

Seattle Community Police Commission

2019 Annual Report



The Community Police Commission (Commission) invited youth artists to create two-dimensional art pieces to be featured in the Commission's 2019 Annual Report. The purpose of showcasing the works of youth artists is to disrupt the pattern of government organizations telling a tempered version of a Community narrative. Instead, the Commission seeks to amplify the voices of those in Community, including their artistic voices. The youth participants of Creative Justice, an art-based program dedicated to disrupting and ending the school-to prison pipeline, answered our call with the works of art featured page 21.

For the Commission, these works of art serve as an affirmation that Community thrives no matter how often it is forsaken or threatened. They are a reminder that our Communities create beauty against all odds. We recognize the brilliance and talents within Community and thank the young artists who contributed to the Commission's 2019 annual report for their time and work.

About the Annual Report

Requirements in Ordinance

SMC, 3.29.370.A (2017)
The Community Police Commission shall produce annual reports that are readily understandable and useful to policymakers. The annual report shall be posted online and electronically distributed to the Mayor, City Attorney, Council, Chief, OPA Director, and Inspector General, as well as to the City Clerk for filing as a public record. The annual report shall include, but not be limited to, the following:

1. An evaluation of the extent to which all of the purposes, duties, and responsibilities detailed in this Chapter 3.29 have been met (See page 26);
2. A summary of all recommendations for changes in policies and practices, collective bargaining agreements, City ordinances, and state laws (See page 45);
3. A summary of the implementation status of any previous recommendations and, for any that have not been implemented, the reasons (See page 45); and
4. Information about Commission's outreach to SPD employees and the public, the perspectives gathered by the Commission from such outreach, and how the outreach informed the Commission's work (See page 11).

Special Thanks

The Commission thanks every Community member who attended an engagement or provided input to the Commission. Without the tireless work of the Community members who engage the Commission to provide their invaluable feedback, the Commission could not do its work.
The Commission extends its gratitude to its accountability system partners—Office of the Inspector General, Office of Police Accountability, and the Seattle Police Department—without whose cooperation, the CPC could not report on the implementation status of the Police Accountability Ordinance or recommendations in the accountability system.



What We Mean When We Say “Community”

Adhering to a strict definition of “Community” can be an ineffective way of centering the people we serve. It is important that we acknowledge that Community is a malleable term that historically means different things to different people. While racial, gender, or physical identity can define some Communities, religion, housing status, political affiliation, or nationality may be more meaningful identities for others. With that in mind, the Commission acknowledges that the Communities it serves are those that have been the most impacted by the institution of policing.

Readers of this report will see the word “Community” capitalized. This is purposeful, as it is one of the small but significant ways that this government office can shift power to those that we serve. Although titles and names of institutional actors are capitalized, government institutions neglect to offer the same reverence to people in Community. By capitalizing Community, we seek to demonstrate that the Commission respects no voice or feedback more than it respects that of the Community we serve.

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Message from the CPC Co-Chairs

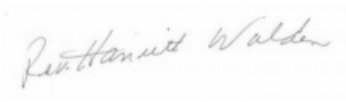
During the past year, the Community Police Commission continued and strengthened its important work as a key part of the system of police accountability in Seattle. The year 2019 saw both staff and Commission commissioners engage heavily with Community in order to strengthen the ties between the Commission and Community, and to ensure that Community is apprised of developments in the work done by the Commission. Community engagement allows commissioners and staff to consistently take information back to Community about the ever-shifting landscape of policing reform in Seattle. Between January 1 and December 31, staff and commissioners attended a total of 83 engagements reaching approximately 1,750 people. In 2020, we hope to exceed that activity by further engaging intentionally with Community about this important work.

The past year also presented some challenges and setbacks to the accountability system in Seattle. After years of advocacy by Community-based organizations and the Commission itself that resulted in Seattle's accountability ordinance, the police contract negotiations ending in late 2018 resulted in a contract that weakened Seattle's system of accountability. Indeed, in May 2019, the federal district court overseeing the Consent Decree found Seattle partially out of compliance with the Consent Decree in the area of accountability. The federal district court was clear that Seattle must work with the Commission to address its accountability failings. The Commission engaged with the process to fight to restore the accountability system promised by the accountability ordinance to Community.

The Commission itself experienced changes in personnel, with the Executive Director departing and being replaced by Interim Executive Director Bessie Scott. We thank and applaud Ms. Scott for the collaborative work she has done to ensure the success of the Commission. Ms. Scott has engaged and created relationships with our accountability partners in Seattle which include the Office of Inspector General (OIG), the Office of Police Accountability (OPA), and the Seattle Police Department (SPD), allowing the Commission to deepen its relationships with our partners. We also want to thank all of the Commission's staff for their work during the transition and beyond. Finally, several new commissioners joined the CPC during the year and we have enjoyed working with them as they learn and engage with policing in Seattle.

