would not document a crisis contact if the officer does not engage with an individual in crisis during an event, even if the call was preliminarily classified as a crisis call or if the officer was dispatched to a crisis call where the incident concluded prior to the officer's arrival (a “gone on arrival” call). In turn, references to “crisis contacts” or “crisis contact forms” throughout this report refer to the number of individualized crisis contacts that were documented by SPD over a given period of time.

Much of the data used for this assessment, including these crisis contact forms, did not exist prior to the entry of the Consent Decree. It is notable that SPD has not only greatly enhanced its data collection and review in these areas but also published extensive open data pertaining to crisis intervention, use of force, and other topics of public interest. SPD's [crisis intervention dashboard](#) and [open data](#) provide the public an opportunity to continually analyze SPD's crisis performance in ways not possible prior to the Consent Decree.²¹

When the Monitoring Team determined that SPD had complied with the Consent Decree's crisis intervention requirements in 2016, it still found opportunities for improvement in crisis data analysis, noting, “while a lot of new data is being collected, the information is not set up to be analyzed easily and often – so that Department managers might view key statistics to track the effectiveness of the CIT program and make evidence-based changes based on that data.”²² SPD's

²¹ SPD's ongoing data cleaning operations can lead to slight changes in reporting numbers on these dashboards and open data over time, which may lead to differences between the data in this report and SPD's continually updated dashboards and open data online.

²² Fifth Systemic Assessment at 5.

public data advancements demonstrate a continued commitment to innovation, transparency and evidence-based management beyond Decree requirements that establish a foundation for public engagement critical to continued improvement in this area.

2. Findings

SPD responds to a significant number of crisis events. The Department averaged more than 25 crisis contacts per day over 2019 and 2020. According to SPD’s crisis contact documentation, SPD interacted with 6,813 individuals in crisis, across 10,155 contacts, in 2019. Officers interacted with 5,397 individuals in crisis, across 9,438 contacts, in 2020. This represents a decrease of 717 crisis contacts, and 1,416 fewer individuals interacting with SPD in crisis in 2020, which is likely at least partially attributable to the changes in general activity patterns that occurred especially at the onset of the Covid-19 pandemic. SPD provided these statistics from its internal Data Analytics Platform, and the community can review crisis trends on SPD’s crisis contacts dashboard.

Even as SPD responds to many crisis situations, these events represent a small percentage of overall SPD dispatched or proactive events. SPD reports that crisis contacts accounted for 2.4% of events in 2019 and 3.0% in 2020, according to dispatch records in SPD’s Data Analytics Platform. It should be noted a significant portion of these contacts were identified as crisis *after* Communications²³ dispatched officers to the scene, with Communications initially identifying 0.99% of calls as crisis contacts in 2019 and 1.40% of calls in 2020, according to SPD’s statistics. This indicates that SPD is identifying situations and calls as implicating behavioral crisis issues even across a number of instances where Communications is not.

i. CIT Officer Capacity to Respond to Crises

The Consent Decree required SPD to provide enhanced 40-hour crisis intervention certification training to additional officers and to ensure availability of specialized Crisis Intervention Team (CIT) officers on every shift to respond to crisis calls across the city.

SPD has continued to expand its CIT program after achieving compliance with the related Consent Decree requirements in 2016. As of October 2021, SPD reported having 721 CIT-certified officers, an increase from 550 in 2016²⁴ and approximately 365 at the beginning of the Decree.²⁵ CIT officers now constitute 62% of active personnel and 63% of patrol officers, according to SPD, up from 40% and 58% respectively in 2015.²⁶

²³ Seattle transitioned management of 911 call taking and dispatch operations from SPD to the City of Seattle Communications Center in June 2021, per the City.

²⁴ Fifth Systemic Assessment at 14.

²⁵ Dkt. 3-1 ¶ 130.

²⁶ Fifth Systemic Assessment at 14.

