



February 25, 2016

VIA EMAIL

Peter S. Holmes
Seattle City Attorney

Dear Mr. Holmes:

We write as you requested in your letter of February 22, 2016 to the SPD Accountability Structure Working Group, noting your proposal to schedule five meetings between March 1 and March 29 to discuss and answer questions raised by Judge Robart and yourself concerning the police accountability system. There are several items we would like to address concerning the proposed arrangements for these sessions.

When you met with commissioners on February 10, 2016, you urged full CPC engagement in the upcoming sessions of the SPD Accountability Structure Working Group, noting that this is our “last best chance” under the Settlement Agreement to affect meaningful reform of SPD’s accountability system. We agree that Seattle has an unprecedented opportunity to realize true reform at this time and that the upcoming discussions of the Working Group are of paramount importance.

The CPC was charged under the Memorandum of Understanding with evaluating the accountability system and recommending improvements to it—the CPC did so, and shepherded long discussions that led to the package of reforms which has been endorsed by multiple City stakeholders. The CPC was uniquely positioned to take responsibility for this assigned work, given its broad community representation, which includes the perspectives of police union representatives. For more than two years we have been engaged in extensive discussions about how best to reform the accountability system, and as the lead in those efforts have a profound interest in the outcome of the Working Group’s deliberations.

We believe at minimum four commissioners should participate, in addition to CPC staff members. As community representatives, commissioners have an important role to play in witnessing and vouching for the legitimacy of the process. Also, as you know, we have had a dedicated staff member working on the accountability project for more than two years and she should be present, and it is appropriate that the CPC’s Executive Director attend—it will only make the process less efficient were the Executive Director excluded. We are entirely committed to full participation, but the CPC is not a homogenous entity and its perspective cannot be fairly represented by one or two members, particularly if it is to weigh in on possible revisions to the currently endorsed package of reforms.

Also, in your February 22, 2016 letter you state that “[n]ews media and public observers will not be permitted.” However, in our view these meetings should be open to the public. Attendance by at least four commissioners and CPC staff, as well as having the meetings open to the public, will better ensure

the Working Group adheres to principles you have outlined—a focus on attaining consensus, being inclusive, and maintaining transparency.

While many of the CPC's recommendations are incorporated in the proposed legislation, certain important recommendations are outstanding, including those that are pending the outcome of contract negotiations. These outstanding items are memorialized in a draft resolution (enclosed) which was prepared to accompany the legislation. We also note that in her February 9, 2016 report, the OPA Auditor cites additional recommendations she has made that should be addressed in collective bargaining. Since approval of a contract by the union membership is anticipated shortly, we advise that the Working Group address at the outset those recommendations subject to bargaining, including considering the implications of any of these recommendations not being adopted in the contract agreement.

As with the subsequent review of the proposed legislation, it would be helpful to begin all of the discussions by having the City Attorney, the DOJ, the Monitoring Team, and other participants identify what you refer to as "unique procedural and substantive issues in light of the Consent Decree," surfacing critical considerations that the group should address in the course of its work. The focus of the Working Group's efforts should be on determining 1) whether the proposed legislation and other recommendations contradict the Consent Decree and how those contradictions can be remedied, and 2) whether additional refinements can strengthen the improvements to the system which have already been proposed and endorsed by all City stakeholders.

Broad consensus on how to reform the accountability system is imperative. The CPC's effective participation in determining what more may be needed could be helpful in gaining the community's confidence in the ultimate outcome of the Working Group's deliberations. Certainly, if improvements can be made to the widely endorsed package of currently proposed reforms, the CPC will be strongly supportive.

Sincerely,



Rev. Harriett Walden, Co-Chair
Community Police Commission



Lisa Dugaard, Co-Chair
Community Police Commission

Enclosure

Cc:

Mayor Ed Murray
Seattle City Council
Chief of Police Kathleen O'Toole
Office of Professional Accountability Director Pierce Murphy
Office of Professional Accountability Auditor Judge Anne Levinson (Retired)
Office of Professional Accountability Review Board Chair Elizabeth R. Holohan
Monitor Merrick Bobb
Assistant United States Attorney Michael Diaz
Community Police Commission