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THE HONORABLE JAMES L. ROBERT



12-CV-01282-ORD

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

vs.

CITY OF SEATTLE

Defendant.

CASE No. C12-1282JLR

**MEMORANDUM SUBMITTING
CONSENSUS SEATTLE POLICE
DEPARTMENT PERFORMANCE
MENTORING POLICY**

Introduction

Pursuant to ¶¶ 157-63 of the Settlement Agreement, the Parties and the Monitor hereby submit the Seattle Police Department ("SPD")'s Performance Mentoring Policy for the Court's review and approval.

As with several other SPD policies reviewed and approved by this Court, this policy resulted from vigorous negotiations between the Parties, facilitated by the Monitor and other members of the Monitoring Team. Its adoption is a key starting point for the SPD's proactive risk management strategy of identifying and correcting possible problematic behavior. The Monitor recommends the policy's adoption for the reasons below.

I. Early Warning Systems

In major investigations of law enforcement agencies with serious and dramatic instances of excessive force—such as the Rodney King incident involving the LAPD in 1991 that led to the Christopher Commission, or four highly controversial shootings of African-American and Latinos that prompted the Kolts investigation of the LASD—investigators have routinely found that the law enforcement agencies involved did not systematically and consistently track an officer's use of force, complaints from the public, officer-involved shootings, litigation, and administrative investigations, among other topics. As a result, police management did not know and could not determine which officers had used force more regularly than other officers, whether a given officer had been the subject of repeated complaints by the public, if an officer's conduct led to litigation and how often, and whether the officer had been investigated administratively for repeat policy violations or criminal misconduct.

The result of those issues in LA was a call for a computerized system to collect data that would enable departments to rigorously capture data about officer performance in order to identify and correct possible problematic behavior early on. An "early warning system" (also referred to as an "early intervention system") identifies officers that the data indicates may become a significant problem, even if direct supervision finds the individual incidents "within policy." The data alone is not used to "pass judgment" on individual incidents or on whether a pattern of problematic behavior in fact exists. Management must assess the data and, if appropriate, may then intervene to provide behavioral or performance intervention with the goal of avoiding further problematic behavior by the officer and saving his or her career before it is too late.

Early warning systems have, over the past twenty years, become key elements of police reform and are now commonplace in police departments large and small. Generally, an early warning system makes use of triggers: Supervisors and managers are informed when officers under their supervision meet or exceed established thresholds across the various categories of

1 data that an early warning system considers. For example, if an officer receives three or more
2 complaints from the public in a 12-month period, the precinct is alerted and the supervisors and
3 managers must consider whether the officer should be subject to a full-scale review and
4 placement in a mentoring program. In the SPD, the early warning system is called Early
5 Intervention System, or EIS. Its existence predated the Settlement Agreement.

6 In its 2011 report, the Department of Justice found several flaws in SPD's EIS system. First,
7 the EIS triggers were set too high. Second, the interventions that follow an EIS trigger happened
8 far too long after the triggering incident, which diminished the effectiveness of the intervention
9 and the ability to remedy an officer's behavior. Third, the EIS review by the supervisor was
10 often superficial at best. Finally, SPD failed to track officers over time to see if the interventions
11 had successfully addressed the concerning behavior that initially triggered the EIS. The new
policy seeks to address all these deficiencies.

12 II. The SPD's Performance Mentoring System

13 Paragraphs 157 and 158 of the Settlement Agreement describe, in general, how the SPD's
14 EIS system should operate:

15 157. The City's EIS system will continue to be used for risk management
16 purposes and not for disciplinary purposes. SPD will monitor the EIS to ensure it
is meeting its objective of providing SPD with notice before behaviors become
problematic.

17 158. SPD will review and adjust, where appropriate, the threshold levels for each
18 of the EIS indicator criteria, and the EIS indicators. The Monitor will review and
approve the revised EIS threshold levels and indicators.

19 The Parties accordingly drafted and negotiated SPD Policy 3.070 with input from the Monitoring
20 Team. A copy of that policy is attached hereto as Exhibit A. At ¶ 3.070-POL, the revised policy
21 provides that:

22 Once an SPD officer exceeds a preset trigger of risk factors described below, a
23 Performance Mentoring Assessment will be conducted. An assessment may also
be conducted at the discretion of a supervisor as part of his or her ongoing duties
24 to monitor officer conduct and maintain performance standards.

1 The progress of the employee will be carefully tracked, and the employee's chain
2 of command shall be personally responsible and accountable for the
3 implementation of the individual program and such other steps as may be
4 necessary to address any at-risk behavior, demonstrated indicators of stress, or
5 training deficiencies, and ultimately achieve the professional goals set for the
6 officer.

7 The Program is separate from, and does not replace, the existing system of
8 discipline for violations of policy. Department employees remain fully
9 accountable for adhering to policy and performance standards. Nonetheless, the
10 Performance Mentoring Program seeks to identify and change at-risk behaviors
11 before policy violations arise. The goal is to intervene and offer assistance by
12 identifying and modifying possible problematic behaviors before they result in
13 actions that are contrary to the mission and fundamental values of the Seattle
14 Police Department, including its commitment to constitutional policing and
15 upholding lawful, professional and ethical standards.