SPD hit a high point of 73% of patrol officers being CIT certified²⁷ before the Covid-19 pandemic. After a pause due to the pandemic and other operational and logistical constraints, the Monitoring Team understands that CIT certification training will resume in January 2022. In fact, SPD reports having a waitlist of 86 officers interested in taking the certification class. The Department plans to hold classes regularly in 2022 to meet officer demand and continually increase the percentage of CIT officers in the Department.

Specialized CIT officers continue to be dispatched to calls for service that appear to implicate behavioral crisis issues. CIT officers were dispatched in 73% of all crisis calls in 2019 and 82% of calls in 2020, according to SPD's records. These CIT response rates exceed the 71% response rate reported by the Monitoring Team in 2016, when SPD was first deemed in compliance with the Consent Decree's crisis intervention requirements.²⁸ While SPD's CIT response rate in 2019 (73%) represented a 7 percentage point decrease from 2018's rate of 80%,²⁹ SPD's 82% response rate in 2020 is the highest reported during the Consent Decree.

SPD tracks its distribution of CIT-certified officers across precinct and shift, allowing for an analysis of SPD's capacity to send specially trained officers to respond to crises across the city at any time. SPD routinely staffs most patrol shifts with more than half (50%) CIT-certified officers, according to SPD's internal Data Analytics Platform.

SPD continues to provide basic training on crisis intervention to all officers, including non-CIT-certified personnel. The Monitoring Team previously verified that SPD provided at least eight hours of foundational crisis intervention training to officers department-wide in 2014, with subsequent refresher training.³⁰ Between this foundational training and the expansions and elevation of CIT certification training, the Monitoring Team concluded that "this level of training meets the intent of, and is supportive of initial compliance with, the Consent Decree with respect to having a force adequately trained to take on the challenge of dealing with individuals in crisis."³¹

SPD has continued to provide training, addressing required Consent Decree topics, in both the introductory academy and recurring in-service training. This means that, when a CIT officer is not available to respond to a crisis call, the non-CIT officer responding to the scene still has received foundational and refresher crisis intervention training through SPD's ongoing training of all officers.

²⁷ Dkt. 511 at 40.

²⁸ Fifth Systemic Assessment at 5.

²⁹ Dkt. 511 at 40.

³⁰ Fifth Systemic Assessment at 14.

³¹ Fifth Systemic Assessment at 14.

