

Poulsbo Police Department

Command Review
Officer Involved Shooting
July 3, 2019



D Schoonmaker, Chief of Police
8-10-2020



Poulsbo Police Department

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I. PURPOSE

Any loss of human life during at the hands of police is significant and demands close evaluation. Police officers are provided the authority to use force based upon a public trust that officers will use their authority reasonably, and only when necessary, to protect their lives or the lives of community members.

It is the policy of the Poulsbo Police Department to objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately, and consistent with the law, training, and policy. Police department policy, especially as it relates to officers using force, is based upon federal and state law.

Any time a police officer uses force that results in serious injury or death, the Chief of Police convenes a Use of Force Review Board to administratively investigate the circumstances surrounding the event. The task of the Use of Force Review is to determine if the actions of the officer(s) involved followed police department policy. It is essential for the department to ensure these incidents are investigated in an independent and impartial manner.

This Command Review is the culmination of a two-part Use of Force Review, which investigated an officer-involved shooting that took place on July 3, 2019 at Muriel Iverson Waterfront Park in Poulsbo, Washington involving Officer Craig Keller and Mr. Stonechild Chiefstick.



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II. OVERVIEW

INVOLVED EMPLOYEES

Subject Officer: Officer Craig Keller

Community Member Involved: Mr. Stonechild Chiefstick

Other Involved Employees: Detective Lee Wheeler
Reserve Officer David Lom
Community Services Officer Nicholas San Gil

CRIMINAL INVESTIGATION

Completed by: Kitsap Critical Incident Response Team – October 2019

Reviewed by: Kitsap County Prosecutor Chad Enright – April 2020

Result: Declined for Prosecution

USE OF FORCE REVIEW - ADMINISTRATIVE INVESTIGATION (Part 1)

Independent Investigators: Greg Wilson, Public Safety Testing
Terry Gallagher, Public Safety Testing

USE OF FORCE REVIEW – REVIEW BOARD (Part 2)

Chair: Captain James Mjor, Washington State Patrol

Board Members: Chief Sam White, Lower Elwha Police Department
Sergeant Brian George, Washington State Patrol
Officer Vince Sivankeo, Lakewood Police Department
JoAnn Schlachter, Poulsbo Community Member



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III. BACKGROUND

The following is a summary of the officer-involved shooting that took place on July 3, 2019.

Each year on July 3, the Viking Fest Corporation holds an annual firework event in Waterfront Park and Anderson Parkway. The event is permitted through the City of Poulsbo and is open to the public. It is attended by thousands of people. The event includes food booths, retail booths, music, entertainment, and concludes with a firework display. Those who attend the event begin arriving in Waterfront Park early in the day and stay through the fireworks display.

The entire City of Poulsbo is impacted by this event mainly due to traffic, both on the roads with a major influx of vehicles, and with boaters arriving in Liberty Bay. The main concentration of people is in the downtown corridor and Waterfront Park, but just prior to the firework display, large crowds congregate in other parts of the city as well.

The Poulsbo Police Department begins planning for this event in April. This includes meeting with event organizers, ensuring permits are issued, and coordinating with other police and fire departments to develop an Incident Action Plan (IAP) and Operational Order for the event. These documents set the mission, objectives, personnel assignments, and logistics associated with the operations of a specific event.

The event for July 3, 2019 was no different. Deputy Chief Matt Brown and Sergeant Valerie Nau began planning the event early. With my approval, they developed an IAP that included mutual aid from the Kitsap County Sheriff's Office, Bremerton Police Department, Bainbridge Island Police Department, Port Orchard Police Department, and the Poulsbo Fire Department. The plan was submitted and approved in advance of this event.

At 3:00 p.m. on July 3, 2020, employees were briefed on their assignments and provided with a summary of the Operational Order and IAP. Several officers who were working later in the evening were briefed by a sergeant prior to their deployment.

The Incident Command Post was physically located at Poulsbo Fire Station #71 (911 Liberty, Poulsbo, WA). At 4:00 p.m., all employees and assisting agencies were deployed throughout the event on foot, on bicycles, in vehicles, and on boats.

