



Seattle Office of
Inspector General

Force Review Board Feedback Memo

September 12, 2024

Introduction

In February 2024, the Office of Inspector General (OIG) completed an assessment of use of force by the Seattle Police Department (SPD/Department). The Use of Force Assessment (the Assessment)¹ included a quantitative review of force numbers akin to previous Monitor’s assessments,² as well as a review of various features of force investigation and review. Since mid-2018, OIG has attended the Force Review Board (FRB) and has had ongoing opportunity to observe and provide feedback on FRB discussions but has not routinely provided formalized feedback outside of the Consent Decree assessment process. OIG has committed to providing regular and timely feedback to SPD regarding the FRB through continued informal feedback in regular meeting with FRB leadership and more formally with periodic written feedback.

In the Assessment, OIG made observations and recommendations regarding the FRB process, and has since had the opportunity to observe the impacts of many of those recommendations. Insights gained since the Assessment, as well as ongoing observations about the FRB process, are summarized here.

Facilitation by the Chair

Since the Assessment, there has been consistency in Board Chairs, with the same Captain or Lieutenant chairing all meetings. Overall, facilitation has been thorough, thoughtful, and responsive to OIG suggestions. While a preamble with expectations was previously included by Board Chairs, the current script provides additional details and advisements. New Board members have joined the FRB and OIG has observed the Board Chairs set expectations and bring individuals back to the stated parameters if discussion deviates. The Board Chairs ask members to explain and provide evidence for stated opinions and perspectives, redirecting the discussion when speculation is offered that may substitute the Board member’s own perceptions for those of the involved officers. OIG appreciates the Board Chairs’ efforts to set expectations early and provide consistent reinforcement of discussion parameters with members.

The Board Chairs maintain a practice of consistently asking open-ended questions rather than leading members to a particular conclusion or injecting discussions with anchoring bias. They ask the Board to zoom out to examine big picture questions and identify trends. The Board Chairs challenge the Board to critically examine issues from different perspectives. This has been especially evident in the discussions of tactics and crisis response. The Board Chairs encourage discussion of de-escalation and whether tactics have foreclosed or created opportunities to de-escalate, in addition to discussing how de-escalation efforts impacted outcomes. They encourage the Board to evaluate cases through a best-practices lens and not use outcome-based assessments.

Board Discussion

The Assessment noted areas of Board discussions and evaluated them for robustness, thoroughness, and the ability to provide a critical review. While the discussions regularly met these standards, the Assessment provided suggestions for discussion structure that could provide ongoing improvement in these areas.

The Assessment noted that the discussion of de-escalation focused primarily on time, distance, and shielding with less time spent discussing verbal tactics. OIG has observed a more thorough discussion of verbal and non-verbal tactics including rapport building by officers. OIG also suggested that the Board begin de-escalation discussions by noting whether officers made reasonable efforts to de-escalate the situation. If the Board finds efforts were made,

1 [Seattle Police Department Use of Force Assessment, 2024](#)

2 [Comprehensive Assessment of the Seattle Police Department, 2022](#)

the discussion should move to whether those efforts were impactful and if they were unsuccessful, what factors contributed to the outcome. If efforts were not made to de-escalate, the Board should examine whether officers were hindered by lack of feasibility, concerns for safety, or other legitimate issues. While the findings document was restructured to include components of feasibility when reviewing de-escalation efforts, the discussion does not always follow this framework, and instead begins with a discussion of whether de-escalation was feasible. Maintaining a discussion framework that begins with assessing efforts encourages consideration of the nuanced factors impacting de-escalation and provides better opportunities for discussion and improvement.

OIG has also observed more robust discussion of crisis response. However, OIG would like to see more identification of CIT-trained tactics used by officers and how use of those tactics impacted the incident and whether those tactics can be emphasized to further improve outcomes. At the time of the Assessment, a representative from the Crisis Response Unit (CRU) was consistently present to serve as a subject matter expert on cases involving individuals in crisis. In recent months, the CRU representative has been absent from some meetings. OIG inquired about the absences and was told by Force Review Unit (FRU) leadership that it was a result of staffing changes in the CRU unit. They also confirmed that the representative's attendance at FRB meetings is important, and they would make efforts to have someone there consistently. The addition of a civilian mental health professional as an observer and subject matter expert, as needed, at FRB meetings would bring additional and critical insight to cases involving persons in crises.