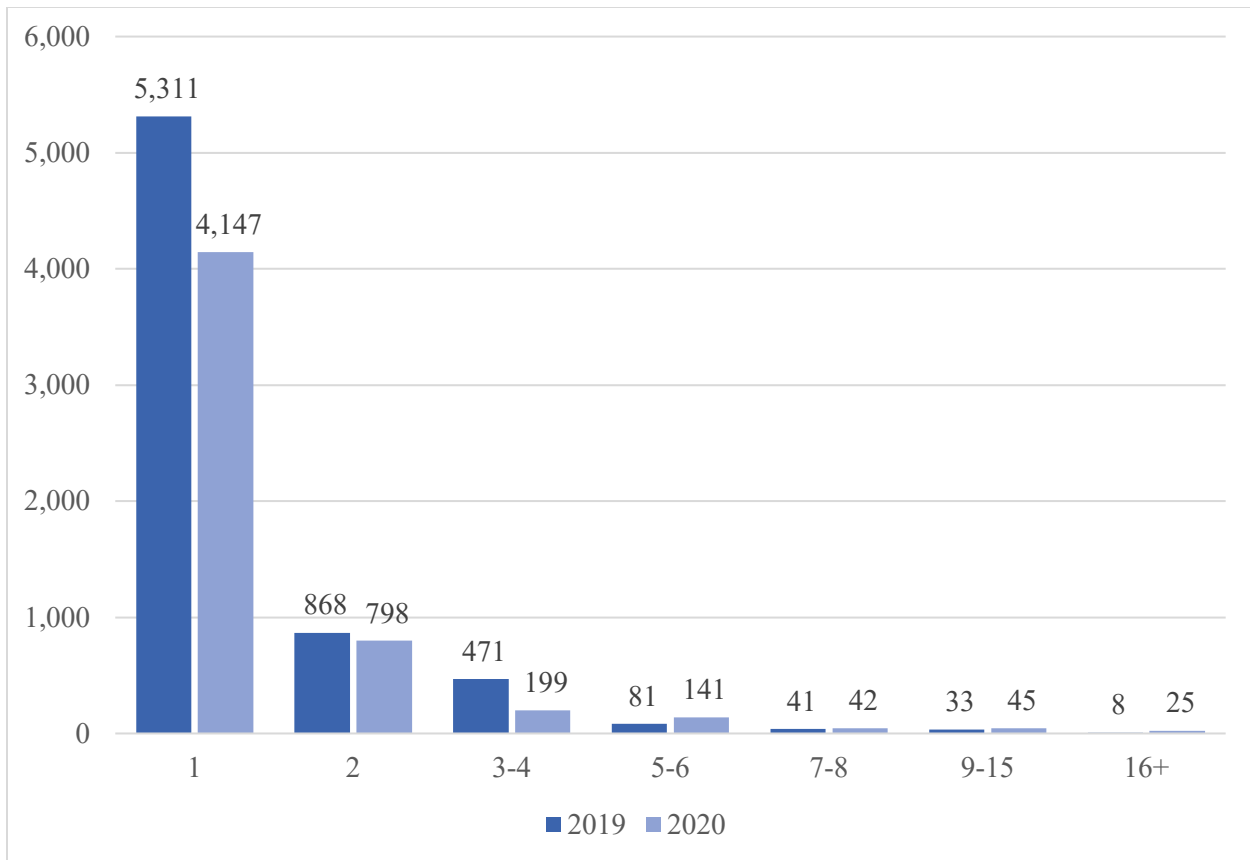
Through continual training and management of its distribution of CIT-certified officers, SPD can work toward continually increasing its CIT staffing across the city, thereby increasing the percentage of crisis calls receiving a CIT-certified officer specifically trained to de-escalate the situation.

ii. Individuals with Multiple Crisis Contacts with SPD

In 2019 and 2020, individuals having multiple crisis contacts with SPD decreased (though there was an increase in individuals having five or more crisis contacts), according to statistics from SPD’s Data Analytics Platform. One of the goals of SPD’s crisis intervention program is to connect individuals in crisis to services to help reduce the likelihood of future crises and decrease the likelihood of future encounters with SPD and the criminal justice system. In 2020, 92% of individuals with an SPD crisis contact had 1 or 2 contacts. 8% of individuals involved in a crisis event with a police response had 3 or more reported crisis encounters with police, and 2% had 7 or more reported encounters with police.

Individuals with multiple crisis contacts with SPD decreased from 1,502 to 1,250 from 2019 to 2020. From 2019 to 2020, SPD’s data demonstrate a significant decrease in individuals having 1-4 crisis contacts. There was an increase from 2019 to 2020 of individuals having 5 or more crisis contacts with SPD, though this group of frequent contacts is small compared to the number of individuals with fewer contacts with SPD. Figure 1 depicts frequency of crisis contacts for individual community members with SPD across 2019 and 2020:

Figure 1: Number of SPD Crisis Contacts by Individual, 2019 – 2020



Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms

SPD is using non-sworn mental health professionals to help address incidents involving individuals in crisis. SPD added four mental health providers to its co-responder unit in 2020, for a total of five mental health professionals working in tandem with sworn officers to provide specialized crisis response in certain situations and to individuals frequently encountering SPD in crisis. SPD reports that this enhanced unit is expanding its intensive crisis response strategies in 2021 with the goal of reducing the need for law enforcement encounters for individuals in crisis.

