

Bremerton Police Department



2018 Professional Standards Report

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BPD Website:
<http://www.ci.bremerton.wa.us/335/Police-Department>



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COMPLAINTS

The Department recorded 36 complaints in 2018 as compared with 41 complaints in 2017, 41 complaints in 2016 and 40 complaints in 2015.

General Categories of 2018 Complaints ¹	
Dissatisfied with handling of call, investigation or report	15
Demeanor / courtesy / rudeness	12
Use of Force	1
Traffic Violations / Vehicle Use by Officer	2
Failure to Arrest	2
Search and Seizure	1
Didn't agree with Traffic Ticket	0
Unlawful Arrest	1
Harassment / Racial Discrimination	2
TOTAL	36

Dispositions	Explanation of Dispositions	# of Complaints in each disposition category
Exonerated	The alleged act occurred, but that the act was justified, lawful and/or proper.	4
Unfounded	The allegation was false or not factual or that the alleged act(s) did not occur or did not involve Department personnel.	24
Not sustained	There is insufficient evidence to sustain the complaint or fully exonerate the employee.	3
Sustained	The act occurred and it constituted misconduct. ²	4
Unresolved	Complainant did not respond to sergeant's attempts to contact.	1
		36

¹ Some complaints fit two or more categories (e.g. "I didn't like getting a ticket and the officer was rude." Judgments are made as to the best category fit for such complaints.

² Complaints are logged in this category if any portion sustained.

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Complaint #	Complaint / Allegation	Disposition
C18-1	Complainant alleged the force used by office when detaining him was excessive. "Officer hit him at 100mph". No force used, suspect pinned down per training. Other witnesses confirm no force.	Unfounded
C18-2	Rudeness	Not Sustained
C18-3	Inaccuracies in a report.	Unfounded
C18-4	<ol style="list-style-type: none"> 1. Failure to take collision report. 2. Failure to cite "at fault" driver. 	<ol style="list-style-type: none"> 1. Sustained – Documented Counseling. 2. Exonerated.
C18-5	<ol style="list-style-type: none"> 1. Officer acted in an unfair manner because he officer knew the other party in the detail due to being a family friend. 2. Officer yelled and did not listen. 	<ol style="list-style-type: none"> 1. Unfounded. 2. Not Sustained
C18-6	Officers ignored claims of DV suspect arrestee that she had been sexually assaulted.	Unfounded
C18-7	Officer's decision to not make a misdemeanor assault arrest.	Unfounded
C18-8	Officer was "harassing" suspect because he was arrested for a DV no-contact order violation.	Exonerated
C18-9	Upset that he received an infraction for not wearing helmet. Officer was disrespectful during the interaction.	Unfounded
C18-10	Complainant was unhappy about being patted-down for weapons.	Unfounded
C18-11	Officers required man to stand 500 feet away from a funeral service because of a civil anti-harassment order.	Unfounded
C18-12	Police vehicle speeding and cutting in and out of traffic.	Sustained. Documented counseling
C18-13	Officer made complainant move his car that was blocking a city alleyway.	Unfounded
C18-14	Complainant felt the officers "falsely arrested" her adult son.	Exonerated
C18-15	Officer was unprofessional during phone call	Sustained Officer counseled incident documented.
C18-16	Complainant was upset with the officer's response time.	Unfounded
C18-17	Complainant was unhappy with the way officer handled a call related to a man suffering from mental illness.	Not Sustained
C18-18	A transient who was asked to leave a business center by the owner. Unhappy with his interaction with an officer.	Unfounded
C18-19	Complainant called in an assault by his girlfriend but did not want them to search for her, complained about them trying to find her.	Unfounded
C18-20	Officer gave wrong info to suspect about victim reporting on him and the victim was very upset.	Unfounded
C18-21	Officer was insubordinate.	Unfounded
C18-22	Complaint of a hostile work environment and retaliation against complainant.	Unfounded
C18-23	Hostile work environment and retaliation against complainant.	Unfounded
C18-24	Report contained mistakes.	Unfounded
C18-25	Complained officer violated rights, harassed, and was under the influence.	Unfounded
C18-26	Continued from above. Claimed officer came to house and damaged license tag.	Unfounded
C18-27	Continued from above. Claimed officer came to house and scratched car.	Unfounded

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C18-28	Continued from above. Alleged brakes tampered with. Sent to Kitsap County Sheriff to investigate, along with all the above.	Sent to Sheriff for review. Sheriff declined further investigation. Unfounded
C18-29	DV victim changed story from original report and now claimed not a victim and officers improperly arrested significant other.	Exonerated
C18-30	Inadequate investigate.	Unfounded.
C18-31 & 32	Duplicate complaint about same incident. Rudeness	Not Sustained
C18-33	Reckless driving and unprofessional behavior	Unfounded
C18-34	Rudeness to citizen reporting a noise complaint.	Sustained. Officer received training and documented counseling.
C18-35	Retaliation for complaint via letter from attorney	Exonerated
C18-36	Complained that officer was personal friend of complainant and was getting special treatment.	Unfounded.
C-18-37	Parent upset that 14-year-old was not taken into custody over a physical dispute with child. Officers elected not to take the juvenile into custody.	Unfounded.

