

# MINUTES

## Community Police Commission (CPC)

January 27, 2016, 9:00 am – 12:00 pm

City Hall, 600 4<sup>th</sup> Avenue, Room 370

**CPC Attendees:** Lisa Daugaard, co-chair, Rev. Harriett Walden, co-chair, Claudia D'Allegri, Kay Godefroy, Enrique Gonzalez, Jay Hollingsworth, David Keenan, Marcel Purnell, Ofc. Kevin Stuckey, Rev. Aaron Williams

**CPC Absent:** Melinda Giovengo

**CPC Staff:** Fé Lopez, Anne Bettsworth, Minty LongEarth, Betsy Graef, Tracy Whitlatch

### REVIEW AGENDA AND APPROVE MINUTES / ANNOUNCEMENTS

**Moved, seconded, and passed (7-0-0):** "To approve the 1/13/16 CPC Meeting minutes and the 1/27/16 agenda."

### BODY CAMERA UPDATE

The CPC Executive Director represented the CPC at the House Judiciary Committee meeting regarding body camera legislation in Olympia, WA on January 14<sup>th</sup>. She addressed the following approved issues.

- Request that a representative from the immigrant and refugee community be added to the taskforce.
- National Security Agencies: Legislation should direct local jurisdictions to state what their policy is for releasing videos to national security agencies.
- Privacy/Public Disclosure: The first prong of the privacy act, RCW 42.56.050, is addressed in the draft legislation in section 14 (a); however, the second prong of the RCW (not of legitimate concern to the public) of the act is not addressed in the draft legislation. Legislation attempting to prevent disclosure must also address the second prong, because courts have interpreted this prong narrowly so that most information is released in light of this interest.
- The community is wary of leaving the discretion to individual officers to determine when a body camera is turned on or off. This issue must be determined by the legislature.

Over 40 people from all over Washington testified on behalf of their constituencies.

### TRAINING WORKGROUP

The CPC has been working with the SPD Training Section, OCR and Benita Horn to develop the upcoming Bias-Free Policing training for supervisors. The CPC and SPD will be meeting to solidify the facilitation methods and a new start date the training sessions.

## ACCOUNTABILITY WORKGROUP

**Community Signatory Meeting** – Per the request of the community Signatories that signed the November 30<sup>th</sup>, 2015 letter to the Monitor (“Signatories”), the CPC coordinated a meeting to update them on the Monitor’s process regarding the accountability legislation. The meeting took place on January 19<sup>th</sup>. Many members of the 47 signatories of the community letter attended the meeting. CPC commissioners and staff, Ian Warner from the Mayor’s Office, Ron Ward from the Monitoring team, Seattle City Attorney Pete Holmes and Orlando Cano of Councilmember González’s office also attended the meeting.

The Signatories raised their concerns directly to the Mayor’s Office, Monitor team and the CPC. Some members spoke at length why they support the CPC’s police accountability recommendations and believe it is so important to have the CPC as the permanent civilian police oversight body. The Signatories also requested that they be kept up-to-date by the CPC regarding the process and the CPC’s role.

**Accountability Legislation Recommendations Process Update** – The DOJ sent a process proposal to the parties and the CPC on January 20. The CPC submitted an edited proposal to the City partners in the morning of January 22<sup>nd</sup>. The CPC is waiting to hear back from the City.

**CPC Review of OPA Protest Investigations** – The CPC discussed an OPA investigation involving an employee’s use of blast balls during the 2015 May Day protests that the OPA found “not-sustained” although OPA recommend management actions. This brought up some questions for Commissioners.

- What is the level of certainty that would warrant a sustained finding?
- What is the next step when the video recording does not match the statements given?
- Would an outside expert have helped in resolving the proof issue?

The OPA Director requested that the CPC work on developing some best-practices to investigate these issues.

The Commissioners discussed the CPC’s mandate in the Consent Decree and the responsibility it has to the community.

**Moved, seconded, and passed (6-2-0):** "To approve the development of a proposal that would identify substantive scope of the research, how it relates to CPC charge, where the work would be lodged, what the work product would be and how long the work would take. That proposal would be submitted to the CPC at its next meeting for a discussion and a vote."

**Response to OPA Manual** – The CPC will file a response to the Court regarding whether the court should engage in the City/SPOG bargaining process.

**Moved, seconded, and passed (7-1-0):** “Staff and Commissioners will work on drafting a response to the OPA Manual with the following scope: While the CPC acknowledges that there is an open question whether federal civil rights jurisdiction ever could supersede the collective bargaining rights of public employees under state law, we do not believe it is warranted or advisable to test that question in this context. There is no evidence that the collective

bargaining process currently under way in Seattle is being used in such a way as to violate the civil rights of any person or category of people, nor to impede efforts to protect civil rights. Stepping across this line at this point, in the absence of any indication that this is warranted to safeguard civil rights, could have unintended negative consequences far beyond what would be gained.”

*Action Item*

**SPD Community Engagement Assessment Workgroup**

The CPC issued its [Assessment of the Seattle Police Department’s Community Engagement through Recruitment, Hiring and Training](#). This assessment was also filed with the court and a [press release](#) was sent to the local media. Advanced copies were sent to SPD, DOJ, Mayor’s Office, City Council and the City Attorney’s Office.

SPD plans to move forward with creating and implementing recommendations and holding listening sessions in the community. The CPC hopes to work collaboratively with SPD to improve the process and share additional information it has already gathered through several listening sessions that the CPC conducted in several communities and in several different languages.

CPC staff attended the African American DAC on January 18<sup>th</sup>. There was a lot of interest and discussion about the report released by the CPC. Staff will be discussing the report at other DAC meetings.

CPC Co-chair Lisa Daugaard, Executive Director Fé Lopez and Policy Analyst Anne Bettsworth attended a meeting with Muhammed Said, representatives from CAIR, and East African community leaders to discuss Mr. Said’s troubled tenure at SPD. The CPC will determine next steps to address what, if any, systemic recommendations should be made based on his experience that could enhance the recruitment and training of officers from immigrant and refugee communities. A small workgroup will convene to study the East African community perception of recruitment and training process.

*Action Item*

**DOJ UPDATE**

The Monitor filed the Public Confidence assessment on January 27<sup>th</sup>.

**OTHER BUSINESS**

**CPC Retreat Date** – The CPC will hold its annual retreat in March.

**SUMMARY OF ACTION ITEMS**

- Staff will write a letter to Chief O’Toole requesting SPD to hold on moving forward with listening sessions and implementing recommendations.
- Staff will forward the draft CPC response to the OPA Manual to the workgroup to finalize it prior to filing it with the Court.