16 The Performance Mentoring Program represents the Department's commitment to
17 coach and mentor its officers and to hold the entire chain of command
18 accountable for addressing problematic behavior and managing risk to officers
19 and the public.

20 The program is designed to support the employee through mentoring and
21 coaching by supervisors. The use of the Performance Mentoring Program
22 provides employees:

- 23 • Training/Education
- 24 • Job performance feedback
- 25 • Other pathways to improve performance
- Consistent oversight and supervision
- A clear message to officers that the Department has resources available to
assist officers in meeting expectations.

26 The Policy requires that patrol sergeants and commanders at least once a month must
27 review for the employees they supervise whether the thresholds have been met or
28 exceeded. Policy 3.070-POL-1 (1). They are required to initiate a performance mentoring
29 assessment of any employee who meets or exceeds the thresholds. *Id.* at (2).

30 The supervisory and managerial personnel must allow an opportunity for the affected
31 employee to identify any errors in the data. *Id.* They must then conduct a thorough review,

1 including certain prior formal performance appraisals, and of any additional information that
2 would be relevant to the identified performance issues. *Id.*

3 In addition to monthly reviews of current employees, the new SPD policy requires a
4 similar review when an individual joins a new unit, when considering promotion or selection of a
5 given officer to become a Field Training Officer, a member of a Special Unit, or a higher or
6 bonus pay position:

7 Consistent with past practice, the data underlying performance mentoring criteria
8 thresholds may be considered when an officer applies for promotion or for
9 selection for a specialty unit, as a training officer, or for any higher or bonus pay
10 position to the degree that the subject matter is relevant to the position or
11 assignment sought. Closed complaints with findings of lawful and proper or
12 unfounded, performance mentoring plans successfully completed by an officer,
13 and complaints that do not trigger performance mentoring thresholds are generally
14 not relevant to a promotion or assignment decision.

15 Nothing in this policy precludes the consideration of performance-related criteria
16 for promotions, selection for field training officer, specialty unit, or higher or
17 bonus pay positions.

18 *Id.* at (3, 4).

19 If the assessment is that a performance mentoring plan for the officer is desirable, it is
20 drafted at the precinct level and makes its way to the Department-wide Performance Review
21 Committee:

22 The committee's responsibility is to ensure Department-wide consistency and
23 uniformity in the implementation of the Performance Mentoring Program. The
24 committee is further responsible for determining whether the performance
25 assessments and proposed Performance Mentoring Plans are adequate to address
26 concerns about any at-risk behavior, demonstrated indicators of stress, or training
27 deficiencies, and to provide the officer with the tools and support necessary to
28 ensure that he or she adheres to Department policy and the lawful, professional
29 and ethical standards of the Department. The committee will be responsible for
30 reviewing and adjusting, where appropriate, the threshold levels of the
31 Performance Mentoring indicator criteria. New indicator criteria will also be
32 considered when and if appropriate. The committee's recommendations for
33 adjusting/changing indicator thresholds will be subject to approval from the Chief
34 of Police.

35 *Id.* at (8).

The specific performance mentoring plan for a given employee is then reviewed up the chain of command to a Bureau Chief for final approval. *Id.* at (9).

The Committee has a Performance Mentoring Coordinator. The duties of the Performance Mentoring Coordinator go beyond overseeing the implementation of a mentoring plan for a police officer. Importantly, the Coordinator conducts an inquiry to identify specific supervisors in order to identify supervisors in need of additional skills and training. The Coordinator must additionally determine whether the officer's immediate supervisor has adequately overseen the officer's performance in the past and is doing so currently. 3.070-TS K-1. The Coordinator reviews progress reports that are prepared twice monthly and forwards them to the lieutenant overseeing the mentoring plan. The Coordinator does so until the plan has been fully implemented and closed.

III. Thresholds

The specific thresholds, or triggers, are set forth at ¶'s 3.070-POL-2 (1). The threshold time periods exist on a rolling basis: for example, if an officer gets in two vehicle pursuits within any period of six consecutive months, he or she has met the threshold level. The thresholds are:

Indicator Criteria	Threshold Levels
A. Chain-of-command recommendations	Each will be reviewed
B. Use-of-force (Type I)	Reaching the top 1% of officers who have used force investigated at Type I within 6 months
C. Use-of-force (Type II and Type III)	Reaching the top 5% of officers who have used force investigated at Type II or Type III within 6

D. Vehicle collisions	2 Department vehicle collisions within 12 months
E. Receipt of OPA complaints	3 complaints within 12 months
F. Receipt of EEO complaints	2 complaints within 12 months
G. Named in police actions claims or lawsuits against the City	2 within 24 months
H. Vehicle pursuits	2 within 6 months
I. Unexcused failure to appear in mandatory training	1 within 12 months
J. K9 apprehension-bite ratio	More than 15% K-9 apprehension bite ratio in a 12 month period
K. Officer-involved shooting	Single incident threshold

An additional Performance Mentoring Assessment will be conducted at the aggregate level when an employee has a total of five (5) indicators between A – J within six (6) months of the completion of his or her last Mentoring Plan or his or her sworn date.