The event was well attended. As is typical for the event, Waterfront Park was at capacity. Community members began arriving early in the day and setting up chairs, blankets, and other items in the park, so they had a spot for their family and friends to enjoy the day and the firework display. The vendor area in the parkway was also full of people buying food and



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shopping at the retail booths. The Port of Poulsbo and the other marinas were at capacity, and there were several hundred boats in Liberty Bay. Downtown Poulsbo was also extremely busy. Local restaurants were full and parking in the downtown area was heavily impacted.

During the event, Officer Mike Miulli and Reserve Officer Tracy Powell were assigned to patrol Waterfront Park on foot. At approximately 6:00 p.m., they were contacted by Mayor Becky Erickson. She told them she had been notified by Mr. Andre Reyes of the Viking Fest Committee that there was a male, wearing a black baseball hat, who was possibly on narcotics. Officer Miulli and Officer Powell contacted the male, who identified himself as Mr. Stonechild Chiefstick, in Waterfront Park near the Sons of Norway. Although, they noted the subject appeared to be under the influence and smelled strongly of an alcoholic beverage, there was insufficient information to indicate a crime had been committed, and Mr. Chiefstick did not need or request any medical assistance. As such, they discontinued the contact. This contact was not captured on body-cam video.

I was also on-duty at the event and was in the parkway of Waterfront Park at the Poulsbo Police Department trailer. I was contacted by Kathi Forsee, another member of the Viking Fest Committee, who reported she had received multiple complaints about a male subject wearing a black shirt and pants. She said the subject was acting strange and following around groups of young girls. I informed Officer Miulli of this information and he told me that he and Officer Powell had just contacted a subject who matched that description. They advised there was insufficient information to indicate any crime had been committed and no further action had been taken.

Just a few minutes later at approximately 1815 hours, another citizen approached Officer Miulli and Officer Powell at the Poulsbo Police trailer. The citizen stated a male subject was walking around the park and was intimidating people. The citizen pointed to the subject who was standing in the park between the restrooms and large anchor. Officer Miulli and Officer Powell noted the subject was Mr. Chiefstick, who they had contacted earlier. They walked over and spoke with him a second time and informed him of the complaints we had received. Mr. Chiefstick denied the complaints, and like the initial contact, there was insufficient information to indicate a crime had been committed so the officers discontinued the contact. This contact was captured on Officer Miulli's body-cam video.

Community Service Officer¹(CSO) Nicholas San Gil was assigned to work the Poulsbo Police Department trailer located near the food and retail booths in the parking area of Waterfront

¹ A Community Service Officer is a limited commissioned officer responsible for Court Security, Code Enforcement and Electronic Home Monitoring. The CSO was deployed for this event to assist at the department's information trailer.



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Park. At approximately 2115 hours, CSO San Gil was approached by a citizen who reported that a male subject had threatened her significant other with a screwdriver. The citizen pointed out the subject to CSO San Gil. CSO San Gil looked for an officer to report the alleged crime and found Officer Craig Keller.

Officer Keller was assigned to work on the Poulsbo Police Department boat during the evening hours of the event. Officer Keller was in the area of the Poulsbo Police trailer in between his deployments on the water.

CSO San Gil provided Officer Keller with the information he had received from the citizen. Officer Keller briefly spoke with the citizen, then he made the following broadcast over the police radio:

"X-ray 620. Can I get a couple more units down here at Anderson Parkway at the big rock? I've got a male that's pulled screwdriver on several people."

Officer Keller activated his body camera and monitored the subject, later identified as Mr. Chiefstick, until other officers arrived. Detective Lee Wheeler and Reserve Officer David Lom were assigned on foot in Waterfront Park and responded. They arrived to assist Officer Keller from the waterside of the park, as opposed to Officer Keller's position, which was closer to the parking lot.

Officer Keller began to approach Mr. Chiefstick as he saw Detective Wheeler and Officer Lom walking up. On his body-cam video you can hear Officer Keller call out, "Lee...Lee", in which he appeared to be getting the attention of Detective Wheeler to direct him toward Mr. Chiefstick.

Officers approached Mr. Chiefstick, and Officer Keller ordered him to remove his hands from his pocket as he tried to gain positive control of Mr. Chiefstick's hands.

Mr. Chiefstick said, "Chill out, chill out" and appeared to pull away from the officers. During the struggle, Officer Keller's body camera was dislodged from its magnetic mount and fell to the ground; however, it continued to record both video and audio. The body camera landed with the lens facing up. As such, it captured some brief images of the officers, Mr. Chiefstick, and others in the crowd.

