



## BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

**AB 5731**  
**July 21, 2020**  
**Regular Business**

### AGENDA BILL INFORMATION

<b>TITLE:</b>	AB 5731: Mayors Call to Action Pledge to Address Police Use of Force Policies	<input type="checkbox"/> Discussion Only
<b>RECOMMENDED ACTION:</b>	None.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

<b>DEPARTMENT:</b>	City Manager & Police
<b>STAFF:</b>	Ali Spietz, Chief of Administration and Ed Holmes, Police Chief
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Updated MIPD Use of Force policy
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

### SUMMARY

Over the past month, Mayor Benson Wong and the City Council have received a number of requests for the Mayor to sign the "[Mayors Commit to Action Pledge](#)" from the Obama Foundation's My Brother's Keeper Alliance.

#### BACKGROUND

On June 3, 2020, former President Barack Obama held a virtual town hall event to discuss the nationwide protests and death of George Floyd. During his comments, he called on police departments across the country to review their use of force policies with their communities. This led to the creation of the Mayors Commit to Action Pledge.

The Pledge is aimed at addressing use of force policies in police departments across the country. The Pledge calls on mayors across the United States to commit to the following four actions:

1. REVIEW police use of force policies.
2. ENGAGE communities by including a diverse range of input, experiences, and stories in the review.
3. REPORT the findings of the review to the community and seek feedback.
4. REFORM the community's police use of force policies.

## CONSIDERATIONS

During the City Council's discussion of the Pledge at the July 14, 2020 meeting, the following considerations were presented to the Council:

- The Police Chief recently reviewed the Mercer Island Police Department's ("MIPD") Use of Force policy and made some revisions/updates.
- The fourth action point to REFORM policies assumes that the current Use of Force policy is inadequate or misguided.
- MIPD contracts with Lexipol, a company that writes policies for police departments and currently uses and supports Lexipol's Use of Force policy, as it comports with federal and state law.
- The Pledge is designed for cities whose Use of Force policies do not include best practices (banning neck holds as a restraining technique, requiring officers to intervene when they observe another officer applying excessive force, requiring a verbal warning before application of deadly force, and requiring thorough reporting when force is used). MIPD's policy include all of these provisions.
- The City Council must authorize Mayor Wong to sign the Pledge as it is a commitment to action.

## STAFF RECOMMENDATION

If the Mayor were to sign the Pledge, there will be an expectation that the community will be actively involved in reforming the Use of Force policy. While staff appreciates the sentiment behind the "pledge," staff recommends that the Mayor does not sign the Pledge because the MIPD's Use of Force Policy already includes best practices and comports with current law. The police department actively trains on this policy, as well as de-escalation techniques and Crisis Intervention Training.

In addition, staff is working on the City Council direction from the June 16 meeting to "engage a consultant to conduct a series of listening sessions for the community so that we can hear first-hand the stories of minority experiences on the Island, and gather ideas for what we can do to make the island a safe and welcoming place for people of all races and ethnicities."

## RECOMMENDATION

None.