IV. Supervisor Responsibilities

The Policy at ¶ 3.070-POL 2(3) requires the sergeant supervising the Performance Mentoring Plan to consider the following:

MEMORANDUM SUBMITTING CONSENSUS SEATTLE POLICE
DEPARTMENT PERFORMANCE MENTORING POLICY - 7
Case No. C12-1282JLR

Merrick J. Bobb, Monitor
Police Assessment Resource Center
PO Box 27445
Los Angeles, CA 90027
(213) 623-5757

1 Sergeants shall carry out strategies to correct and modify the behaviors identified
2 by the Performance Mentoring Program. Based on each circumstance,
performance mentoring of employees may include, without limitation:

- 3 • Regular and consistent conversations with employees about issues and
4 incidents that affect behavior and performance.
- 5 • Sergeant ride-alongs with employees
- 6 • Sergeant accompaniment of employees on at least four calls/traffic
7 stops/citizen contacts per work week.
- 8 • After action debriefs of significant events, arrests or other incidents that
9 are an indicator criteria for the Performance Mentoring Program.
- 10 • Review of the employees training history and possible referral to the
Education and Training Section for additional training and/or assistance.
- Identifying and supporting positive behaviors.

11 The duties of the lieutenant include recommending to the captain at the completion of the
12 designated review period, whether or not employee should be removed from performance
13 mentoring program or that the program be extended for another specified time. The captain's
14 determination is reviewed and approved or disapproved by the relevant Bureau Chief. *Id.* at
TSK-3,4.

15 V. Accountability

16 It is very important to note that the Performance Mentoring Committee does not only
17 consider the performance of the rank-and-file police officer but also of the supervisory and
18 managerial personnel at a given precinct or unit. The Committee assesses whether the
19 lieutenants or captains or both are adequately holding sergeants accountable for their supervision
20 of officers under their command. The Committee further examines whether SPD executives are
21 holding captains accountable for managing the risk of police misconduct in their units. *Id.* at
TSK-5.

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Conclusion

The Performance Mentoring Policy before this Court is a joint effort of the Parties with input from the Monitoring Team. The Monitor recommends approval of this policy. Its complete implementation will advance the SPD's movement toward full and effective compliance with the Settlement Agreement. Particularly noteworthy is that all officers up to the executive level—including line officers, sergeants, lieutenants, and captains—will be evaluated by the Committee for failures of supervision. Although the Policy could be more explicit on the point, the Monitor's approval of the Policy hinges upon the availability of performance mentoring for each of these ranks in addition to whatever other steps should be taken for failure to perform to duty. The Monitoring Team will be closely evaluating the implementation of the Performance Mentoring Policy to ensure that it is fully and meaningfully implemented.

In light of the foregoing, the Monitor recommends approval of the Performance Mentoring Policy.

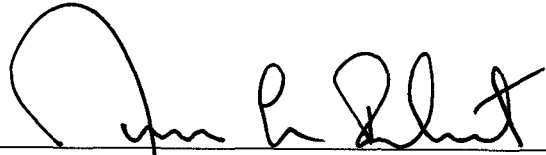
DATED this 3rd day of March, 2014.



Merrick J. Bobb, Monitor

1 The Court hereby approves the consensus Seattle Police Department Performance Mentoring
2 Policy filed herewith as Exhibit A and orders its implementation forthwith.

3 DONE IN OPEN COURT this 20th day of March, 2014.

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6 THE HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT JUDGE
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24 MEMORANDUM SUBMITTING CONSENSUS SEATTLE POLICE
25 DEPARTMENT PERFORMANCE MENTORING POLICY - 10
Case No. C12-1282JLR

Merrick J. Bobb, Monitor
Police Assessment Resource Center
PO Box 27445
Los Angeles, CA 90027
(213) 623-5757

CERTIFICATE OF SERVICE

I certify that on the 3rd day of March, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

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DATED this 3rd day of March, 2014.

/s/ Carole Corona
Carole Corona

EXHIBIT A

Seattle Police Manual

3.070 – Performance Mentoring Program

Effective Date: TBD

3.070-POL

This policy applies to the use of the Performance Mentoring Program. The Performance Mentoring Program shall employ risk management strategies that are not punitive or disciplinary in nature.

The Performance Mentoring Program is a key element in the SPD's strategy to address at-risk behavior. Once an SPD officer exceeds a preset trigger of risk factors described below, a Performance Mentoring Assessment will be conducted. An assessment may also be conducted at the discretion of a supervisor as part of his or her ongoing duties to monitor officer conduct and maintain performance standards.

