**Community Police Commission (CPC)**

**May 17th, 2023, 9:00am In-Person & Via Zoom Conference Call**

1. **Welcome & Land Acknowledgement**
2. **Take Attendance**

**CPC Attendees**: Rev. Patricia Hunter, Rev. Harriett Walden, Joel Merkel, Mark Mullens, Suzette Dickerson, Lars Erickson, Ruffin, Raven Nicole Tyler, Tony Gaedcke, Joel Merkel, Erica Newman, Le’Jayah Washington, Lynne Wilson, Jeremy Wood (late), Mary Ruffin (late), Alina Santillan (late)

**CPC Absences:** Tascha Johnson, Joseph Seia, Suzette Dickerson (excused absence)

**CPC Staff**: Cali Ellis, Felicia Cross, Megan Clark, Kiesha Cannon, Mina Barahimi Martin, Mergitu Argo, Jo-Nathan Thomas, Jessica Phares

1. **Review Agenda & Minutes**

**Action**: Motion to approve the 5/17/23 meeting agenda

**Moved:** Commissioner Erickson

**Seconded:** Commissioner Tyler

**Approved by voice vote.**

**Opposed**: 0

**Abstentions:** 0

**Action:** Motion to approve the minutes from 5/3/23

**Moved:** Commissioner Erickson

**Seconded:** Commissioner Tyler

**Approved by voice vote.**

**Opposed:** 0

**Abstentions**: 0

1. **Community Police Commission Updates**
   * **Co-Chair Updates** 
     + **Welcome New CPC Commissioner** 
       - Welcome Lieutenant Anthony Gaedcke representing SPMA**.** He gave a brief introduction on himself.
   * **Executive Director Updates** 
     + Welcome new CPC staff, Kiesha Cannon who is the new Executive Assistant.
   * **Commissioner’s Workgroup Updates** 
     + **Community Engagement**
       - No one was available to provide updates.
     + **Police Practices** 
       - Went to see the demonstration by SPD for Bola wraps and learn about other non-lethal weapons being used. Looking forward to talking more to the group about it. The group may have people from SPD training come to a group meeting so that the commissioners can ask them questions and learn more about their practices.
     + **Complainant Appeals** 
       - Have a draft letter they are finalizing to the city’s negotiation team for SPOG CBA and had a meeting yesterday with OPA that Wood was not able to attend, so cannot provide update on that.
     + **Behavioral Health** 
       - Meeting on Friday to talk more. They would like to discuss ideas on reaching out to SPD to talk about current mental health practices when interacting with the community.
   * **Staff Department Updates**
     + **Community Engagement Staff Update**
       - Mergitu and Jo-Nathan talked about some of the events they’ve gone to, and community members they’ve talked with in how to further community engagement. Their focus has been South Seattle but working to get to other parts of the city as well. They also talked about how they’re working to set up internships in the CPC office to bring youth into the work as well.
     + **Policy Workgroup Staff Update** 
       - The CPC is a participant in the Affected Person’s workgroup which was created by way of council budget action and seeks to assess the need for the program that provides emotional and practical support services for folks impacted by incidents under investigation by OPA. The leadership role for the group was transitioned from OPA to City Council. If you have any questions about the work group, please reach out to Mina.
   * **Legislative Update** 
     + The special session is over, it was very quick and only lasted a day. Please reach out over the summer to work on bills that were not voted on during this legislative session so they can work to advance them in the 2024 session.
     + Gave an update on the Ordinance to learn more about the guidelines for public meetings.
   * **New Business** 
     + No new business.
2. **Vote on By-Laws Changes** 
   * During the last meeting on May 3rd there was a discussion and a vote on the bylaw changes, and there were some proposed amendments to change the by-laws including changing the threshold from 2/3 to ½, but this change was removed to keep the threshold at 2/3. Another change was to have a responsibility of the co-chairs to give quarterly updates on the ED’s performance during executive session. Lastly, the language was changed from “required” to “preferred” regarding in-person and on-video requirements. Each of these were voted on and approved and included in the new draft. The motion to change the by-laws did not pass, and now that there are more commissioners present, they would like to make a move to approve by-law changes. The only difference now is that there is another commissioner, so now have 16 commissioners and 2/3 is 11 votes. Joel shared the three changes that were approved as amendments. Commissioner Washington brought up a change in the bylaws that changed the word to “may” where the commission “may” allow public comment. Commissioner Merkel said that public comment has always been permissive but not required, and this language clarifies that. Gary Smith said there is no requirement for oral public comment, but always the opportunity to receive written public comment to be sent out to the commissioners.
