

The dates in this document reflect the information available to the Advisory Group in 2022. The grant agreement with the program operator was signed in August of 2023. Please refer to <https://hub.wsu.edu/wadeps/> for the latest information on the project.

General Topic	Specific Area for Recommendation in SB 5259	Advisory Group Recommendations – Each recommendation was unanimously supported by all nine Advisory Group members.
1. OVERARCHING PRINCIPLE	Prioritize the implementation of the reporting, collection, and publication of the use of force data reports required by RCW 10.118.030.	<p>All law enforcement agencies will collect all use of force program data beginning in January 2023. All law enforcement agencies will report all use of force data elements to the program operator by December 2023. The program operator will provide support to agencies, prioritizing agencies that need the most technical assistance.</p> <p>By June 2023, the program operator will provide a public-facing website with information on implementation timelines and agency progress towards compliance with the law. By January 2024, verified data sets and displays will be available to the public.</p> <p>The program operator will provide opportunities for stakeholders to provide feedback quarterly in 2023 and three times per year thereafter on all aspects of the data program, including but not limited to, training materials, data transfer protocols, and data displays.</p>
2. DATA COLLECTION	Practices for law enforcement agencies to collect and report data to the program operator through electronic means and standardized across multiple agencies.	<p>Adopt the data elements, definitions and valid values in the attached data chart.</p> <p>The program operator will provide an online fillable report form and a standardized, formatted spreadsheet, provided the spreadsheet is equal to or better than the online fillable form in accuracy. For agencies with use of force reports in records management systems (RMS), the program operator will work with relevant RMS providers to generate the monthly report that meets the standards for this data program. The program operator can provide Application Programming Interfaces to agencies to access stored data, if their RMS is open and accessible.</p> <p>Data will be transferred through secure server protocols provided by the program operator on a monthly schedule.</p>
3. DATA COLLECTION	Incorporate available historical data to identify long-term trends and patterns.	Required data collection will begin with incidents occurring in 2023. If it can be collected in an accurate, standardized way that adds value to the statewide data set, prospective program operators will propose an approach to including historical data.
4. DATA COLLECTION	Practices for the public to report relevant information to the program operator directly, including correcting misreported and otherwise incorrect data.	<p>The program operator will carry out a feasibility analysis of a pilot program for a data archive of public submissions of video, audio, or photographs of use of force incidents.</p> <p>Members of the public submitting information will electronically attest through an informed consent form that they understand that this archive: 1) is <u>not</u> an avenue to</p>

		<p>submit complaints about police practices; 2) does <u>not</u> trigger an investigation or any action into the incident depicted and 3) does <u>not</u> guarantee anonymity for the person submitting the record or anyone else captured in the image.</p> <p>The program operator will ensure videos are redacted consistent with redactions that are required for release of body-camera footage.</p> <p>The program operator will verify date, time, place and edits of publicly submitted data. Verified data will be content-tagged and captioned and will be searchable and accessible. If the data match a record submitted by law enforcement, the publicly available data file will be marked accordingly. If there is no corresponding law enforcement record, the publicly available data file will have a row with the public submission. The program operator will flag the file as a mismatch for law enforcement agencies at the time of data validation.</p>
5. PUBLIC ACCESS	Public access to de-identified raw and/or refined incident based data using an established open data standard, available online at no cost in a downloadable, machine-readable, nonproprietary format, redacted only as necessary to comply with the Public Records Act and the Washington State Criminal Records Privacy Act.	The program operator will place online a free and downloadable comma-separated values (CSV) file with all the data collected for this program with the exception of names. The program operator will update the spreadsheet monthly as the use of force data is updated monthly. The program operator will provide accessible technical specifications for accessing and interpreting data.
6. PUBLIC ACCESS	Ensure protection and removal of all personally identifiable information of officers, subjects, and victims in any data or analyses that are publicly released.	<p>Personally-identifiable information will not be shared in the CSV file available online or in the data dashboards.</p> <p>The program operator will use a unique identifying number for officers, known to the officer so they can find and check their own data online. Agencies will also know officer names associated with the numbers to enable them to use the data for internal purposes.</p> <p>The data program will not collect subject or witness names.</p> <p>The Legislature would need to pass a specific exemption to the Public Records Act (PRA) for this program data to ensure that names are not released in response to a PRA request.</p>