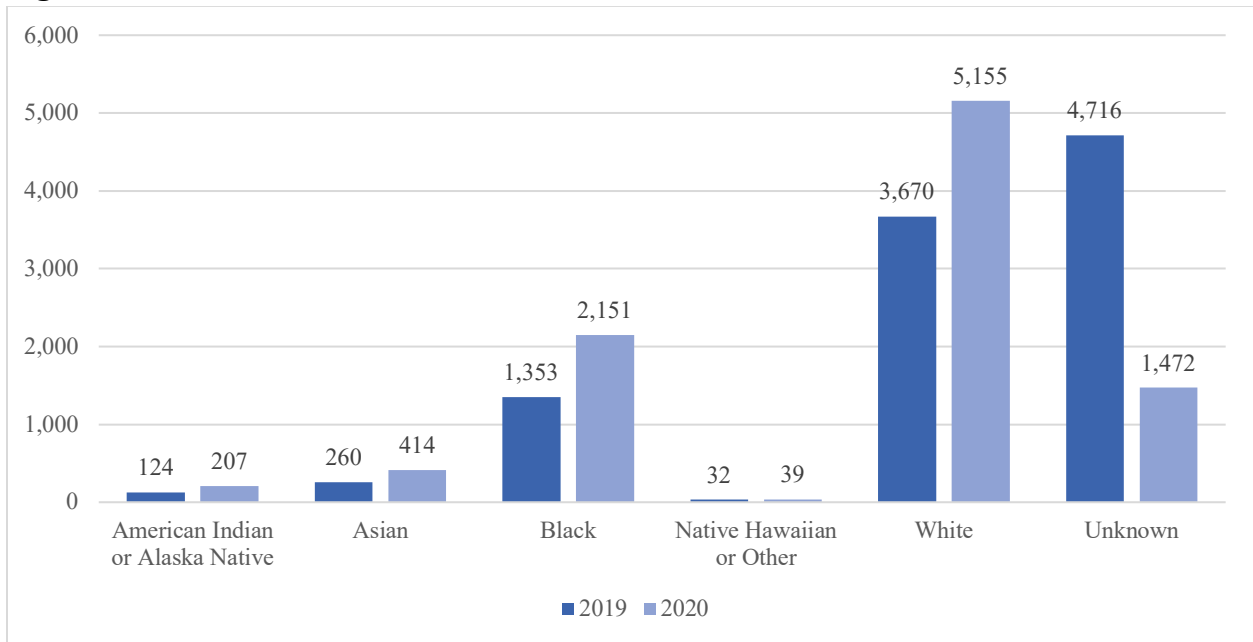
SPD and its partners in the behavioral health community can use these data on individuals with frequent crisis contacts with SPD to tailor response strategies to help reduce the likelihood of future crises and improve the quality of life of its community members, where possible. SPD’s Crisis Intervention Committee and other forums should continue to evaluate SPD crisis data to identify system gaps and opportunities to provide alternative responses to crises.

iii. Demographics of Crisis Contacts

In 2020, 55% of crisis contacts involved White subjects, while 23% involved Black subjects and 16% involved subjects with a race documented as “Unknown,” according to SPD reporting. Contacts with race listed as “Unknown” decreased significantly from 4,716 in 2019 (46%) to 1,472

in 2020 (16%). This decrease in 2020 led to more clear statistics in crisis contacts across races. SPD should work toward increasing the percentage of contacts with demographic reporting, in this area and others as discussed throughout the report, to enhance its analyses of interactions across demographics.