The progress of the employee will be carefully tracked, and the employee's chain of command shall be personally responsible and accountable for the implementation of the individual program and such other steps as may be necessary to address any at-risk behavior, demonstrated indicators of stress, or training deficiencies, and ultimately achieve the professional goals set for the officer.

The Program is separate from, and does not replace, the existing system of discipline for violations of policy.

Department employees remain fully accountable for adhering to policy and performance standards. Nonetheless, the Performance Mentoring Program seeks to identify and change at-risk behaviors before policy violations arise. The goal is to intervene and offer assistance by identifying and modifying possible problematic behaviors before they result in actions that are contrary to the mission and fundamental values of the Seattle Police Department, including its commitment to constitutional policing and upholding lawful, professional and ethical standards.

The Performance Mentoring Program represents the Department's commitment to coach and mentor its officers and to hold the entire chain of command accountable for addressing problematic behavior and managing risk to officers and the public.

The program is designed to support the employee through mentoring and coaching by supervisors. The use of the Performance Mentoring Program provides employees:

- Training/Education
- Job performance feedback
- Other pathways to improve performance
- Consistent oversight and supervision
- A clear message to officers that the Department has resources available to assist officers in meeting expectations.

Except as required by law, contract, or policy, information relating to the Performance Mentoring Program shall be considered confidential and is not to be shared with persons not having access to the

Performance Mentoring Program. Violations of this
policy may result in discipline.

3.070-POL-1 Oversight of the Performance Mentoring Program

1. Sergeants and Commanders Are Required to Review the Performance Mentoring Criteria Thresholds of the Employees They Supervise at Least Once Monthly

Section chains of command will be responsible for ensuring that all levels of supervision utilize the IAPro software for this purpose. IAPro software will include a mechanism to ensure these reviews are documented and tracked by supervisors and commanders. When conducting reviews, supervisors and commanders shall enter a notation containing the date and time of the review, as well as the actions they took. If there is follow-up action based on this monthly review, the supervisor or commander shall document that.

The Performance Mentoring Coordinator will provide section captains with monthly updates of the Performance Mentoring criteria thresholds related to the officers under their command.

2. Sergeants and Commanders Are Required to Initiate a Performance Mentoring Assessment ("PMA") of any Employee they Supervise that Meets Criteria Thresholds

If an employee meets Performance Mentoring Criteria Assessment Thresholds, the employee's supervisor will conduct a Performance Mentoring Assessment.

The PMA includes reviewing the Performance Mentoring Criteria thresholds and promptly notifying the affected employee if he or she has met any performance thresholds and affording the employee an opportunity to identify any errors in the data. If the information in the PMP is accurate, the sergeant or commander must also review at least the last two performance evaluations in the Performance Appraisal System (PAS), documentation relating to the underlying incident(s) reflected in the PMP indicator, and any additional information that would be relevant to the identified performance issues.

A supervisor, commander or civilian manager may, at his or her discretion, contact the Performance Mentoring Coordinator to initiate the PMP and assign a PMA to that chain of command.

3. Upon Having an Officer Transfer Into His or Her Squad or Unit of Command, a Sergeant or Commander Shall Review the Performance Mentoring Criteria Thresholds of That Employee, and Will Document Having Done So

4. Review of Data Underlying Performance Mentoring Criteria Thresholds When Considering Promotion or Selection for Field Training Officer, Specialty Unit or Higher or Bonus Pay Position

Consistent with past practice, the data underlying performance mentoring criteria thresholds may be considered when an officer applies for promotion or for selection for a specialty unit, as a training officer, or for any higher or bonus pay position to the degree

that the subject matter is relevant to the position or assignment sought. Closed complaints with findings of lawful and proper or unfounded, performance mentoring plans successfully completed by an officer, and complaints that do not trigger performance mentoring thresholds are generally not relevant to a promotion or assignment decision.

Nothing in this policy precludes the consideration of performance-related criteria for promotions, selection for field training officer, specialty unit, or higher or bonus pay positions.

5. Utilizing IAPro Software, Employees Will Have Access to Their Current Standing Regarding Performance Mentoring Criteria Thresholds Levels

Employees may obtain a copy of their performance data contained in IAPro by logging into that system, and may obtain their past EIS Review Report(s)/Performance Mentoring Assessment(s) by making a request to their immediate supervisor, commander, or to the Director of Human Resources. Supervisors and commanders are to notify the Director of Human Resources of the request and forward to them a copy of the materials provided.

If an employee believes at any time that Performance Mentoring data is inaccurate, he or she should immediately notify his or her immediate supervisor or commander. The employee will then provide written notice (e-mail or memo) of his or her request for correction to the concerned captain and to the Performance Mentoring Coordinator in Human Resources. (The employee also may request his or

her sergeant to do this.) Any proposed corrections to the data are subject to review by the Performance Review Committee, the employee's captain, and the relevant bureau chief. The Director of Human Resources will make the final decision as to whether to modify Performance Mentoring data.

Corrections shall be documented fully in IAPro so that the Department maintains a reliable audit trail regarding data entry and corrections.

