

CITY OF SEATTLE COMMUNITY POLICE COMMISSION BY-LAWS

(Adopted 4-10-13/Amended 12-14-16)

PREAMBLE

Whereas the Seattle Community Police Commission is authorized by Ordinance 124021 to organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and said Ordinance as are necessary for the conduct of its affairs and performance of its functions and responsibilities prescribed in Section 3 of said Ordinance; Now, therefore, the organization and rules of procedures of the Seattle Community Police Commission shall be as follows:

ARTICLE I: COMMISSIONERS

Expectations

Commissioners are expected to:

- Attend regularly scheduled Commission meetings
- Attend and participate in community meetings, forums, and other events as a Commissioner
- Serve on at least one standing committee
- Volunteer to serve on ad hoc committees as needed
- Respond in a timely manner to communications that require a response
- Act as informal liaisons to the community, to listen to concerns, get input and feedback on Commission activities

Terms of Office

Members of the Commission are appointed for the duration that the Settlement Agreement and MOU are in effect.

Resignation

A Commissioner who wishes to resign from the Commission shall notify the Co-Chairs in writing prior to the Commissioner's resignation.

Commission Vacancies

Should a vacancy on the Commission occur, the Co-Chairs, after consultation with the Commission, shall present options for replacement to the Mayor and Council. CPC recommendations to the Mayor and City Council regarding nominations for open Commission positions will adhere to the same criteria of the demographic attributes or other relevant constituencies represented by the Commissioner who previously served in the vacant position, and will recommend that nominees reflect those attributes or constituencies unless others are determined by the CPC to be more pressing priorities for representation.

Removal of Commissioners

Commissioners can be recommended for removal from the Commission for due cause at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, by secret ballot, of all voting Commissioners (*not* 3/4 of Commissioner's present) to pass. The Mayor can remove a Commissioner for cause.

ARTICLE II: OFFICERS

Election of Officers

The Commission shall elect Co-Chairs from the Commission membership, each of whom shall be elected annually in January. There must be at least two Co-Chairs elected annually.

Co-Chairs

The Co-Chairs shall preside at all meetings of the Commission, shall sign all official documents of the Commission, appoint all committees and committee chairs of the Commission based on the preferences of the Commissioners. In the event that all Co-Chairs are absent or unable to perform their duties, their duties will be assumed by their designee, or by a member approved by the majority of members present.

The Co-Chairs shall be responsible for setting the meeting agendas, meeting dates, times, and locations, and ensuring, along with staff, minutes are recorded for each meeting and distributed well in advance of the following Commission meeting.

Removal of Co-Chairs

Any Commission member may make a motion to consider the removal of any Co-Chair from office for due cause at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, by secret ballot, of all voting Commissioners (*not* 3/4 of Commissioner's present) to pass.

ARTICLE III: MEETINGS

Time and Place

Regular meetings of the Commission shall be held at least once each month at such time and place as the Commission Co-Chairs shall designate. Commission meetings are open to the public and shall be advertised a minimum of two weeks prior to the meeting date.

Special Meetings

Special meetings of the Commission shall be held upon the call of the Commission Co-Chairs or upon the request of five Commissioners. Said special meetings shall be called for a specific purpose or purposes and shall not take the place of a regular Commission meeting unless so determined at a prior regular meeting.

Quorum

A simple majority of currently appointed Commissioners shall constitute a quorum for the transaction of business.

Telephone Meeting

In special circumstances such as illness or travel, Commissioners may participate in a meeting of the Commission by means of a conference telephone or similar telecommunications device, which allows all persons participating in the meeting to hear each other. Participation by telephone shall be equivalent to presence in person at the meeting for purposes of determining if a quorum is present.

ARTICLE IV: ATTENDANCE

It is the responsibility of each Commissioner to attend all scheduled meetings of the Community Police Commission. In special circumstances, the Commission may grant a short leave of absence not to exceed three (3) months. (see Extended Absence).

