

PORT ORCHARD POLICE DEPARTMENT



***PROFESSIONAL STANDARDS REPORT
2022***

SERVICE – HONOR – INTEGRITY

Law Enforcement Code of Ethics

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession... law enforcement.

Port Orchard Police Department Mission & Vision Statement

Mission

The Mission of the Port Orchard Police Department is to protect the lives, property, and rights of all members of our community. We will work to reduce crime, and the fear of crime, while remaining proactive and innovative in our approach to the enforcement of the law. Our community shall know we are all members of one team through our transparency, accountability, and engagement.

Vision

The Port Orchard Police Department aims to be amongst the finest law enforcement agencies in the State of Washington; one which constantly delivers the highest quality public service to make the City of Port Orchard one of the safest communities in the nation.

Organizational Values

Service

Serving the Port Orchard community is our greatest honor and privilege. We will do so in an impartial, courteous, responsive, efficient, and humble manner. We will work hand in hand with all members of our community to solve problems that affect public safety.

Honor

We hold ourselves accountable to the highest standards of our profession while valuing equality, diversity, and individual rights. Our badge is a symbol of public faith; we accept it as a public trust so long as we are true to the ethics of our service.

Integrity

Integrity is our standard for we shall always do what is morally, ethically, and legally right. We are honest and truthful in our words and actions. Our integrity will build trust and confidence, for this is our defense against corruption.





A MESSAGE FROM CHIEF MATT BROWN

To Our Community,

I am proud to offer the 2022 Professional Standards Review. We do this assessment annually in key critical areas to ensure our responses meet policy, legal and ethical standards, and best practices within our profession. By examining the entire body of work, instead of focusing only on singular incidents, we are provided a higher-level view of what we do. This helps to determine any patterns, gaps in training, or other areas in which we may improve.

The Port Orchard Police Department has strong operational values of Service, Honor, and Integrity. To fulfill our mission and our vision, we integrate these into everything we do. Our mission holds that we demonstrate transparency, accountability, and engagement with all members of our community. Our vision demands we deliver high-quality public service and remain amongst the finest law enforcement agencies in the state. This Professional Standards Report is part of how we do so.

The staff of this agency hold themselves to a high standard and recognize our community does as well. I am proud they are responsible for the ethics of our profession and the values we hold true.

I look forward to your feedback on our work. Our team is part of the community, and our community is part of our team.

Respectfully,

A blue ink handwritten signature that reads "M. Brown".

Matt Brown
Chief of Police



PROFESSIONAL STANDARDS REPORT METHODOLOGY

Police officers perform a vital public service by preserving the peace, protecting life and property, preventing crime, apprehending criminals, and enforcing laws and ordinances. The way we perform our duties is essential to developing trust with those we serve.

To ensure we are fulfilling the mission, vision, and values of our department, and remain true to the Law Enforcement Code of Ethics, the Port Orchard Police Department conducts investigations into the following occurrences:

- Uses of Force
- Citizen Complaints
- Pursuits
- Officer Involved Collisions
- Property Damage
- Employee Injuries & Exposures

Many of these investigations are conducted by a Sergeant or the Deputy Chief who reviews:

- All documentation
- All digital evidence including body-worn camera footage.
- Witness and arrestee interviews.

This review provides the investigating supervisor with enough information to recommend whether the actions of the employees were within policy or need additional investigation. Each review is sent through the chain of command for a final review by the Chief of Police. The Chief makes a final determination if an action is within policy or requires additional investigation.

In addition to the reviews listed above, the department may initiate Administrative Investigations when a significant policy violation has allegedly occurred. These investigations are normally initiated by a supervisor, or command staff member, with the concurrence of the Chief of Police. In 2022, there were four Administrative Investigations completed for alleged policy violations.

Some investigations, including those that involve major injury, death, or involve gross misconduct, are handled by an outside, professional investigator. This further ensures impartiality in the most critical cases. There were no incidents in 2022 that rose to this level of investigation.

All investigations are stored in a cloud-based system to ensure they are securely retained as prescribed by the Revised Code of Washington.

Every case investigated during the calendar year is captured and presented in this Professional Standards report. This report serves two purposes. First, it demonstrates our commitment to providing department transparency to the Port Orchard community and beyond. Secondly, our analysis of these events leads to identifying potential training needs for our employees.