6. After Receipt of the Completed Performance Mentoring Assessment, the Section Captain Shall Create a Mentoring Plan for the Employee, if Appropriate

If the section captain decides a Mentoring Plan is needed, he or she may recommend a specific review period. The review period shall continue until the officer's Sergeant, Lieutenant, and Captain provide the Performance Review Committee and the concerned Bureau Chief with satisfactory written assurances that the officer has successfully completed the mentoring plan and his or her current performance is consistent with the lawful, professional and ethical standards of the Department. If possible, Performance Mentoring should be achieved in six months or less.

The section captain may also designate "other" or "no plan necessary." Any decision not to place the officer in Performance Mentoring will be documented, justified, and fully articulated in the narrative portion of the Assessment. The decision not to place an employee on a Mentoring Plan is subject to the

approval of the Performance Mentoring Committee and the relevant Assistant Chief.

7. Via the Performance Mentoring Coordinator, the Captain Will Forward Their Recommendation of Whether to Put the Employee on a Mentoring Plan to the Performance Review Committee

The committee will review completed Assessments and Mentoring Plans to ensure Department-wide uniformity and consistency with SPD goals.

The committee may reject such Assessments and Mentoring Plans if they are inadequate, do not provide for uniformity and consistency in the treatment of similarly-situated officers, or otherwise appear inconsistent with the goals of the Performance Mentoring Program.

8. The Performance Review Committee Will Monitor the Performance Mentoring Program

The committee will comprise of stakeholders within SPD, to include:

- Chief's designee
- Human Resources Director or designee
- OPA Director

- Representative from the Audit, Policy & Research Section (APRS)
- Representative from the Education & Training Section (ETS)
- Performance Mentoring Coordinator
- A representative of the City Attorney's Office, if requested by the PMC

The committee shall meet monthly. The committee's responsibility is to ensure Department-wide consistency and uniformity in the implementation of the Performance Mentoring Program. The committee is further responsible for determining whether the performance assessments and proposed Performance Mentoring Plans are adequate to address concerns about any at-risk behavior, demonstrated indicators of stress, or training deficiencies, and to provide the officer with the tools and support necessary to ensure that he or she adheres to Department policy and the lawful, professional and ethical standards of the Department. The committee will be responsible for reviewing and adjusting, where appropriate, the threshold levels of the Performance Mentoring indicator criteria. New indicator criteria will also be considered when and if appropriate. The committee's recommendations for adjusting/changing indicator thresholds will be subject to approval from the Chief of Police.

The Performance Mentoring Coordinator will be responsible for scheduling meetings of the committee.

The Performance Mentoring Coordinator will be responsible for assisting commands with their use of the applicable department computer software, including training of supervisors in its use.

9. The Committee Will Forward the Assessment and Mentoring Plan to the Appropriate Bureau Chief for Final Approval

10. The Performance Mentoring Coordinator Maintains Resources and Supervisor's Toolkit for the Performance Mentoring Program

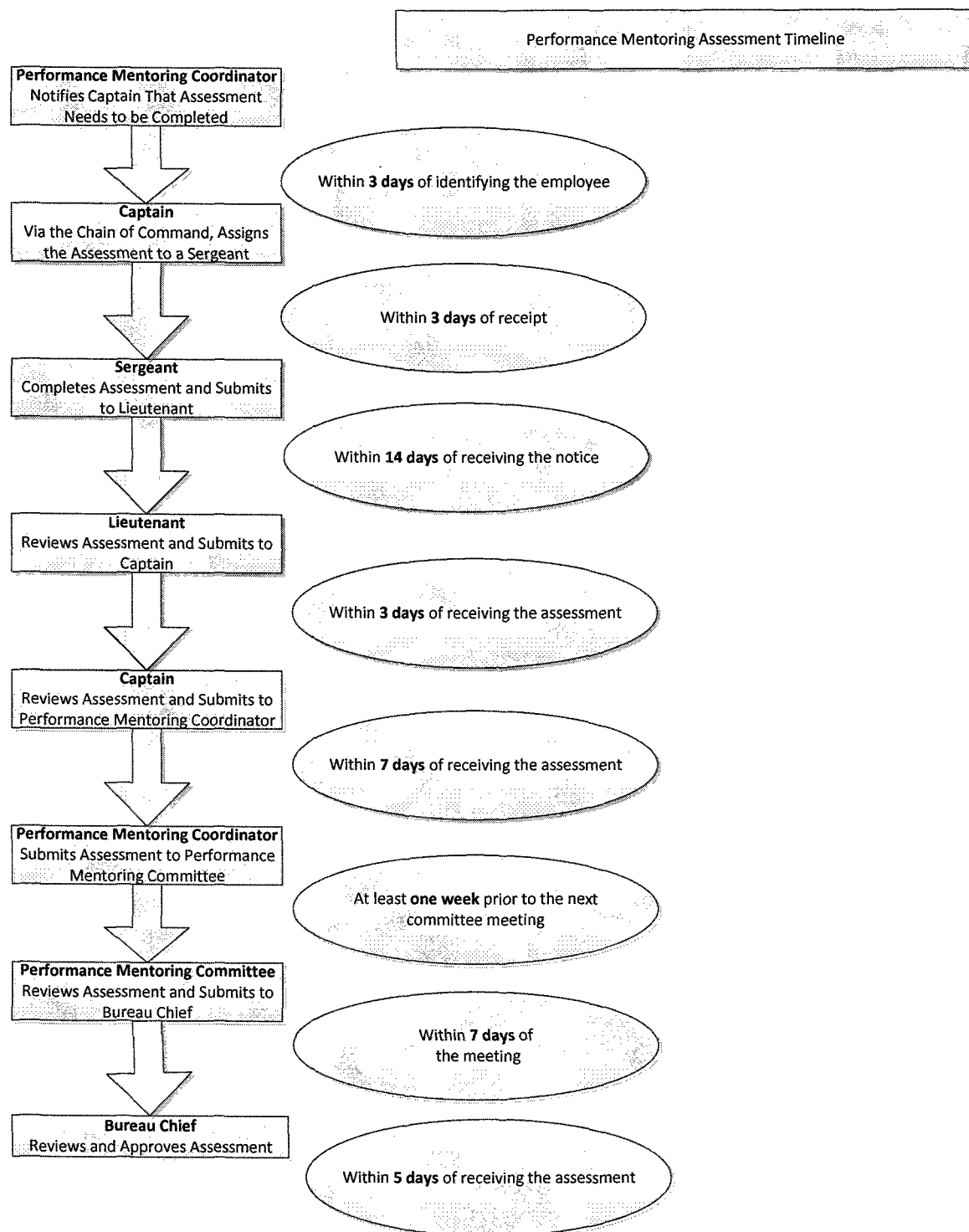
11. The Performance Mentoring Coordinator Monitors Information Related to Certain Precinct-Level Activity

