



Clallam County Sheriff's Office

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File:

ANNUAL ANALYSIS 2020

To: Sheriff Bill Benedict

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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 2020

In 2020, eight formal complaints were reported and recorded as an A36 or internal investigations. Nine entries appear below as one complaint involved two employees and were slightly different circumstances.

1. A36.20-01 – **Field Deputy** – Dishonesty, Efficiency and Neglect of Duty.
SUSTAINED – Settlement agreement upon departure from service

Deputy was found to have made a series of violations including several responses that were at best, disingenuous to questions from supervisors and investigators.

2. A36.20.02 – **Field Supervisor** – Performance, Duty unbecoming- **SUSTAINED-Suspension**

Frustrated with a non-compliant person, a field sergeant publically accepted a challenge to a fight with the person by removing his shirt and gun belt.

3. A36.20-03 – **Command Staff** – Bias Based – **NOT SUSTAINED**

Email was sent to commissioners reporting that while making a public safety presentation, a member of the command staff who was conducting the event, made negative comments on Black Lives Matter. The initial report was vague and the reporting party did not have specific information on the matter. There was no presentation on the date and location the reporting party claimed.

4. A36.20-02 – **Field Deputy** – Improper Search / Dishonesty – **EXONERATED-
No action taken**

An allegation was made against the deputy that an illegal search had occurred. Internal showed that the deputy responded to the situation appropriately and properly under the circumstances.

5. A36.20-03 – **Field Deputy** – Misconduct – **SUSTAINED – Letter of Reprimand**

Deputy posted inappropriate comments on social media. While a private account, there was sufficient information in the post that the reader could identify the deputy as an employee of this agency. The comments were alarming to some that read them.

6. A36.20.04 – **Corrections Sergeant** – Excessive Force – **UNFOUNDED**

Inmate reported excessive use of force by a supervisor in the jail. Other complaints were made including general matters such as jail cleanliness and staff hospitality. After diligent investigation, the allegations were unfounded.

7. A36.20-05 – **Corrections Deputy** — PREA (Inappropriate Treatment of an Inmate) – **UNFOUNDED**

Deputy allegedly used vulgar language towards an inmate. Found to have not occurred (this is part of the same event in #6)

8. A36.20-05 – **Corrections Medical Staff** – PREA (Inappropriate Treatment of an Inmate) -**UNFOUNDED**

Inmate alleged clinical staff sexually harassed him by conducting unnecessary medical examination. Found to have not occurred. (see also #6)

9. A36.20-06 – **Corrections Deputy** – Discourteous treatment of inmate–**UNFOUNDED**

Inmate had a series of complaints about his treatment relayed through his girlfriend. All were investigated and found not to have occurred. One complaint was against a corrections deputy for inappropriate treatment. The investigation clearly showed the complaint was in response to the deputy infracting the inmate and no such treatment occurred.

CITIZEN COMPLAINTS

The following is an additional section that our new advanced software has allowed us to capture. These are less formal complaints where the citizen or sometimes a supervisor was not attempting to file something formal but rather, point out issues that may or may not have occurred that could develop into larger problems if gone unchecked.

1. CC-20-01: Neglect of Duty. Field Deputy failed to completely investigate situation. Deputy was the subject of additional discipline and was dismissed under settlement agreement.
2. CC-20-02: Discourteousness. Corrections Sgt. had social media contact with a citizen concerning a non-departmental matter. Review of the messages showed no evidence of inappropriate behavior. Matter closed without discussion.
3. CC-20-03: Improper Search: Field Deputy made inappropriate search of person during a field investigation. The situation was sustained and focused training on the subject with the deputy occurred.
4. CC-20-04: Improper Tactics: Field Deputy used improper tactics to enter a home, believing an exigent circumstance existed where it did not. The information was too vague to make a definitive finding so it is essentially not sustained.
5. CC-20-05: Neglect of Duty: Corrections Deputy was seen in non-flattering position with a supervisor by another deputy. Upon investigation it was found to be a situation where the deputy was having personal struggles, and the supervisor had hugged her to help her emotionally. The situation was described by both

parties with great consistency. The incident exonerated the parties, but they were counseled about the event.

6. CC-20-06: Discrimination: Report from person that deputy made comment in regard to the subject race. The situation was unfounded in that the comments were in a manner to clarify that there was no bias in the deputy's reason for questioning the person. Still, the deputy was counseled to be cognizant of what they say as sometimes, it is not taken in the way it was intended.
7. CC-20-07: Computer misuse: Control Tech used county computer for union business. Counseled.
8. CC-20-08: Performance: Administrative Deputy was found to have a \$1000 error in one certain account. There was some delay in reporting the error, causing the situation to have some suspicion. However, the inquiry found nothing and the employee was counseled for their entry error.

