



Clallam County Sheriff's Office

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File:

January 23, 2017

ANNUAL ANALYSIS 2016

To: Sheriff Bill Benedict

Please find below our annual analysis for our agency. This addresses key statistical information and summaries that can serve as early warning signals to issues within our department.

Internal Investigations/Complaints during 2016

In 2016, only one event was reported and recorded as an A36 or internal investigation. This incident involved seven members of our corrections staff and stemmed from a Prison Rape Elimination Act report from within the Clallam County Corrections Facility. In this case, it was alleged that two or more inmates complained to corrections deputies that another inmate was repeatedly harassing them for sexual favors but the corrections deputies failed to act. In an associated criminal investigation, the case was concluded with two citations written for misdemeanor assault to the offending inmate.

In the internal investigation that followed, all were exonerated of the complaint originally filed. Investigation revealed that the reports of harassment made by the inmates to the corrections deputies were less than definitive and were not well defined. Even the reporting inmates themselves admitted that they weren't forthcoming to the corrections deputies about what was going on. As a result, the corrections officers were not aware such violations were occurring.

However, during the investigation, it was learned that one of the corrections deputies made inappropriate comments to an inmate during the course of their duties. The corrections deputy called an inmate a disgusting name essentially belittling the inmate. Policy in play here is #340.3.5 (ab), specifically making

vulgar or disparaging remarks towards an inmate. This violation of policy was sustained and the corrections deputy disciplined.

Again, this is the only Internal Investigation or A36 which occurred in 2016. Even the General complaints file (anonymous minor violations or blanket complaints not singling out an individual) had nothing recorded for 2016.

I recommend complementing our entire staff for providing another year of a very limited number of complaints from the public about conduct or behavior perceived to be offensive or abrasive. We have received numerous compliments, thank you notes and letters complimenting staff on the care and concern they have exhibited when dealing with our citizens. A sincere “Well done” to all our staff is in order.

Use of Force during 2016

Det. Sgt. Munger has reviewed the Use of Force A35 file for the year of 2016. There were a total of fifty (58) use of force reports for the year; twenty six (26) for Patrol, and thirty two (32) for Corrections. He has submitted the following breakdown of use of force incidents by Department Section (this sentence is confusing). The incidents have been categorized by level of force used and the techniques that were utilized were recorded. Many of the incidents had multiple techniques utilized; therefore there are significantly more techniques utilized than the number of incidents.

Patrol: 26 total incidents

Level 1- 24

Techniques Utilized:

Display of Firearm	6
Display of Taser	6
Taser Deployment	4
Counter Joint	11
Level 1 Takedown	10
Overpower / Outmuscle	9
Hair Hold	0
LVNR	0
Pressure Point	0

Level 2 – 0

Lethal Force – 2

Techniques Utilized:

Deploy Firearm	2
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Corrections: 32 total incidents.

Level 1 – 30

Techniques Utilized:

Display of Firearm	0
Display of Taser	6
Taser Deployment	4
Counter Joint	12
Level 1 Takedown	13
Overpower / Outmuscle	8
Hair Hold	3
LVNR	2

Level 2 – 2

Techniques Utilized:

Knee Strikes	1
Hand Strikes	0
Elbow Strikes	1
LVNR	0

In comparing with 2015, the data shows a significant decrease in the overall use of force reports in the Patrol Section, from 36 to 26. Call load and numbers of arrests are not significantly different between the two years, so those factors cannot be attributed to the change. In looking back several years, we had a large increase in the number of use of force reports for 2013. This was after the deputies received training on how and when to write use of force reports. Since that time, there has been a steady decline over the years in the number of reports. Also during that time frame, there has been a significant turnover of personnel. There is a good probability that some of the downward trend is due to minor uses of force going unreported. The following is an excerpt from the 2015 use of force analysis.

"In comparing with 2014, this shows a slight decrease in the use of force incidents for the Patrol Division, from 40 to 36. On the surface, this is not a great enough of a difference to be of much statistical value. However, this is the second year in a row with a slight decline in the number of

use of force incidents reported by patrol. At this point, there is not enough data to say there is a real downward trend."

Now after looking at the 2016 reports, there definitely seems to be a downward trend. I would suggest that deputies receive training again in 2016 on writing use of force reports. This would help ensure all of the new personnel have the same training, and keep the reporting standardized.