The audio from Officer Keller's body camera captured commands he was providing, such as, "Screwdriver". It also captured officers yelling, "get on the fucking ground". The video captures brief moments of Officer Keller with his weapon drawn, then two shots were heard.



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Officer Keller fired two shots from his sidearm, striking Mr. Chiefstick in the chest and face. No other officers fired their weapons, and no one else was struck as a result of the shooting. Officers immediately began life saving measures (bleeding control and CPR) until paramedics arrived. Poulsbo Fire Department paramedics had been stationed in Anderson Parkway for the event and arrived on scene quickly to provide medical care for Mr. Chiefstick.

As required by policy, Officer Keller provided Sergeant Nau a public safety statement. The Public Safety Statement is mandated by policy to ensure the safety of all parties involved, to apprehend other suspects (if there are any involved), and to protect evidence at the scene. The questions asked as part of the statement are:

1. From where and what direction did you fire rounds?
2. In what direction did the suspect(s) fire rounds?
3. If you know anyone that who is injured, what is his/her location?
4. If there are any outstanding suspects, what are their descriptions?
5. Does any evidence need protection?
6. Any known witnesses?
7. If so, where are they located?

After making the Public Safety Statement, Sergeant Nau escorted Officer Keller to the Poulsbo Police Department. All other officers involved were also escorted to the station and held there separately until investigators responded.

Poulsbo Police officers and other officers working the event began securing a large area in the park as the crime scene. This was done to identify potential witnesses and preserve any evidence related to the shooting.

Mr. Chiefstick was transported to Raab Park by ambulance to be airlifted to the hospital; however, he died prior to helicopter transport.

I requested the Kitsap Critical Incident Response Team (KCIRT) respond to conduct the criminal investigation. Sergeants Halsted and Leeming managed scene security until KCIRT supervision arrived to take over the investigation.

It is important to note that Detective Wheeler and CSO San Gil are not issued body cameras due to their assignments (Detective and CSO). Officer Lom was equipped with a body camera; however, he did not activate it during this incident.



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IV. CRIMINAL INVESTIGATION

Between July 2019 and October 2019, KCIRT investigated this incident. Although the Poulsbo Police Department is a part of KCIRT, no Poulsbo employees were involved in conducting any part of the investigation.

At the completion of the criminal investigation, the case was forwarded to the Kitsap County Prosecutor's for prosecutorial review and potential charging. After some additional investigative requests, the Prosecutor's Office declined the case for prosecution. The explanation for declining to prosecute was provided in a 17-page public statement issued by the Kitsap County Prosecutor, Chad Enright.



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V. ADMINISTRATIVE INVESTIGATIVE PROCESS

By Poulsbo Police Department Policy, any use of force that causes serious bodily injury or death is investigated by a Use of Force Review Board (Board). The Board is convened by the Chief of Police and is tasked to investigate the actions of the officers involved and determine whether they are consistent with department policy. The Board then provides a written recommendation to the Chief of Police. Additionally, the Board may provide other recommendations they determine to be applicable to the investigation, such as policy changes or implementation of training.

To ensure fairness and impartiality, I divided the review of this event into two parts. The first part was an administrative investigation that gathered facts compiled into a written account of the event. The second was a panel of experts to analyze and evaluate the investigation, ultimately making a recommendation on whether the actions of Officer Keller were within department policy.

Part 1- Administrative Investigation

To complete this part 1 of this review, I contracted with Public Safety Testing (PST). PST is an established investigative firm with competent and skilled investigators who have a history of conducting independent workplace investigations for public entities, including police departments. PST assigned two investigators to conduct this investigation: Mr. Greg Wilson and Mr. Terry Gallagher.

Mr. Wilson served 32-years in public safety and concluded his career as Chief of Police with the Montlake Terrace Police Department. Mr. Gallagher served over 30 years in public safety and retired as Chief of Police for the Port Angeles Police Department.

Mr. Wilson had no association with the Poulsbo Police Department or its employees prior to this investigation. Mr. Gallagher had previously completed several background investigations for the Poulsbo Police Department as an investigator for Public Safety Testing; however, none of them included the officers involved in this incident. Mr. Gallagher has no other association with the Poulsbo Police Department or its employees.

