

SEATTLE POLICE DEPARTMENT MEMORANDUM

DATE: 07/16/2012

TO: Council Member Bruce Harrell
Chair, Public Safety, Civil Rights & Transportation Committee

FROM: John Diaz, Chief of Police; Clark Kimerer, Deputy Chief

SUBJECT: Written responses to the questions asked at the 6/6 PSCRT Meeting

CM Harrell: *Do you need a criminologist to help you determine the causes of the shootings? What resources or tools do you need?*

It is always useful to consult with an outside criminologist and groups that work on the causes of and responses to violent crime. The Department hired Dr. Jamie Fox after a significant murder in the East Precinct several years ago. After the council briefing, Dr. Fox wrote an opinion piece in the Seattle Times discussing the nuances and differences between ‘day-to-day’ interpersonal violence, usually between two people, and completely irrational violence, such as the violence displayed by Mr. Stawicki at the Café Racer. The article can be found under this link: http://seattletimes.nwsourc.com/html/opinion/2018389810_guest10fox.html

When it comes to crime analysis, the Seattle Police Department is committed to making the best use of its existing technology and staff resources. The Department also recognizes that its crime analysis capacity can be improved through potential enhancements to its existing software or through the purchase of new software with additional capabilities. However, existing demands on IT staff (e.g. beginning the process of replacing in-car VMDTs) and the City’s budget situation must be considered when contemplating the acquisition of new systems or the augmentation of existing systems. These are resource-based conversations that are best kept within the City’s budget development process where competing demands can be weighed against each other.

CM Harrell: *What’s the common denominator in these violent events? Are we at an unprecedented level of gun violence? Is there an association between the shootings? Are any of the people connected? What is the causal factor that is common to all of them?*

YTD, there have been 16 homicidal incidents resulting in 21 deaths. While there is no specific ‘common denominator’ in these crimes, they have all been characterized as interpersonal violence and 19 of the deaths resulted from firearms. The remaining two deaths were caused by edged weapons. Five of the incidents that resulted in 6 deaths were the result of disagreements, fights or disturbances. Two were accidental deaths from person(s) shooting at another target. Four of the murders dealt with marijuana delivery/sales. Eleven of the deaths are intraracial violence, and four are interracial violence. Six are ‘unknown’.

The recent surge in homicides across the city this year has been challenging. Many of these have been random acts, borne of illness or rage, and they have not happened in predictable locations. Meanwhile, analyses of other violent crime data through May reveal that while serious assaults are up citywide by 9%, gun assaults (excluding homicides) are actually down by 26%, when compared with the first five months of 2011.¹ In addition, the distribution of serious assaults is uneven throughout the city, with East and South Precincts showing decreases and the other precincts experiencing increases through May.

CM Harrell: *I have the year to date shots fired report, but I am looking for more detailed information. For example – what charges are being levied against each individual apprehended in shootings this year, what are the prior criminal records(if any) for each of them, and where they on any sort of supervision when they were apprehended? Given State budget cuts, and the early release of in-custody offenders, is any of the violence attributable to the folks who have been released by the State?*

The Department met 3 weeks ago with both the King County Prosecutor and the US Attorney to discuss prosecutions. We will investigate every identified suspect who commits a crime with a gun and refer to both the King County Prosecutors Office and the US Attorney's Office. They will determine which venue and charges will result in the most severe sentence/punishment.

To the best of our knowledge only one of the suspects discussed in these homicides was under active post-incarceration supervision. Without going into a case-by-case analysis of every person who has been arrested for an assault, we can say that in general each crime is investigated on its own merits. This process includes meeting with the state prosecutors to examine the level of violence, the weapon used, the familiarity of the two parties involved, whether there is a DV or hate crime component, if the suspect has prior convictions, if the person was on active parole/supervision, the nature and severity of the injury/wounds sustained by the victim and so on. Once that is determined, the detective meets with both the state and federal prosecutor to determine which venue would likely result in a longer prison sentence for the suspect if convicted.