Despite our challenges, the Commission accomplished a great deal throughout the year. In March, recognizing the importance of commissioners developing an in-depth understanding of police training and independent investigations, the Commission requested and were able to obtain a standing seat on the Washington State Criminal Justice Training Commission Advisory Board. In April, the Commission did the important work of engaging on the issue of SPD's disparity audit, which found continuing disparities in the rate at which Brown and Black people are stopped and frisked in comparison to White people. The Commission analyzed assessments of disparity in policing and engaged in discussions with SPD regarding bias-free policing. In October, the Commission coordinated a Trauma Stewardship training for all accountability partners as well as Community members. This training followed extensive work by the Community engagement team to further an understanding of the manner in which trauma continues to impact policed communities. In addition to these highlights, the Commission worked throughout the year, at critical times, on filings with the court related to the Consent Decree.

The Commission aspires to continue to do robust work in the Community during the coming year and to serve the needs of the Community for many years to come.



Rev. Harriett Walden



Rev. Aaron Williams



Prachi Dave

About the CPC

2019 At A Glance

In 2019, the Commission welcomed Erin Goodman, Brandy Grant, Esther Lucero, Asha Mohamed, Natasha Moore, Karisa Morikawa, Officer Mark Mullens, and Alina Santillan as new commissioners. The Commission also said goodbye to Lisa Daugaard, Claudia D'Allegri, Melinda Giovengo, Ben Goldsmith, Jay Hollingsworth, and Isaac Ruiz, who collective served a total of 24 years on the Commission. In 2019, the Commission's executive director of five years, Fé Lopez, stepped down and the Commission appointed Bessie Scott as the Interim Executive Director.

2019 Commissioners

- Rev. Harriett Walden, co-chair • Mothers for Police Accountability
- Isaac Ruiz, co-chair • Latinx, LGBTQ
- Emma Catague, co-chair • Filipino Community of Seattle
- Lisa Daugaard* • Civil liberties, Public Defender Association
- Claudia D'Allegri* • SeaMAR
- Colleen Echohawk • Chief Seattle Club
- Helen Gebreamlak* • Disability Rights Washington
- Ben Goldsmith* • Public defense
- Erin Goodman • SODO Business Improvement Area
- Brandy Grant • Alliance for Gun Responsibility
- Melinda Giovengo* • YouthCare
- Jay Hollingsworth* • John T. Williams Organizing Committee
- Esther Lucero • Seattle Indian Health Board
- Asha Mohamed • Somali Youth and Family Club
- Natasha Moore • CHOOSE 180
- Karisa Morikawa* • CHOOSE 180
- Officer Mark Mullens • Seattle Police Officers Guild
- Alina Santillan • Latinx, LGBTQ
- Joseph Seia • United Territories of Pacific Islanders Alliance
- Rev. Aaron Williams • University Presbyterian Church

**No longer on the Commission as of the publication of this report*



Organizational Structure

Commission

Strategy Committee

- Emma Catague
- Lisa Daugaard
- Helen Gebreamlak
- Isaac Ruiz
- Joesph Seia
- Rev. Harriett Walden

Behavioral Health Workgroup

- Helen Gebreamlak, Chair
- Claudia D'Allegri
- Melinda Giovengo
- Esther Lucero
- Asha Mohamed
- Rev. Harriett Walden
- Sgt. Dan Nelson, SPD*

Governance Workgroup

- Erin Goodman, Chair
- Brandy Grant
- Esther Lucero
- Natasha Moore
- Rev. Harriett Walden

Community Engagement Committee

- Joseph Seia, Chair
- Colleen Echohawk
- Melinda Giovengo
- Erin Goodman
- Karisa Morikawa
- Isaac Ruiz
- Rev. Aaron Williams

