

FACT SHEET

RECENT POLICE ACCOUNTABILITY REFORM DISCUSSIONS

The Seattle Community Police Commission (CPC) recently participated in six meetings to discuss police accountability reform topics. This Fact Sheet provides an overview of the meetings and how those meetings fit into broader efforts to reform police accountability and civilian oversight.

Who organized these meetings?

City Attorney Pete Holmes organized the meetings. U.S. District Judge James L. Robart approved the meetings in advance at the request of the federal monitor overseeing the 2012 settlement between the City of Seattle and the Department of Justice.¹

When did the meetings occur?

The six meetings occurred on March 1, March 8, March 14, March 22, March 29, and April 6, 2016, in the Office of the City Attorney. The meetings had morning and afternoon sessions. Participants met for more than 20 hours total.

Who participated?

The meetings were attended by representatives of the City Attorney's Office, the Department of Justice, the Office of the Mayor, the Seattle Police Department, the CPC, the Office of Professional Accountability (OPA), the OPA Auditor, the OPA Review Board, and the federal monitor. The CPC understands that city councilmembers asked to participate but were not permitted to attend. The City Attorney briefed certain members of the city council weekly.

Were the meetings open to the public?

No.

The CPC asked that the meetings be open to the public. The CPC's formal request to the City Attorney can be found by clicking [here](#). The request was denied on the basis that closed meetings would encourage a more free exchange of ideas. If the request had been approved, the CPC would have had an opportunity to have a more diverse representation at the meetings.

What do these meetings mean for previous accountability reform proposals?

Unclear.

The CPC has been engaged in a years-long effort—officially beginning in 2013 although individual members had been engaged in reform efforts for many more years—to examine the City's police accountability system and propose reforms. A memorandum of understanding executed by the Department of Justice and the City of

Seattle in conjunction with the 2012 settlement authorized the CPC to evaluate and make recommendations concerning police accountability and civilian oversight.ⁱⁱ

In April 2014, the CPC issued a set of accountability recommendations.ⁱⁱⁱ Subsequently, there was further successful collaboration among stakeholders—including the CPC, the OPA Director, and the OPA Auditor—with the Mayor’s special advisor for police issues in an effort to achieve strong consensus with the Mayor’s Office on needed reforms.^{iv}

In November 2014, the Mayor announced his package of reforms—largely based on the CPC’s recommendations—to strengthen and streamline the police accountability process.^v One element of his package endorsed enhanced civilian oversight through the CPC. After the Mayor’s announcement, draft legislation was crafted to codify many of the agreed upon reforms. The process of negotiating the specific language in this draft legislation occurred over many months.

On June 29, 2015, the Office of the Mayor, Seattle Police Chief Kathleen O’Toole, and the CPC announced an agreement in principle of a police accountability legislation package, which they intended to jointly present to the City Council after consulting with the federal monitor. Details of the proposal were contained in a memorandum sent to the federal monitor, found [here](#).^{vi}

Judge Robart put the legislative process on hold during a status hearing on June 30, 2015, expressing concerns regarding the proposal’s effect on the Settlement Agreement. On August 26, 2015, Judge Robart acknowledged, with respect to the proposed accountability legislation that “. . . at least some of the items in it are more internal to the city and may well be outside the scope of the Settlement Agreement that was reached.”^{vii} The court also ordered the parties to file briefs relating to preferred approaches for Seattle police “accountability and review systems.”^{viii} Those briefs were filed with the court in September and October 2015. The CPC’s associated brief can be found [here](#).^{ix}

The meetings convened by Pete Holmes in March and April were the result of the court’s intervention in the process.

Did the meetings produce a legislative package?

No.

Although much of the discussion revolved around the June 29, 2015 endorsed police accountability reform legislation, participants were not asked to approve or disapprove of any specific legislative package. Most parties agreed that the reforms under discussion are in the purview of the City’s legislative process, including the Council, which was not included in the meetings; and that process would need to take place in public.

What’s next?

The Department of Justice and the City are scheduled to file briefs with the court relating to the meetings on April 26, 2016.^x The CPC expects to file its brief no more than two weeks later. Soon after April 26, the CPC will be in communication with community partners about the situation and what we see as next steps.

Update

The City requested and the court granted a two week extension to filing its brief with the court. The City is now expected to file its brief on May 10, 2016. In addition, the court also granted the DOJ’s request to file its response to the City’s filing on May 24. The court order granting both requests can be found [here](#).

ⁱ United States v. City of Seattle, No. 2:12-cv-1282-JLR, Dkt. No. 275 (Feb. 25, 2016), available at <<https://ecf.wawd.uscourts.gov/doc1/19716774778>>.

ⁱⁱ Memorandum of Understanding Between the United States and the City of Seattle at 4 (July 27, 2012), available at <http://www.seattle.gov/Documents/Departments/CommunityPoliceCommission/120727FINAL_MOU.pdf>.

ⁱⁱⁱ Community Police Commission Accountability Recommendations (April 24 & 30, 2014), available at <<http://www.seattle.gov/Documents/Departments/CommunityPoliceCommission/CPC%20Accountability%20Recommendations%20COMBINED%2004-2014.pdf>>.

^{iv} Office of Mayor Edward B. Murray, Seattle Police Accountability & Civilian Oversight 2 (Nov. 12, 2014), available at <<http://murray.seattle.gov/wp-content/uploads/2014/11/Seattle-Police-Accountability-and-Civilian-Oversight-November-12-2014.pdf>>.

^v Office of Mayor Edward B. Murray, Murray and Community Leaders Announce Police Accountability Reforms, (Nov. 12, 2014), available at <<http://murray.seattle.gov/murray-and-community-leaders-announce-police-accountability-reforms/>>.

^{vi} See Letter from City of Seattle to Merrick Bobb et al. (Aug. 21, 2015).

^{vii} United States v. City of Seattle, No. 2:12-cv-01282-JLR, 8/26/15 tr. at 30:9–11 (transcript on file).

^{viii} United States v. City of Seattle, No. 2:12-cv-01282-JLR, Dkt. No. 228 (Aug. 26, 2015) (docket entry).

^{ix} United States v. City of Seattle, No. 2:12-cv-01282-JLR, Dkt. No. 240 (Oct. 16, 2015), available at <<https://ecf.wawd.uscourts.gov/doc1/19716576222>>.

^x United States v. City of Seattle, No. 2:12-cv-01282-JLR, Dkt. No. 282 (Apr. 13, 2016), available at <<https://ecf.wawd.uscourts.gov/doc1/19716848605>>.