

# Port of Seattle

## Police Civil Service Commission

Commissioner Oris Dunham  
Commissioner Debrena Jackson Gandy  
Commissioner Kirk Merrill

**October 06, 2020**  
**Police Civil Service Commission**  
**Regular Meeting Minutes**  
**Approved April 6, 2021**

**Call to Order:** Commissioner Oris Dunham called the October 06, 2020 meeting of the Port of Seattle Police Civil Service Commission to order at 10:02 AM.

**Roll call/In Attendance:**

Commissioner Oris Dunham – Chair  
Commissioner Debrena Jackson Gandy – Vice Chair  
Ericka Singh, PCSC Secretary, Human Resources  
Anne Purcell, PCSC Legal Counsel, Port of Seattle Attorney Services  
Brandy Brown, PCSC Administrative Support, Human Resources  
Stephanie Brosio, PCSC Administrative Support, Human Resources  
Acting Chief Mike Villa, Port of Seattle Police Department  
Derek Bender, Sr. Talent Acquisition Representative

**Absent**

Commissioner Kirk Merrill

1. **Approval of Minutes:** Commissioner Jackson Gandy moved to approve the minutes from the October 2, 2019 meeting. The motion was second by Commissioner Dunham and it was unanimously carried.
2. **Approval of Agenda:** Commissioner Dunham moved to approve agenda for the October 01, 2019 meeting. The motion was second by Commissioner Jackson Gandy and it was unanimously carried.
3. **Public Comments:** No public comments were offered.
4. **Order of Business**
  - a. **Staffing & Hiring Update: Deputy Chief Michael Villa**

The department was authorized for 170 total employees in 2019, 123 are commissioned positions. Currently the department is staffed at 115, with 8 Police Officer vacancies. 47 of the 170 is non-commissioned, currently staffed with 40

support staff and 7 vacancies. At this time due to the public health crisis with Coronavirus/Covid-19 there is a hiring freeze.

There has been a decrease in overtime this year through July compared to 2019.

2019 Jan – July 2.5 Million

2020 Jan – July 1.3 Million

Overtime reductions have little to do with the FTE count. It is due to the drop in passenger levels in the airport due to the pandemic. Another major factor in the decrease is that there was no cruise season on the waterfront.

Commissioner Jackson Gandy inquired about the tattoo policy and if that was still under review as a disqualifier for new officers?

At this time, they still are. There is no change in the policy. This came up because there was an officer that had a tattoo on their neck. The policy states that at no time while on duty or while representing the department in any official capacity, shall any offensive tattoo or body art be visible. Offensive is defined as images that depict racial, sexual, discriminatory, gang related or obscene language. No tattoo shall be visible above the shirt collar or from the wrist to the tip of the fingers unless authorized by the Chief of Police. The current hiring guidelines still reflect that policy.

Clarifying: Tattoos are allowed on their arms and can be visible; those are allowed as long as they are not offensive.

**b. 2021 Budget Update: Commander Lisa Drake**

Due to the ongoing public health crisis, loss of airport traffic and the cancelation of the 2020 cruise season, the Police Department was asked to cut 5% of their budget this year and continue the budget cuts for the 2021 year.

The revised 2020 budget was 31.3 Million. The proposed 2021 budget is currently at 28.2 Million.

Budget reductions were taking in the following areas

- Non-mandatory training and membership reductions
- Hiring freeze and staff reduction due to reduce traffic flow at airport
  - 4 vacant office position will remain vacant through 2021 unless there is an economic recovery
- Uniform and equipment expenses are reduced due to decrease in hiring
- OT budget has been reduced.

The budget is currently under review and pending commission approval.

**c. Accreditation: Sergeant Molly Kerns**

Accreditation is on a 4-year cycle, the final cycle started on September 1, 2021.

Have completed year three proofing and moving into year four.

Policy Manual Update is currently being finalized and is forthcoming.

This year Sergeant Kerns and Police Specialist were able to attend the CALEA conference. Typically, only one person would be in attendance, however with the conference being held virtually, that allowed additional attendance by the department and attended for free.

Sergeant Kerns has been selected for the NWPAC President Position.

#### Key Dates for CALEA Accreditation

- A CALEA Year is Sept 1 – Aug 31
- Web Based Assessment for Year 4 is June 11 – 19, 2021
- On site assessment is July 26-28, 2021
- Commission Conference in Jacksonville Florida for CALEA conference on November 12 – 20, 2020

New & Revised CALEA Standards that were effective Immediately

#### **NEW STANDARDS**

- 1.2.10 relating to the duty to intervene
- 4.1.6 relating to vascular neck restraints
- 4.1.7 relating to choke holds

#### **REVISIONS TO STANDARDS**

- 4.1.1 relating to the use of reasonable force and de-escalation
- 4.1.2 relating to the use of deadly force
- 4.1.5 relating to rendering medical aid

The upcoming policy manual will address all 6 standards.

Commissioner Jackson Gandy asked for clarification on the updates to the standards related to the use of neck restraints, choke holds, and the use of deadly force.

*Vascular Neck Restraints:* If an agency allows the use of neck restraints, there must be a written directive, initial and bi-annual training. The Port of Seattle Police will no longer use vascular neck restraints.

*Choke Holds:* Prohibits the use of any technique that restricts the intake of oxygen for the purpose of gaining control of a subject. The updated Port of Seattle Police Department Policy already prohibits the use of choke holds.

*Deadly Force:* The use of deadly force policy must be reviewed annually during in-service training. This will be added to the department's matrix of annual required trainings. Deadly force may only be used when an officer reasonably believes that action is in defense of any human life, immediate danger of death or serious bodily injury.

The conditions that would allow the use of force is being defined in the standards.