In addition to these investigations, we also review traffic statistics to evaluate that our enforcement efforts are not showing a bias toward any group of the community. To do this, we retrieve statistics from our traffic enforcement and compare them to the demographics of our city as provided by census information.

Finally, this report analyzes our annual training to ensure we are training our officers appropriately and with a focus on the most critical areas.

If you have any questions after reviewing this document, please do not hesitate to contact our department. We would be happy to answer any concerns you may have.

The Port Orchard Police Department is committed to training our employees far beyond what is required by state mandate.

The Washington State Criminal Justice Training Commission requires that every commissioned officer receive a minimum of twenty-four hours of training each calendar year. The Port Orchard Police Department purposefully exceeds that requirement. In 2022, we averaged 117 hours of training hours for each police officer.

In 2022, and consistent with our current schedule, our patrol officers work a schedule that allows for one 10-hour training day at least six times each year. Not only does this give our employees the ability to train together, but it is cost-effective as it does not incur additional overtime.

In addition to formal training, our supervisors consistently conduct informal debriefings after critical situations occur. During these debriefs, supervisors and officers have an opportunity to discuss what went well and identify areas of improvement. They are an opportunity for supervisors to set expectations, effectively communicate, and reaffirm policy and best practices. Furthermore, it demonstrates their commitment to employee improvement and department success.

As part of this Professional Standards Report, we wanted to highlight the training topics that are applicable to the areas reviewed in this report. In 2022, the Port Orchard Police Department employees were required to complete the following training topics:

- Patrol Tactics
- Emotional Survival for Law Enforcement
- Anti-Bias for Law Enforcement
- Hate Crimes Training
- Sleep and your Health
- De-Escalation and Minimizing Force
- Sexual Harassment in the Workplace
- Implicit Bias Awareness
- Racial Profiling
- Crisis Intervention Update
- Defensive Tactics Update
- Emergency Vehicle Operations
- Defensive Driving
- Daily Training Bulletins (based upon department policy and provided monthly)

In 2023, we plan to maintain our emphasis on training and employee development. We believe our training efforts have shown results as demonstrated in this report and in other aspects of our employee's work performance.

USE OF FORCE

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved daily in numerous and varied interactions and, when warranted, may use force that is reasonable and necessary to perform a legitimate law enforcement duty.

Officers must understand and have a true appreciation for their authority and limitations. This is especially true concerning overcoming resistance while engaged in the performance of law enforcement duties. It is the fundamental duty of law enforcement to preserve and protect all human life (RCW 10.120.010). Officers shall respect and uphold the dignity of all persons and use their authority in a bias-free manner.

Vesting officers with the authority to use reasonable and necessary force, and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

In addition, the Port Orchard Police Department tracks and reviews displays of force. This would include any time a force tool, such as a Taser or firearm, is pointed at a subject. This documentation provides us with information as oversight on how these tools are being implemented by our employees, and if by displaying these tools, compliance is gained.

The following are summaries of the use of force and display of force incidents that occurred in 2022:

USE OF FORCE INCIDENTS

- Employees:** 1 **Subject:** 1 **Injury:** None
Summary: A sergeant responded to a call and recognized a subject that had outstanding warrants. The sergeant ordered the subject to place his hands behind his back. The subject initially complied; however, when the sergeant moved to handcuff, the subject attempted to pull away. The sergeant was able to grab ahold of the subject and force him to the ground. He was arrested without further incident.
Disposition: Within Policy
- Employees:** 2 **Subject:** 1 **Injury:** None
Summary: After making a lawful arrest at a domestic violence investigation, officers were attempting to escort the handcuffed arrestee out of an apartment and to their patrol vehicle. The intoxicated arrestee was actively trying to pull away from the officers. Officers used a minimal amount of force to control the arrestee, which included forcefully adjusting their grip and body-control measures, and as a result, were ultimately able to safely place the arrestee in the patrol vehicle without further incident.
Disposition: Within Policy

3. **Employees:** 5 **Subject:** 1 **Injury:** Minor scrapes-subject's face
Summary: Multiple officers were attempting to take a subject into custody who was experiencing a mental health crisis. The subject had been deemed to be a danger to himself or others and was actively and physically resisting officers. One officer verbalized the need to place the subject on the ground so he could be better controlled by the officers. The officer used an "arm-bar" control technique and was able to place the suspect on the ground. The officers were able to place handcuffs on the subject and avoid any further incidents.
Disposition: Within Policy

