

THE HONORABLE JAMES L. ROBART

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	Case No. 2:12-cv-01282-JLR
Plaintiff,	)	
	)	<b>PARTIES’ STIPULATED, JOINT</b>
v.	)	<b>MOTION TO TERMINATE</b>
	)	<b>PARAGRAPHS 69-168 OF THE</b>
CITY OF SEATTLE,	)	<b>CONSENT DECREE</b>
	)	
Defendant.	)	<b>NOTE ON MOTION CALENDAR: May 7,</b>
	)	<b>2020</b>
	)	
	)	
	)	

The City of Seattle and the United States of America (“Parties”) hereby jointly move to terminate paragraphs 69-168 of the Consent Decree. Dkt. 3-1. This matter’s governing document—the Consent Decree—establishes that once compliance with its terms has been demonstrated and held for a period of two years, those terms may be terminated. *See id.* at ¶¶ 223, 229. The Court found that the City of Seattle achieved “full and effective compliance” with the “Commitments” section of the Consent Decree (paragraphs 69-168) in January of 2018. Dkt. 439. Subsequently, the Parties, Monitor, and Court agreed that the “Sustainment Plan” (Dkts. 444 & 444-1) would be

1 used to assess whether the City of Seattle had sustained compliance with those areas of reform for  
2 the requisite period of two years. *See* Dkt. 448.

3 As of January 10, 2020, all of the work required by the Sustainment Plan is complete. After  
4 performing assessments of each Commitment topic area, the City of Seattle concluded that it  
5 successfully maintained compliance with each for two years.<sup>1</sup> The Monitor and the United States  
6 independently assessed each of these areas and agreed that the City maintained compliance.<sup>2</sup>  
7 Further discussion of the history of this Consent Decree, the City's efforts to achieve compliance,  
8 and support for this Motion are found in the Parties' concurrently filed Memoranda in Support.

9 The Parties acknowledge that the Court's May 21, 2019 Order raises issues regarding  
10 discipline and accountability. Dkt. 562 at 2. However, the Court's Order also expressly states that  
11 its finding does not affect the City's compliance in any of the areas listed in the Phase II  
12 Sustainment Plan. *Id.* Accordingly this motion may be ruled on without consideration of those  
13 additional issues. The City anticipates filing a response to those issues by August 1, 2020.

14 For all of these reasons, termination of the Commitments section of the Consent Decree  
15 and all related monitoring by the Court is now warranted and appropriate and the Parties  
16 respectfully request the Court's entry of such an order.

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18 \_\_\_\_\_  
19 <sup>1</sup> *See* Dkts. 497-1 at 20-21 and 570-1 at 26-27 (Type I and II Use of Force Investigation and  
20 Reporting); Dkt. 570-2 at 24-25 (Force Review Board); Dkt. 588-1 at 25-26 (Comprehensive  
21 Use of Force); Dkt. 511 at 5 (Crisis Intervention); (Dkts. 547-1 at 31-32 and 588-2 at 21 (Stops  
22 and Detentions); Dkts. 497-2 at 15 and 595-2 at 13-14 (Supervision General); Dkts. 550-1 at 24  
23 and 595-1 at 23 (Early Intervention System).

<sup>2</sup> *See* Dkts. 497-1 at 22-24 and 570-1 at 27-29 (Type I and II Use of Force Investigation and  
Reporting); Dkt. 570-2 at 39-41 (Force Review Board); Dkt. 588-1 at 26-29 (Comprehensive  
Use of Force); Dkt. 511 at 39-43 (Crisis Intervention); Dkts. 547-1 at 32-34 and 588-2 at 22-23  
(Stops and Detentions); Dkts. 497-2 at 16-17 and 595-2 at 14-15 (Supervision General); Dkts.  
550-1 at 27-30 and 595-1 at 26-28 (Early Intervention System).

1 Respectfully submitted,

2 DATED this 7th day of May 2020.

3 For the CITY OF SEATTLE

For the UNITED STATES of AMERICA

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 7, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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DATED this 7th day of May 2020, at Seattle, King County, Washington.

s/ Kerala T. Cowart  
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