#### **d. Covid19 Response: Acting Deputy Chief Sean Gillebo**

The Port of Seattle Police Department has had no confirmed cases of Covid-19.

Officers have been very careful. There have been instances where exposure has happened, but no one has tested positive.

There have been 36 cases of possible symptoms, all were placed in quarantine and tested. None have come back positive.

**e. Protests & Mutual Aid: Acting Chief Michael Villa**

No agency in the region has the resources they need themselves to respond to effectively and safely handle all situations that they may be asked to handle. Washington State Police Powers Act does allow the Port to receive mutual aid from other departments, as well as provide assistance. It allows agencies to share assets for major events, making it financially responsible, leading to consistent training techniques in the region, and enhances the command and control function.

Port of Seattle participates in Specialty Teams

- Bomb Disposal Units
- Explosive Detection K9 Team
- Valley Swat Team
- Negotiations Team
- Boat & Dive Teams
- Valley Independent Investigative Team: investigates officer involved shootings
- Valley Civil Disturbance Unit: crowd management
- Puget Sound Auto Theft Task Force
- Joint Terrorism Task Force

Historically the airport and the seaport has been the heaviest users of the Valley Civil Disturbance Unit. It has been utilized for the immigration protests in 2016 and the Snowball Express Crowds as well. In recent months the attention has been on City of Seattle. POSPD did provide mutual aid in various cities. POSPD was in Seattle on May 30 and May 31 in Federal Way and Tukwila. On June 2, responded with a potential protest.

The only time that the team used any force was in Seattle. Some in the crowd at that time did loot and throw rocks/glass bottles and homemade explosive devices. One of the POSPD officers had an explosive device land at his feet and knock him over. The officer had ringing in their ears. Another officer was hit in the face with a rock and had to be evacuated from the scene with a fractured jaw. It was very intense and violent, but it was the only location where POSPD Officers had to use any force.

When POSPD officers are providing mutual aid, they are following POSPD policies, not the policy of the department they are assisting.

Commission Jackson Gandy inquired if there was a feedback mechanism if there are complaints about Use of Force and with all the protests that have gone on, has the POSPD seen any changes/increases during the last 6-month period of negative feedback?

If someone has a complaint regarding use of force against a Port of Seattle Officer, there is an Office of Professional Accountability where they can make a complaint that will be reviewed, including every Use of Force that an officer has will be reviewed. Supervisors are required to conduct an inquiry each time. Officers are required to complete a Use of Force Report. It is then determined if it was used within policy and within the techniques used to train the officer. If it is not within policy or training, steps are taken to address those issues.

Over the last 3 years, POSPD has had 1 complaint against an officer. POSPD averages 30 Uses of Force a year. Two-thirds of those are taking people to the ground, generally due to intoxication. POSPD Use of Force is very low. There has not been a noticeable increase of complaints in the last 6 months.

**f. SCORE Contract: Acting Chief Michael Villa**

The Port of Seattle utilizes jail services with an interlocal agreement between Port of Seattle and King County. A new contract has been signed with SCORE. It is currently located at the southern border of Sea-Tac. It is the primary booking agency for South King County agencies.

The issues with using King County Jail is the transport, as it located in downtown Seattle. It requires an officer to take two hours of their day to transport individuals to Seattle and return to Sea-Tac. With the new contract with SCORE, the time to book individuals has been reduced due to the decrease in drive time between the cities.

King County Jail will continue to be used for the seaport and felony crimes.

**g. Police Department Assessment: Delmas Whittaker, President of Port of Seattle Blacks in Government & Co-Chair of the Policing and Civil Rights Task Force**

The Commission Motion was adopted on July 14 with the purpose of:

1. Endorsed immediate steps taken by Executive Director to reform Port police policies and practices such as an immediate ban on chokeholds and ensuring officers receive regular de-escalation training, bystander intervention and anti-discrimination training.
2. Directed a comprehensive assessment of the Port of Seattle Police Department to ensure alignment with the highest national standards and best practices related to policing.
3. Established a Commission Task Force on Port Policing and Civil Rights to lead the assessment and develop recommendations for action.

This assessment is a proactive look at the department to be ahead of the curve of the changes in policing. This is not in response to any incident within the Port of Seattle Police Department.

The Task Force is comprised of Port of Seattle employees and community stakeholders. Consultant *21 CP* was selected to assist putting together the recommendations that will come out of sub-committee work.

The 7 subcommittees of the Task force are:

- Diversity Recruitment & Hiring
- Training & Development
- Use of Force
- Oversight, Accountability, Racial Equity & Civil Rights
- Budget, Roles, & Equipment
- Mutual Aid
- Advocacy

Each member of the task force, excluding Commissioners & Co-chairs, will lead a subcommittee.

The primary areas of assessment are:

1. Diversity in Recruitment & Hiring
2. Training & Development
3. Equity
4. Use of Force
5. Oversight & Accountability
6. Police Union Participation
7. Budget, Roles, & Equipment
8. Mutual Aid
9. Advocacy

The Task Force will collect and review existing research, data and best practices. The Task Force will establish key metrics for evaluation of success for this process.

The first progress report is due to the commission on October 31, 2020. That would include recommendations for immediate actions and deliver final recommendations to the commission on July 31, 2021.

Commissioner Jackson Gandy inquired about the money that is seized from drug busts and if there was a way for it to be re-purposed for good.

Acting Deputy Chief Gillebo responded. The money is restricted by RCW 69-50.505 Drug Forfeiture or Proceeds, and is required to go back to law enforcement activities related to controlled substance. These funds are currently

directed towards efforts to combat drugs being transported through the airport by the Drug Interdiction Unit and the K9 units that support that work.

No other business was presented.

The meeting was adjourned by Commissioner Dunham at 11:12 AM