4. **Employees:** 3 **Subject:** 1 **Injury:** None
Summary: After three hours of attempting to de-escalate a subject who was experiencing behavioral issues (acting erratically, running in and out of traffic, and verbally assaulting people at a local hotel), officers were attempting to take the subject into protective custody. The subject grabbed onto a utility pole and would not let go. Officers used minimal force to pull the subject off the utility pole. The subject was placed in handcuffs without further incident.
Disposition: Within Policy

5. **Employees:** 2 **Subject:** 1 **Injury:** None
Summary: Officers contacted a subject who was acting erratically and had caused damage at a local business. The subject had taken a "fighting" stance with an officer, who responded by removing his Taser and pointing at the subject. A second officer arrived and deployed his Taser. The subject began to comply with orders to lie on the ground; however, the subject stopped compliance while on his hands and knees and refused to lie prone as directed. One of the officers grabbed the subject's jacket and pulled him forward into the prone position. While attempting to handcuff the subject, he began trying to spit on the officers. One of the officers used an open hand to push the subject's face away from the officers. Ultimately, a department-issued spit hood was applied to the handcuffed subject to prevent him from spitting on others.
Disposition: Within Policy

6. **Employees:** 2 **Subject:** 1 **Injury:** None
Summary: Officers contacted a subject who had a stolen cell phone. When officers told the subject he was under arrest, the subject tried to physically push his way past the officers. The officers responded by pushing back on the subject. This caused him to stumble backward and trip over a concrete block. The officers immediately took control of the subject's arms and were able to handcuff him without further incident.
Disposition: Within Policy

7. **Employees:** 4 **Subject:** 1 **Injury:** None
Summary: Officers contacted a subject who was reported to have been driving a stolen vehicle. When they attempted to arrest the subject, he resisted. Two officers forced the subject to the ground by using control hold techniques. Once on the ground, the officers were able to apply handcuffs and arrest the subject without further incident.
Disposition: Within Policy

8. **Employees:** 2 **Subject:** 1 **Injury:** Minor scrapes-subject's knee
Summary: Officers contacted an intoxicated subject who was walking in traffic. Upon contact, they discovered the subject had a felony warrant for his arrest. They told the subject he was under arrest, and the subject began to struggle with the officers. Using control holds, officers were able to get him handcuffed. The subject continued to actively struggle with the officers as they were attempting to place him in the patrol vehicle. This created a need for officers to use additional control techniques to safely place the subject in the back of the patrol car.
Disposition: Within Policy
9. **Employees:** 2 **Subject:** 1 **Injury:** None
Summary: Officers contacted a subject who had assaulted a store employee. The subject had a large knife on his person. Officers attempted to handcuff the subject, but he resisted and attempted to walk away. Officers tried to get the subject to comply with their commands, however, when that did not work, they used control holds to place the subject on the ground. Officers handcuffed the subject without further incident.
Disposition: Within Policy
10. **Employees:** 3 **Subject:** 1 **Injury:** Minor scrapes-subject's face
Summary: During a traffic stop, officers discovered the driver had a warrant for his arrest. While confirming the warrant, the driver told officers, "I am not going to jail." Officers explained to the driver he was under arrest and attempted to place handcuffs on him. The subject began physically resisting. Two officers tried to wrestle him to the ground, but he continued to resist. A sergeant on the scene deployed his Taser and effectively subdued the subject, which allowed officers to safely handcuff the subject.
Disposition: Within Policy
11. **Employees:** 2 **Subject:** 1 **Injury:** None
Summary: Officers contacted a subject with a warrant for his arrest. When they told the subject he was going to be arrested, the subject began to physically resist by holding his arms tightly against his body and pulling away from the officers. Two officers used control hold techniques to force the subject to the ground, where they were able to place handcuffs on him without further incident.
Disposition: Within Policy

DISPLAY OF FORCE INCIDENTS

1. **Employees:** 1 **Subject:** 1 **Injury:** None
Summary: An officer was investigating a vehicle collision. The driver of the vehicle that caused the collision was fleeing the scene upon the officer's arrival. Witnesses to the incident directed the first officer on the scene to the driver, who was walking away. When the officer contacted the driver, he saw the driver had multiple knives on his person. The officer gave commands for the driver to stop; however, the driver was not complying. Since the officer was alone and the subject was armed and not complying. The officer pointed his firearm at the driver and ordered him to stop. The driver complied and was taken into custody without further incident.
Disposition: Within Policy

