



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6018
February 15, 2022
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6018: 2021 Year End Police Report	<input checked="" type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Receive report. No action necessary.	<input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Police
STAFF:	Ed Holmes, Police Chief Jeff Magnan, Services Commander Mike Seifert, Operations Commander Chad Schumacher, Marine Patrol Sergeant
COUNCIL LIAISON:	n/a
EXHIBITS:	n/a
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

SUMMARY

The purpose of this agenda bill is to highlight the activities of the Mercer Island Police Department ("Department") in 2021. The report will focus on three areas:

- The "Who We Are" section will focus on the Department's organizational structure and staffing.
- The "What We Did" section will focus on the new police legislation, community outreach and partnerships, accreditation, the ALPR program, general statistics, use of force and de-escalation, and the pandemic's impacts on operations. This section will also highlight the Marine Patrol program.
- The "How Our Community Responded" section will highlight the support the Department has received from the community.

WHO WE ARE

The Department has two divisions: the Services Division and the Operations Division. The Services Division includes Detectives, Police Records, Public Records, Evidence, Training, and Personnel. The Operations Division includes Patrol, Marine Patrol, and the special teams.

In 2021, five employees left the Department; three departures were due to retirements and the other two were due to the employees finding employment elsewhere. During this same time, seven new employees

were hired. Five of the seven new hires filled the vacated positions, while the additional two employees filled the two newly authorized police officer positions that will focus on the Sound Transit/Bus Intercept area, along with the surrounding parks, neighborhoods, and Town Center.

WHAT WE DID

Police Legislation

The Police Chief monitored the new police legislation from the 2021 legislative session and provided feedback to elected leaders expressing concerns with the negative impacts the new laws had on public safety. He is now encouraging the legislators to support the newly proposed bills that reduce the negative impacts from the 2021 session bills. Several of the bills that are currently being considered during the 2022 legislative session include the following:

- [HB 2037](#): During the 2021 legislative session, [ESSHB 1310](#) became law which effectively prohibited any use of force during investigative detentions unless probable cause had first been established. HB 2037 will restore an officer's ability to use an appropriate level of physical force if a person refuses to comply with an investigative detention and provides a definition of physical force.
- [HB 1719](#): During the 2021 legislative session, [ESHB 1054](#) became law which prohibited law enforcement officers from utilizing all firearms and munitions of .50 caliber or greater. This effectively prohibited the use of less-lethal alternatives that were greater than .50 caliber. HB 1719 will restore the use of less-lethal alternatives that are .50 caliber or greater.
- [HB 1735](#): During the 2021 legislative session, [ESSHB 1310](#) became law which caused a great deal of uncertainty regarding when officers could use force when trying to get those who are in crisis to mental health professionals for evaluation and appropriate care. HB 1735 will clarify that law enforcement may use force for community caretaking functions including getting those experiencing a mental crisis to a hospital.
- [HB 1892](#): In February 2021, the Washington Supreme Court struck down the state's drug possession law in a case called State v. Blake. Following the "Blake decision" the legislature enacted [ESB 5476](#) which recriminalized the state's drug possession laws and included mandatory treatment referrals for the first two misdemeanor violations. However, there is no practical way to track these first two referrals across the state. HB 1892 will create a statewide database to track drug-related referrals.

The Police Chief and the City Manager continue to monitor the 2022 legislation.

Emergency Management, Community Outreach, and IFIT-KC

The City's Emergency Manager/Crime Prevention Officer was exceptionally busy during 2021 helping the City navigate its way through the ongoing COVID-19 pandemic ("pandemic"). The Emergency Operations Center (EOC) was activated in February 2020 to respond to the emerging pandemic and is still in active status, with the Emergency Manager playing a key role in monitoring the effects of the pandemic on City operations.

Despite the restrictions related to the pandemic, the Department was able to conduct a virtual Community Emergency Response Team (CERT) class, give safety talks, guide new parents on proper use and installation of car seats, reunite pets with their owners, and raise awareness for Autism and Breast Cancer by wearing special shoulder patches in April and October. The Department also went through the rigorous assessment of policies and procedures to secure reaccreditation from the Washington Association of Sheriffs and Police Chiefs.

Additionally, the Department became a member of the newly formed Independent Force Investigation Team – King County, with Mercer Island’s Police Chief serving as the team’s first executive board chair. This team brings independence and transparency to investigations related to applications of deadly force by police officers.

Officer and Records Staff Activity

While some proactive enforcement activities were restricted due to the pandemic, officers responded to 13,024 calls for service ranging from simple fraud cases to robbery and assault cases in 2021. They wrote over 300 traffic citations, issued 183 criminal citations, and made 210 arrests. The Records staff processed close to 1,100 case reports and collision reports and responded to 478 public records requests.

Officers also began working with the newly acquired Automated License Plate Readers. Due to a long and unfortunate delay in the commencement of the program, it did not become operational until late in 2021. Early experience with the system indicates it will be helpful in deterring crime in the long run. The system has helped officers identify and recover three stolen vehicles and was also useful for parking enforcement.

The Operations Division was very busy balancing pandemic restrictions with proactive patrols and responding to calls for assistance. Officers also spent time working with the new City ordinance that governs the use of public property. Officers maintained a compassionate approach when encountering people who were experiencing or potentially experiencing homelessness. Officers have not made any arrests and have not issued any citations for violations of this ordinance, but rather, they have used this ordinance as a way to get people connected to the resources they need. The officers are also beginning to work with the outreach workers from two area shelters to streamline getting people the help they need.

The Department is well trained in Use of Force and continues to emphasize an approach to training that seeks to integrate de-escalation principles and tactics in all areas of policing. During 2021, there were only nine times when officers had to use some degree of force to gain compliance. Nearly all of these incidents involved a very low level of force, for example controlling someone’s arms and legs so as to get them onto a medical stretcher or to allow for the proper application of handcuffs. Two of these incidents involved the officers displaying their firearm. The amount of force used by officers during these incidents was deemed appropriate and justified.

The Marine Patrol unit was exceptionally busy during 2021, responding to 411 calls for service including six drownings, seven vessel collisions, and two vessel fires. As a reminder, the Marine Patrol program provides service to Mercer Island, Renton, and Bellevue. Late in 2021, the City of Medina and Town of Hunts Point expressed interest in having the Department provide marine patrol services for them, and interlocal agreements are now in effect for such service. Most of the patrol officers are trained to operate the marine patrol vessels, so the Department can respond to emergencies throughout the year.

HOW OUR COMMUNITY RESPONDED

Support from the Mercer Island community is very strong. Community members routinely express their appreciation by dropping off baked goods and other treats, bringing in dinners around the holidays, and sharing their thanks via written expressions of their gratitude. Such support has a very positive impact on recruiting and retention, and the Department greatly appreciates the strong partnership they have with the community.

RECOMMENDED ACTION

Receive report. No action necessary.