Individuals investigated by section

With the formal A36 investigations combined with the less formal citizen complaints, there are a total of 17 total "complaints" received in 2020. Part of the reason for the uptick in these numbers, is our new IAPRO software that we are using. I believe this captures much better the less formal complaints and preserves them for review.

Of this total, members investigated by section look like this:

7 Corrections Section
8 Operations Section
1 Administrative Section
1 Command Staff

Recommendation: With the new software to provide the capture of all information, we find a blurring of formal vs. informal complaints, or A36's and Citizen Complaints. Even policy is ambiguous in these definitions. I recommend command staff develop a bright line description that makes it easy to identify how the complaints are categorized.

Use of Force during 2020

Statistics for Use of Force analysis in this report has been altered slightly due to the application of new software to capture these events. As such, definitions have changed so the grouping of use of force events becomes necessary.

In summary, there were a total of seventy-three (73) use of force reports for the year; forty-four (44) for Patrol, and twenty-nine (29) for Corrections. Events have been broken down the incidents by Department Sections. Many of the incidents had multiple techniques utilized; therefore there are more techniques utilized than the number of incidents.

Across the board, use of force incidents were down in 2020. There are several reasons for this. First, at the patrol level, fewer physical arrests were made due to the COVID crisis. Jail populations were kept at a minimum throughout the year so many cases were either cited, referred to prosecutor or booked and released. In many cases, suspects will react with less resistance if they know they won't be staying in jail. The other reason is likely the social climate. Law Enforcement is under a watchful eye by the public at this time, and all applications of force are scrutinized. This may cause the deputies to take extra care when making the decision to apply force.

At the corrections level, the COVID reasoning is also applied. The number of inmates that are incarcerated is about 2/3 of normal so the uses of force have represented that decrease.

And, the addition of the race of the defendant has been added this year.

Policy requires careful review of all uses of force, no matter which section is reporting this. Utilizing the new software, extreme detail is captured for reviewers to see and determine if the use of force is justified. Use of force is first reviewed by first level supervisors who pass it on to the Chief of their section. The Chief makes the final sign off to approve if the amount of force applied is justified. Only then, is the Use of Force report filed and cleared.

In review of all incidents, the numbers do not indicate any anomalies in our use of force practices. All situations were closely inspected and justified.

Total Incidents Patrol/Corrections Totals: 73

Race of Citizens involved in UOF Incidents: 2020

White:	53
Native:	16
Hispanic:	0
Black:	0
Unknown	4

These are department totals, meaning the corrections and field bureaus are combined. However, working through the numbers, and comparing them to our areas demographics, the incidents seem to match up with population percentages.

<u>Patrol: Total Incidents</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>
	44	59	59

Techniques Utilized:	<u>2020</u>	<u>2019</u>	<u>2018</u>
Display of Taser	5	7	6
Display Firearm	3	17	7
Taser Deployment	5	6	8
“Hands on*”	35	52	55
VNR	0	0	0
Pressure Point	3	1	0
Baton Strikes (SL20)	3	0	0

Patrol U of F incidents by race:

White:	34
Native:	12
Hispanic:	0
Black:	0

There have been no applications of Lethal Force in the last three reporting cycles.

<u>Corrections: Total Incidents</u>	<u>2020</u>	<u>2019</u>	<u>2018</u>
	29	28	42

Techniques Utilized:	<u>2020</u>	<u>2019</u>	<u>2018</u>
Display of Taser	1	2	9
Taser Deployment	3	2	6
Hands on*/restraints	45	49	41
VNR	0	3	3
Pressure Point	1	5	0
Restraint Chair/Wrap	18	6	7

Corrections U of F incidents by race:

White:	19
Native:	4

Hispanic:	0
Black:	0

*Hands on is inclusive of take downs, handcuffing, and pain compliance.

Pursuits during 2020

In 2020 the Clallam County Sheriff's Office initiated 6 vehicle pursuits. The pursuit reports are contained in administrative file A41 Vehicle Pursuit Reports for 2020 and are issued numbers sequential to the event.