2. **Employees:** 1 **Subject:** 1 **Injury:** None
Summary: Officers were attempting to take a subject into custody who had fled from a stolen vehicle. Officers chased the subject, who during the foot chase, attempted to gain access to two occupied vehicles on the roadway. An officer ordered the subject to the ground while holding his Taser at the "low ready". The subject initially complied, but then ran away. As the subject fled, he ran into the side of the vehicle and fell to the ground. The officers were able to grab the subject and place him in handcuffs without further incident.
Disposition: Within Policy

3. **Employees:** 3 **Subject:** 1 **Injury:** None
Summary: Officers responded to a residence for the report of a subject who lived at the location and was trying to light the residence on fire. The officers contacted the subject in the street. The subject was non-compliant and would not follow the directions of the officers. At one point, the subject began to advance toward an officer. The officer displayed her Taser at the subject and told him he would be "tased" if he continued to not comply. The threat and display of the Taser provide to be effective, and the subject complied with orders and was taken into custody without further incident.
Disposition: Within Policy

The charts below provide you with an overview of all the use of force incidents that occurred during 2022.

Type of Force used by the officer(s)	
Physical controls	10
Taser	1
Taser: Display Only	3
OC / Chemical	0
Impact / Baton	0
Baton	0
Firearm - Display only	1
Firearm	0
Empty hand	0
Impact Munition	0
Other (K-9)	0
Leg Restraints	0
TOTAL	15*

*In one case two types of force (physical control/Taser) were used in one incident

Use of Force-Aggravating Factors	
Intoxicated / Drugs	2
Domestic Violence	1
Behavioral Health	5

Use of Force by Race of Subject		Use of Force by Sex	
White	13	Male	11
Black	0	Female	2
Asian	0	Non-Binary/Other/Unknown	0
Native American	0		
Hispanic	0		
Unknown	0		

* Race and Gender are captured one time per incident

Use of Force Injuries				
	Treatment			
	# Of Injuries (Visible or complained of)	Minor – No treatment required	On-scene by Aid	Hospital
Officer	0	0	0	0
Suspect	4	4	1	0

Notes / Trends

- Total incidents where officers used force: 11
- Total incidents where officers displayed force: 3
- Total calls for service received: 16,508
- Total calls handled: 14,236
- % of incidents where force was used: 0.07%

Note: Injury statistics do not include those cases where the only “injury” was probe penetration from the use of the Taser.

Medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious.

The suspect may be transported to the hospital out of an abundance of caution, not necessarily due to an injury.

Review and Analysis of Use of Force Events – 2022

In 2022, the Port Orchard Police Department received 16,508 calls for service, of which 14,326 either required police response or were self-generated by our officers. This is an increase of 14.2% from 2021. We also had 380 arrests which was a 53.9% increase from 2021. Officers reported using force on eleven calls and displayed force (Taser or firearm) on three additional calls. This means force was applied in less than 1% of the total calls received and 2.8% of the arrests. In short, we increased calls for service and arrests but reduced our use of force by two incidents, or 16%.

In all eleven incidents, physical control (takedown, arm-bar, etc.) was the force used to either control or gain compliance from a subject who was actively resisting arrest. In one of the eleven cases, a Taser was used against a physically resisting subject, wanted for a warrant, as officers were trying to force him to the ground.

None of the uses of force resulted in any significant injury to the citizen/arrestee. Four of the use-of-force incidents resulted in minor injury to the citizen/arrestee (scrapes, etc.). Only one required response by EMS, which was to remove Taser probes, as required by policy.

Through late 2021 and 2022, our officers had been attending a twenty-four-hour course on Patrol Tactics. In this course, de-escalation is emphasized, along with instructing officers to use space, time, distance, and shielding/barriers, when possible, to help de-escalate a potentially violent situation and increase the likelihood of a favorable outcome with minimal force being used. It is evident in several of the calls listed, as well as others where no force was used, that these trained tactics are benefitting our department. This will continue to be an area of focus for our officers. The more competent officers become in employing proper tactics, the more confident they will be in even the most critical situations. We were not required to have this training completed until 2028; however, we saw that this training would benefit our employees and the community. As such, we made it a priority to have all our officers attend the training as soon as possible.