See 3.070-TSK-1 Performance Mentoring Coordinator's Role in Creating, Implementing and Completing a Mentoring Plan.

12. Documentation of Performance Mentoring Threshold Criteria in the Yearly Performance Appraisal Evaluation

Sergeants will document Performance Mentoring threshold indicator activity in the Performance Appraisal System. See Seattle Police Manual Section 2.070-Performance Evaluation. Section Captains shall

document supervisors' use of the Performance Mentoring software in the Performance Appraisal System.



3.070-POL-2 Administration of the Performance Mentoring Program for Officers

1. Threshold Levels Initiate a Performance Mentoring Assessment

When the below criteria thresholds are met, a Performance Mentoring Assessment will be conducted for the involved employee. These thresholds are subject to revision, given the needs of the Department, after the consideration of the Performance Review Committee and the approval of the Chief of Police. The threshold time periods exist on a **rolling basis**.

- E.g., if an officer gets in two vehicle pursuits within any period of six consecutive months, he or she has met the threshold level.

Indicator Criteria	Threshold Levels
A. Chain-of-command recommendations	Each will be reviewed
B. Use-of-force (Type I)	Reaching the top 1% of officers who have used force investigated at Type I within 6 months
C. Use-of-force (Type II and Type III)	Reaching the top 5% of officers who have used force investigated at Type II or Type III within 6 months

D. Vehicle collisions	2 Department vehicle collisions within 12 months
E. Receipt of OPA complaints	3 complaints within 12 months
F. Receipt of EEO complaints	2 complaints within 12 months
G. Named in police actions claims or lawsuits against the City	2 within 24 months
H. Vehicle pursuits	2 within 6 months
I. Unexcused failure to appear in mandatory training*	1 within 12 months
J. K9 apprehension-bite ratio	More than 15% K-9 apprehension bite ratio in a 12 month period
K. Officer-involved shooting	Single incident threshold

** Mandatory training is defined as firearms qualifications, Street Skills, and any other training designated as mandatory by the Captain of the Education & Training Section. Officers must complete all mandatory training within the allotted time frame (i.e., Street Skills must be complete annually.) An officer may reschedule Street Skills, firearms qualifications, etc., as necessary during the allotted time frame. Officers on*

protected leave shall comply with the provisions of their leave, as specified in Title 4 of the Seattle Police Manual (hyperlink). Officers may consult Manual Section 9.065 (hyperlink) for information on obtaining a waiver to qualify with their firearm.

Additionally, a Performance Mentoring Assessment will be conducted at the aggregate level when an employee has a total of five (5) indicators between A – J within six (6) months of the completion of his or her last Mentoring Plan or his or her sworn date.

An employee's sergeant and lieutenant shall meet with the involved employee and discuss relevant factors, up to and including a Mentoring Plan.

2. When an Officer Under a Performance Mentoring Plan Has Additional Performance Mentoring Threshold Indicator Activity, That Officer's Lieutenant Will Review Any Further Performance Mentoring Threshold Indicator Activity

If an officer currently the subject of a Performance Mentoring Plan has additional Performance Mentoring Program activity, the employee's lieutenant will review the new event and submit to the captain, via the progress report, a written recommendation regarding whether the original Mentoring Plan should be revised. Additional entries to the Mentoring Plan due to additional triggers are reviewed by the chain-of-command and the Performance Review Committee.