<p>7. DATA DISPLAY</p>	<p>Publicly accessible online data dashboards that summarize and analyze the data.</p>	<p>Prospective program operators shall propose an approach to data displays within these criteria:</p> <p>The default display page must be clear and understandable by a person with no statistics training. With input from community members, the program operator will ensure all headings and data elements are written in plain language.</p> <p>Displays must be interactive, allowing the user to choose the data displayed by each variable alone or in combinations that allow meaningful analysis. For example, if a user is interested in a particular agency, they must be able to interact with the display to show any available data of interest for the agency as a table, graph, geospatial data, or as a comparison with other agencies.</p> <p>The website must be ADA compliant and accessible on phones, tablets, and computers.</p> <p>The website will provide a help link for users that is responded to in a timely manner.</p>
<p>8. DATA DISPLAY & ANALYTICS</p>	<p>Interactive data visualization tools designed for law enforcement agencies and other entities to use the data for professional development, training, management and research, including agency-level comparative dashboards and dashboards with individual officer details.</p>	<p>Agency-level comparative dashboards and officer-level details (excluding names) will be available as part of the public-facing data displays.</p> <p>Prospective program operators shall propose interactive approaches to enable agencies to make meaningful comparisons across agencies (e.g., within a particular region, across agencies with similar characteristics, etc.) and across officers. These analyses should include, but are not limited to, each agency having a dynamic comparison group that includes similar agencies. As agencies changes, comparison groups will also change. Analyses within comparison groups will include all univariate and bivariate analyses and may include multivariate analyses when useful for measuring or modeling complex relationships.</p>
<p>9. DATA ANALYTICS</p>	<p>Analysis of data, using methodologies based in best practices or tested and validated in other jurisdictions, if possible, including, but not limited to, analysis of the data using legal algorithms based on available and applicable legal standards.</p>	<p>Prospective program operators shall propose research-based methodologies to ensure clear and accurate analyses that are useful and understandable to the public and law enforcement. The program operator must describe how racial and gender bias have been accounted for in methodologies and analyses.</p> <p>Legal algorithms are not recommended at this time, but with further development could be incorporated into the program in the future.</p>

<p>10. QUALITY IMPROVEMENT</p>	<p>Quality improvement, including periodically obtaining input from stakeholders about how the program can better meet the needs of the public and law enforcement.</p>	<p>The website will include methods for the public to provide feedback electronically at any time.</p> <p>The program operator will hold focus groups with community members and law enforcement quarterly in 2023 and three times per year thereafter to gather information to improve the analyses and displays on the website and in the semiannual reports.</p>
<p>11. REPORT</p>	<p>Semiannual reports, summarizing the data collected and any related analysis, published on the website and submitted to the Legislature and Governor by June 1st and December 1st of each year.</p>	<p>The first report to the Legislature and Governor will be submitted by June 1, 2023, detailing the implementation status, including training, technical support, and agency progress towards compliance with the law.</p> <p>All reports must include a one-page executive summary, information about agency compliance, and how the program operator incorporated stakeholder feedback to improve the utility and accessibility of the analyses and displays.</p> <p>The program operator will issue a press release when reports are issued to raise public awareness.</p>
<p>12. FUTURE DATA COLLECTION, EXPANSION BEYOND USE OF FORCE</p>	<p>Additional incidents and data to be collected from law enforcement agencies on interactions between officers and the public, such as traffic stops, pedestrian stops, calls for services, arrests, vehicle pursuits, and disciplinary actions, as well as demographic information of crime victims. Consider current practices and available data as compared to additional practices and new data that would need to be implemented by law enforcement agencies.</p>	<p>The data program is designed to expand over time. Accordingly, the Legislature, in consultation with stakeholders, should explore adding additional data elements, other than use of force, by January 2025.</p> <p>The program operator will document all changes to the data program in the data manual and training materials and provide adequate training and technical support to agencies before additional reporting begins.</p>

Data Elements for the Use of Force Data Program
Chart for Recommendation #2

	Element Label	Element Definition	Valid Value for Reporting
1.0	Incident Information		
1.1	Agency name	Indicates the name of the agency where the involved officer is employed	State recognized name of agency
1.2	ORI	Indicates the federal and state recognized agency	XXXXXX
1.3	Agency incident number	Indicates the number given to an incident record by the originating agency	Alpha-Numeric
1.4	Incident date	Indicates the date the incident occurred (if known)	MM/DD/YYYY
1.5	Reason for public contact	Indicates the reason for initial contact	Public request for service Agency request for service Unit or officer initiated Planned activity
1.5a	Response type	Indicates the level of cause the officer believed they had for contact	Social contact Reasonable suspicion Probable cause
1.6	Incident start time	Indicates the dispatched time, or time officer indicated that they are making a call/stop	HH/MM
1.6a	Time to Force (test item)	Indicates the time frame between arrival on scene and the time force was first used	Less than one minute Two-ten minutes 11-60 minutes More than one hour
1.7	Location	Indicates if location where force was used was indoor or outdoor	Choose all the apply IN= Indoor OUT= Outdoor
1.7a	Location type Indoor	Indicates indoor type of location where force was used	RES_S=Single family residence RES-M=Apartment or multifamily residence COM=Commercial/Business premises GOV=Governmental facility (court, school/university, offices) MED=Medical facility (clinic, hospital, etc) TRN=Transit facility Other