In reviewing our uses of force in 2022, it is clear our urgency to provide our officers training on patrol tactics, with an emphasis on de-escalation, has proven to be beneficial. This will remain an area of focus. In addition, there should be an emphasis on physical control and two-officer takedown techniques since this has been the most common use of force.

Although there were no uses of firearms in 2022, we will continue to train our officers in using good judgment and proficiency should they need to deploy lethal options. Firearms training will include decision-based scenarios, and the use of time, distance, and shielding/barriers.

BIAS- BASED POLICING

The Port Orchard Police Department prohibits race, ethnicity, nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability, or affiliations with any other similar identifiable group from being used as the basis for providing different levels of law enforcement services or the enforcement of the law. The Port Orchard Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural, or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively, and without discrimination toward any individual or group.

The most common way police agencies have attempted to learn whether bias-based policing is systematically occurring is through the analysis of discretionary traffic stops. The Port Orchard Police Departments can track by race any infractions and citations issued through the electronic capture of SECTOR data and ILEADS, which is the department’s Records Management System (RMS). The review of this data led to the table below. If the officer could not distinguish the race of the individual, the designation of the unknown was placed in the race box.

Race	Criminal Traffic ¹		Traffic Infractions ²		Port Orchard Demographics ³
	# By race	% By race	# By race	% By race	
White	45	78.9	221	81.3	75.4
Black	6	10.5	15	5.5	2.4
Asian-PI	1	1.8	14	5.1	12.9
Amer Ind - AK Native	0	0.0	0	0.0	.50
Unknown	5	8.8	22	8.1	
Totals	57		272		

Review and Analysis of Racial / Biased-Based Policing – 2022

The Port Orchard Police Department remains committed to ensuring all community members are treated fairly and impartially. The department prohibits officers from engaging in bias-based profiling in the performance of their official duties.

One way we evaluate potential bias in enforcement efforts is through an internal examination of our criminal traffic and traffic infractions statistics. When officers stop a vehicle and issue a citation, data is retained on the individual including race and gender as listed on their driver’s license. Each year we review these statistics to ensure we are enforcing laws/violations consistent

¹ Examples – DUI, Driving While License Suspended, Reckless Driving.

² Examples – Speeding, Moving Violations, Seatbelt/Cell Phone Violations.

³ Source : <https://www.census.gov/quickfacts/fact/table/portorchardcitywashington/PST045221#PST045221>

with the demographic makeup of our city. It is important to note that when officers choose to issue a verbal warning during a traffic stop, the department does not collect demographic data on these drivers.

A total of 329 citations/infractions were issued in 2022. When reviewing the data collected compared to the City's demographic makeup, the rate of citations and infractions that were issued in 2022 does not appear to show bias.

Although the percentage of traffic citations and infractions issued to the members of the black community (6.3%) exceeded the percentage of the Black population (2.4%), the total number of citations and infractions issued to Black community members totaled 21 for the year. This was also similar for White members of our community, as they comprise 75.4% of our community, yet received 80.8% of the citations (266).

In addition, the department reviewed the use of force reporting to assure there are no indications of racial bias or patterns suggesting issues with how force is applied. The annual review did not discover any concerning behavior. As listed in the chart above, all uses of force in 2022 involved white arrestees (11 male/2 female).

The department did not receive any complaints regarding discrimination, racial disparity, or bias in 2022. In addition, we implemented a body-worn camera system for all officers late in 2022. This addition will increase our ability to assess and evaluate contacts with citizens and provide greater transparency to the community we serve.

The Port Orchard Police Department will continue to train, improve, and encourage our officers to embrace professional policing consistent with our mission, vision, and values.

Citizen Complaints

The Port Orchard Police Department takes all complaints seriously. We hold our employees to the highest standards and demand professional policing that is consistent with our department's values. We accept and address all complaints of misconduct in accordance with our policy and applicable federal, state, and local law. It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

All complaints are courteously accepted by any department employee and promptly given to a supervisor. Although written complaints are preferred, a complaint may also be filed orally, in person, by email, or by telephone.