An excused absence shall be defined as an absence due to one or more of the following:

- Illness
- Family leave
- Out of town trip
- Emergency
- Seattle Community Police Commission related business

To request an excused absence, Commissioners shall notify the Seattle Community Police Commission staff member and the Co-Chairs prior to the Commission meeting, stating the specific reason for the request. If the circumstances prevent a Commissioner from notifying staff or Co-Chairs prior to the meeting, the Commissioner will notify staff and the Co-Chairs as soon as possible.

When any Commissioner has not participated for a two month period in Commission business, the Commission Co-Chairs shall contact the absent Commissioner, discuss the absence and then recommend an action to the Commission if needed.

Appeal Process

If a Commissioner is recommended for removal but desires to continue serving on the Commission, she or he must appeal in writing within three weeks of the date of notice to the Co-Chairs indicating an intention to continue serving on the Commission. If a Commissioner has appealed but misses another meeting, the Co-Chairs shall notify the member and the appointing authority requesting the member's resignation or removal.

Extended Absence

If a Commissioner anticipates an extended absence from their Commission activities, they shall submit a written request for a leave of absence of not more than 3 months to the Commission Co-Chairs. The written request shall state the reasons for the request and the expected date of return to active participation on the Commission. The Co-Chairs will then make a recommendation to the Commission on the future participation of the member. After consultation with the Commission, if needed, the Co-Chairs shall present options for replacement to the Mayor and Council. (See procedures in Article I: Commissioners, section "Commission Vacancies")

ARTICLE V: COMMITTEES

Ad hoc committees may be formed by a majority of Commissioners to accomplish specific tasks or work outside of regularly scheduled meetings of the full Commission.

Chairs of committees will be appointed by the Co-Chairs.

All committees will meet until their designated task has been accomplished. Committee Chairs will be responsible for submitting minutes of meetings and keeping attendance. Copies of the minutes and attendance will be sent to the designated support staff person. Committee Chairs will provide to the staff person a copy of the current membership of their committees.

Committee Chairs and members may not speak on behalf of the Seattle Community Police Commission without the express permission of the Co-Chairs.

ARTICLE VI: AMENDMENTS

Amendment(s) to the rules of the Commission shall be made by written resolution adopted by a vote of not less than two-thirds of the membership of the Commission, which resolution shall be presented at the meeting prior to any vote taken thereon.

ARTICLE VII: DECISION MAKING

Decisions shall be made by group consensus whenever possible. In the event that consensus cannot be reached, a vote with a simple majority of those present will prevail. Dissenting opinions will be entered as part of the minutes if requested.

The Commission acknowledges that organizations represented by Commission members may disagree with actions taken by the Commission. In these instances, Commission members must act on those

disagreements in a transparent and respectful way that furthers our goal of building community trust in the Commission and the Police Department.

Proxies

Members are not allowed to vote in advance or by proxy for issues raised at Commission meetings.

Electronic Voting

Between Commission meetings, Commissioners are allowed to vote via email in a timely manner on the following items:

- Content of letters and other written documents discussed and/or voted on at a previous Commission meeting and where final approval is needed

Co-Chairs will email the material to Commissioners for feedback and final approval. Content must be approved by a majority of current Commissioners.

Emergency Actions

From time to time the Commission will need to act quickly in response to a crisis situation. Emergency actions will require a special meeting in person or by phone in accordance with our bylaws and public meeting laws.

ARTICLE VIII: ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS

Seattle Ordinance Number 124021 provides that the Seattle City Attorney shall act as the Commission's legal advisor. Representatives of the City Attorney's office from time to time provide confidential legal advice to the Commission in writing and in executive session at Commission meetings.

Confidentiality

Commissioners are required to maintain the confidentiality of all legal advice and other privileged communications from the City Attorney's Office, whether the advice was communicated in writing or orally. Commissioners may share the contents of such legal advice or other privileged communications with no one except for other Commission members, Commission staff, or representatives of the City Attorney's Office. Commissioners are required to maintain writings containing legal advice received from the City Attorney's Office in a secure location.