CM Harrell: *Have you prepared an analysis of the Automated shot detection devices?*

This tool, with additional capabilities--specifically cameras, would be beneficial for the prevention and investigation of gunfire related to crime in pre-identified, high gun violence areas; however, ongoing maintenance and connectivity cost issues need to be explored with CBO. SPD is exploring private funding options for the initial purchase of the equipment, but as stated the ongoing funding source still needs to be identified.

Background information: Automated Gunfire Locator Systems is a technology specifically designed to identify and plot gunfire occurring within the sensor range. The system provides a GPS location on a map, illustrating where the shot originated, and in some systems, a camera also captures images immediately after the shot is fired. The camera records for a specific period

¹ Assaults involving firearms represent a relatively small proportion of serious assaults. In 2010 about 11% of serious assaults involved guns. That proportion climbed to 13% in 2011, but through May of 2012, guns have been involved in just under 10% of aggravated assaults.

of time after the shot to allow for real-time monitoring (if set up that way) or for investigative review and follow-up.

CM Harrell: *Is State law or local gun law as strong as it should be? Please let me know what the City can do to change its policies to further restrict illegal gun use. Please describe the “State Pre-emption” and the City’s plans to attempt to close the gun show loophole.*

CM Harrell: *Should we have a community gun violence summit? Please provide a compilation of past proposed legislation and present a unified legislative agenda between the City, County and State. Are there any additional / new strategic directions?*

It is our understanding that you are working with OIR staff on a number of these questions (e.g. State Pre-Emption and Gun Show Loophole), and have had meetings to discuss how the City might use a collaborative, multi- jurisdictional approach on future statewide gun legislation. We also understand that OIR has provided you with much of the information requested above. An examination of violent crime data thus far in 2012, as well as of historical trends in the recent past, suggests two public policy avenues be explored to address crimes involving firearms. The first avenue is tightening access to firearms by the mentally ill, or alternatively, tightening/limiting the restoration of firearms to those who have exhibited serious mental breakdowns or episodes that have involved guns. This approach would not preclude lawful access to firearms, but rather would shift the burden to applicants to show their possession of such weapons no longer represents a danger to the public. Such a showing could include, but not be limited to, proof of treatment, taking prescribed medications, no repeated episodes, threats or acts of violence, etc.

The second avenue that might be explored is establishing a registry of gun offenders. This approach would subject those who have chosen to commit crimes using firearms to greater scrutiny and attention by law enforcement, by requiring them to notify police of their residence addresses and of any change of address they make over a three to five year period following conviction for certain gun crimes. Police would also be authorized to make periodic contacts with those on these registries. Cities that have adopted gun offender registries report impressive reductions in gun violence by those in the registry network.²

CM Harrell: *What are we doing to partner with Businesses? How we gather Intel – are we gathering as quickly as possible? Can we use camera technology from private businesses? Store fronts? Restaurants?*

Several Department personnel are trained to give Crime Prevention Through Environmental Design (CPTED) review of businesses, residences, and other establishments. During that process, camera surveillance, lighting options and other environmental issues related to safety are presented.

When a shooting occurs, we saturate the entire area to identify any private or public camera that is in or near a crime scene. In many of the instances the in-car video from police cars is

² See Zapotosky, Matt, “Plagued by gun crime, Prince George’s considers making offenders register,” *Washington Post*, May 28, 2012.

examined to determine if the suspects were inadvertently captured as the officers drove toward the crime. Other video sources include personal hand-held recorders belonging to private citizens, as well as video recordings from public transportation and other commercial trucks.