3. Sergeants of Officers Designated for Performance Mentoring Assessments or Mentoring Plans Shall Coach and Mentor Employees About Issues and Behaviors That Indicate Possible Problematic Behavior

Sergeants shall carry out strategies to correct and modify the behaviors identified by the Performance Mentoring Program. Based on each circumstance, performance mentoring of employees may include, without limitation:

- Regular and consistent conversations with employees about issues and incidents that affect behavior and performance.
- Sergeant ride-alongs with employees
- Sergeant accompaniment of employees on at least four calls/traffic stops/citizen contacts per work week.
- After action debriefs of significant events, arrests or other incidents that are an indicator criteria for the Performance Mentoring Program.
- Review of the employees training history and possible referral to the Education and Training Section for additional training and/or assistance.

- Identifying and supporting positive behaviors.

Debrief Exceptions: Designated Type III Use-of- Force incidents, firearms discharges, and any open OPA complaint cannot be discussed in detail, per labor agreements and Department policy. Sergeants may discuss general issues and best practices with the involved officers after that officer has given a statement and has been interviewed by OPA.

3.070-TSK-1 Performance Mentoring Coordinator's Role in Creating, Implementing and Completing a Mentoring Plan

The Performance Mentoring Coordinator:

1. Monitors

information
related to certain
precinct-level
activity:

- Uses of force
- Numbers of individual officers who have triggered Performance Mentoring Assessments
- Frequency of Performance Mentoring Assessments generated by officers assigned to specific supervisors in order to identify supervisors in need of additional

skills and
training.

- Whether the officer's immediate supervisor has adequately overseen the officer's performance in the past and is doing so currently.

2. Identifies

employee who has met the criteria for a Performance Mentoring Assessment.

3. Verifies that the Performance Mentoring threshold criteria record for the identified employee is accurate and not the result of a system or human error. If there is a question about accuracy, the Performance Mentoring Coordinator will consult with the

Human Resources
chain of command
and the employee's
chain of command,
to determine whether
or not a Performance
Mentoring
Assessment should
proceed.

4. **Notifies**, within
three days, the
employee's
section captain
that a
Performance
Mentoring
Assessment needs
to be completed.
5. **Provides**
assistance and
acts as a resource
to personnel
involved in the
performance
mentoring
process.
6. **Receives** and
reviews the
completed
Performance
Mentoring
Assessment from
the section
captain. Advises
the committee of

possible
inadequacies and
issues of non-
uniformity.

7. Compiles

Performance
Mentoring
Assessments
from across the
Department for the
committee.

8. Forwards the
completed
Performance Plan,
Assessment and
Progress Report
received from the
section captain to the
PMC, at least one
week prior to the
next committee
meeting.

9. Sends, if
applicable, the
Performance
Mentoring Progress
Report (PMPR) form
to the lieutenant of
the affected
employee, and
continues to send
these twice monthly
until the Mentoring
Plan has been fully

implemented and
closed.

Upon being advised by a supervisor that he or she would like to conduct a PMA for an officer who has not met a threshold, the Performance Mentoring Coordinator shall create a tracking number and provide it to the supervisor, commander or civilian manager. This initiates the same set of tasks for the officer's chain of command as a PMA that is triggered by the threshold criteria.

3.070-TSK-2 Sergeant's Role in Creating, Implementing and Completing a Performance Mentoring Assessment/Mentoring Plan

Upon notice that one of the employees under his or her supervision has triggered a Performance Mentoring Assessment, or upon deciding to conduct a discretionary assessment, the **sergeant**:

1. **Reviews** the Performance Mentoring Program triggering incidents using strategies and resources in the online Performance Mentoring Supervisor's Toolkit, or other resources.
2. Promptly **notifies** the affected employee if he or she has met any performance thresholds and affording the employee an opportunity to identify any errors in the data.

3. **Reviews** at minimum the last two performance evaluations in the Performance Appraisal System (PAS). Reviews at least the last two performance evaluations in the Performance Appraisal System (PAS), documentation relating to the underlying incident(s) reflected in the PMP indicator, and any additional information that would be relevant to the identified performance issues. Reviews underlying documentation regarding incidents relevant to the assessment.

4. **Meets** with employee and offers the employee an opportunity to explain the

potentially
problematic
behaviors.

5. Considers

referrals to the
Education &
Training Section,
the Employee
Assistance
Program (EAP)
and/or Critical
Incident Stress
Management
(CISM.) These
alternatives may
be part of the
Mentoring Plan
but are not
substitutes for it.

**6. Completes and
submits,** within
14 days of notice,
a Performance
Mentoring
Assessment
through the
supervisory chain
of command to the
section captain,
including a
recommendation
as to whether a
Mentoring Plan for
the affected

employee is
appropriate.

7. **Develops**, in conjunction with the chain of command, a Mentoring Plan for the affected employee using the checklists provided on the Performance Mentoring Assessment Report.