The following are summaries of the complaint received in 2022:

1. **Summary:** A citizen filed a complaint via email about an officer. In the email, the citizen complained that the officer was unaware the citizen had provided a commendation about another police department employee.
Disposition: Exonerated
2. **Summary:** A citizen left a voicemail complaint in which she stated several employees had been rude to her and that her complaints had not been taken seriously. Her complaints included that her child had been kidnapped, that she had been sexually assaulted by strangers, other children were being brought into her home without her consent, and other similar complaints. The review of this complaint revealed that officers had been documenting the contacts with her and that she had been referred to the Police Navigator to direct her to resources.
Disposition: Unfounded
3. **Summary:** A community member came into the police station and filled out a complaint form. He wrote that the nature of his complaint was "Obstruction, Failure to Report, and Sexual Harassment." In his complaint, he stated that an Officer "Refused to submit evidence, mocked his friend's sacrifices, and called him 'Honey' ". The review compared the complaint to the report as documented by the officer in question. The citizen appeared to be unaware the officer documented the incident and was provided the case number.
Disposition: Exonerated
4. **Summary:** A community member called the police department to file a complaint against the Chief of Police because he felt an unknown employee at the department had provided privileged information to an ex-girlfriend. The investigation revealed that the complainant's ex-girlfriend had not received any privileged information from any employee and did not know anyone associated with the Port Orchard Police Department.
Disposition: Unfounded
5. **Summary:** A citizen emailed a complaint about two officers violating his rights, misconduct, illegal search and seizure, and other similar complaints. The investigation

revealed that the officers had the legal authority to contact the subject due to a call for service. Nothing in the investigation indicated any wrongdoing on the part of the officers or other information that would corroborate the citizen's complaint.

Disposition: Exonerated

6. **Summary:** A citizen emailed the police department to report that an officer was rude, had an ugly face, told her he was going to place her in handcuffs and treated her like Donald Trump treats people. The investigation revealed that the officer had contacted the citizen related to her trespassing at a local business. The sergeant did tell the citizen that if she returned, she would be arrested. Investigators left several messages for the citizen to contact the department, but she never returned the call. In short, there was no evidence that the officers had violated policy.

Disposition: Exonerated

7. **Summary:** A citizen came into the police department and completed a written complaint alleging an officer "ran a stop sign." The written complaint was signed "concerned citizen", but there was no contact information provided. As such, the citizen could not be interviewed. The employee involved notified the department command staff about the incident immediately after it occurred. The officer reported that the citizen had followed them to the police department and confronted them in the police parking lot. The investigation revealed no evidence that the officer had violated any traffic laws.

Disposition: Exonerated

Administrative Investigations

Administrative Investigations, commonly referred to as Internal Affairs Investigations, are initiated in one of two ways. They can be the result of an internal review process that leads the Chief to believe further investigation is necessary, or they can be generated by a supervisor who witnesses or alleges that an employee has violated policy.

In 2022, the Port Orchard Police Department conducted four administrative investigations. The summaries of these investigations are as follows:

1. **Summary:** To use the state and national police databases, every police department employee must annually maintain their "ACCESS" certification. An officer did not complete his "ACCESS" Certification training before his expiration date. The officer also ran data after his certification expired, but at the time he was not aware that it was expired. They notified their supervisor and stopped running data as soon as he realized that their certification was expired.

Disposition: Sustained – Discipline issued

2. **Summary:** An allegation was made that an employee improperly accessed privileged information related to criminal history. The investigation revealed that the occurrence was an anomaly that occurred during ACCESS system upgrades and not a policy violation.

Disposition: Exonerated

3. **Summary:** A supervisor discovered that an employee was not properly maintaining their vehicle. There was no recent documentation showing that the vehicle had been serviced within the past year. When the vehicle was finally brought in for service, there were major issues that were considered hazardous for patrol use. The vehicle was repaired; however, the officer was determined to violate policy.

Disposition: Sustained – Discipline issued

4. **Summary:** Upon review of an officer's vehicle, it was determined that it was overdue for service by seven months. When the vehicle was serviced, it was discovered there was extensive repair work needed that could have been prevented had the vehicle been serviced on time.