Mr. Wilson and Mr. Gallagher conducted their investigation into this incident by reviewing the criminal investigation, Poulsbo Police Department policies, media accounts of the incident, and conducting interviews of the officers involved in the event. They prepared a clear and concise written report that was submitted directly to the Use of Force Review Panel (Part 2).



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Part 2 – Use of Force Panel Review

The second part was a panel of experts and community members to review the PST investigation and all other pertinent information related to this incident. At the completion of their review they were asked to provide me with an analysis and recommendation on whether the actions of Officer Keller were consistent with department policy.

The panel was comprised of five members from various backgrounds and expertise. The panel members were as follows:

Captain James Mjor, Washington State Patrol (Chair)
Chief Sam White, Lower Elwha Police Department
Sergeant Brian George, Washington State Patrol
Officer Vince Sivankeo, Lakewood Police Department
JoAnn Schlachter, Poulsbo Community Member

A resume of qualifications for each panel member is attached to the Panel's final report.

Prior to the Panel review, Captain Mjor ensured all panelists had no conflict in reviewing this incident, and that they would be able to evaluate the actions of all parties involved fairly and impartially.

The panel reviewed the criminal investigation (KCIRT), the administrative investigation (PST report), department policy and department training records. Captain Mjor provided me copy of the final report, signed by all the Panel members, and a debrief of the panel's process and recommendations on July 29, 2020.



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VI. ANALYSIS OF DEPARTMENTAL POLICY & RECORDS

It is critical for each police department to evaluate their processes, training, and policies to ensure that they protect all members of the community. They must strive to create an environment where racism, racial bias and discrimination are not tolerated; where the rights of all people they serve are upheld, and where justice is applied equally and impartially. Finally, it is essential for police departments to reach out to the community they serve, encourage feedback and be open to conversation and ideas on ways to improve the service they provide to all people.

Concerns regarding racial bias, racism, and discrimination have been a dynamic issue for the community in the aftermath of this event. National events involving police uses of force against people of color, both prior to and after this incident, has increased public awareness of this issue.

Because of this deep concern expressed by members of the community, it was necessary to evaluate any possible indicators of racial bias in the Poulsbo Police department. This evaluation included a review of policy, training which supports and reinforces policy, and an analysis of department statistical information to include: uses of force, citizen complaints, arrests, and traffic citations broken down by ethnicity and compared to the demographics for both the City of Poulsbo and Kitsap County. These areas of review are commonly used as indicators to determine if racial bias exists in enforcement.

Review of Department Policy

The fair and ethical treatment of all people is interwoven throughout the Poulsbo Police Department Policy. These policies govern the actions of our employees and set the expectations of how we interact with each other inside the department and with the community. They help ensure compliance with laws and regulations, give guidance for acceptable behavior, and provide our employees with a road map of department expectations.

Review of Training

While policies set the foundation, training to support and reinforce the policies and expectations are equally important.

Each month, employees are required to answer a series of daily training bulletins (DTBs) directly related to policy. This training is a service provided through our contracted policy provider, Lexipol, and is intended to reinforce various aspects of department policy.



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All employees participate in annual training that supports the message of fair and ethical treatment of all citizens and employees. This training is provided through the Washington Cities Insurance Association and has included the following courses:

- Ethics in Law Enforcement
- De-escalation and Minimizing Use of Force
- Hate Crimes Training for Law Enforcement
- Anti-Bias Training for Law Enforcement
- Cultural Awareness
- Working with Minority Communities
- Promoting a Workplace Free of Harassment, Discrimination and Retaliation

Officers are required to attend a minimum of 8-hours of Crisis Intervention Training, followed by a 2-hour annual refresher. Poulsbo Police Officers are required to maintain First Aid/CPR training certification.

As it relates to the how and when we use force, our officers train annually with firearms, Taser, Less Lethal platforms, and defensive tactics. This training is provided by department instructors and instructors outside of our department. In addition, our City's Prosecutor/Risk Manager provides annual updates on search and seizure and use of force. The most recent training prior to this event was May 2019.

The above listed training only highlights the training related to factors involved in this event. It does not incorporate all training that is required or completed by our officers on an annual basis.

As a department, we have provided our employees, including Officer Keller, the necessary training that supports our policy and expectations in interacting with all citizens. We will continue to remain committed to exploring new methods and delivery of training.