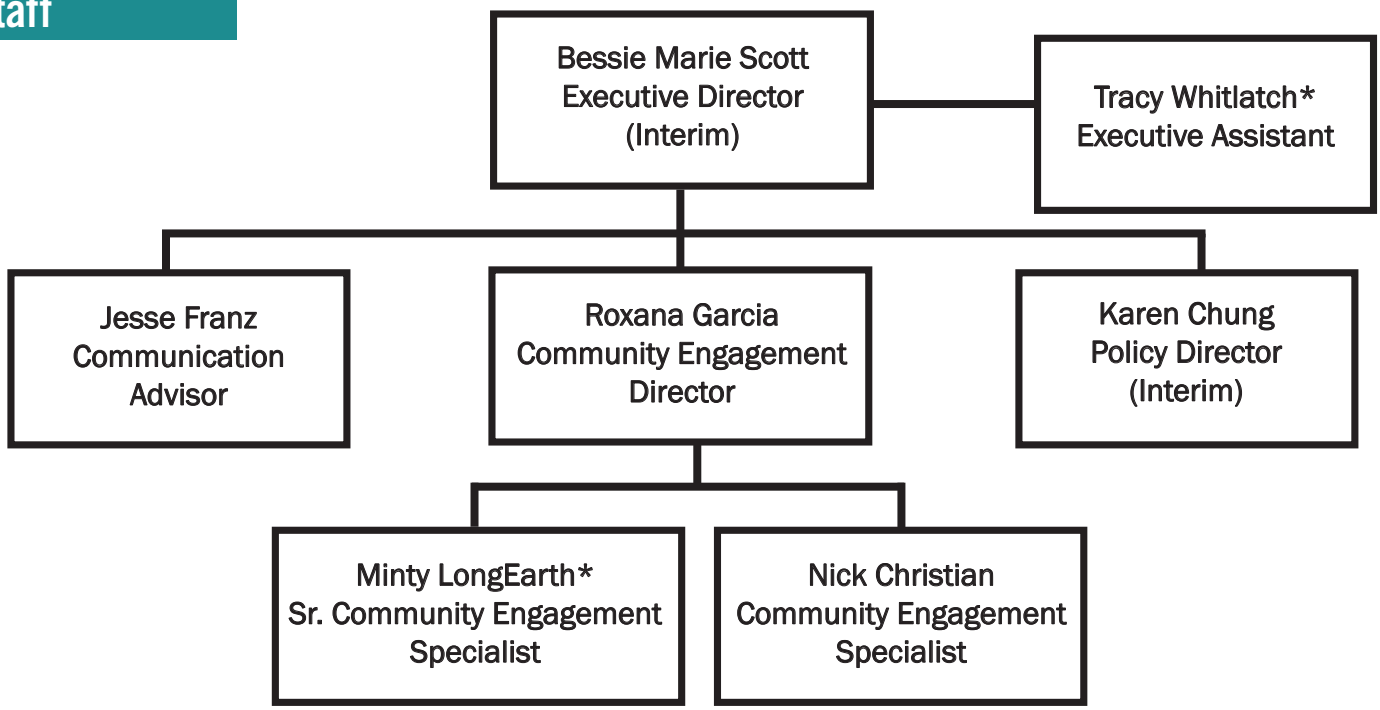
Police Practices Workgroup

- Lisa Daugaard, Chair
- Ben Goldsmith
- Jay Hollingsworth
- Officer Mark Mullens
- Isaac Ruiz
- Alina Santillan (Chair, Officer Wellness)
- Rev. Harriett Walden
- Lt. Scott Bachler, SPMA President*

**Technical advisor*



Staff



**No longer a staff member as of the publication of this report*



Community Engagement

Background

The Commission's role, per the 2017 Police Accountability Ordinance, is to be responsive to Community needs and concerns by:

1. Engaging in Community outreach to obtain the perspectives of Community members and SPD employees on police-Community relations, SPD policies and practices, and the police accountability system;
2. Maintaining connections with representatives of disenfranchised Communities and with other Community groups in all of the City's legislative districts, as well as with SPD demographic and precinct advisory councils;
3. Providing SPD, OPA and OIG with Community feedback relevant to their operations received as a result of its public outreach activities;
4. Providing technical assistance on Community matters to OPA and OIG.

Community Engagements

Between January 1 to December 31, 2019, staff and commissioners attended a total of 83 engagements reaching approximately 1,750 people.

Of the 83 Engagements

37
Were attended by commissioners

44
Happened in the summer

48
Had attendees representing City Council districts

70%
Happened in evening hours

2
Average length of engagements in hours

35
Were in collaboration with SPD

Communities Engaged

- Unhoused people
- Students in middle school, high school, and college
- Young people (ages 25-35)
- Lesbian, Gay, Bisexual, Transgender, and Queer Communities
- Mental health providers
- Black Communities
- People impacted by incarceration
- Immigrant or Refugee Communities
- Indigenous and Tribal Communities
- Limited-English speaking people
- Faith-based Communities
- Civilian oversight bodies
- Law enforcement officers
- City entities

Community Engagement Highlights

The following are some highlights of the 83 engagements conducted by the Commission to illustrate the breadth of the Commission's Community engagement efforts. Throughout 2019, the Commission engaged people to learn about the pressing matters in community, assisted our system partners including SPD to connect with Community, and worked to elevate the voices of Community in discussions about policing and police accountability.

Disparity in Policing Review

The Commission assisted SPD with Community engagement events to grow departmental understanding of practices that perpetuate racial disparity in stops and frisks.

In April of 2019, SPD released the first of two planned reports addressing racial disparity. SPD released the first report, "Disparity Review Part 1" as an initial step in quantifying disparity in policing. While the first phase was about discovery, the second phase would explore how to address racial disparity in SPD's Terry Stop procedures.