     + Vote to move the motion:
       - Moved by Commissioner Erickson
       - Seconded by Commissioner Walden
     + Vote:
       - * Commissioner Ruffin: Yes
         * Commissioner Mullens: Yes
         * Commissioner Wood: Yes
         * Commissioner Wilson: Yes
         * Commissioner Tyler: Yes
         * Commissioner Washington: Yes
         * Commissioner Merkel: Yes
         * Commissioner Hunter: Yes
         * Commissioner Walden: Yes
         * Commissioner Erickson: Yes
         * Commissioner Gaedcke: Yes
         * Commissioner Dickerson: Not Present
         * Commissioner Johnson: Not Present
         * Commissioner Santillan: Not Present
         * Commissioner Newman: Not Present
         * Commissioner Seia: Not Present
       - Vote: No = 0, Yes = 11, Abstain = 0. Current bylaws require 2/3rd of current membership to vote which would be 10 commissioners, and **vote passed with 11 votes**.
3. **Office of Independent Investigations Presentation** 
   * Roger Rogoff, Director of OII, came to talk about OII and give a presentation
     + He gave a brief introduction to himself and the work that he currently does. He explained that the purpose of OII is to conduct criminal investigations of law enforcement using deadly force statewide. Information about the OII can be [found here](https://oii.wa.gov/). The organization just began in 2020, and they have not looked at cases yet because they are still setting themselves up. The first set of cases reviewed will be fatality cases only. SPD is exempt from being reviewed because they are under a consent decree. It may go away soon, but until the consent decree has been lifted OII cannot review any cases where SPD is involved.
     + **Questions asked by commissioners:** 
       - If the transition agreement between the City and DOJ is agreed as proposed, how does this impact OII investigating SPD?
         * The part that deals with police accountability has to be gone. There is still reference to requirement on criminal investigations. No other agency in the state is doing this type of work, and the consent decree may be lifted when the agency is fully operational.
       - SPOG contract limits accountability, & is OII limited the same way?
         * Didn’t negotiate any labor agreements and are not subject to them. They do their job per state law. Not subject to labor agreements, ad officers can use their 5th Amendment Right. RCW 10.114.10 says that OII can call an independent investigative team unless there is a consent decree with the federal government.
       - Would OII have jurisdiction over cases after the consent decree is lifted, or would they have authority to review while the consent decree was lifted?
         * Have not considered this. The first thought is that language prevents them from working on consent decree cases and stops their ability to investigate but have to look into it.
       - Who is responsible for providing new evidence for re-opening cases?
         * Policies will be shared very soon, but anyone can submit a case to be reopened for investigation. They would like to make this barrier as “low” as possible. Just have to hear from submitter that there’s new evidence that would have to have an impact on the case.
       - Is there any recourse specifically for affected persons to seek a second review within the office in the absence of new evidence if they make a meritorious argument that key evidence wasn’t fully investigated?
         * Not sure of the answer to that. There’s nothing in the statute that talks about this. No oversight for them other than the public and expect to be the most watched public agency. The public will look for credibility when they do this work.
       - State law says the ability to prosecute an officer changed a few years ago, making it easier to bring criminal cases against officers that used deadly force. When looking back and writing reports, is it going to be through lens that the statute was in place at the time and not before?
         * OII’s job is to figure out what happened, and everyone understands how they figure out what happened. Prosecutor’s decision when the prosecuting agency makes the decision on whether criminal charges can be filed. – AG or local prosecutor for criminal charges. They will have to abide by state law to make decision on law that existed at the time.
     + Talked briefly about having regional offices, and hope to get these up soon.
4. **Adjourn**