CM Harrell *In terms of search and seizures – are we aggressively looking for unlawful firearms as we have done in the past? Are there other cities that are doing a more aggressive job?*

Seattle is as aggressive in searching for and recovering guns in a variety of ways. The Department concluded Operation Oliver Twist in March which among other items purchased over 40 firearms and C-4 explosive. The Department also recently concluded another undercover purchase of weapons that got 24 guns off the street. The Department has 1 FT Detective assigned to the ATF, and he works only Seattle gun cases, while also leveraging Federal resources to all Seattle gun cases. The Gang unit has 6 employees who are federally commissioned to work both State and Federal cases, and regularly conduct operations with the FBI, focusing on violent offenders. We work closely with the King County Prosecutor and the Sep. US Attorney Vince Lombardi and Todd Greenberg to determine whether a federal or state prosecution will get the suspect the longest jail time. The Department recovered 824 guns in 2010, 791 in 2011 and 296 YTD in 2012.

CM Harrell: *Are you coordinating on this issue with the Feds? If so, what are you doing?*

Yes – we recently met with several federal prosecutors, the King County prosecutor who specializes in prosecuting gun crime, the ATF, FBI and DEA to review our current joint enforcement and investigations and determine what improvements or adjustments can be made. The opinion of the prosecutors and the federal LE agencies was that the investigations/operations are thorough. The US Attorney will begin a pilot to lower their filing threshold in any gun crime committed in Seattle to determine if a more aggressive prosecution from the federal angle reduces the gun violence.

CM Rasmussen: *Please describe the number of staff (Detectives and media people) that you have working on weekends. What are the policies around police staffing of investigations and communications on holidays? Is it a staffing issue? What are the number of on-duty Detectives and number of communication officers, including public information officers? How many Detectives are on duty? What are the minimum staffing policies?*

The majority of detectives work Monday thru Friday between 6 AM and mid-night, they do not work weekends and holidays, except for some select specialty units (Gang, or if there is a pre-planned/anticipated event). Violent crime detectives are on a call out basis on a rotating schedule, and respond in a timely manner to serious assaults, rapes, homicides, home invasions and other robberies.

The Public Affairs Office is staffed by one sergeant, three detectives (Public Information Officers, or PIOs) and one civilian digital communications specialist. Additionally, a contract writer has been brought in to the unit to assist in information dissemination and public engagement.

The office is open for regular business from 7 a.m. until 8 p.m. Monday through Friday. Outside of normal business hours, the three detectives share on-call duties. The PIOs are available for call out to significant incidents at the request of incident commanders. They are also responsible for updating the Seattle Police twitter and Facebook accounts and for composing releases on the SPD Blotter. These posts are often generated in the middle of the night and on weekends, as dictated by emergency or necessity. It is understood in the Public Affairs Office that availability is 24-7, 365 days a year.

CM Rasmussen: *Chief Metz stated that the increase in shootings results from “guns more than gangs”. This implies that something has recently changed in the availability of guns. Have there been recent changes in the number and nature of illegal gun markets in Seattle? If so, what is SPD doing to interdict these markets? What more can it do? How can the City Council be helpful?*

There is no solid or consistent story on the supply of guns. We can trace guns to the original point of purchase, and on any resale if the seller and purchaser completed paperwork. The available data shows that some of the crime guns are lawfully owned, some are purchased from the original owner and others are stolen. This is a challenging area because of the congressional limits on tracking gun ownership. Below is some data that we have collected on stolen and recovered guns.

YEAR	2008	2009	2010	2011	Jan thru May 2012
Count of Guns Reported Stolen	248	276	236	298	122
Count of Guns Taken Into Custody	831	997	824	791	361
Count Recovered Stolen Guns (Based on Guns Reported Stolen above)	23	27	21	28	8

CM Rasmussen: *Has there been an increase recently in aggravated assaults generally? Has there been an increase in aggravated assaults with guns? If so, can you characterize the offenders in these instances?*

CM Conlin: *All cities are seeing an increase in DV. 11% of cases are generally associated with DV. What percent of these cases were DV related? Are we thinking about new strategies to address the problem? Is there a program similar to the Hope model in Hawaii?*