SPD reached out to the Commission in late August to request assistance in engaging Community to evaluate body-worn and in-car video to inform SPD training, policies, and tactics to address disparities. An internal team of both sworn and civilian SPD employees had previously reviewed the same footage.

In response to SPD's request, the Commission's Community Engagement team proposed, planned, and executed a series of Community roundtable discussions. Each discussion was facilitated by a Community leader who had a strong anti-racist lens and a shared racial identity with the Community members in room. SPD used the responses and insights gathered from the following roundtables to inform its next report, "Disparity Review Part 2."



- September 24, 2019: African American Roundtable
- September 27, 2019: Native American and Latinx Roundtable
- October 4, 2019: Asian, Southeast Asian, and Pacific Islander Roundtable



Independent Investigations Community Meeting

In 2018, the Commission convened the Serious and Deadly force Investigation Taskforce (SDFIT) to meet a requirement to convene a group of stakeholders to assess the feasibility of independent investigations of serious and deadly uses of force by police officers. As part of its process, in 2019, Commission staff held a meeting with family members whose loved ones had been grievously injured or killed by police officers. The intent of this Community meeting was to share the Taskforce's proposed recommendations and obtain feedback. The feedback the Taskforce received from the family members greatly informed the Taskforce's final set of recommendations, which can be found at https://bit.ly/2tpLNoK.

Faletogo Family Meeting

On December 31, 2019, Iosia Faletogo was shot and killed by an SPD officer. In the immediate aftermath of the incident, the Commission deployed its rapid response protocol. Working with Mr. Faletogo's families, a commissioner and Commission staff organized a gathering space to give the grieving families an opportunity to address accountability system leadership (OPA and Commission), learn about Seattle's investigative processes for officer-involved shootings directly from the OPA director, and learn about services available to them. While organizing the meeting, the Commission utilized trauma-informed knowledge and practices, honoring the families' right to grieve, respecting their timelines, and centering healing.

As a result of this meeting, the Commission revisited its initial rapid response protocols, adapting them to include the meaningful, trauma-informed steps the Commission took in the case of the Faletogo family meeting. In late 2019, the Commission began to work with SPD, OPA, and OIG to draft system-wide rapid response protocols, which are slated to be finalized in the Spring of 2020.



Partnership with Community Passageways

In January of 2019, the Community Police Commission began working in partnership with Community Passageways, a revolutionary program that seeks alternative resolutions for young people involved in, and harmed by, the criminal-legal system. Community Passageways, as a national leader in Community-led diversion programs, has been an invaluable partner to the Commission.

Dominique Davis, founder and Chief Executive Officer of Community Passageways, joined the Commission on a site visit to a youth program in Denver, Colorado. To showcase the expertise and brilliance of both the staff and young people at Community Passageways, the Commission held a public meeting that was jointly designed by the Commission and Mr. Davis. The meeting allowed police accountability system partners to introduce themselves to and answer critical questions by the young people. The meeting concluded with a panel of young leaders who led a conversation about the harm that policing has inflicted on them and their communities, and the resilience and growth that they and their peers have displayed.

Community Service Officer Interviews

In 2017, the Seattle City Council allocated money to revive and revamp the Community Service Officer (CSO) program. SPD's Collaborative Policing Bureau (CPB) held the first and second hiring phases in the fall of 2019, including a commissioner and Commission staff on the hiring panel. The Commission participated in the screening and interviewing of more than 100 CSO candidates, and made recommendations to SPD to ensure the process was accessible to diverse applicants.



SPOG and SPMA Public Hearings

The 2017 Accountability Ordinance mandated that before contract negotiations began with Seattle Police Officer's Guild (SPOG) and Seattle Police Management Association (SPMA), the Gender, Equity, Safe Communities, New Americans & Education Committee (GESCNA-Ed Committee) hold a joint hearing with the Community Police Commission to receive public comment on the City's collective bargaining agenda.

On September 18, the Commission and the GESCNA-Ed Committee held a joint hearing about the SPMA contract. On December 5, there was a joint hearing on the SPOG contract. On both occasions, Council chambers were filled with Community members expressing their alignment and agreement with the Commission's positions on both contracts. For more information, see page 41.

District Liaison Program

The 2017 Accountability Ordinance mandates that the Commission must create a district liaison program, assigning at least one commissioner to represent each Council district. This mandate was partially fulfilled in 2019. Commissioners were assigned to all seven City Council districts in 2019.

Staff were limited in the ability to onboard representatives because of commissioner availability. In 2020, the Commission will develop a process for commissioners to report feedback from their districts to the full Commission.