8. If Mentoring Plan is approved, **coaches** and **mentors** the affected employee so as to end the potentially problematic behavior and improve performance on a continuing basis.

9. **Utilizes** checklist provided on PMPR to document actions/training taken.

10. **Modifies**, in conjunction with the chain of command, the Mentoring Plan as needed.
11. **Submits** a Performance Mentoring Progress Report on a twice monthly basis to their supervisory chain for review and concurrence.
12. **Documents** in the Performance Appraisal System (PAS) that this PMPR was done, along with any actions or additional training given to affected employee.
13. Upon **completion** of designated Review Period, documents and recommends on PMPR form whether or not affected employee has participated

in and made
progress in the
designated
training/coaching.

3.070-TSK-3 Lieutenant's Role in Creating, Implementing and Completing a Performance Mentoring Assessment/Mentoring Plan

Upon notice that one of the employees under his or her command triggers a Performance Mentoring Assessment, or that a sergeant has decided to initiate a discretionary assessment, the **lieutenant**:

1. **Reviews** the factors and circumstances that lead to the PMA.
2. **Assigns** the PMA to the employee's sergeant.
 - a. If the PMA has been triggered by an aggregate level, **meets** with the employee and sergeant at the same time.
3. **Directs** that sergeant to employ such coaching and mentoring strategies as ride-alongs, assigned reading and other options as designated in Manual

Section 3.070-POL-
2.5.

4. Reviews

Performance Mentoring
Assessment
developed by
sergeant for
completeness and
appropriateness.

5. Directs

corrections,
modifications, and/or
additions
to the Performance
Mentoring
Assessment when
needed.

6. Recommends

whether or not
employee should
be assigned to the
Performance
Mentoring
Program via a
Mentoring Plan.

7. Develops, if
appropriate, a
Mentoring Plan for
the affected
employee in
conjunction with
the chain of
command, using
the checklists

provided on the
Performance
Mentoring
Assessment
Report.

8. **Submits**, within
three days of
receipt from the
sergeant, the
completed
Performance
Mentoring
Assessment to the
section captain.

9. **Reviews**
Performance
Mentoring
Progress Reports
for the employee
and **submits**
PMPR's to section
captain within
seven days.

10. **Specifies** on
PMPR, if at the
completion of
designated Review
Period, whether or
not employee
should be removed
from Performance
Mentoring
Program.

3.070-TSK-4 Section Captain's Role in Creating, Implementing and Completing a Performance Mentoring Assessment/Mentoring Plan

Upon notice that one of the employees under his or her command triggers a Performance Mentoring Assessment, or

that a sergeant has decided to initiate a discretionary assessment, the **captain:**

1. Assigns

Performance

Mentoring

Assessment to a lieutenant in the affected employee's chain of command.

2. Reviews PMAs

developed by subordinates for completeness and appropriateness.

3. Determines

whether or not a Mentoring Plan is appropriate based on completed PMA and establishes a Mentoring Plan timeframe.

4. Reviews

assessments for completeness, appropriateness and effectiveness with the goal of reducing problematic behavior and upholding lawful, professional

and ethical
standards.

5. Forwards

completed
Performance
Mentoring
Assessment/Mentoring
Plan within seven
days of receipt to the
Director of Human
Resources via the
Performance
Mentoring
Coordinator.

**6. Implements and
oversees**

Mentoring Plan, upon
approval by bureau
chief.

7. Reviews

completed
Performance
Mentoring Progress
Reports forwarded by
lieutenant for
completeness and
appropriateness.

8. Designates, if
appropriate, that the
affected employee
has completed the
designated Mentoring
Plan review period
and should be

removed from the
Performance
Mentoring Program
or; that the
Performance
Mentoring Plan will
be extended for
another specified
time period.

3.070-TSK-5 Performance Mentoring Committee's Role in Creating, Implementing and Completing a Performance Mentoring Assessment/Mentoring Plan

The **Performance Mentoring Committee:**

1. **Reviews** certain
precinct-level activity:

- Whether the Lieutenants or Captains or both are adequately holding sergeants accountable for their supervision of officers under their command.
- Whether executives are holding Captains accountable for managing the risk of police misconduct in their units.

2. **Reviews** each
performance
assessment/ment
oring
plan/progress
report against
department policy

to ensure
consistency
across
department.

3. Determines

whether
performance
mentoring
assessment/
mentoring
plan/progress
reports meet
department's
goals of
intervening and
offering
assistance to
employees.

4. Forwards,
within seven days
of the monthly
meeting,
performance
mentoring
assessment/ment
oring
plan/progress
reports with their
recommendations
to appropriate
bureau chief for
final approval.

3.070-TSK-6 Bureau Chief's Role in Creating, Implementing and Completing a Performance Mentoring Assessment/Mentoring Plan

When one of the employees under his or her supervision triggers a Performance Mentoring Assessment, either by way of a chain-of-command recommendation or by crossing one or more thresholds, the **bureau chief:**