Contributing significantly to the trend in serious assaults has been the proportion attributed to domestic violence incidents. In 2010 and prior years, the proportion of aggravated assaults linked to domestic violence averaged around 25%-27%. In 2011 this proportion began to show increases on a monthly basis, ending the year at 31%. Through June 2012, the proportion of total serious assaults linked to domestic violence incidents is at 37%. Thus, while the homicides in the city so far in 2012 have been chilling for just how random and impersonal their nature, the statistics on serious assaults underscore the dynamics of interpersonal violence within families

and among persons who know each other. **Please see the charts in the appendix to this document.**

With respect to Domestic Violence, the typical pattern of misdemeanor assaults being followed with escalating violence that may culminate in a felony assault has been less evident in the recent past. There is some speculation that uncertainties associated with the economic downturn may be playing a role. Before the economic collapse, for example, misdemeanor domestic violence assaults averaged around 190 per month. In the last several years, the average has been just under 160 per month, a decline of 16%. This decrease has outpaced the average monthly decline in simple assaults generally, which has been 7% over the past few years. The speculation is that victims who are not employed and/or might find it difficult to find work or housing, are less likely to report minor assaults that often have been precursors of assaults that result in extreme injury. In such instances, victims may be attempting to protect the breadwinner of the household by not reporting misdemeanor assaults.

The City of Seattle has one of the most robust Domestic Violence networks in the nation. There are many government agencies and community non-profits that provide wraparound services for victims of Domestic Violence. These services help women navigate the criminal justice system as well as to provide shelter and valuable counseling / mental health support. Unfortunately, these resources have become scarcer due to the economic recession.

The Seattle Police Department Domestic Violence unit is now implementing a pilot project using a Risk Assessment tool focusing on victims of misdemeanor assaults. The tool is designed to help predict the more serious assaults that might happen if a woman does not find a way to leave her abuser. Unfortunately, none of these tools are helpful if women are not coming forward to report initial assaults. Additionally, the working group of the Domestic Violence Prevention Council is coordinating with SPD's Community Outreach unit to put into place strategies around outreach reporting, specifically to immigrant and non-English speaking citizens. These efforts will help educate women about DV reporting and available community resources.

Robbery data show a different trend from that of serious assaults. Citywide robberies are about even through June 2012 (up 1%), when compared with the same time period in 2011, with West and East Precincts showing decreases and the other precincts experiencing increases. Robberies with guns, however, are up by 5% in the first half of 2012 when compared with 2011.³

The pattern in which gun assaults and gun robberies show opposite trend lines has been fairly consistent over the recent past, demonstrating the distinct dynamics exhibited in crimes involving guns. To some extent, the increase in gun robberies resembles the trend in gun homicides this year in that both show the propensity to use firearms instrumentally to achieve a criminal objective, whether to execute a theft, settle a score or avenge a perceived wrong. Serious assaults, on the other hand, demonstrate the intensely personal side of interpersonal violence, with firearms a less prominent feature of these interactions.

³ The proportion of robberies involving firearms was 17% of total robberies in 2010. This increased to 19% in 2011 and through May 2012, the proportion is 21%, or roughly one in five robberies.

CM Rasmussen: *SPD has stated that it will emphasize the importance of communities – notably East and Southeast Seattle – in the areas in which the shootings have occurred to come together to act against the violence. What specific community actions will make a difference in violent crime? What convinces SPD that this will work? How will the efforts be evaluated?*

Research has shown that building trust between communities and law enforcement will enhance community safety in part because community members will be more inclined to report crime, suspicious behavior and other community issues when they trust the police⁴.

The Seattle Police Department is reaching out to communities in a number ways to enhance the already cohesive and active community members in Seattle neighborhoods. Specifically in the South Precinct where there has been the most recent uptick in violent crime, the Community Outreach unit and the South precinct personnel have collaborated on neighborhood safety walks with community members.

In addition, the United Black Christian Clergy is working with the South Precinct to do outreach to young people in the specific hotspot areas.