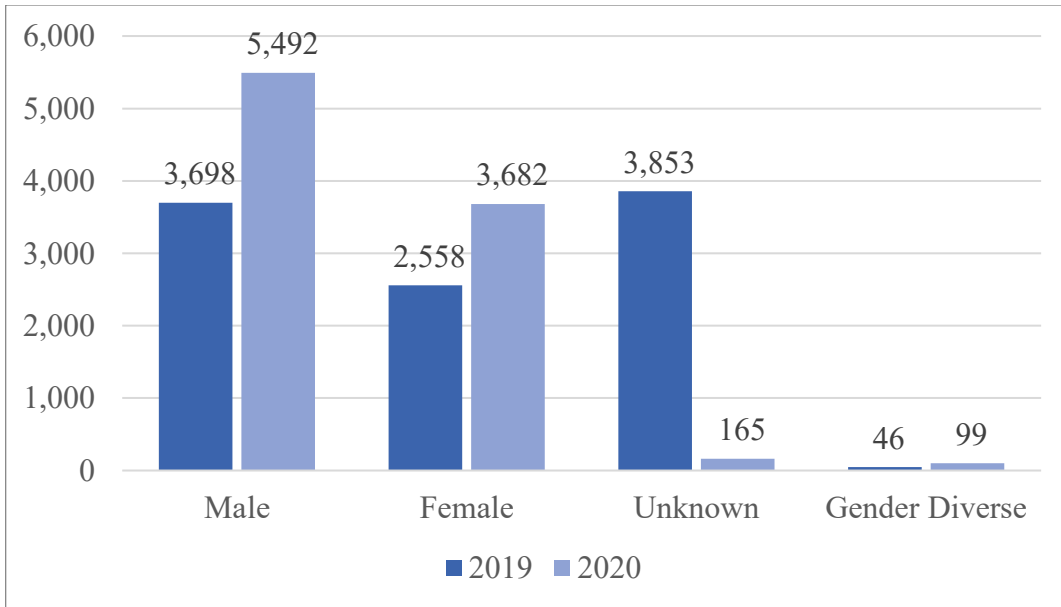
Figure 2. Race of Crisis Contacts, 2019-2020



Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms

SPD improved the data collection pertaining to the gender of individuals in crisis from 2019 to 2020. SPD documented 3,853 crisis contacts with an “Unknown” gender in 2019, representing 38% of all crisis contacts for the year. This percentage decreased dramatically to 1.7% in 2020. This improvement in documentation leads to a corresponding increase in reporting for the other gender categories for 2020. While this positive change complicates year-to-year analysis of crisis contacts by gender, it presents a more accurate picture for analysis in 2020, with males and females representing 58% and 39% of crisis contacts respectively.

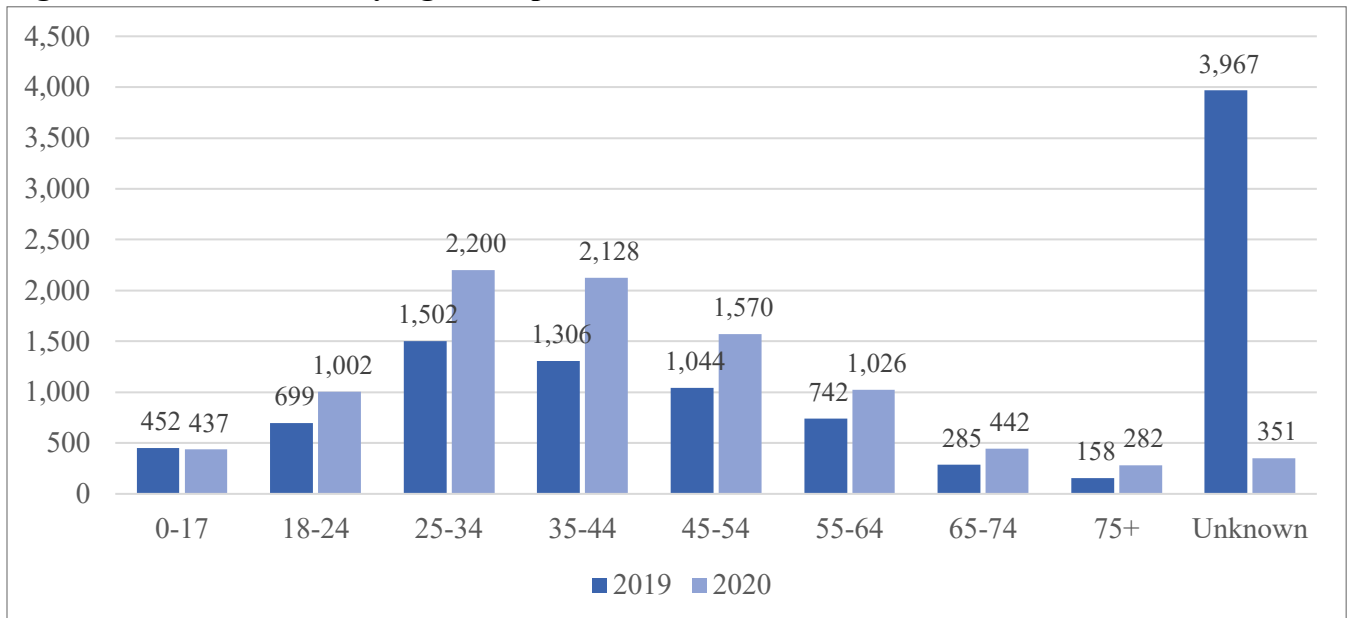
Figure 3. Gender of Crisis Contacts, 2019-2020



Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms

Similarly, SPD improved its data collection for the age of individuals officers interact with in crisis. The percentage of crisis forms completed with an “Unknown” age decreased from 39% in 2019 to 4% in 2020.

Figure 4. Crisis Contacts by Age Group, 2019-2020



Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms

Like with gender reporting, the decrease in “Unknown” ages for 2020 led to a corresponding increase in reporting for the other age categories for 2020. While this positive change likewise

complicates year-to-year analysis of crisis contacts by gender, it presents a more accurate picture for analysis in 2020, with ages 25-34 and 35-44 representing 24% and 23%, respectively of crisis contacts with a documented age for the crisis contact.

iv. Resolution of Crisis Contacts

SPD’s arrest rate in crisis situations remains consistent with what the Monitoring Team found in its 2016 assessment. The Monitoring Team’s 2016 review, which found SPD in compliance with the terms of the Consent Decree relating to behavioral crisis, found SPD crisis contacts resulted in arrest 7.5% of the time.³² SPD’s arrest rate in 2019 was 8.62% and 6.30% in 2020, averaging near the rate found by the Monitoring Team in its 2016 report and below the 9.7% for 2016-2017 rate reported in SPD’s Phase II assessment.³³ SPD referred crisis contacts to services in 16% of contacts for both 2019 and 2020, and more than a third of crisis contacts resulted in an emergency detention in 2019 and 2020.

Table 1: Crisis Contact Outcomes, 2019–2020

Outcome	2019	2020
Arrested	8.62%	6.30%
Referred to Services	16.19%	16.42%
Emergency Detention	35.31%	38.52%

Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms

v. Use of Force in Crisis Contacts

A primary goal of the parties in entering into the Consent Decree was to reduce excessive use of force in crisis situations. Consequently, one important indicator is the rate of force that SPD officers employ in crisis situations – and the rate of misconduct. SPD reports the following uses of force during crisis contacts, which should be considered with some caution as discussed below:

Table 2: Use of Force Involving Individuals Experiencing Behavioral Health Crisis, by Use of Force Level, 2019–2020³⁴

Force Level	2019	2020
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³² Fifth Systemic Assessment at 18.

³³ Dkt. 511 at 71.

³⁴ SPD classifies its use of force with a three-level system that, generally, categorizes force according to the severity or significance of the force involved. In short, Type I force is the lowest level and includes force that causes transitory pain or complaint of transitory pain, in addition to firearm pointings. Type II, the intermediate level, includes force that is reasonably expected to cause greater than transitory pain but less than substantial bodily harm, such as Taser usage. Type III force is the most serious force and includes potentially lethal force such as officer-involved shootings and other force that could cause substantial bodily harm.

Type I	123	99
Type II	60	50
Type III	2	1
Total	185	150

Source: Statistics provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms and Use of Force Reports. See explanation below regarding data quality issues regarding uses of force involving crises.