Use of Force

As part of this analysis for Use of Force, Citizen Complaints, Arrests and Traffic Citations, the demographic information below was captured from the US Census Bureau website

Census Data (2019)	Asian	Black	Hispanic	Native	Pacific Island	Two or More Races	Caucasian
City of Poulsbo	5%	1%	10.80%	0.30%	0.60%	7.70%	75.60%
Kitsap County	5.40%	3.20%	8.20%	1.70%	1%	6.20%	76%



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Use of force data is compiled by the Poulsbo Police department any time an officer uses force against a citizen. In each case, the use of force is reviewed from front-line supervision through the Chief of Police.

Our use of force documentation includes “displays of force”, which means an officer has displayed his Taser or weapon to gain compliance, even though no physical force was used.

Since January 2017 through July 2020, Poulsbo Police officers have used force fifty-six times; thirteen of these incidents were displays of force only. Other than this investigation, none of the other incidents reviewed required hospitalization or substantial medical treatment.

Forty-seven uses of force involved Caucasians and nine involved people of color; five of which were Native American including this incident being reviewed.

Officer Keller had twelve uses of force during that period. Two of the twelve events involved people of color. The first occurred when he and another officer assisted another agency trying to control an actively resisting citizen. The second incident is this current case involving Mr. Chiefstick.

Citizen Complaints

Citizen complaint data is compiled and maintained by the Poulsbo Police Department any time a member of the community files a complaint against an employee. All complaints are reviewed and investigated.

Since January 2017, the Poulsbo Police Department has received twenty citizen complaints. fifteen of the complaining parties were Caucasian, and three were people of color, none of which were Native American. None of these complaints involved allegations of racial bias or discrimination.

It is important to note that two of the complaining parties did not identify themselves. As such their ethnicity is unknown.

Officer Keller had two citizen complaints during that period. One involved a Caucasian citizen that believed Officer Keller was harassing him. This case was investigated and determined to be unfounded. The second complaint was filed as a result of this incident in which a citizen stated her son was traumatized as a result of being in Waterfront Park during the shooting. This complaint is pending the results of this investigation as it is interrelated.



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Arrests

Arrest data is maintained in the Kitsap County's Records Management System (iLeads). Personal information on arrestees, including ethnicity, is entered into each report. Between January 2017 and December 2019 (3-years), Poulsbo Police officers have made 1018 arrests. The breakdown by ethnicity is as follows:

Asian/Pacific Islander:	44	(4.3%)
Black/African American:	67	(6.6%)
Caucasian:	852	(83.7%)
Native American/Alaskan Native:	49	(4.8%)
Unknown/Other:	6	(.6%)

During the same period, Officer Keller made 228 or 22% of the department's arrests. The breakdown by ethnicity is as follows:

Asian/Pacific Islander:	8	(3.5%)
Black/African American:	13	(5.7%)
Caucasian:	193	(84.7%)
Native American/Alaskan Native:	13	(5.7%)
Unknown/Other:	1	(.4%)

Traffic Citations

Since 2018, the Poulsbo Police Department has analyzed and posted traffic citation data on our website as part of our annual Bias-based policing analysis. This information is reviewed specifically to evaluate any indication of bias in the self-initiated traffic stops made by officers.

For this report, data from the past two years (January 2018 -December 2019) was used. No data was pulled on individual officers. In this time range, Poulsbo Police officers made 1,274 self-initiated car stops. The breakdown is as follows:

Asian/Pacific Islander:	37	(2.9%)
Black/African American:	33	(2.6%)
Caucasian:	1008	(79.1%)
Hispanic/Latino:	72	(5.7%)
Native American/Alaskan Native:	18	(1.4%)
Unknown/Other:	106	(8.3%)

In review of this information, there does not appear to be any indicators of racial bias in events involving use of force, citizen complaints, arrests, or traffic citations. This is consistent at the department level and specifically as it relates to Officer Keller.



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VII. ANALYSIS OF POTENTIAL BIAS IN WITNESSES REPORTING

Potential Bias in Witness Statements

A concern expressed by members of the community was the potential racial or implicit bias on the part of witnesses who reported the actions of Mr. Chiefstick. Although there is no way for officers to measure an individual's implicit bias in response to a call for service, I believe it is important to note that in each case Mr. Chiefstick was contacted by Poulsbo Police officers on July 3, 2019, the reporting parties description only included his clothing, gender, location, and actions, rather than his ethnicity or race.