The Community Outreach unit is working with the South precinct officers and coordinating several Living Room Conversations whereby community members and police can collaborate on a host of public safety and other issues. The Department has contacted a third party vendor to evaluate the effectiveness of the Living Room Conversations and to provide an objective report of that program. The report will be completed late September/early October (Mimi has details if needed).

In addition to the “Catch a Killer” campaign already in place, the Department is collaborating with Clear Channel, Washington’s Most Wanted, Crime Stoppers, the African American Advisory Council and the Silent War Campaign to conduct a Stop Our Shootings (SOS) effort, which will launch in August. The DOJ is also involved in this effort.

Recently, in collaboration with the Vega family, Crime Stoppers and the Filipino Advisory Council, Community Outreach officers attended a South Seattle vigil and assisted community members in posting flyers to solicit the neighbors/neighborhood for additional information. At the vigil, which covered by multiple news channels, a reward increase was announced. The Vega family added \$5000.00 in addition to the usual \$1000.00 Crime Stoppers reward.

Youth Outreach is involved with a host of summer youth programs that are designed to reduce violence, build trust, and engage young people with officers. Specifically, in the East and South

⁴ Guidance for Building Communities of Trust, Robert Wasserman

precinct's there will be number of youth academies hosted by School Emphasis Officers. These academies primarily draw from youth involved in the Seattle Youth Violence Prevention Initiative. Each academy involves a component of evidenced based programs for youth-police engagement.

The IF project has expanded its reach as a result of the King County Prosecutors Office providing additional funding so the program can provide truancy workshops for Seattle area youth. The IF project provides intervention, prevention and reduction in recidivism by using former inmates and their stories as a catalyst to get youth to ask for help so as not to follow in the IF teams footsteps to incarceration. (See website for more information).

The Department is working in collaboration with several East and South precinct ministers to take 30 or more kids to a Seattle Storm game on August 30th. The Department will host 10 of those young people age 10 to 21. This is a mechanism to continue relationship building and mentoring. SPD Officers will also chaperone.

As part of the youth-police alliance with Seattle Parks, an additional night has been added to Late Night program at Southshore K-8. Parks employees and Seattle Officers will staff Thursday nights in addition to Friday and Saturday nights. Also, the Seattle Police Department in collaboration with Seattle Parks Department is hosting the third annual all-city teen dance. Youth attending this dance have to be sponsored by Seattle Public Schools, Seattle Parks Department, Case management or an officer. Sponsorship is based on merit (a positive reward for positive behavior; reinforcing good behavior).

We cannot list here all of the community engagement activities of officers in the Outreach division. So far this year, the unit has sent staff to over 200 community meeting and events, including 21+ living room conversations. This does not include the efforts with the Demographic Advisory Councils, the Citywide Advisory Council, and the Demographic Leadership Board, the Precinct Advisory Councils and the myriad events and community contacts that are done via our Community Police Teams.

CM Rasmussen: *SPD says it is redeploying officers into emphasis patrols to respond to the violence. This implies that SPD believes it can anticipate, to some extent, where the next rounds of violence will occur. How will it be determined where will the emphasis patrols be assigned and from what units are officers being redeployed, and what will be the impacts on the performance of these units?*

SWAT, Anti Crime Teams and selected (or limited) Patrol officers are being redeployed to focus on violence prevention. These groups have been assigned geographic responsibility for specific locations where violence has occurred. Their efforts are being augmented by a reinforced Gang squad that will include three officers loaned from Federal Task forces and up to four officers that currently serve as School Emphasis Officers. The Patrol resources are limited to a few officers per precinct thereby reducing the impact on patrol calls for service, but increasing the presence in and around violent crime hot spots. There are no impacts on the SWAT and ACT teams as these are proactive resources that are by design intended to focus on pattern or problem crimes.

Special Operations Command Staff are developing a hot spot map that will help them focus a police presence where gun violence has occurred within the past year, or in any location where the Department suspects gun violence is likely to occur based on crime analysis, criminal intelligence, gang intelligence, or other source information. In making decisions concerning the deployment of its limited sworn resources, the Department carefully examines incidents, calls for service and reports of activities observed by officers as they are recorded across the city. Crime analysts in each precinct regularly mine crime data to discern patterns and profiles that can guide deployment efforts.