The following is another excerpt from the 2015 use of force analysis:

"For 2015, use of force incidents was again spread randomly between shifts and deputies with two notable exceptions. Two individual deputies had more than double the use of force incidents compared to the next highest deputy. In looking at the department's 2015 statistics, those two deputies were by a large margin, department leaders in calls handled and arrests made. In this case, it stands to reason they would be the deputies with the most use of force incidents."

The deputy with the most use of force reports from 2015 remained the deputy with the most use of force reports in 2016; although the deputy only had slightly more use of force reports than his peers for 2016. In looking at the calls handled and arrest statistics, that same deputy was not so far past his peers in those categories for 2016. Therefore; it stands to reason that his use of force reports would be more in line with his peers as well. The other deputy from 2015 that had a high number of use of force reports was reassigned in 2016. His new assignment is a position that has less contact with suspects. That deputy's use of force reports went down accordingly. Other than those things, the use of force incidents were spread randomly between shifts and deputies.

One of the most notable differences for the use of force reports for 2016, was that there were two deadly force incidents. Since there are so few deadly force incidents, there is no meaningful statistical analysis that can be derived from them; it is simply too small of sample size.

For corrections, the number of use of force reports stayed similar in that there were 32 incidents reported in 2016 vs 33 in 2015.

During the 2013 analysis, it was noted that some of the larger in stature and more skilled in DT Corrections Deputies had more use of force reports than their peers. Corrections Sgt. Finley explained that in the Corrections environment, there are many times that they can predict that they are going to need to use force; such as when they are doing a cell entry on an unruly inmate. In those situations, they can strategically use the larger and more skilled Deputies to make the cell entry. This in turn increases the use of force reports for those Deputies.

For 2016, the trend for the larger more skilled deputies working during the afternoon and evening hours, continued to have the most use of force incidents reported. This stands to reason being that is peak activity time in the jail.

Det. Sgt. Munger did note that there was a female deputy that had more use of force reports than her peers and clearly did not fit the mold of the aforementioned circumstances. In taking a closer look at her use of force reports, there were multiple deputies involved in incidents, and she was not necessarily the one who was the most involved. It appeared she had more use of force reports simply because she was the one who filled out the paper work for the incidents.

In short, there is no indication that there is any issue involving excessive use of force at any level within our agency. Our A35 reports (Use of Force) are carefully reviewed by a supervisor first and then the Chief Criminal Deputy to ensure policy and procedure is followed and the use of force is justified.

Pursuits during 2016

In 2016 the Clallam County Sheriff's Office initiated four vehicle pursuits. The four pursuit reports are contained in administrative file A41 Vehicle Pursuit Reports. The reports in 2016 are titled A41-16-01 through A41-16-04.

The pursuits are summarized as follows:

- **16-01:** 2 deputies involved. Suspect Vehicle: Passenger car. Original violation/crime: Traveling into oncoming traffic on one-way street with no headlights. Duration: 9 minutes. Distance: 5.23 miles. Maximum Speed: Approximately 85MPH. Termination Disposition: PIT causing suspect vehicle accident and boxed in by patrol units, suspect taken into custody after Taser deployment. Injuries: Scrapes, bump, bruises and injuries from Taser probes. Charging Disposition: Assault 3 (Police officer) and Eluding Police Vehicle
- **16-02:** 3 deputies involved. Suspect Vehicle: Passenger car. Original violation/crime: Reckless Driving/DUI. Duration: 3 minutes. Distance: 3.5 miles. Maximum Speed: 90 MPH. Termination Disposition: Ended in accident. Injuries: No. Charging Disposition: Attempt to Elude a Police Vehicle, DUI and DWLS 1st.
- **16-03:** 1 deputy involved. Suspect Vehicle: Pickup Truck. Original violation/crime: Reckless driving (80MPH in a 50MPH zone). Duration: 5 minutes. Distance: 5 miles. Maximum speeds: 95MPH. Termination Disposition: PIT causing suspect vehicle accident. Injuries: No. Charging Disposition: DUI, Elude and Assault 3.
- **16-04:** 1 deputy involved. Suspect Vehicle: Truck. Original violation/crime: Stolen vehicle. Duration: Approximately 2 minutes. Distance: 2.7 miles. Maximum Speeds: Approximately 90 MPH. Termination Disposition: Ended in

accident. Injuries: Minor cuts, evaluated on scene by medics. Charging Disposition: Theft of a motor vehicle, attempting to elude law enforcement, reckless driving and DWLS 3rd.

During 2016 there were four pursuits reported by the CCSO, same amount of pursuits as in 2015. All pursuits in 2016 were subject to supervisory and administrative review and all were conducted within the parameters of the department's pursuit policy. There were no issues in the review that would suggest a modification to policy or procedure is in order.

