



Memorandum

Date: 8/17/2021

Meeting of: Committee of the Whole - Public Safety

File No. CM 21-365

Type: Committee Memo

TO: Committee of the Whole - Public Safety

FROM: Mayor Angela Birney

DEPARTMENT DIRECTOR CONTACT(S):

Police	Chief Darrell Lowe	425-556-2529
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DEPARTMENT STAFF:

Police	Tim Gately	Captain
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TITLE:

Washington State Legislative Impacts to the Redmond Police Department - July 2021

OVERVIEW STATEMENT:

The Redmond Police Department will provide a summary of key bills that were adopted during the 2021 Legislative Session that impact police.

Additional Background Information/Description of Proposal Attached

Washington Association of Sheriffs and Policy Chiefs, Major Policy Considerations from the 2021 Legislation Session

REQUESTED ACTION:

Receive Information

Provide Direction

Approve

REQUEST RATIONALE:

- **Relevant Plans/Policies:**
Police Internal Training & Policy Manuals have been updated to reflect changes.
- **Required:**
N/A
- **Council Request:**
N/A
- **Other Key Facts:**
The Washington State Legislature adopted bills in the 2021 legislative session that impact police.

OUTCOMES:

The following bills adopted by the State Legislature impact police policies, procedures and operations. The changes required by these bills have been incorporated into Redmond Police Department operations effective July 25, 2021, or as

noted in the attached summary memo. The Redmond Police Administration, Training Unit, Lexipol Policy Content Team, and the City Attorney worked to review and incorporate these changes into police policies, procedures and operations.

The following bill is effective July 1, 2021

SB5476 (Blake Decision regarding drugs and paraphernalia) - Clarified that possession of a controlled substance is a misdemeanor. Prior to arrest/booking, officers are required to offer referrals to assessment and services. The community may see officers interact and release drug users to ensure referral to services.

The following bills are effective July 25, 2021

HB 1054 (Tactics) - Prohibits the use of a chokehold or neck restraint, prohibits military equipment, restricts vehicular pursuits, and prohibits firing a weapon at a moving vehicle. Redmond has already prohibited chokeholds and firing at moving vehicles. Our pursuit policy was updated slightly but was already as restrictive as the new legislation. The only military surplus equipment we own (which is not subject to this bill - as it is not armored) is a repurposed Ford F850 Box Truck (previously a Naval Mobile Dental Services Unit), used by our Crisis Negotiators as a place to coordinate/meet/communicate with subjects during an on-scene response.

HB 1310 (Use of Force) - Clarified when officers may use deadly force and requires de-escalation tactics. Many of our updated force policies already met these criteria. We have provided training to ensure officers only use physical force with probably cause exists or there is an imminent threat of bodily injury. Officer responses to certain events, such as misdemeanor crimes, people in crisis, runaways, and involuntary emergency detentions will need to establish PC or imminent threat. The community may see officers employ more time to talk, gather info and employ less lethal tactics prior to engaging physically, detaining someone, or using force.

SB 5051 (Decertification & Background Checks) - Redmond practice and policy already met these stringent requirements and we will continue to communicate de-certifications to the Criminal Justice Training Commission (CJTC).

SB 5066 (Duty to Intervene) - Our policy has long required officers to provide first aid and to report policy and law violations. This bill and our policy language have been further defined and clarified.

COMMUNITY/STAKEHOLDER OUTREACH AND INVOLVEMENT:

- **Timeline (previous or planned):**

OVERVIEW: Beginning in 2020, Redmond Police began a major update to all internal policies and procedures that govern day-to-day operations. This update was communicated to the community via a Chief's video message, news release, and public information website and social media posts.

By July 25, 2021, all critical and required polices have been revised and implemented. The complete manual revision will conclude by September 2021. All policies will be available online to the public.

May 2020: Redmond Police Use of Force draft policies were posted publicly and reviewed by specific community interest groups, such as "Right to Breathe", "Centro Cultural Mexicano", and "Redmond Police Community Equity Action Team".

July 2021: Chief Lowe and the Mayor's Office released written summary statements that address highlighted changes.

July 2021: Redmond Police share updated policies, including explanations of methods used to review/develop use of force polices <<https://useofforce.lexipol.com/community-members/>>

- **Outreach Methods and Results:**
Direct outreach to: Police Chief Lowe’s Advisory Council, the Community Equity Action Team, Centro Cultural Mexicano, Northwest Immigrant Rights Project, Redmond Youth Partnership Advisory Committee (RYPAC), Right to Breathe, and the 8 Can’t Wait Campaign.
- **Feedback Summary:**
N/A

BUDGET IMPACT:

Total Cost:
N/A

Approved in current biennial budget: Yes No N/A

Budget Offer Number:
N/A

Budget Priority:
N/A

Other budget impacts or additional costs: Yes No N/A
If yes, explain:
N/A

Funding source(s):
N/A

Budget/Funding Constraints:
N/A

Additional budget details attached

COUNCIL REVIEW:

Previous Contact(s)

Date	Meeting	Requested Action
N/A	Item has not been presented to Council	N/A

Proposed Upcoming Contact(s)

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N/A	None proposed at this time	N/A

Time Constraints:

N/A

ANTICIPATED RESULT IF NOT APPROVED:

N/A

ATTACHMENTS:

Attachment A: WASPC Memo: Major Policy Considerations from the 2021 Legislative Session