The Board continues to identify trends in officer tactics that merit consideration by the Department. The Board previously recognized a trend in tactics used by officers when responding to unresponsive drivers. The Board noted the potential danger for officers and community in the tactics being used by officers in the field, with an increased risk of flight and the dangers associated with fleeing vehicles. As a result, a mandatory training was implemented in early 2024 teaching best practices for engaging with unresponsive drivers. The training included a lecture component and hands-on scenario-based training.

The Board also examined the warnings issued by officers before 40mm deployments, finding the verbiage may not be well understood by subjects and others in the community. Officers commonly used variations of the phrase "you may be shot with a 40," and it was noted that those unfamiliar with the terminology may not understand the consequence for failing to comply with officer directives. SPD sought input from OIG regarding alternative phrasing for the warning. OIG appreciated SPD's willingness to collaborate and seek input on language that would be better understood by the community. Ultimately, SPD instructed officers using 40mms to warn subjects that they "may be hit with an impact round" or similar language that refrains from telling subjects they may be "shot" with the less lethal device. As a side note, OIG has observed that officers are using the 40mm effectively as a tool to reduce the need for and use of deadly force.

OIG has observed an increase in Board discussions around community member and bystander safety. Of particular note, are increased discussions on how planning, coordination, and tactics should reflect concern for the safety of those in the vicinity of an incident or pursuit. Board members are providing feedback to officers and the Department more widely through Lessons Learned when the tactics have the potential to be dangerous to the community. Board feedback has included providing better warnings to those in the area of the incident, communicating respectfully and clearly to bystanders, and operating vehicles to ensure the safety of those in the vicinity.

OIG notes that the Board consistently identifies and addresses gaps in the chain of command review and the Board's review provides opportunities for learning and critical self-analysis. The Board's additional level of review is valuable and serves a critical role in SPD internal oversight.

Referrals

In the Assessment, OIG interviewed members of the Board who indicated many were unaware of any resolution that occurred as a result of their referrals through FRB Actions or Lessons Learned. As a result, OIG recommended SPD develop a mechanism for sharing this information with the Board and with others as appropriate. The preamble now includes an overview of the referral process and where FRB Actions are stored and Lessons Learned can be found. OIG has also observed the Board Chairs facilitate more robust discussions regarding which type of referral is more appropriate. OIG continues to suggest SPD share periodic summaries of the outcomes and impact of FRB referrals within the Department and with external stakeholders. As an observer of FRB, OIG has seen the significant value in this critical self-analysis and the potential value in sharing the impact of this internal oversight.

Board Member Selection

In the Assessment, OIG heard from Board members that the selection process was informal and ad-hoc. OIG noted that a formalized application and selection process could improve diversity and representation in Board composition. In response, the FRU adopted a process for recruitment, including posting internally to solicit applicants. This has resulted in an almost entirely new group of Board members. While it is still early in these members' tenure on the Board, OIG appreciates the use of a more structured process that provides a more equitable selection procedure. There also appears to be a wider diversity of experience and perspective currently represented on the Board.

Timeliness of Feedback

In the interviews conducted by OIG for the Assessment, Board members consistently raised concerns regarding the timeliness of FRB reviews and any resulting feedback provided to officers. The number of cases coming to the FRU for review exceeded the Board's bandwidth when it heard three cases a week. The FRU recently adjusted the FRB schedule to hold two meetings per week. The Board is now reviewing six cases a week, allowing the FRU to work through the backlog of cases and conduct more timely reviews. Officers are now given feedback sooner and provided the opportunity to make meaningful adjustments in their approaches to potential force encounters. In addition, when there are lessons learned, a wider swath of SPD members and Chain of Command can receive timely takeaways from use of force incidents.

Next Steps

OIG will continue to attend all FRB meetings for ongoing assessment of SPD review of force. Regular meetings with SPD leadership have proven to be a useful tool to provide specific and timely feedback, so OIG will continue these meetings, as well as provide periodic written feedback. The OIG annual report will contain a summary of these efforts.