Trauma-Informed Care Training

In October 2019, the Commission, in partnership with the accountability system partners, hosted a training from The Trauma Stewardship Institute. More than 90 participants, including system partners and community members, took part in the four-hour training. Attendees learned how to prioritize trauma-informed care and acknowledged the cumulative toll of doing work that addresses violence, bias, and crisis.

Feedback about the training was overwhelmingly positive, and attendees highlighted the need for more strategies and tools for individual and community self-care practices. The Commission plans to continue this work in 2020 in collaboration with its system partners.



> Trauma stewardship is not simply an idea. It can be defined as a daily practice through which individuals, organizations, and societies tend to the hardship, pain, or trauma experienced by humans, other living beings, or our planet itself.
>
> - Laura Van Dernoot Lipsky

What We Learned

In its engagements with Community, the Commission learned about a wide range of concerns related to policing and police accountability. The Commission brings attention to the following lessons based on the urgency and frequency with which Community members disclosed them to the Commission.

Community is concerned about the 9-1-1 Communications Center.

Community members had many questions about SPD response protocols as they relate to shelters and youth service providers. Shelters and providers expressed their discontentment with the way in which officers had responded to several incidents after they had initiated a 9-1-1 call. They reported not understanding how to report an incident by calling 9-1-1 that would not elicit an unnecessarily elevated response by officers. They wondered whether the way 9-1-1 dispatchers were relaying their calls to responding officers was leading to disproportionate responses.

Community wants to know how to call police responsibly.

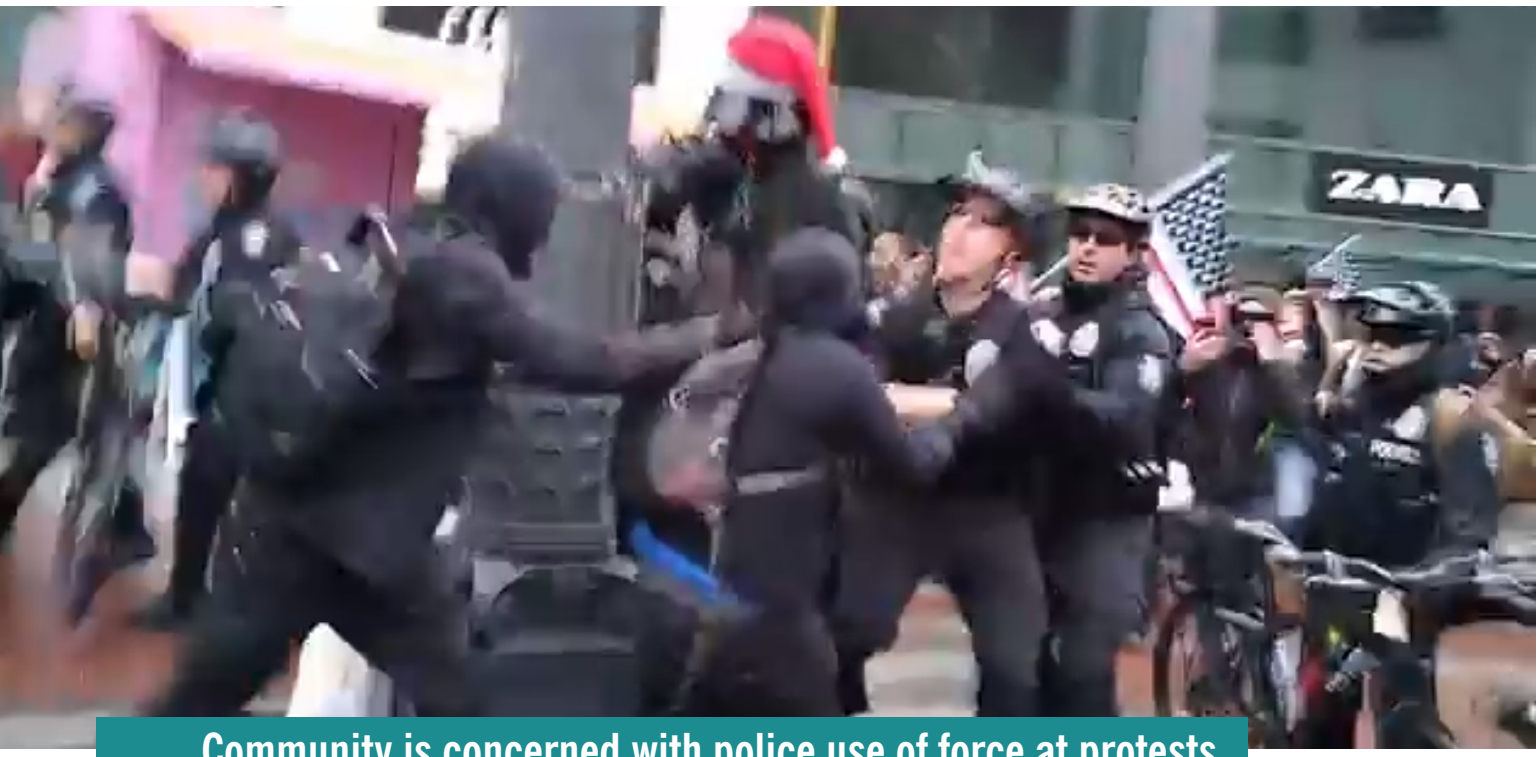
Community members offered consistent feedback to the Commission about the common dilemma they face when they feel the need to report a crime to SPD, but also fear the potential negative impact of police response and presence in their Communities. They requested more information from the City on when and how to call the police in a way that would not provoke police violence, and how to utilize non-emergency methods of communication.