CM Rasmussen: *Walk us through how or when Seattle Public Schools decide to go on lockdown. What was the duration of last week's lockdown? How and when were parents notified? How was that effort coordinated? How can we improve communications between SPD and Seattle Public Schools?*

Seattle Public Schools coordinates their lockdown procedures. This is not a function of the police. There is communication between the School District and the Police Department. During a critical event, Public Information Officers will communicate information on behalf of the School Districts. In addition, real-time information regarding the incident is being tweeted throughout the incident.

CM O'Brien: *What do we know about evidence based methods on gun regulation? Do we know the likely result of stricter, harder penalties?*

Cities like New York and Washington DC have attempted to put in place tougher regulations to control guns that might be used in crimes. New York's gun and weapon crime laws are among the Nation's toughest. For instance, anyone carrying an illegal, loaded handgun can be automatically sentenced to over three years in jail. The recently passed laws also remove much of the discretion that Judges have in sentencing. Over time, these new laws will be subjected to further scrutiny and we may get more information on their efficacy. Unfortunately, it is too soon to be able to tell how these laws work to prevent gun crime. Some of the new laws have been challenged in Court and are not fairing very well.

Many crimes that involve use of a gun are already subject to an "aggravator or enhancement" designation that comes with additional penalties. These additional penalties have not been proven to create a deterrent effect among the population that might use a gun during a crime. Much of this population is either suffering from some form of mental illness, believes that they will not be caught or is counting on flaws in the criminal justice system to avoid being held accountable. The numbers around the aforementioned gun registry are impressive and may hold greater promise for impacting recidivism.

CM Bagshaw: *Are there specific programs that the State has de-funded that we should begin funding with City funds? Are there things about the shooter's lifestyles that we can change to prevent the shootings?*

To our knowledge, there are no programs that have been defunded by the State and should be picked up with City Funds.