Waiver

The attorney-client privilege relating to a particular piece of legal advice or other confidential communication from the City Attorney's Office to the Commission may be waived only by a vote at a regularly scheduled Commission meeting at which a quorum of Commissioners is present. A majority of those Commissioners present must vote in favor of waiver for the privilege to be deemed waived. Upon such a vote, the confidentiality provisions set forth above will no longer apply to the legal advice or communication that was the subject of the vote.

Recusal

Any Commissioner who believes that he or she will be unable to comply with the confidentiality provisions set forth above, because of fiduciary obligations to another organization or for any other reason, must recuse him or herself from receiving the legal advice. In the case of advice provided in executive session, this will require that the Commissioner leave the meeting for the duration of the executive session. In the case of written advice, this will require the Commissioner to affirmatively request not to receive a copy of the memorandum or other writing.

ARTICLE IX: MEDIA

The Co-Chairs shall act as the official spokespersons for the Commission on official Commission positions to the media, Mayor, City Council, or other governmental entities unless another spokesperson is chosen by the Commission or the Co-Chairs. Commissioners may speak on behalf of the Commission

in other circumstances; however, in all cases they shall represent the majority position of the Commission.

Commission members will notify the Chairs if they are asked to speak on behalf of the Commission. Commissioners are free to speak to the community in their capacity as a Commissioner member, but they must be clear if they are speaking as a Commissioner, a community member or on behalf of an organization.

ARTICLE X: STAFF

As provided in the city budget, the Seattle Community Police Commission shall provide staff and meeting facilities for the Commission. Staff shall notify the Co-Chairs when asked to represent the positions or policies of the Commission and in all cases act in accordance with directions and positions of the Commission.

ARTICLE XI: ENDORSEMENTS

The Community Police Commission shall not entertain any requests for endorsements.

ATTACHMENT 1: CPC Selection Criteria and Framework

Screening

The Mayor should establish a clear screening and selection process and announce this as part of an application process with a clearly specified time limit:

- Applications must be sent to an email address or depository specifically designated for the application process; and
- Specific screening criteria need to be established to reflect the highest possible level of response to the items noted below under the Selection heading.

Selection

The following items should be considered for each potential candidate in order to increase the Commission's potential for success and productivity:

- Demonstrated experience working with communities that have been impacted by excessive use of force by the police;
- Demonstrated knowledge of policing policies, procedures and the specific areas noted in the MOU (including the DOJ Findings, the MOU, and the Consent Decree);
- Ability to demonstrate experience with creating, or articulate ideas for creating, a culture of policing that is community-based and constitutional;
- Demonstrated experience working effectively with diverse populations;
- A firm grasp of the concept of municipal jurisdiction;
- An understanding of how City departments function in relation to one another;
- An understanding of how labor negotiations work, from either a legal or a rank-and-file perspective;
- Ability to articulate a precise vision for the role of the Commission and describe how its work might positively impact the very communities it is designated to serve;
- Knowledge of, or experience with, the principles of the Race and Social Justice Initiative, including Undoing Racism and the Restorative Justice Circles.

Applicants should be required to submit the following:

- A resume that demonstrates an ongoing commitment to local communities and to issues that bear a rational relationship to the concepts of police oversight and reform;
- A cover letter that contextualizes this ongoing commitment and specifically addresses the points above, in addition to the following:
 - Demonstrated experience with police accountability issues and department policies and standards on use of force and bias-free policing; and,
 - A statement about the demographics and socioeconomic conditions of the communities with whom they have worked or personally identify.

Note: Individuals who have faced arrests or convictions and taken significant steps toward rehabilitation should be strongly considered for positions on the Commission. A candidate who demonstrates this type of personal growth in addition to meeting other criteria for the position would be an invaluable voice for a Commission that truly seeks to create meaningful reform.