Community members in the north and south precinct had concerns related to call response times.

Community members offered consistent feedback to the Commission about the common dilemma they face when they feel the need to report a crime to SPD, but also fear the potential negative impact of police response and presence in their Communities. They requested more information from the City on when and how to call the police in a way that would not provoke police violence, and how to utilize non-emergency methods of communication.

Community is concerned about how SPD approaches youth involved in and impacted by gun violence.

In 2019, particularly during the summer, there were rising concerns about the number of shots fired incidents being reported and the number of young people involved in gun violence. Community leaders worked tirelessly to de-escalate and provide safe and stable places for the young people involved. These Community leaders highlighted the importance of how SPD interacts with young people and expressed concern about officers' lack of understanding of regarding the circumstances of some young peoples' lives.



Community is concerned with police use of force at protests.

SPD's approach to protests has been a long-term concern in Community, leading the Commission to recommend a review of demonstration management for the Inspector General's 2019 workplan. Community concerns about demonstration management were heightened by several incidents this year, the most prominent of which concerned use of force caught on video during a December 7 protest downtown.

As many of these incidents are still under review by the OPA, the Commission is barred from commenting on them directly. However, the Commission has made demonstration management one of its Police Practices Workgroup's priorities.



Community members want to hear more from the police accountability system.

This year, the police accountability system partners (SPD, OIG, OPA, and the Commission) met regularly and began engaging Community collaboratively. In engagements, the Commission regularly received feedback that Community wanted more information about the different accountability offices and how we all worked together to accomplish the shared goal of police accountability.

The Commission's Community engagement team, along with the Community engagement teams of our accountability system partners, heard regularly from Community members that they wanted to see more than just Community engagement staff in Community. As outreach and Community stewardship roles tend to fall on people of color, communities of color are asking to see and understand the people in leadership roles as well as those responsible for policy-making, patrol, communications, and office support to know that all staff are committed to the work.

Community wants to play a direct role in shaping police reform and police accountability.

The Commission regularly heard from Community members that Community, including those who have historically played a significant role in shaping police accountability and those who are new to this realm, want to partake in reforming policing and police accountability. Roles in police reform and police accountability have been increasingly professionalized. Despite always having been the leading voice and fiercest advocate for police reform, many Community members no longer feel welcome at the table. It is imperative for the City to continue to inform its reform and accountability efforts with the ideas, experiences, and knowledge of Community members, as well as compensate Community members for their labor.

The institutions of policing and police accountability continue to be inaccessible for Communities to understand and engage. The Commission is committed to working towards establishing engagement and communications strategies that allow for Community to play a meaningful role in efforts to improve policing and strengthen the relationship between law enforcement and Community. As the branch representing Community in the police accountability system, the Commission also commits to working to ensure that the work of our system partners is accessible to Community.

UNCAGED

UNCAGED is a multi-media arts project by the Youth Leadership Board of Creative Justice, an arts-based program that builds community with young people who are most impacted by mass incarceration. By exploring community-based alternatives to juvenile detention using social justice values. Creative Justice is redefining what justice is and what it can be.

The paintings and photos in this collection give voice to youth in our communities who want to have a public dialogue about police brutality, mass incarceration and abolition. Their creativity seeks answers to questions: How do we end police brutality when it is so normalized in the mainstream? How do we dismantle the school to prison pipeline? What's freedom mean to me? What are we building together for when we are all free?

In Creative Justice, court-involved young people stay out of jail and in the community. With the guidance of mentor artists, participants consider the root causes of incarceration like racism and other oppressions, focusing on the positive role their voices can have in building a more equitable society. The Youth Leadership Board, who developed this project, consists of past Creative Justice participants who continue to shape the direction of the program through their creativity, leadership and vision.

UNCAGED is a reflection of the collective collaborations between the Creative Justice youth and mentor artists. The current session focused on photography techniques, street art, and multi-media arts. The resulting body of work includes a series of paintings (both collage and acrylic), and photographs and photographic portraits. The work documents their time in this place of imagination and freedom. UNCAGED.