2018 INTERNAL INVESTIGATIONS

Control Number	Description	Disposition	Action Taken
01-18	Allegation of sex on duty	Sustained	Resigned in lieu of termination
02-18	Allegation of theft (Investigated by outside agency)	Not Sustained	No Action
03-18	Allegation of theft (Investigated by outside agency)	Unfounded	No Action
04-18	Neglect of Duty / Allegation of untruthfulness	Sustained	Resigned in lieu of termination
05-18	Unprofessional Behavior / Retaliation	Sustained	Two days suspension without pay. Training required
06-18	Allegation of inappropriate relationship with confidential informant. (Investigated by outside agency)	Not Sustained	No action
07-18	Unprofessional behavior / Excessive Force	Sustained	Two days suspension without pay.

Review and Analysis of Internal Investigations – 2018

A total of 36 minor complaints were investigated in 2018 resulting in “sustained” findings in four of those complaints. The majority of the complaints were dissatisfaction with the handling of a call or complaints of rudeness. Seven internal investigations were conducted in 2018, resulting in the resignation in lieu of termination of 2 officers. The other two internal investigations resulted in two day suspensions for both officers.

The analysis demonstrates the department is quick to address minor to serious complaints and then to take action when they are sustained.

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2018 CIVIL CLAIMS

Claim #	Inc. Date	Cause	Effect	Demand Amt.	Amount Paid	Status
20180098	4/15/2013	Workplace environment	Discrimination & Retaliation	\$2,000,000	\$244	Closed Payment Denied
20180108	2/15/2014	Destroyed Evidence	Destroyed laptop and other damages	\$400,000	Open	(Open as of 8/26/19)
20180012	3/16/2016	Police Activity	Attorney's fees, time loss & mental anguish	\$750,000	\$0	Closed Payment Denied
20180058	4/19/2018	Vehicle Impound	Improper impound of vehicle	\$1,660.89	\$1,660.89	Closed with Payment
20180067	6/28/2018	K-9 bite	Right leg injury	\$0	Open	(Open as of 8/26/19)
20180031	2/8/2018	Arresting Suspect	Damaged glasses	\$224	\$224	Closed with payment

BIAS-BASED POLICING

Review and Analysis of Racial / Bias Policing – 2018

The Bremerton Police Department prohibits race, ethnicity, nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group from being used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

The most frequent way that police agencies have attempted to learn whether bias based policing is systematically occurring is through analysis of discretionary traffic stops.

The Bremerton Police Department has the ability to track infractions issued by race through the electronic capture of SECTOR data.

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Race	Criminal Traffic Infractions (e.g. DUI, Driving While License Suspended, Reckless Driving)		Traffic Infractions (e.g. Speeding, Failure to Yield, cell phone violations, seatbelt violations)		Bremerton Demographics
	# by race	% by race	# by race	% by race	
White	440	70.1	1925	73.0	74.0%
Black	116	18.5	307	11.6	6.7%
Hisp	15	2.4	150	6.4	6.8%
Asian - PI	24	3.8	138	5.2	9.6%
Amer Ind	7	1.1	7	.04	2.0%
Unk	26	4.1	112	4.2	
Totals	628		2639		

The Department also tracks citizen complaints of bias-based policing.

Citizen complaints of biased based policing in 2018: 0

Citizen complaints of biased based policing in 2017: 1

Notes / Trends

- Infraction statistics from SECTOR and hand written tickets
- Demographic data from 2010 US census
- Infractions include both traffic and non-traffic infractions

Training: The entire staff of the Department received bias training in 2018 training year. This training covered biased based policing, implicit bias, explicit bias and racism from a statistical and institutional view point. To supplement this training the department also completed two separated daily training bulletins on biased based policing in regard to the department policy manual per Lexipol. The officers also took training on hate crimes as they relate to the policy.

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EMPLOYEE COLLISIONS

Per internal policy, all collisions involving police department employees are thoroughly investigated regardless of the degree of damage.