Disposition: Sustained – Discipline issued

The following charts provide additional information on the *complaints and administrative investigations* in 2022:

General Categories of 2022 Complaints⁴	
Respondents were dissatisfied with the handling of calls, investigations, or reports	3
Demeanor / Courtesy / Rudeness	3
Other Policy Violations	6
Traffic Violations / Vehicle Use by Officer	1
The lost property after arrest	0
Harassment / Racial Discrimination	0
	13

Disposition Type	Explanation of Dispositions	Final Dispositions of Complaints & Administrative Investigations
Sustained	When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct. ⁵	3
Not Sustained	When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.	0
Unfounded	When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.	2
Exonerated	When the investigation discloses that the alleged act occurred but that the act was justified, lawful, and/or proper.	6
		11

Review and Analysis of Citizen Complaints/Administrative Investigations for 2022:

In 2022, the department received seven citizen complaints and conducted four administrative investigations. This is a decrease from 2021 when we had twelve citizen complaints and two administrative investigations.

⁴ Some complaints fit two or more categories (e.g., “I didn’t like getting a ticket and the officer was rude.”) Judgements are made as to the best category fit for such complaints.

⁵ Complaints are logged in this category if any portion is sustained.

As listed in the summaries, the *citizen complaints* we received were primarily based on rudeness. Also as listed, in five cases the investigations exonerated the officers, while two were unfounded. Regardless of the findings, the complaints are taken seriously and help us determine areas of improvement. Although the findings indicate no wrongdoing, the goal for each year is to reduce and or eliminate complaints against our employees. We understand that every community contact is vital and contributes to the overall reputation of our department. We will continue to provide our employees with training that enhances their ability to communicate effectively and encourage them to act with empathy and understanding during each community contact.

The four *administrative investigations* led to three sustained findings of policy violations. The first was related to an employee who allowed their ACCESS (police database) certification to lapse. The other two involved improper care of department equipment, specifically their patrol vehicles. In each case, the Chief applied the appropriate discipline and assured the proper corrections had been made.

VEHICLE PURSUITS / ELUDING

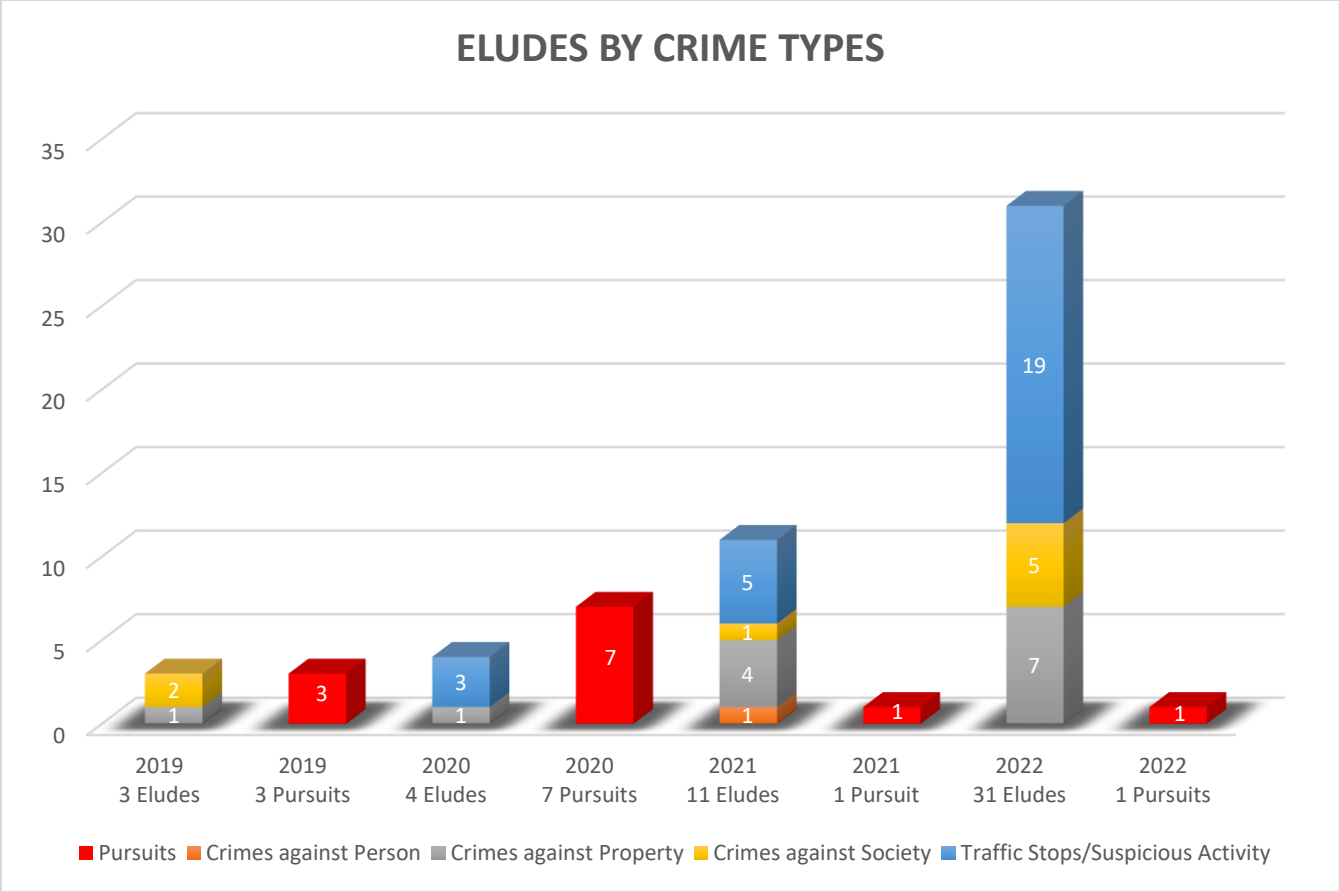
Vehicle Pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving legally but willfully failing to yield to an officer's emergency signal to stop.