SPD used force in approximately 1.71% of crisis contacts across 2019 and 2020 – with higher-level force (Type II and III force) used in 0.58% of crisis contacts, but this data should be interpreted with some caution as it appears to not encompass all crisis-related uses of force.

Based on the available use of force statistics and the aggregate crisis contact statistics previously reported, SPD used force in 1.82% of crisis contacts in 2019 and in 1.59% of crisis contacts in 2020, for an aggregate rate of 1.71% over 2019 and 2020. Higher level uses of force (Type II and III) were used in 0.58% of crisis contacts across 2019 and 2020. With three Type III use of force reported across crisis contacts in 2019 and 2020, SPD reported using the highest level of force in 0.02% of crisis contacts.

The statistics presented here must be interpreted with caution, because both the Monitoring Team and SPD have identified some instances where a use of force may not have been properly documented as a crisis contact. For example, SPD’s Force Review Board has called for corrective action for missing crisis documentation for a few Type II and Type III uses of force. While the Monitoring Team’s review indicates that Type III uses of force are very rare in crisis contacts, they are slightly more frequent than the data available for analysis would suggest. Issues with categorizing Type III force as crisis incidents are likely related to the different reporting and investigation requirements for a Type III use of force incident, where the involved officer who used force against the person in crisis is sequestered and interviewed by the Force Investigation Team rather than completing a written force statement and crisis contact as is the case with Type I and II uses of force in crisis situations.

That said, any issues related to correlating uses of force with available crisis documentation does not indicate any deficiency regarding the investigation or related accountability regarding the uses of force in these incidents. Any use of force, whether it involves crisis documentation or not, results in a force investigation according to SPD policy. SPD is aware of these data issues, having previously identified the issue in multiple Force Review Board meetings, and is working toward remedies. Most notably, SPD is planning to incorporate use of force reporting into its records management system, which already includes documentation of most SPD field activities like arrests and crisis contacts. This integration would facilitate improved data quality and analytics related to crisis situations. In addition, SPD should consider implementing ongoing mechanisms

to assess potential compliance issues related to completing required crisis contact documentation, in addition to ongoing mechanisms already in place such as the Force Review Board.

With these caveats in mind, Table 3 summarizes these rates of use of force incidents by SPD officers in crisis contacts, according to SPD data:

Table 3: Percentage of Crisis Contacts Involving Use of Force, by Force Type, 2019–2020

Force Level	2019 Rate	2020 Rate	2019-2020 Rate
Type I	1.21%	1.05%	1.13%
Type II	0.59%	0.53%	0.56%
Type III	0.02%	0.01%	0.02%
Total	1.82%	1.59%	1.71%

Source: Statistics Provided by SPD’s Data Analytics Platform based on SPD Crisis Contact Forms and Use of Force Reports. See explanation above regarding data quality issues regarding uses of force involving crises.

The rates of force for both years remain at or below what the Monitoring Team found in its 2016 assessment, when officers used “force against individuals in crisis less than two percent of the time.”³⁵ The aggregate rate for 2019-2020 (1.71%) is similar to the use of force per crisis contact rate of 1.74% found by SPD in its 2018 Phase II report assessing performance across 2017 and the first half of 2018.³⁶ The aforementioned data quality issues would have been present during the previous reporting periods as well.

The sustained, low rate of force – and especially serious force – in crisis intervention situations represents a dramatic improvement from DOJ investigative findings that led to the Consent Decree. In 2011, according to DOJ’s investigation, SPD estimated 70% of use of force incidents involved a crisis.³⁷ The Monitoring Team later reported that SPD indicated for 2015 that “slightly more than 50 percent of the Department’s applications of force involved subjects impaired by either mental illness, or drugs or alcohol, or other indicators which would meet the current ‘behavioral crisis’ definition over the past year.”³⁸ In significant contrast, 9.7% of use of force incidents overall involved a crisis in 2019-2020, according to SPD data. Although SPD’s 2011 estimate was not rooted in data, as SPD did not systematically and reliably track crisis contacts prior to the decree, the significant positive distance between prior estimates and current outcomes is notable.

