



JUSTICE NEWS

Assistant Attorney General Kristen Clarke Delivers Remarks on Policing Reform Efforts for the City Of Seattle and Seattle Police Department

Seattle, WA

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Remarks as Delivered

Good morning and thank you, First Assistant Gorman. While the Justice Department is opening new pattern or practice investigations into police departments across the country, we are also achieving significant progress in cities that have worked for years to institute reforms that are called for by our consent decrees. I am here today to recognize the significant steps the City of Seattle and the Seattle Police Department (SPD) have taken to ensure constitutional policing. They have reached and sustained compliance with our consent decree by consistently implementing reforms necessary to change policing in this city. As a result, Seattle stands as a model for the kind of change and reform that can be achieved when communities, police departments and cities come together to repair and address systemic misconduct.

Today, the Justice Department and Seattle, in recognition of these achievements, are filing a joint motion seeking to end the long-standing consent decree that has been in place. This would be replaced with a new agreement that addresses the need for compliance in two final remaining areas – officer accountability and police crowd control tactics. We will work closely with the city and the public on these final areas. But the overall message today is that policing in Seattle looks dramatically different today than it did ten years ago. The consent decree in Seattle has provided the strong medicine necessary to cure the problems and improve the way policing is carried out across the City of Seattle. Over the last 11 years, policing has changed significantly. And we are confident that the systems the city has built, including robust community oversight, will ensure that policing in Seattle continues to improve in the road ahead.

How did we get here? Under the Consent Decree, the city and the police department have implemented new and revised policies and developed and improved training to protect the civil rights of the people of Seattle. Structural changes that improved the police department's ability to monitor and correct itself, including the creation of a Force Investigation Team to investigate all serious uses of force, have been effectively implemented. And to foster a greater partnership between the police department and the community, the city has established a Community Police Commission to incorporate and build on community members' ideas and experiences.

The consent decree was established in 2012 as a result of the Justice Department's 2011 report finding that the Seattle Police Department had engaged in a pattern and practice of police misconduct. In a little over a decade, the Seattle Police Department has made great strides and reformed its policies and practices significantly. The consent decree has produced real and tangible change:

- In 2011 we found widespread uses of unnecessary and excessive force. Today, the use of force has become rare. SPD officers now use force in fewer than one-quarter of 1% of all events to which they respond. SPD has reduced the use of serious force by 60%.
- In 2011 we found that officers escalated situations unnecessarily, particularly during encounters with people with mental illness. Since then, the police department has developed an advanced crisis intervention program to respond to people who are experiencing a mental health crisis. Use of force in crisis incidents now occurs in less than 2% of such incidents and the majority of force used – 65%– is low-level force.
- In 2011 we raised serious concerns about the police department’s practices regarding pedestrian stops and detentions. Today, the police department’s stops and detentions consistently comply with legal and policy requirements – in its most recent assessment, the court monitor has found that more than 90% of police stops are supported by reasonable, articulable suspicion.
- The police department has also adopted a bias-free policing policy. It requires the police department to analyze its practices – including stops, searches and arrests – to identify those that have a disparate impact on Black, Latino, AAPI, native and other communities of color.

I want to be clear – while challenges remain, the very significant progress that I have described could not have been achieved without the reforms called for by our consent decree, the work of the independent monitor, court oversight, the actions undertaken by the police department and the partnership and faith that the community has brought to this process at every stage. It is this measurable progress that forms the basis for our joint request to terminate the long-standing consent decree in Seattle. As the court monitor’s reports have consistently found, through its diligent efforts the city has sustained compliance with significant portions of the consent decree since early 2018. And this is what the consent decree demands: the city must show that, not only can it achieve compliance with the protections of constitutional rights required by the decree, but that it can also sustain this compliance over time to ensure that constitutional rights will be protected in the future. For the vast majority of the consent decree, the city and the police department have met these requirements. They have also committed to continuing to measure whether these reforms remain effective, demonstrating their commitment to being an agency that can engage in critical self-analysis and continue the ongoing process of reform. We believe now is the time to recommend to the court that the city be relieved from the specific requirements of the consent decree in all of these areas of sustained compliance.

Two key areas would remain under the court’s oversight. The first area is the use of force in crowd management settings, such as large protests and demonstrations. The city continues to complete its review and implement reforms related to use of force during the protests in the summer of 2020, and that work must be completed before it’s appropriate to end court oversight on that issue. The second is accountability – the systems that ensure that police officers are held accountable when if and when they violate SPD’s policies and the law. In 2019, the court found that the city was out of compliance with the consent decree in this area, and the court monitor must conclude its assessment of the city’s work to address those concerns. We are committed to working with the city and the court monitor to ensure that these remaining areas are fully addressed.

But, moving forward, the city, the police department and the community will have to work together to ensure that policing both keeps people safe and respects their civil and constitutional rights. The gains the city and the police department have made must be vigilantly guarded and carried into the future, and we are confident that the systems established through the consent decree will make positive and lasting change possible.

And while much has been achieved here in Seattle, we know that the work of reform must continue. Indeed, it is Seattle's recognition of the ongoing nature of reform and its commitment to doing the necessary work that gives us confidence that we can take this step today.

We're seeing similar results in consent decrees across the country. The work in those cities is still ongoing, but the progress that we've accomplished in Seattle truly provides a model for what we can accomplish in other communities as we vigorously pursue such reforms. Two weeks ago, I was in Louisville, Kentucky, where I announced the findings from a similar investigation of the police department in that city. We are already working with the city to address the issues through a court-enforceable consent decree with the oversight of a court monitor. We're also investigating the Minneapolis Police Department, Phoenix Police Department, Louisiana State Police and New York City Police Department, among others.

The results of the consent decree here in Seattle show these efforts can be effective, that constitutional and effective policing hand in hand. Today is not an endpoint, but a new beginning – a beginning of the next chapter of reform here in Seattle. As Dr. Martin Luther King said: "Change does not roll in on the wheels of inevitability, but comes through continuous struggle." The next chapter will require continuous struggle to ensure that change does roll in, to ensure that the constitutional rights of everyone in Seattle are protected, particularly among those most vulnerable. We look forward to our role in this next chapter of reform.

To all of the members of the Seattle community, I acknowledge your engagement and hard work and effort, which helped bring us to this milestone today. I know that this transition agreement doesn't signal an end to those robust efforts and that more progress can be made toward an even more effective and fair community policing process here in Seattle.

In conclusion, I want to acknowledge the U.S. Attorney's Office, which has been a strong partner with the Civil Rights Division since the inception of our work in Seattle and throughout the consent decree process. I also want to acknowledge Mayor Bruce Harrell, City Council President Debora Juarez and the other city Councilmembers here today and Chief of Police Adrian Diaz – thank you for joining with us. Thank you for standing with us. We are also joined by community leaders and concerned citizens who have been a central part of this process from the beginning and have been important voices in the process of reform. I also want to recognize the Seattle Police Department, from the rank and file all the way up to command staff – their compliance with the consent decree over the years has contributed to its ultimate success.

I want to now invite to the podium Mayor Bruce Harrell.