



SENT VIA EMAIL

May 24, 2022

Seattle City Council – Public Safety and Human Services Committee members

Councilmember Lisa Herbold, Chair

Councilmember Andrew Lewis, Vice-Chair

Councilmember Teresa Mosqueda

Councilmember Sara Nelson

Councilmember Alex Pedersen

Re: Ordinance to establish a process to investigate complaints against the Chief of Police

Dear Public Safety and Human Services Committee members:

In response to the request for feedback on the ordinance to establish a process to investigate complaints against the Chief of Police which will be discussed by the public safety committee on May 24, 2022, at 9:30am the CPC submits the following comments which outline overall feedback and concerns as well as feedback and concerns that arise from specific sections of the ordinance.

Overall feedback and questions

1. The CPC appreciates that the ordinance seeks to include the CPC in notifications related to allegations against the Chief of Police.
2. The ordinance aims to correct an oversight in the development of the 2017 accountability ordinance. While the ordinance empowers OPA to investigate misconduct of SPD employees this becomes more complicated when it comes to complaints against the Chief of Police as most OPA investigators are sworn members of SPD. Sworn OPA staff members should not be involved in investigating any type of complaint against the Chief as the Chief, by virtue of their position, is within any sworn members' chain of command. While the ordinance seeks to create an investigation process for allegations against the chief the clear conflict of interest is not stated at the outset of the ordinance, and it should be.
3. In terms of "non-City entities" is there a list of entities that could potentially conduct these investigations? This should not rest with other law enforcement agencies but with some sort of oversight entity. If it rests with a law enforcement agency in the area there could be (real or perceived) conflicts of interest.
 - a. If there is a list of potential non-City entities that could possibly be tapped to conduct investigations of the SPD Chief, will they be made aware of the possibility? How will this happen?

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- b. Does City Council or the Mayor have an idea of what type of non-City entity will be charged with conducting investigations of the Chief? What will be the criteria used to determine the entities capability to conduct the investigation?
 - c. How does the engagement of a non-City entity interact with collective bargaining agreements?
- 4. How will the mayor determine appropriate discipline, and will the chief have access to the grievance process?
- 5. Prior to the establishment of this ordinance what specific organizations conducted investigations of misconduct allegations directed at the Chief of Police?

Feedback related to specific sections of the ordinance

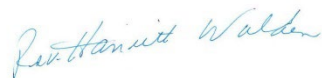
3.29.510 – C. This point is does not specifically state who in OPA will examine the results of the intake process and determine how the organization should proceed. Also why is this a step – isn't this the point of an investigation? What is gained by doing this when the purpose of investigating is to learn specifically this?

3.29.510 – D 2. Given the state of trust between SPD and the community it does not seem wise to allow SPD to conduct a criminal investigation related to the Chief's alleged misconduct.

3.29.520 – E (but should be F). There is no instance in which the criminal investigation of actions by the Chief of police should be investigated by SPD. The Chief is literally in the chain of command for everyone in the department. It is a clear conflict of interest and therefore SPD should not even be an option in this case.

3.29.560 – E. Wouldn't initiating a new investigation make the investigation less timely? Could it not be required in the contract that the investigation timeline align with the timeliness outlines (i.e. 180 day timeline) established in other contexts or that this ordinance establish a timeliness standard?

Thank you,



Rev. Harriet Walden
Co-Chair
Seattle Community Police Commission



Douglas Wagoner
Co-Chair
Seattle Community Police Commission

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Brandy Grant
Executive Director
Seattle Community Police Commission

CC: Newell Aldrich – Aide to Councilmember Herbold
Kamilah Brown – Aide to Councilmember Lewis
Sejal Parikh – Aide to Councilmember Mosqueda
Jeremy Mohn – Aide to Councilmember Nelson
Malik Davis – Aide to Councilmember Pedersen