The first contact was secondhand information provided to Mayor Erickson from an organizer of the event, Mr. Andre Reyes. Mayor Erikson, in turn, reported the information to Poulsbo Police officers. Mayor Erickson's description did not include the ethnicity of the Mr. Chiefstick, merely a description of his gender, clothing, actions, and location.

The second time Mr. Chiefstick was reported to our department, I received the information directly from Mrs. Kathi Forsee (Viking Fest). Again, Mrs. Forsee provided a description of Mr. Chiefstick by his gender, clothing, and actions, not by race or ethnicity.

The third time Mr. Chiefstick was reported to Poulsbo Police was by a citizen at the PPD trailer in the parkway, who again described Mr. Chiefstick as a male subject who was intimidating people, but never identified him by race or ethnicity.

The fourth report of Mr. Chiefstick was to CSO San Gil by a citizen. According to CSO San Gil, the citizen also identified Mr. Chiefstick by gender, clothing, actions, and location, not by race or ethnicity. Officer Keller, after receiving the information from CSO San Gil made a radio broadcast for additional officers to assist him in contacting, "a male that's pulled screwdriver on several people", never referring to Mr. Chiefstick by race or ethnicity.

Based upon my overall review as detailed above, and in conjunction with my review of the witness statements made during the criminal investigation, I agree with the statement provided by Kitsap County Prosecutor Chad Enright in his public statement on this case, and the opinion of the Use of Force Review Panel, there is no evidence that racial bias played a role in this case.



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VIII. ANALYSIS OF THE USE OF FORCE REVIEW

Part 1:

I have reviewed the investigative report completed by PST. The documents that are part of the PST investigation are attached to this Command Review.

Investigators reviewed all documents pertinent to this incident, which included: Department policy, the Department's Mission, Vision and Values, the KCIRT Investigation, and all audio and video elements of this case. After reviewing all the documentation, they conducted interviews of the four employees involved.

It is my opinion the PST investigation was completed independently, fairly, and competently. Their examination of our department values, policy, and training provided critical feedback on our operations. Their interviews of the involved employees were completed in compliance with the Collective Bargaining Agreement between the City of Poulsbo and the Poulsbo Police Officers Association and revealed valuable details of the actions and thought process of each employee during the July 3, 2019 incident.

Based upon the PST report, several areas of improvement are clear.

- 1. The department needs to promote a deeper understanding of our department mission, vision, and values.**

These are the guiding principles of our department which guide our decision-making process. Our mission and values need to be interwoven into all operations. They need to be understood and incorporated by all employees.

- 2. Training on policy, especially as it relates to the most critical policies, needs to remain continuous.**

We need to ensure our officers have a greater ability to articulate their understanding of the most essential policies. Although we provide constant training on policy, I would like our current method of delivery to be expanded to promote an even greater depth of understanding on the part of all employees.

- 3. Crisis Intervention Training should be provided to all department employees that are deployed in the field.**

Currently, only sworn regular employees are required to attend Crisis Intervention Training. This needs to be expanded to all employees that interact with members of the community, especially those who are part of community-based operations.



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Part 2:

I have reviewed the report submitted by the Use of Force Review Panel. The documents that are part of the Panel's review are attached to this Command Review.

The Panel reviewed all documents provided to them from PST and the Poulsbo Police Department including:

- Poulsbo Police Department Policy
- KCIRT Criminal Investigation
- PST Administrative Investigation
- Kitsap County Prosecutor's Charging Decision
- Poulsbo Police Department Training Records

It is my opinion the Panel conducted an independent, thorough, and competent review of the facts, evidence, and policy related to this investigation.

The Panel unanimously concluded and recommended that the actions of Officer Keller in this incident were within Poulsbo Police Department Policy.

The Panel also provided the following additional recommendations as listed in their report. As stated in their report, the Panel concluded:

1. Training

The PST investigation report noted that Officer Keller, "Outside of qualifiers (firearm), Keller said he had attended practical firearms training put on by the department. This training included transition drills (long gun to pistol, pistol to long gun), cover, concealment, and moving while shooting drills. Keller did not recall receiving practical firearms training involving the use of or transition to a Taser."

While the Board found a Taser application in this dangerous situation was not a viable option, transitional firearm training is an industry standard. We recommend adding instruction to include, but not limited to firearm transition to Taser training and Taser transition to firearm training. Weapon transitional training mitigates error and use of an improper tool, mitigates weapon confusion, and/or increase officer confidence. When Taser training expands to include situational awareness and de-escalation, it can mitigate the use of lethal force.