The majority of these driving incidents involved low speeds and minimal damage (i.e. minor scrapes and dents) and would not be classified as reportable collisions under Washington law.

Each collision is reviewed by an internal panel of Department members who evaluate all available data and then classify the collision as 'preventable' or 'non-preventable.'

Action taken depends on many factors, including the employee's previous driving history, the amount of damage and the degree of inattention involved.

Collisions by Category	
# of officer involved collisions	12
# of collisions that were ruled 'Preventable'	5
# of collisions that were ruled 'Non-preventable'	7
# of collisions that involved injury	0
# of collisions that involved pursuits	0
# of backing collisions	1

DATE	BRIEF	PREV.	NON-PREV.	DISPOSITION
01/02/2018	Citizen trying to park misjudged and struck vehicle officer was sitting in.		X	No action taken with officer, not at fault.
01/29/2018	Officer on highway stopped in traffic struck from behind by motorist.		X	No action taken with officer, not at fault.
03/16/2018	Officer driving on Kitsap Way vehicle came across roadway striking the officer, failed to yield right of way.		X	No action taken with officer, not at fault.
04/05/2018	Officer scraped car driving past open gate, minor damage.	X		Due to minor damage no action taken. Further preventable accidents may result in corrective action or discipline.
04/10/2018	Officer struck a concrete barrier in a parking lot as he drove past, minor damage.	X		Officer required to participate in driver improvement class.
04/25/2018	Officer was struck by vehicle that failed to yield right of way.		X	No action taken with officer, not at fault.
05/18/2018	Officer in parking lot respond to a call. Struck rear bumper of parked car.	X		Officer required to participate in driver improvement class.
07/16/2018	Officer pulling up to in progress call with lights off struck a rock scraping car.	X		Officer found replacement panel and took initiative to fix the vehicle himself.
07/24/2018	Officer backing out of fire scene struck a low hanging stop sign scraping window and vehicle	X		No action taken.
07/30/2018	Officer turning left into PD struck by car passing on the left improperly.		X	No action taken with officer, not at fault.

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10/03/2018	Officer investigating a blocking vehicle. Tow truck arrived and an unsecured door on Tow opened and struck the patrol unit.		X	No action taken with officer, not at fault.
12/12/2018	Officer driving on freeway and a vehicle in front stopped quickly and he hit the rear end of the vehicle.		X	Officer required to participate in driver improvement class.

In 2018 there were a total of 12 involved officer accidents with 41% of them being preventable. This compares to 2017 with 15 accidents of which 86% were preventable and 2016 with 12 accidents and 75% being preventable.

PURSUITS / ELUDING

Definitions from policy:

VEHICLE PURSUIT: *A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid apprehension while operating a motor vehicle by using high speed driving or other evasive tactics such as driving off a highway or turning suddenly.*

ATTEMPTING TO ELUDE: *Refers to the actions of a vehicle operator who after being given a visual or audible signal to bring the vehicle to a stop fails or refuses to immediately stop the vehicle and drives in a reckless manner while attempting to elude a uniformed officer operating a pursuing police vehicle that is equipped with emergency lights and siren (RCW 46.61.024).*

Our policy allows officers to engage in vehicular pursuits of fleeing suspects when:

- (a) The initiating officer reasonably believes and can articulate that the violator has committed, or attempted to commit, a felony crime of violence, or,
- (b) The officer observed such a degree of hazardous driving by the offender, prior to police involvement, that the offender will likely cause death or serious bodily harm to another person if not stopped.

Pursuit and other driving training is regularly conducted both in the classroom and at the driving range to reinforce the policy. It is the policy of the Bremerton Police Department to way public safety first when determining to chase a suspect or not.

2018 Pursuit statistics	
22	Suspects who attempted to elude officers in 2018.
21	Eluding crimes with no pursuit or pursuit officers terminated
1	Pursuits engaged in
4	Suspect collisions
0	Officer collisions
Precipitating event	
12	Traffic violations
2	DUIs
4	Stolen vehicles
2	Robberies

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1	Warrants
1	Narcotics

Review and Analysis of Vehicle Pursuits – 2018

The number of actual pursuits is far fewer than the number of individuals who attempt to elude police.

In 2018, 22 individuals attempted to elude police and only one of those were actually pursued by Bremerton Police officers. This is downward trend from 2017, when 35 drivers attempted to elude police. The single actual pursuit in 2018 was ruled “within policy.”

Pursuit and other driving training was conducted both in the classroom and on the driving range to reinforce policy.

