

Seattle
Community
Police Commission

Our city. Our safety.
Our police. Better together.

January 20, 2020

Via Electronic Mail

Andrew Myerberg, Director
Office of Police Accountability
720 Third Avenue, 18th Floor
Seattle, WA, 98104

Dear Director Myerberg,

We would like to thank you for the work you and your team have done to get the Rapid Adjudication pilot program started. We expect that it will be an important addition to Seattle's accountability system and will both give a way for officers to take responsibility for some lower-level misconduct and create a more efficient disciplinary system.

As you know, the Office of Police Accountability (OPA) is directed by the 2017 Accountability Law to consult with the Community Police Commission (CPC) and Office of Inspector General (OIG) to create and maintain a fair and effective Rapid Adjudication program. Thank you for your partnership through the last few months in helping fulfill this mandate.

On September 5, 2019, representatives from the OPA presented on the progress of the Rapid Adjudication program at a CPC public meeting. During that meeting and in a subsequent letter, CPC commissioners raised questions about some of the policies that had been applied to the few cases that have already gone through Rapid Adjudication. Those concerns were largely centered on what kinds of misconduct should be considered for Rapid Adjudication, including the use of Rapid Adjudication in cases involving use of force and allegations of bias.

Since then, we have learned OPA has revised some policies around Rapid Adjudication. The CPC recommends the OPA formalize those changes into policy. This includes:

1. Excluding types of misconduct from Rapid Adjudication that are serious and could harm community trust, including:
 - Criminal violations;
 - Dishonesty;
 - Force;
 - Bias;
 - Insubordination;
 - Failure to report serious policy violations to OPA;
 - Intentional or reckless violation of policy;
 - Retaliation; and
 - Failure to cooperate in an internal investigation.

2. Working with the Office of Inspector General (OIG) before a case is approved for Rapid Adjudication to ensure the case is appropriate for the program.

Additionally, as this program evolves, we recommend the following:

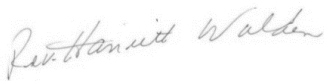
3. The OPA should propose some way of soliciting or accepting feedback from complainants and victims about their thoughts on the use of Rapid Adjudication for their allegation.
4. To increase transparency, the OPA should create a section on their website where Closed Case Summaries of cases where Rapid Adjudication was used are easily accessible. The OPA should promote this public-facing platform in its annual report when discussing Rapid Adjudication.
5. When reporting data about Rapid Adjudication in the OPA's Annual Report, include qualitative data such as short case summaries about the cases that have gone through Rapid Adjudication.
6. The OPA should consider eventually moving towards developing and implementing a discipline matrix for Rapid Adjudication, as was originally envisioned for the program by former OPA Auditor Anne Levinson. This is a future goal that the CPC understands will be a time consuming task and take aggressive collaboration. In the meantime, we are supportive of Rapid Adjudication moving forward.

Lastly, the CPC joins the OPA's call for the City of Seattle to bargain for a full Rapid Adjudication program as envisioned by the landmark 2017 Accountability Law. We agree with the OPA that doing so would at a minimum include:

- Making the Rapid Adjudication program permanent rather than only a pilot;
- Clearly stating any agreed-upon discipline will not be changed or diminished by the Chief; and
- Increasing the Rapid Adjudication timeline from 10 to 20 days to allow OPA sufficient time to conduct preliminary investigations prior to classifying a case for Rapid Adjudication.

We hope to receive written responses to these recommendations by March 31, 2020. You are also welcome to present your response at a future CPC meeting.

In partnership,



Rev. Harriett Walden, Co-Chair
Community Police Commission



Emma Catague, Co-Chair
Community Police Commission

cc: Community Police Commission