Artists: Nani, Joyee, Mars, Kayla, Dajon, Kardea





UNCAGED


BLACK-DAYLITE
TELEVISION


911?


NO
RACISM
We all family!


envisioningtheamericandream.com
"Hey! We almost forgot the most important thing!"


TRAYVON
OSCAR
Hands Up Don't

Ordinance Implementation

History of the Ordinance

In 2017, the City of Seattle adopted historic legislation to strengthen civilian and Community oversight of SPD. In the enacted legislation, the Commission is required to provide an annual evaluation of the extent to which the purposes, duties, and responsibilities detailed within the Ordinance have been met.

The following are the requirements of the Ordinance that have not been fully implemented at the time of this report's publication. For all requirements that have not been fully implemented due to the collective bargaining agreements (CBA) with the Seattle Police Officers Guild (SPOG) and Seattle Police Management Association (SPMA), the Commission urges the City of Seattle to ensure that these reforms are included in future CBAs.

For highlights of completed requirements, refer to page 36. For a list of all completed requirements, refer to Appendix A.

Unimplemented Requirements

Community Police Commission

1. Assign commissioners to districts who shall engage the people and report back to the Commission on a regular basis.[1]
    - This requirement was partially fulfilled in 2019. Commissioners were assigned to all seven City Council districts. Due to lack of commissioner availability, the Commission has not fully implemented its district liaison strategy to actively engage people within each council district on a regular basis and regularly report back to the Commission on Community issues related to law enforcement. In 2020, the Commission will establish a mechanism for commissioners to report back what they are hearing from community members in their districts regularly

2. Work with the Office of the Inspector General to conduct a review of SMC Chapter 14.12, governing the collection of information for law enforcement purposes.[2]
    - In 2019, the Office of the Inspector General finalized its audit of SPD's collection and recording of police intelligence and surveillance data. In 2020, the Commission and OIG will work together to develop recommendations for SPD and the City of Seattle.

3. Convene meetings to assess the need for a complainant appeal process.[3]
    - The Commission postponed the implementation of this requirement until the completion of the work of the Serious and Deadly Force Investigation Taskforce, which the Commission was also required to convene. The Commission will commence work on complainant appeals in 2020.

Office of the Inspector General

OIG has not yet fully implemented the following requirements. For a list of requirements OIG has completed, refer to Appendix A.

1. Evaluate the appropriate level of civilianization of OPA intake and investigator personnel.[4] Within the OIG's first full year, conduct a study to ascertain the effectiveness of OPA's mixed sworn and civilian staffing arrangements and provide recommendations to the Council as to whether further changes are warranted.[5]
    - The SPOG CBA ratified by the City in 2018 allowed the City to replace up to two sworn investigators with civilian investigators. While OPA has hired civilian positions with investigation-related responsibilities (including intake and supervision), the civilian investigators are still in the process of being onboarded. Consequently, there is insufficient data for an OIG analysis of the effects of civilianization on investigations. In December 2019, OIG sent a memo to Council noting that OIG will study the OPA civilian/sworn mix when data become available. OIG is currently conducting a survey of investigation staffing in other jurisdictions.[6]

2. Assist SPD in the development and delivery of SPD in-service training on the accountability system.[7]
    - The Commission has been working with the accountability partners to develop an in-service presentation on the accountability system. In 2019, OIG provided information to the Commission in support of this presentation and will be participating with the accountability partners in the delivery of this program.

3. Collaborate with SPD to make disciplinary processes as fair, impartial, transparent, and effective as possible.[8] Conduct a review of SPD's disciplinary processes that includes an assessment of the merits of models used in other jurisdictions and provide a report to City council.[9]
    - As a first step, in 2019 OIG completed a detailed mapping of the SPD disciplinary process. The map has been used by various stakeholders as a starting point for conversations on discipline, as it is a description of the system that has been accepted and confirmed by each of the entities named in the process. The second step for OIG is to conduct an audit on discipline. As explained in the 2020 OIG work

plan, the OIG is in the process of scoping an audit to evaluate the consistency, fairness, and effectiveness of the discipline process. Further the audit will evaluate the degree to which the process deters future misconduct. The resulting report will include consideration of other jurisdictional discipline models as points of comparison to SPD.[10]