³⁵ Fifth Systemic Assessment at 1.

³⁶ Dkt. 511 at 13.

³⁷ 2011 Findings Letter at 5.

³⁸ Fifth Systemic Assessment at 3.

We observe here that SPD has systems and processes in place, via its use of force investigation and review and its misconduct investigation process, to identify problematic or deficient performance in the context of interactions with individuals experiencing behavioral crisis. In the rare instance where a Type III use of force, like an officer-involved shooting, does occur, these critical incidents prompt a specific, detailed Force Investigation Team investigation of the force incident. SPD's Force Review Board would then have a lengthy discussion regarding the force incident, potential misconduct, and opportunities for departmental improvement. SPD policy requires referring potential misconduct in these events to the Office of Professional Accountability (OPA). OPA sits on the Force Review Board and may self-initiate an investigation of misconduct if SPD does not refer to the case, providing an additional backstop.

When a Type II use of force occurs in a crisis situation, the Force Review Unit will review the use of force for compliance with policy, training, and tactics as well as evaluate the quality of the chain of command's review. These uses of force may then also go before the Force Review Board as part of a random sample review or if the Force Review Unit flags the case for Board discussion. The Force Review Board also reviews all uses of less-lethal instruments in Type II use of force incidents, some of which involve crisis situations. In all, SPD has multiple layers of review and accountability on use of force incidents involving individuals in crisis.

SPD's accountability partners provide additional systems for monitoring and accountability on crisis use of force cases. OPA will investigate any internal or external complaint of inappropriate force or crisis intervention tactics, as it would with any complaint of misconduct. The Office of Inspector General reviews OPA investigations of misconduct and also conducts proactive systemic audits of SPD performance, including a forthcoming crisis intervention review. Both the Office of Police Accountability and the Office of Inspector General monitor SPD's Force Review Board meetings to provide feedback to SPD and refer incidents for misconduct investigation, should SPD fail to do so. Through SPD's internal management mechanisms and the wide-ranging oversight of its accountability partners, Seattle has multi-layered systems of accountability and performance improvement rivaled by few cities in America.

vi. Misconduct Allegations for Crisis Contacts

About 0.24% of all crisis contacts were the subject of a complaint to OPA, with OPA sustaining allegations stemming from those investigations in 0.07% of crisis contacts overall. The City reports that the Office of Police Accountability received 23 complaints of potential misconduct involving subjects in behavioral crisis in 2020. This represents 0.24% of the 9,438 crisis contacts for 2020. OPA sustained at least one allegation in 7 of these cases, leading to a rate of sustained findings in 0.07% of crisis contacts. Complaints may originate from a member of the public filing allegations of misconduct against an officer or from a member of the Department identifying potential misconduct and referring the incident for review by OPA.

More specifically, the 23 complaints in 2020 involved a total of 93 allegations (as one case can involve multiple allegations). Five of the 23 cases involved allegations related to SPD's crisis intervention policy, with seven total alleged violations specifically related to SPD's crisis intervention policy. None of the seven allegations directly related to the crisis intervention policy were sustained for misconduct, with four allegations not sustained, two handled through supervisor action (indicating there was an issue needing lower-level corrective action), and one case pending as of the City's reporting. In total, SPD reports that 11 allegations across 7 investigations involving 8 different officers resulted in sustained findings from the OPA investigation. Only one of the sustained allegations involved a violation of SPD's use of force and de-escalation policies. The sustained allegations included:

- 5 for professionalism;
- 2 for force reporting procedures;
- 2 for video and/or audio recording;
- 1 for de-escalation and use of force requirements; and
- 1 for supervisory responsibility.

As previously described, OPA investigates complaints on an ongoing basis and will post the results of its current and future investigations related to crisis intervention on its website for public inspection. The Office of Inspector General reviews OPA's investigations of misconduct to provide another layer of quality control and oversight on the misconduct complaint investigation process.