Biased Based Policing 2016

No reports or complaints were received by this agency in 2016 that would indicate there were any incidents of biased based police activity. In a spot check of incidents throughout the year, no indications of any profiling or racially motivated actions were engaged in by any department member as well.

I researched arrests made in 2016 by race. Through computer based recall, we found a total of 1061 cases cleared by arrest by deputies in 2016. The race of the defendants in those cases breaks down as follows:

White, non Hispanic	922	or	87%
Asian	3	or	less than 1%
Black	25	or	2%
Hispanic	26	or	2%
Native American	65	or	6%

Traffic Events during 2016 produced almost identical statistics. From a total of 318 events reported:

White, non Hispanic	272	or	86%
Asian	1	or	less than 1%
Black	9	or	less than 3%
Hispanic	7	or	2%
Native American	23	or	7%

A traffic event can be a citation, notice of infraction or a person involved in a traffic collision.

In comparison I checked with state demographic records to compare activity with our ethnic population. 2014 population estimates are the latest available and break down as follows:

White, non Hispanic	87.8%
Asian	1.7%
Black	1.0%
Hispanic	5.8%
Native American	5.6%

Arrests by race fall closely into line with the demographics of our area. Again, the recall was by cases cleared by arrest so one person may account for several arrests if charged with multiple crimes resulted for one incident or a series of incidents. The figures are not dissimilar to those recorded last year.

The traffic events too, do not fall far outside the breakdown of our population.

While race is only one factor in biased police monitoring, there is nothing that is pointing in a direction that would make it seem deputies are profiling any group, race, religion, etc. in their enforcement duties.

Evidence Report

Last year, we initiated an evidence component to our annual analysis. This process was to examine our property and evidence on hand to ensure items are being purged and properly disposed of so that they were not simply being collected and stored and an active program is in place to maintain a reasonable number of items within our control.

Last year was the first year of this reporting, and we developed a number that was harvested from available computer records. Frankly, I was not confident in the final figure of property on hand. But it was the only source of information we had at the time. This year, a more focused examination was conducted of the property on hand within our evidence room, and the number was quite different than would be expected compared to last year.

This year, we show as of 12-31-16, a total of 12,502 items on hand. This is an increase of 3,607 items or 40%. As supervisor of the property and evidence unit, I am keenly aware that both evidence managers have been diligent in the disposal of property throughout 2016 and our intake was not appreciably more than years past. My only response to this uptick in volume is that our previous numbers last year were not accurate. This is not surprising. I am less than impressed in the retrieval of information from our records management system for such information. While our current software does well in inventory locations and chain of evidence for individual items, it has been inferior when specific broad questions such as this, or property assigned by deputy etc., are queried.

In 2017, direction of the property and evidence room will shift from Operations Based to Support Service based and CCD Alice Hoffman will lead the section. As she is also responsible for our computer systems and software, CCD Hoffman will be required to establish a reliable computer tracking system that will not only give us accurate numbers annually to report, but will track items brought in to the evidence room and the disposal of items as well. This should go a long way to giving us an efficient and quality report to ensure our property and evidence rooms are not used as collection points and items remain in the inventory unnecessarily.

Summary

Analysis of all internal investigations, use of force incidents and pursuits found no common thread indicating any single individual is responsible for an inordinate or unusual number of reports in any category or any reoccurring issue that needs to be dealt with more directly other than what was determined by examination of pursuits.

There are also no indications of an inordinate number of reports across the four main reporting issues, (Use of Force, A36, Biased Based Policing & Pursuit) that would indicate any particular individual deputy is experiencing an inordinate number of incidents.

Finally, I am confident that the performance of the folks in the property room are operating in line with expectations, purging evidence as they can and that the anomaly presented in the evidence portion of this report is indicative of the inability of the electronic records system to retrieve accurate data.

Recommend reaffirming Command Staff's intent that all persons contacted be treated with courtesy, dignity and respect.

Recommend that the incoming Evidence Manager, CCD Hoffman, work on the computer software issues to develop a reliable and efficient tally of evidence and property on hand so that reliable information can be available for an effective annual analysis.

Recommend continued monitoring use of force reports in both sections. Remind first line supervisors to pay careful attention in the application of use of force and the reports submitted by those using force to ensure information is complete.

Respectfully Submitted:

Ron Cameron 1/24/17

Ronald R. Cameron, Undersheriff

Sheriff's Signature *WJ Benedict* Date: 1-24-2017

Concur with findings

Do not concur with findings