The pursuits are summarized as follows:

A41.20.01:

- Deputies involved: 1.
- Number of units: 1
- Vehicle: Car.
- Reason for pursuit: traffic violation
- Distance: 1 to 2 miles.
- Max speed: 70
- Termination dispo: Vehicle Stopped for deputy.
- P.I.T.: No.
- Injuries: No.
- Notes: Justified after review by supervisors and command staff.

A41.20.02:

- Deputies involved: 3
- Number of units: 3
- Vehicle: Car.
- Reason for pursuit: wanted subject.
- Distance: over 10 miles.
- Termination dispo: Suspect eluded.
- P.I.T.: No.
- Injuries: None
- Notes: Justified after review by supervisors and command staff.

A41.20.03:

- Deputies involved: 2
- Number of units: 2
- Vehicle: Car.
- Reason for pursuit: traffic violation.
- Distance: 5.1 to 10 miles
- Termination dispo: Suspect eluded.
- P.I.T.: no.
- Injuries: None.
- Notes: Justified after review by supervisors and command staff.

A41.20.04:

- Deputies involved: 1.
- Number of units: 1
- Vehicle: Car.
- Reason for pursuit: wanted
- Distance: 10 miles.
- Termination dispo: suspect eluded
- Injuries: None.
- Notes: Justified after review by supervisors and command staff.

A41.20.05:

- Deputies involved: 1.
- Number of units: 1
- Vehicle: Car.
- Reason for pursuit: traffic violation
- Distance: 1 mile.
- Termination dispo: suspect stopped for deputy
- Injuries: None.
- Notes: Justified after review by supervisors and command staff.

A41.20.06:

- Deputies involved: 1.
- Number of units: 1
- Vehicle: Car.
- Reason for pursuit: traffic violation
- Distance: 1 to 2 miles.
- Termination dispo: suspect stopped for deputy
- Injuries: None.

- Notes: Justified after review by supervisors and command staff.

Recommendation:

- **Of the six pursuits, three are by one deputy. While true that this deputy conducts a lot of proactive traffic enforcement, the reports also show the deputy continues for a long time. Two of the three cases the deputy pursued for over 10 miles before the subject lost him. The pursuit is undoubtedly justified, but we must be mindful in monitoring this activity as it can easily result in injury or worse to the suspect, our deputy or an innocent bystander.**

A discussion with patrol supervisors to remind deputies of pursuit policies is recommended to ensure we are taking those steps.

Biased Based Policing 2020

We actually did receive complaints from citizens in 2020 that related to possible Biased Policing.

The first was a report forwarded to the Sheriff's Office where a complaint was made by a person who claimed a negative statement was made by a command staff member concerning Black Lives Matter during a public safety presentation. The matter was brought to the reporting party's attention after a person of color mentioned it to them well after the alleged event. The matter was thoroughly investigated, and no definitive information on the matter could be developed.

The second incident occurred when a deputy was investigating a theft involving a person of color as a possible involved party. The deputy made a statement that he was of questioning the person because of his race. The investigation showed that the deputy's effort to guard against an allegation of biased policing (thinking the person may use that against the deputy) probably did more to ignite the complaint than if he said nothing at all. But it did not appear that the deputy was in anyway trying to be biased in his approach to the investigation.

I researched arrests made in 2020 by race. Through computer based recall, we found a total of 838 cases cleared by arrest by deputies in 2020. This is actually a slight decrease in arrests compared to 2019, which was actually lower than 2018 as well. The race of the defendants in those cases breaks down as follows:

White, non Hispanic	711 or	85 %
Asian	1 or	less than 1%
Black	18 or	2.0%
Hispanic	11 or	1.3%
Native American	79 or	9.5%

Hawaiian / Pac. Islander	5 or 0.5%
Unknown	13

A similar check of Traffic Events during 2020 produced slightly different percentages. From a total of 368 events reported:

White, non Hispanic	328 or 89%
Asian	1 or 1.3%
Black	6 or 1.6%
Hispanic	5 or about 1.6%
Native American	6 or 1.6%
Hawaiian/Pac. Islander	5 or 1.6%
Unknown	13

Remainder is classified as unknown

Traffic events were down in 2020 compared to 2019. A traffic event can be a citation, notice of infraction or a warning.

In comparison I checked with the US Census Bureau records to compare activity with our ethnic population. The 2019 population estimates are the latest available and break down as follows:

White, non Hispanic	87.3%
Asian	1.8%
Black	1.2%
Hispanic	6.3%
Native American	5.6%
Hawaiian/Pac. Islander	0.2%

Note: some individuals reported mixed or multiple race which slightly skews the total
Source: <https://www.census.gov/quickfacts/fact/table/clallamcountywashington/PST045216>

I juxtaposed the percentages of the ethnicity of those arrested with the reported population of Clallam County by the US Census Bureau. Population estimates are as of July, 2020.