The fact that there was only one vehicle pursuit in 2018, and it was determined to be “within policy”, leads me to conclude our current vehicle pursuit policy is effective and Bremerton officers understand it and are strictly abiding by it.

-Capt. Randy Plumb

There is a difference between eluding a police vehicle and an actual police pursuit of a suspect vehicle. Like many previous years, the number of actual pursuits are much fewer than the number of individuals who attempted to elude police. In 2018, 22 individuals attempted to elude police and only 1 of those were actually pursued by officers.

USE OF FORCE

Use of Force: Type of Force			
Primary Type – the first tool or tactic an officer used.		Secondary Type – used when the 1 st tool or tactic proved ineffective	
Physical controls	98	Physical controls	16
Taser: Air deployment	3	Taser: Air deployment	10
Taser: Contact deployment	1	Taser: Contact deployment	0
OC / Chemical	0	OC / Chemical	1
Impact	1	Impact	0
Lateral Vascular Neck Restraint	0	Lateral Vascular Neck Restraint	0
Firearm ³	0	Firearm	0
Personal Weapons	4	Personal Weapons	1
Impact Munition	0	Impact Munition	0
Other	3	Other (leverage tools)	1
Leg Restraints	1	Leg Restraints	2
TOTAL	111	TOTAL	31

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Use of Force Aggravating Factors	
Intoxicated / Drugs	43
Domestic Violence	15
Mental Health	32
65% of all use of force incidents involved the three above factors	

Use of Force by Race	
White	89
Black	30
Asian	5
Native American	0
Hispanic	4
Multiple / Unknown / Other	0

Use of Force by Gender of Subject	
Male	115
Female	27

	Use of Force Injuries			
	# of Injuries (visible or complained of)	Treatment		
		Minor – No treatment required	On-scene by Aid	Hospital
Officer	11	6	1	4
Suspect	28	9	19	7

Notes / Trends

- Total incidents where officers used force: 142
- Total Incidents: 45,477
- % of Incidents in which force was used: 0.31%

Note: Injury statistics do not include those cases where the only “injury” was probe penetration from the use of the Taser.

Policy requires reported injuries be evaluated by paramedics, or at the hospital, and is not indicative of injury severity.

Review and Analysis of Use of Force Events – 2018

During an analysis of the incidents it was determined force was used 142 times, out of 45,477 incidents (force used: 0.31% of incidents).

Like previous years, officers continued to train in use of force and deadly force, to include: policy review, legal update, defensive tactics, firearms training and qualifications, less lethal training (Taser, O.C, Baton, Less-lethal shotgun and/or 40mm launcher).

Each use of force is reviewed by a sergeant, lieutenant and captain. Any issues related to use of force are discussed at staff meetings or further investigated to ensure compliance with the law and with policy.

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In 2018, one use of force was determined to be outside of policy. That incident was investigated criminally and through the internal affairs process. The officer involved was not criminally charged (That determination was made by the Kitsap County Prosecutor not our office) but was terminated because of her actions.

CANINE

Corporal Duke Roessel & “Dusty” (Narcotics K-9)

Applications:	76	
K-9 Demonstrations:	5	
Meth seized:	1930.36 grams	(69.94 oz)
Heroin seized:	44.60 grams	(1.59 oz)
Cocaine seized:	316.5 grams	(11.30 oz)
Cash seized:	\$12,259	

The Bremerton Narcotic Detection K9 team also assisted in locating five handguns after search warrants were granted based on the probable cause of the K9 alert.

K9 Dusty and his handler assisted Gig Harbor PD with a sniff that their Chief called “Gig Harbor’s biggest cocaine bust.” (290 grams cocaine, 2 pipe bombs \$2432.00, 19.6 grams of morphine). They also assisted KCSO with seizure of 222 grams of methamphetamine from a traffic stop.

Officer Bryan Hall & “Ando” (Generalist K-9) – Retired in August 2018

Total applications:	27
Track search:	19
Building search:	02
Evidence Search:	03
Other:	03
Captures:	03
Evidence finds:	03
Agency assists:	02

Officer Chris Faidley & “Esco” (Generalist K-9)

Total applications:	89
Track search:	63
Building search:	11
Evidence Search:	05
Other:	10
Captures:	25
Evidence finds:	06
Agency assists:	40

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Canine Year in Review

K9 Ando and Officer Hall attended the Washington State Policed Canine Association Spring Seminar in Bellingham, WA. This was the last seminar for the team. In August K9 Ando was put down after an extensive battle with a debilitating allergy and skin condition. A few days prior to the end of his service K9 Ando made his last capture of a suspect and was able to go to his rest on a winning note.