Attempting to Elude - Refers to the actions of a vehicle operator who, after being given a visual or audible signal to bring the vehicle to a stop, fails or refuses to immediately stop the vehicle and drives recklessly while attempting to elude a uniformed officer operating a pursuing police vehicle that is equipped with emergency lights and siren (RCW 46.61.024).

It is the policy of the Port Orchard Police Department to weigh public safety first when determining whether to pursue a suspect. Pursuit and other driving training are regularly conducted in the classroom and at the driving course. From January 2021 through June 2021, the Port Orchard Police Department pursued two vehicles. Each incident was examined and determined to be within policy.

On July 25, 2021, the Washington State Legislation passed several bills that address tactics police can use, the degree of force an officer may use, and factors that law enforcement must consider before using any degree of force. The new police reform laws also include changes to when an officer may engage in a vehicular pursuit. The officer must have probable cause that a person in the vehicle committed or is committing a violent offense, sex offense, escape, DUI, or other offense where the public safety risks of failing to apprehend are greater than allowing the suspect to escape. The pursuit must also be necessary for identifying or apprehending the person.

As a result of this law, pursuits involving the Port Orchard Police Department were down considerably. However, incidents of citizens fleeing the police have increased significantly. Please see the data below for more information.



Review and Analysis of Vehicle Pursuits – 2022

In 2022, a new state law was implemented that greatly restricted our officers’ ability to pursue vehicles. As a result, there was only one pursuit in 2022. It involved a person suspected of driving under the influence. The pursuit only lasted a few miles, at which point the patrol supervisor canceled the pursuit for public safety reasons.

It is important to note that since the new law went into effect, our department, along with most others, has seen a significant increase in the number of vehicles fleeing from the police. In 2022, we had *nineteen* vehicles elude attempted traffic stops, as opposed to *five* in 2021.

EMPLOYEE COLLISIONS

All collisions involving police department employees are investigated regardless of the degree of damage. Depending on the seriousness of the collision an outside agency may be requested.

Most incidents involved low speeds and minimal damage (i.e., minor scrapes and dents) and would not be classified as a reportable collision under Washington State Law.

Each collision is reviewed by the Deputy Chief who evaluates all available data and then classifies the collision as 'Preventable' or 'Non-Preventable'.

Action taken depends on many factors, including the employee's previous driving history, the amount of damage, and the degree of inattention involved.

Collisions by Category	
# of officer-involved collisions	2
# of collisions ruled 'Preventable'	2
# of collisions ruled 'Non-Preventable'	0
# of collisions that involved injury	0
# of collisions that involved pursuits	0
# of backing collisions	0

Review and Analysis of Employee Collisions – 2022

Both collisions were accidental and there was no indication that the employees were negligent or intentional in the actions that led to the collision.

The Port Orchard Police Department is committed to providing employees with the necessary training that encourages safe driving, even under emergency and stressful situations. We understand our employee's actions, especially when driving marked patrol cars, are highly visible and constantly scrutinized. As such, we will ensure our employees drive professionally in all situations, always keeping the safety of the community in mind.