While the number of criminal cases cleared by arrest is down slightly, the number of traffic tickets is down as well. Percentages are very close to the same as previous years, and well within what we can consider tolerances of evenly placed enforcement in most cases. However, the Native American numbers, at least for arrests, seem slightly higher, where the other ethnicities are right in the ballpark. Clallam County is home to four federally recognized tribes. and a while a fifth is

situated in western Jefferson County, the City of Forks, located in Clallam County, is where they would go for shopping, or even visiting a doing business. The tribe's tribal center is not on the reservation, but in Forks for ease in conducting business. This does not answer why the numbers of Native Americans are higher compared with other ethnicities.

While race is only one factor in biased police monitoring, besides the Native American anomaly, there is little that is pointing in a direction that would make it seem deputies are profiling any group, race, religion, etc. in their enforcement duties.

The computer recall method used in this analysis is not scientific. Capturing of the specific information from street level to reporting level can vary for a number of reasons. But I do believe this gives a reasonable snapshot of our field deputy's performance in the field. These numbers, along with no reports of biased policing complaints would indicate that such activity is not occurring.

Evidence Report 2020

During 2020, Chief Deputy Hoffman conducted a focused review of all evidence facilities which resulted in a reworking of all our evidence locations. Here attention to the detail here resulted in a long overdue purge of property that was simply "hanging out". This required requests to the prosecutor and court to get clearances as well as keeping on investigative personnel to forward appropriate forms to move evidence through and get it disposed of.

Her hard work and the work of the evidence managers assigned to her section, resulted in the reduction of property in the evidence room by well over 10%. The specific numbers are as follows:

As of 12/31/20, there was a total of 9038 items held in custody in Sheriff's Office evidence.

1614 of those items were received in 2020.

In 2020, the number of items disposed of from the Property and Evidence Department is broken down as:

<u>Disposition</u>	<u>Number of items</u>
Returned to Owner	588
Destroyed	2997
Donated	157
Deposited to Treasurer	82
Released to other agency	<u>159</u>
Total	3983

In addition, there are 643 drug/narcotics items pending destruction. There was no opportunity to destroy these items during 2020 due to the COVID-19 event. Recently, a facility opened in Port Angeles that will meet our needs to destroy these items. The Sheriff's Office evidence managers are currently coordinating a multi-agency event to utilize the new facility.

Analysis Summary 2020

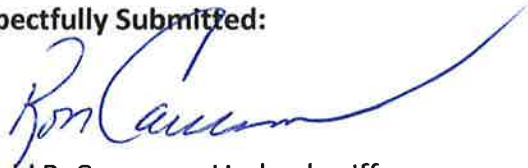
The year of 2020 was a year that brought many challenges to law enforcement at every level. First, dealing with the pandemic was challenging. Every division in our department found themselves dealing with it in some way. Most times, significant alterations to procedures occurred in the field, in the jail, even in support services. But our staff persevered, and made it work.

In addition, the view of law enforcement is changing. Good or bad, actions of law enforcement at every level are the focus of major political discussion. Demands to defund the police, elimination of laws that may not be in the best interest of peace in our neighborhoods, and the close micro management of police practices and actions by people that are not law enforcement trained have led to new laws and policies we must follow. In some cases, our tasks are becoming ambiguous.

This agency has done well in response to this. In review of all the issues contained in this analysis, there is nothing that stands out that would lead us to believe there are systemic issues surrounding our practices or any of our staff.

The one recommendation I do have, is to focus on the new IAPRO software for the 2021 report. This program is filled with information and I did find that there were inconsistencies in the reporting process. None that would damage this analysis, but, for example, the citizen complaint vs. internal investigation needs to be defined. There were cases where IA's were initiated that should be less formal perhaps, and Citizen Complaints that maybe deserved an IA designation. And use of force. When a use of force is filed, all those involved in the situation, along with each force that is applied is captured and noted. Sometimes, these details are not consistent where they should be. I might suggest that Defensive tactic trainers, supervisors and others meet to identify to exact information we should capture, define it, and send in to staff so that reporting can be more specific.

Respectfully Submitted:

A handwritten signature in blue ink that reads "Ron Cameron". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Ronald R. Cameron, Undersheriff

Concur:

Sheriff's Signature W. Boudit Date: 3-3-2021