1.7b	Location type outdoor	Indicates outdoor type of location where force was used	RES=Residential private property (yard, etc) COM=Commercial private property (parking lot, etc) GOV=Government property (around official buildings) RWY=Public right of way (highway, street, sidewalk, boat launch, etc) TRN=Transit property PUB=Public lands (parks, state/national forests, etc) Other
1.8	Incident address	Indicates the street or HWY address where force was used	100 block/or nearest Milepost if Hwy/ + street+municipality Lat/Long option
1.9	Initial type of incident	Indicates the type of incident officer dispatched to respond	Check all that apply Civil Caretaking Offense to property Offense to person Offense to public order Vehicle stop Pedestrian stop Warrant Other
1.9a	Initial type of incident detail	Indicates the type of incident within the category of initial incident	1.9 Corresponding list Choose all that apply Offense against person Assault (all types) Domestic Violence Homicide (all types) Rape Robbery Civil order violation Other Property offense Arson Burglary Theft Mischief Trespassing Vehicle theft/prowl Other

			<p>Public order offense Public disturbance Drug related Sex related Weapon related Transit related Other</p> <p>Vehicle Offense DUI Accident Moving violation Non-moving violation Other</p> <p>Civil Caretaking Mental health/wellness check Civil infraction Eviction order enforcement Domestic order enforcement Other</p>
1.10	Arrest or welfare detention	Indicates if the person on whom force was used was arrested or taken into custody	Yes No Civil Detention
1.11	Arrest for	Indicates what the officer arrested the person for	Check all that apply Obstruction/resistance Person crime Property crime Offense against public order Vehicle violation Warrant
1.11a	Arrest Detail	Indicates the arrest type within category of arrest	1.11 Corresponding list Check all that apply Offense against a person Assault (all types) Domestic Violence Homicide (all types) Rape Robbery Civil order violation Other Property Crime

			Arson Burglary Theft Mischief Trespassing Vehicle theft or prowl Other Public order Offense Drug related Sex related Weapon related Public disturbance Transit related Other Vehicle Offense DUI Moving violation Non-moving violation Other
1.12	Use of force review status investigation	Indicates the level of investigation of this use of force	No review Administrative Review on-going/complete Internal investigation External investigation Ongoing/complete
1.13	Use of force review outcome	Indicates the outcome of the use of force review	No review done Administrative review within policy / outside of policy Internal investigation exonerated, not sustained, sustained External investigation exonerated, not sustained, sustained
1.14	Internal Investigation Action	Indicates the action required by the internal investigation	Change assignment Information Restricted No-action Reprimand Terminate Training
1.15	Minor(s) present during use of force	Indicates if the officer who used force knew if there were minors present during the use of force.	Yes No Unknown
1.16	Name of entity conducting external investigation	Indicates the name of entity conducting external investigation	IIT OII No Investigation

1.17	Is there a police video record of the use of force incident	Indicates if there is police generated video of the use of force incident	Yes No
1.18	Total number of officers present at the time force was used	Indicates the total number of officers present at the time force was used	Numeric between 1-99
1.19	Number of suspects present when force was used	Indicates the total number of people who may have committed a crime present at the time force was used	0-XXXXXX
2.0	Type of Force		
2.1	Pointed a firearm at a person	Indicates the officer pointed a firearm at a person	Pointed firearm
2.2	Discharged a firearm at or in the direction of a person	Indicates the officer discharged a firearm at or in the direction of a person	Discharged firearm
2.3	Used electronic control weapon at or in the direction of a person	Indicates the officer used electronic control weapon at or in the direction of a person	Electronic weapon
2.4	Used chemical irritant spray against a person or in the direction of a person	Indicates the officer used oleoresin capsicum spray against a person	Chemical irritant
2.5	Discharged a less lethal shotgun or impact munitions at or in the direction of a person	Indicates the officer discharged a less lethal shotgun or impact munitions at or in the direction of a person	Impact munitions
2.6	Struck person using impact weapon or instrument including but limited to club, baton, flashlight	Indicates the officer struck a person using an impact weapon or instrument including but limited to club, baton, flashlight	Impact weapon
2.7	Used a chokehold or vascular neck restraint	Used a chokehold or vascular neck restraint	Neck
2.8	Used any part of the body to physically	Indicates the officer used any part of the body to	Physical