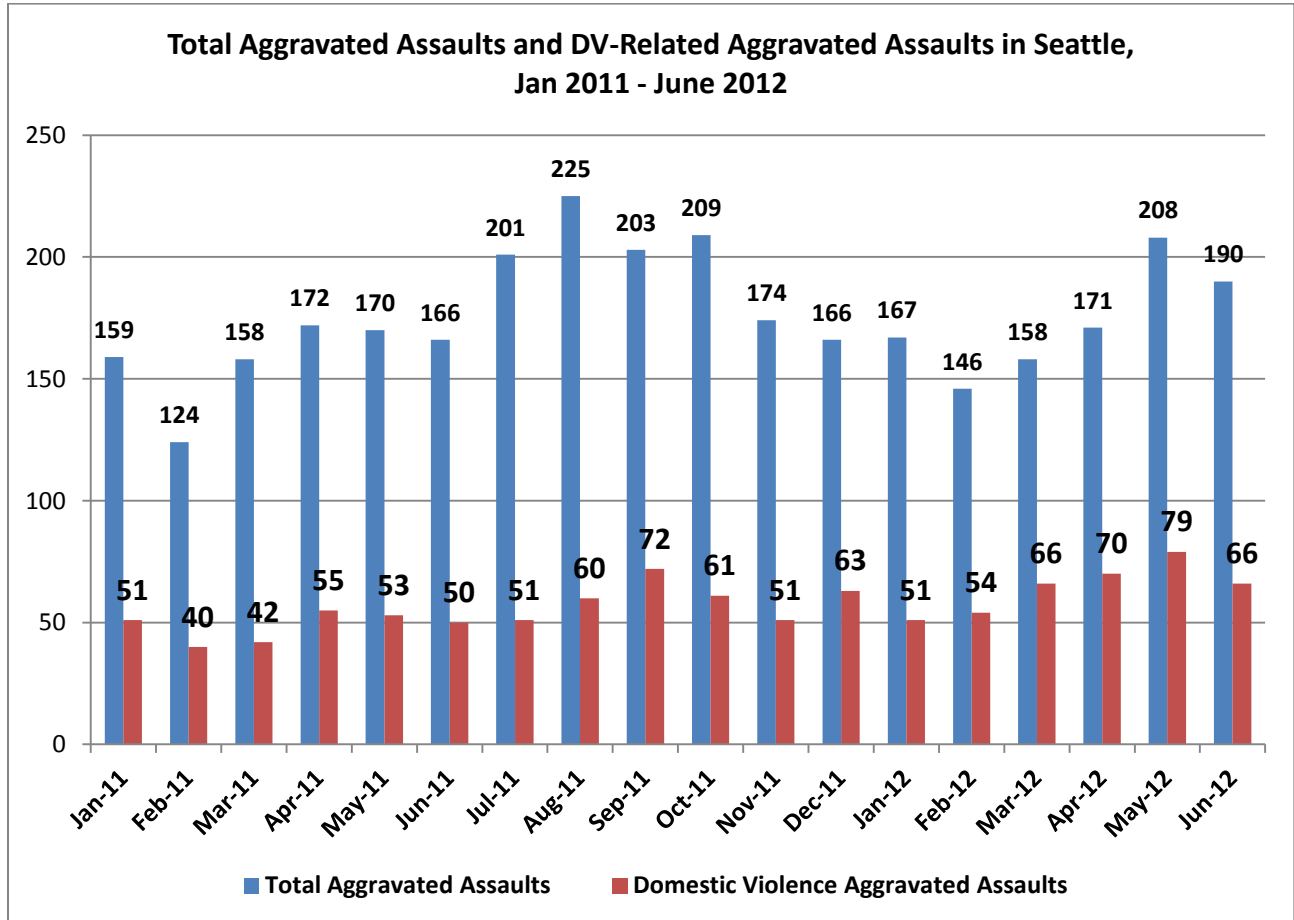
***All Members:** D/C Metz's answer to the code of silence question: How do we break the code of silence? How do we reach out to the community and to faith based organizations? How do we convince them that they can trust us?*

The code of silence is broken when the Department builds trust with the community. This happens by each officer holding himself or herself to the highest standards when interacting with members of the public. Are cases are solved through 1) **dedicated professional police investigations**; 2) **science**, and most importantly; 3) **community involvement**. Countless cases are solved each year based on this model. However, this is not always the case and it is critical for effective policy to work through the community.

