

Seattle
Community
Police Commission

Our City. Our Safety. Our Police. **Better Together.**

August 11, 2014

VIA EMAIL

Mayor Ed Murray

Seattle City Councilmembers

City Attorney Peter Holmes

SPD Chief Kathleen O'Toole

Director Pierce Murphy

RE: CPC Comments on Accountability System Recommendations of Dr. Bernard Melekian

Dear Mayor Murray, Councilmembers, City Attorney Holmes, Chief O'Toole and Director Murphy:

Attached please find a compilation of the Community Police Commission (CPC) recommendations for improving Seattle's police accountability system. As you know, the Memorandum of Understanding between the City of Seattle and the U.S. Department of Justice (DOJ) charged the CPC to review the accountability system and propose changes.

You earlier received two separate reports from us proposing changes to the accountability structure and process. For ease of reference, those are included here, but we also show adjustments and annotations reflecting the degree of alignment we have been able to achieve with the subsequent recommendations of Dr. Bernard Melekian, the Mayor's Special Advisor. The two charts enclosed here show where the CPC, in discussions after Dr. Melekian released his own report, has modified its original position in response to his proposals, and provide comments in the few areas where its position differs in some respects from his.

We extend our deep gratitude to Dr. Melekian for the time he spent with us in the attempt to achieve the greatest possible degree of alignment among the entities making proposals for accountability reform, and the collaborative spirit in which he engaged in that project with us. We also deeply appreciate the continued assistance we have received from the OPA Director and the OPA Auditor, who have shared their views with us throughout this process.

Importantly, there is agreement among the CPC, Dr. Melekian, the OPA Auditor and the OPA Director that the current structure—involving a functionally independent civilian-led office responsible for investigations, an independent civilian auditor to oversee the effectiveness of OPA and SPD processes and systems, an oversight body representing the public's interests, and the Seattle Police Department itself—is generally sound and that

its strengths should be maintained. Proposed revisions will correct problems that have been of concern to both police officers and the public.

The primary area of variance concerns the role of the OPA Auditor. Dr. Melekian favors revising the Auditor's role, making it a more traditional audit function that reviews OPA performance after case investigations are complete. The CPC understands the merits of this approach, but believes the current system of checks and balances must remain in place until—and only when—a host of systemic corrections are in place. Most particularly, a strong and highly effective civilian oversight body must be operating to ensure appropriate accountability of the OPA Director. Establishing an Office of Inspector General would be an enhancement once other key corrections to the accountability system as a whole are in place.

In a few areas there are some differences in the perspective of Dr. Melekian and the CPC, but we do not believe those differences are significant. Further discussion of the underlying principles and issues involved in these areas is welcome and will be helpful in achieving even greater alignment.

Critically, the measures jointly endorsed by the CPC and Dr. Melekian, many of which are also endorsed by the OPA Director and OPA Auditor, are an integrated set of reforms. It is vital that corrections to the system not be piecemeal, but rather are undertaken comprehensively. Some reforms can be adopted immediately by SPD and other involved City Departments. Others require either legislation and/or must be bargained with SPD unions. But in any case, there is no single "fix." The system is complex and a change in one or a few areas will not suffice.

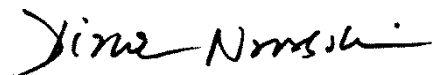
The CPC understands that its full set of recommendations, and that of Dr. Melekian, may benefit from further refinement and welcomes an opportunity to further discuss how the City will move forward with these reforms to SPD's accountability system.

Later this week, responding to a request from Dr. Melekian, we will provide an additional document which spells out the essential characteristics and functions of an effective civilian oversight body which is critical to the revised system proposed both by the CPC and Dr. Melekian.

Sincerely,



Lisa Dugaard, Co-Chair
Community Police Commission



Diane Narasaki, Co-Chair
Community Police Commission

Enclosures

cc:

Dr. Bernard Melekian
Anne Levinson, Judge (ret.)
Community Police Commission