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2. Equipment, Policy 1021.3.5 ~ Equipment Specifications

The board recommends review of this policy. During large community events, requiring higher than normal staffing levels it is not unusual to utilize personnel from specialty assignments. When performing a law enforcement function during an event similar to the 3rd of July Poulsbo celebration, uniformed officers should review and adhere to the mandatory equipment required as duty gear.

3. Crisis Intervention Training

The Washington Administrative Code (WAC) 139.09.020 requires all law enforcement, reserve peace officers, and certified tribal police officers complete an annual two-hour online crisis intervention course as well as the “enhanced CIT program.” While the WAC does not require a community service officer attend, if the agency deploys the employee in a law enforcement or security capacity it is reasonable to believe they could encounter a person in crisis.

The board recommends any Poulsbo Police Department personnel who could respond to a person in crisis then be required to adhere to the WAC 139.09.020. Recommend adding this requirement to the Poulsbo Police Department Policy.

4. Policy 342.1 - Behavioral Health Navigator Program

The board recommends adding a Behavioral Health Navigator (Police Navigator) to operational plans and planning during large events. Operating as a team, civilian and police, or independently can provide uniformed law enforcement an assistant trained in behavioral health crises or with behavioral health conditions and who are in need of connection to services.

Captain Mjor stated the Panel chose not to address the issue of racial bias in their report because they found no evidence that it played a role in this incident.



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IX. FINDINGS

The Administrative Investigation conducted by Public Safety Testing was independent, impartial, and thorough. It examined department mission, vision, and values, training and policy, and the decision making of the involved employees prior to and during the event. It pointed out deficiencies that will be addressed through training and will ultimately improve the competency of our employees.

The Use of Force Review Panel examined all the information provided through the Administrative Investigation, as well as the actions of Officer Keller and other officers involved. The composition of the Panel included experts in public safety and community perspective, both from Poulsbo and local Tribal communities. The Panel also provided recommendations on policy and training that will ultimately improve our department and the service we provide to the community.

After careful consideration of all the factors they were presented and considered, the Panel unanimously recommended the actions of Officer Keller were within department policy.

After my evaluation of all documentation, both criminal and administrative, I concur with the Panel and find that the actions of Officer Keller were within department policy.



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X. DEPARTMENTAL RESPONSE TO RECOMMENDATIONS

In review of the recommendations highlighted in this Use of Force Review, the Poulsbo Police Department commits to the following:

1. Reinforcement of the Department's Mission, Vision and Values

As reflected in the PST report, our employees should have a clearer understanding of our missions, vision, and values. Although these were decided upon as a department, we will place greater emphasis on creating more effective ways to integrate our mission, vision, and values into all department operations.

2. Explore different delivery methods of training on department policy

Both parts of this investigation indicated officers may benefit from additional training on department policy. Currently, training is provided monthly through an electronic format, and annually by our City Prosecutor/Risk Manager, but the department will find additional means of training the essential policies.

3. Consider deploying other non-law enforcement resources during special events

As recommended by the Use of Force Review Panel, we will strongly consider using department and county assets outside of public safety (Police Navigator, Designated Crisis Responders) as a part of our operational planning for special events.

4. Provide Crisis Intervention Training to all police department employees

The Use of Force Review Panel recommended that the Community Service Officer position be provided Crisis Intervention Training. I agree with the recommendation and believe this training should be expanded to all Poulsbo Police Department employees, especially those that deal directly with members of the community. This would include all civilian positions in the police department.

5. Provide additional training in transition from lethal force to non/less lethal force

Since this event, our department has implemented this training during annual Taser instruction and will incorporate additional transition training and decision-making as part of our firearms training.



Poulsbo Police Department

Honor * Integrity * Teamwork * Professionalism

6. Establish Better Communications with our neighboring Tribal Communities

Since this incident, it has been evident communication between the Poulsbo Police Department and the Tribal communities that neighbor the City of Poulsbo needs to improve. As the Chief of Police, I hold myself accountable for not establishing better communications prior to this event.

To accomplish this, we must establish and commit to a system of open and effective communications between our local Tribal governments and the police department, be open to honest and critical feedback, and continue to provide appropriate training to our employees.