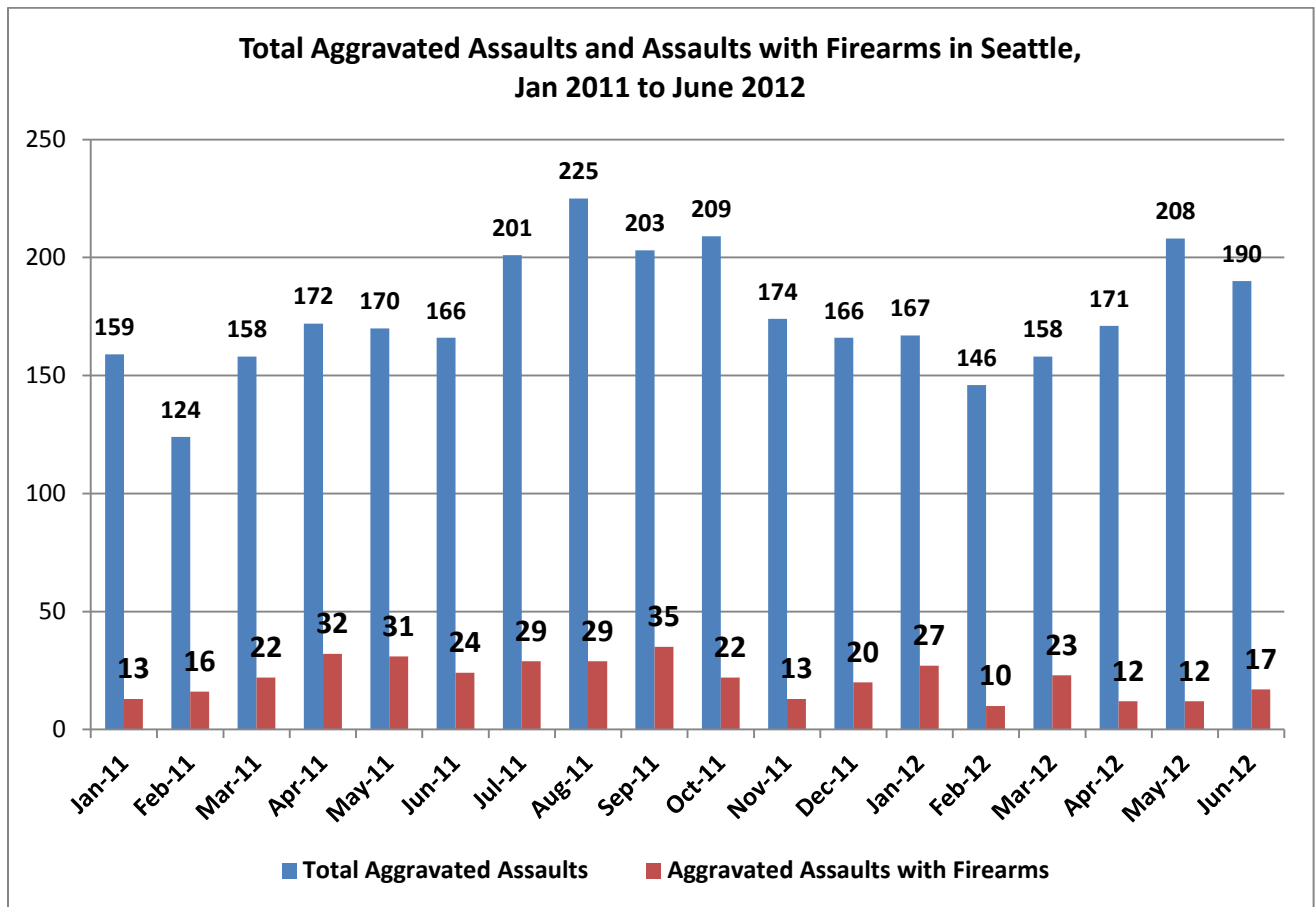
Above we highlight a number of approaches we are undertaking to continue to strengthen our partnerships. The most important requirement is to ensure that each and every one of our 1,500 to 2,000 stops per year are used as an opportunity to build community. All of our trainings and programs focus on community and customer service as a key element to effective policing.

The Department's officers are required to carry themselves with the highest degree of personal integrity. The expectation for our both our sworn and civilian employees is to report any cases of misconduct, policy violations and violations of law. A recent example is the mishandling of narcotics by a South end officer. That situation came to our attention via employees.

Appendix:



- Aggravated assaults are defined in the Uniform Crime Reports as an unlawful attack for the purpose of inflicting severe bodily injury.
- Aggravated assaults in Seattle rose 8% in 2011 over the total in 2010.
- Another trend observed in 2011 was an increase in the proportion of total aggravated assaults attributed to domestic violence-related incidents.
- This trend has continued in 2012 and become more pronounced. In 2010, 25% of aggravated assaults were domestic-violence-related. This proportion rose to 31% in 2011 and is at 37% through the first half of 2012.



- Firearms assaults comprise a relatively small proportion of total aggravated assaults in Seattle.
- In 2010, 11% of aggravated assaults involved firearms.
- Total gun assaults in Seattle rose by one-third in 2011 over the 2010 total. This increased the proportion of gun assaults to 13% of total aggravated assaults.
- Through June 2012, 10% of aggravated assaults have involved firearms.
- Firearms assaults were down 27% through June compared with the first half of 2011.