



King County

Office of Law Enforcement Oversight (OLEO)

Date: March 4, 2019
To: KCSO Training Leaders
From: Deborah Jacobs, Director, Office of Law Enforcement Oversight
Re: Feedback on 2019 de-escalation training plans

Thank you for the opportunity to observe the beta testing for the one-day in-service training planned for 2019. It was very helpful to observe and see how the written training lesson plan translates in-person. Kudos to the training staff who did a great job, as usual.

King County Council tasked OLEO with reviewing the efficacy of the training in:

- Procedural justice
- LEED (Listen and Explain with Equity and Dignity)
- Violence De-escalation
- Anti-bias
- Crisis Intervention Training

For the purposes of this feedback, I only reference the first three points, since the other two are dealt with separately.

The 2019 written training plan proposes to provide:

- De-escalation review with an emphasis on force documentation.
- Firearms training.

The learning objectives identified by KCSO training lesson plan are:

- Students will understand the KCSO Use of Force Policy and proper documentation.
- Students will understand department de-escalation policy and procedures.
- Students will demonstrate de-escalation techniques.
- Students will demonstrate handgun practical presentation methods and techniques, confidence and competence in contracting subjects with their handgun in various ready positions and reliable shot-placements.

The training lesson plan lists the following content for inclusion:

- De-escalation review
- Review of 2017/2018
- New Concepts
- LEED
- Use of Force Policy
- Use of Force Documentation

February 28, 2019 test run included:

- One-hour classroom portion on de-escalation and documenting uses of force.
- Two to four hours de-escalation simulations/practices.
- Three to five hours firearms practice and requalification.

Observations of the de-escalation portion:

- The one-hour classroom review was focused on documenting uses of force, and had very limited refreshers of last year's three-day.
- It did not include reference to LEED or Procedural Justice, both specifically mentioned in the budget proviso.
- It did not discuss the revision of the Use of Force Policy.
- It did not discuss "new concepts" (listed in the training lesson plan).
- It's not clear the intended distinction between the "de-escalation review" and "Review of 2017/2018," both listed as part of the lesson plan, but the topics received very limited time.

Observations of the firearms portion:

- The firearms training included two to three hours of practice and then requalification.
- I was told that the reason for the extra practice is that range personnel have noticed some bad habits among personnel who come through for requalification.
- The training contained no content related to the anticipated use of force policy change.
- The firearms portion of the training as presented was unrelated to de-escalation, and strictly focused on firearms skills.

Recommendations

- One of the elements missing from the conversation about documenting uses of force was a direct discussion about *why* it's so important to document thoroughly. Reasons might include protecting officers' interests, ensuring that outsider reviewers get a full picture of the elements of deputy decision-making, and for the officers themselves to learn from contemplating their own actions.
- In the de-escalation refresher, we recommend incorporating slides/discussion specifically on LEED and Procedural Justice, since they are highlighted in the budget documents.
- Until a new Use of Force policy is approved, we recommend that the trainers review Special Order 2018-3 related to pointing firearms being a use of force.
- Without minimizing the value of developing firearms skills and correcting bad habits, OLEO recommends removing the firearms training from this in-service, unless KCSO can demonstrate for the Councilmembers how firearms practices relates to de-escalation and the other concepts listed within the budget. If not, perhaps consider whether firearms training can be addressed when personnel requalify throughout the year. For example, if requalification testing is scheduled or offered in specific timeblocks, can trainers provide corrective feedback to deputies at that time?

If the firearms training can be provided separately, then we recommend spending the additional time on:

- More detailed review of de-escalation and the related concepts.
- Training on the new use of force policy.
- Defensive tactics (DT).

We emphasize DT because these skills, and confidence in using them, contribute tremendously to safe interactions; because we often hear a desire for more DT practice from personnel; and because DT goes hand-in-hand with de-escalation. We realize that KCSO plans to include DT in the 2020 sessions, but we see value in personnel receiving DT training every year.

- Provide an alternative training plan for the estimated nearly 100 personnel who did not participate in the 2017/2018 three-day. This might include attending Procedural Justice and/or the 5-day CIT.
- Trainees expressed a strong interest in having examples of well-done and less well-done use of force reports, which seems valuable, and the trainers seemed to agree.
- We recommend making time for I-940-related content in year two (2020) since it's not yet defined.
- Within the 2020 Field Tactics lesson plan, there is reference to "cultural competency." My understanding of cultural competency training is that it should prepare personnel to work with people from specific cultural, language and other backgrounds.

During our January 31, 2019 in-person meeting on this in-service, there was a suggestion that Dr. Bryant Marks would address cultural competency during his anti-bias training. From my exposure to Dr. Marks, his training is focused on implicit bias. Although implicit bias work may lay the groundwork for further equity training, it is different from cultural competency training. Cultural competency relates to learning customs and behaviors specific to particular ethnic groups, and is best taught by members of those groups. If this is a goal for KCSO in the future, then OLEO would gladly partner with you to identify appropriate communities to work with and trainings to develop. But for now, unless Dr. Marks is promising to provide cultural competency, we recommend leaving it off the lesson plan.

Conclusion

The above feedback relates primarily to the 2019 de-escalation training plans. We hope that OLEO will also have the opportunity to observe development of the 2020 Field Tactics training.

Looking at the big picture, we recommend that KCSO develop a 10-to-20-year plan for training and professional development based on: anticipated personnel changes, state law requirements, and departmental goals for development of its personnel. Presenting a clear vision for future/long-term needs will make it easier to describe and secure needed funding and support for training. If helpful, OLEO is happy to partner with you in thinking about this.