	strike a person including, but not limited to: punching, kicking, slapping, using closed fists, leg or feet	physically strike a person including, but not limited to, punching, kicking, slapping, using closed fists, leg or feet	
2.9	Used vehicle to intentionally strike a person or vehicle	Indicates the officer used a vehicle to intentionally strike a person or vehicle	Vehicle
2.10	Deployed a canine	Indicates the officer deployed a canine with the potential to be used as trained in the presence of a person	Canine
2.11	Type of force not listed that resulted in injury	Indicates the officer used a type force not specified above and the force resulted in an injury	Force Other
3.0	Information for Person on Whom Force was Used Against		
3.1	Person Age	Indicates the verified age of the person	Numeric between 0-99
3.2	Person Gender	Indicates the verified gender	M=Male F= Female NB= Non-Binary Trans=Transgender UK=Unknown
3.3	Person Ethnicity	Indicates the verified ethnicity of person by person or family member according to census categories	H=Hispanic NH=Non-Hispanic
3.4	Person Ethnicity by officer perception	Indicate officer's perception of person's ethnicity at time force was used	H-OP = Hispanic NH-OP = Non-Hispanic U-OP = Unknown
3.5	Person Race	Indicates the verified race of the person by the person or family member according to census categories	A = Asian B = Black/ African American I = Native American/Alaskan Native P = Native Hawaiian/ Pacific Islander M = Multiracial U = Unknown W = White

3.6	Officer's perception of person's race	Indicates officer's perception of person's race at time force was used	A-OP= Asian B-OP = Black/ African American I-OP = Native American/Alaskan Native P-OP = Native Hawaiian/ Pacific Islander M-OP = Multiracial U-OP = Unknown W-OP = White
3.7	Person tribal affiliation	Indicates tribal affiliation has been verified	Yes/No
3.8	Person injury type	Indicates the type of injury sustained during the use of force	B=apparent broken bones C=canine bite D=death G=gunshot wound I=possible internal injury L=severe laceration M=apparent minor injury N=none O=other major injury T=loss of teeth U=unconscious
3.9	Officer's perception of person's impairment type	Indicates the officer's perception of person's mental condition	None Alcohol Drugs Mental health Multiple Unknown
3.10	Officer believed person to be armed	Indicates the officer's perception of whether or not the person against whom force was used was armed	Yes/No
3.11	Type of weapon found	Indicates the weapon type found	None Blunt object Chemical/Explosive Edged object Electronic Firearm Projectile Vehicle
3.12	Person Action	Indicates the officer's perception of the person's action prior to force	None Civil Disobedience Fleeing Resistant Imminent threat to self or others
4.0	Information for Officer Who Used Force		

4.1	Officer Name	Indicates legal name of the officer for who this incident is reported	Last, First, Middle
4.2	CJTC identification number	Indicates the unique identification of the officer without using their name	XXXX-XXXX
4.3	Officer Age	Indicates the age of the officer at time of incident	Numeric between 16-99
4.4	Officer Gender	Indicates the verified gender of the officer	M=Male F= Female NB= Non-Binary Trans=Transgender U=Unknown
4.5	Officer Ethnicity	Indicates the verified ethnicity of the officer	H=Hispanic NH=Non-Hispanic
4.6	Officer Race	Indicates the verified race of the officer	A = Asian B = Black/ African American I = Native American/Alaskan Native P = Native Hawaiian/ Pacific Islander M = Multiracial U = Unknown W = White
4.7	Officer years of service in law enforcement	Indicates the number of paid years the officer has worked in law enforcement	Numeric (Provided by CJTC)
4.8	Officer injury	Indicates the type of injury sustained during the use of force.	B=apparent broken bones C=canine bite D=death G=gunshot wound I=possible internal injury L=severe laceration M=minor injury N=none O=other major injury T=loss of teeth U=unconscious
4.9	Shift assignment type	Indicates the type of assignment officer had at the time of use of force	Patrol Admin Traffic Specialty
5.0	Calls for Service		
5.1	Calls for service	Indicates the total number of documented interactions between the police including but not limited to citizen calls, unit or officer	Numeric

		initiated interactions and court or Bailiff activities	
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