4. Be responsive to Community needs and concerns by obtaining information about Community perspectives and concerns germane to OIG's oversight responsibilities; conducting Community outreach to inform the public about OIG's role; consulting with the Commission regularly to ensure that OIG materials are readily understandable; providing technical assistance on OIG matters to the Commission.[11]
    - OIG has not fully implemented the specific requirements pertaining to receiving and responding to community input and conducting community outreach. The following are ways in which the OIG has and plans to complete this requirement:
        1. The OIG regularly communicates with the director of the Commission. OIG attends Commission meetings. OIG solicits Commission input for its work plan. The accountability system partners meet quarterly. Work projects between the offices (like rapid response protocol) are other ways in which Commission community expertise is conveyed to OIG to help inform OIG's work.
        2. OIG will actively engage youth on its work in 2020; see work plan regarding youth advisory group.
        3. OIG is one of the avenues for individual complaints about SPD or OPA. The public can submit comments via the OIG web site, by email, or by phone. All are assessed for individual as well as systemic issues by OIG as part of its risk assessment process for development of the annual work plan.[12]

5. Assess OPA complaint handling through semi-annual reviews.[13]
    - The OIG and OPA worked collaboratively in 2019 to formalize interdepartmental processes and criteria for OIG review of OPA complaint handling. Much of this work will be evident in the OIG 2019 annual report that will be produced in early 2020. OIG review of OPA complaint handling in the annual report will include case statistics, analysis of OPA response, and trend reporting.[14]

6. Issue a subpoena if necessary to perform the duties of the OIG.[15]
    - The SPOG CBA ratified by the City in 2018 did not adopt this reform. OPA and OIG do not have full subpoena authority.

7. Work with the Commission to periodically evaluate and issue reports on how effective SPD's processes are in meeting Community needs for a diverse work force.[16]
    - This is not a specific project identified in the 2020 OIG work plan. The OIG work plan is based on risk assessment methods that focus on likelihood of occurrence and severity of potential impact. Availability of OIG resources is another consideration. The 2020 OIG work plan includes an audit in later 2020 on SPD officer retention. The issue of workforce diversity will arise in that context.

8. Issue an annual report which includes a summary of OIG's audits and reviews including its review of OPA's complaint handling system, of the outcome of SPD reviews for officer-involved shootings, and a summary of information received on the OIG hotline, among others.[17]
    - The first OIG annual report, covering its first full year of operations in 2019, is expected to be published by April of 2020. This report will include a description of the projects and activities finished by OIG during 2019, as well as the items required by the ordinance.[18]

Office of Police Accountability

The OPA has implemented the vast majority of the Police Accountability Ordinance requirements that are under its control. Most of the OPA's unfulfilled mandates are incomplete due to discrepancies between the Ordinance and the CBAs ratified by the City in 2018.

For a list of requirements OPA has completed, refer to Appendix A. The OPA has not yet fully implemented the following requirements:[19]

1. Apply OPA policies and practices uniformly regardless of rank or position.[20]
    - OPA is not able to implement this requirement due to the CBAs.

2. Have oversight over all types of possible misconduct, including criminal misconduct, to ensure that the most effective, thorough, and rigorous criminal and administrative investigations are conducted.[21]
    - OPA is not able to implement this requirement due to the CBAs.

3. Ensure OPA policies and practices are detailed in the OPA Manual, which shall be updated at least annually.[22]
    - The OPA manual was last updated on April 1, 2016. OPA requested input from system partners on a revised draft in November 2018, but ultimately did not finalize this draft because of conflicts between the Accountability Ordinance and the 2018 CBAs, and the pending Consent Decree process to remedy the CBA concerns. OPA plans to disseminate a newly revised draft for feedback by the end of March 2020.

4. Issue a subpoena at any stage of an investigation if evidence or testimony material to the investigation is not provided to the OPA voluntarily.[23]
    - Subpoena authority for the OPA and the OIG is limited in the SPOG CBA.

5. If an interview of a named employee or witness must be postponed due to unavailability, do not count the additional number of days that it takes towards the 180-day investigation period.[24]
    - OPA is not able to implement this requirement due to the CBAs.

6. If the OPA Director position becomes vacant, extend the 180-day period to complete an investigation by 60 days to permit the designation of an interim OPA Director.[25]
    - OPA is not able to implement this requirement due to the CBAs.

7. In cases involving possible criminal actions, if an OPA administrative investigation is paused due to a criminal investigation, do not count that time as part of the 180-day investigation period.[26]
    - OPA is not able to implement this requirement due to the CBAs.

8. To ensure the integrity and thoroughness of investigations, require the named employee or the named employee's labor representative to disclose any material witness or evidence to OPA as soon as practicable.[27]
    - OPA is not able to implement this requirement due to the CBAs.

9. Extend the 180-day investigation time period by 60 days if further investigation is initiated as a result of new information, or because the OIG directs additional investigation.[28]
    - OPA is not able to fully implement this requirement due to the CBAs.

10. Presume the discipline of termination for any finding of material dishonesty based on the same evidentiary standard used for any other allegation of misconduct.[29]
    - The CBAs ratified by the City in 2018 have different standards of proof for termination, therefore OPA has not been able to implement this reform.

11. Make civilian all OPA staff working directly with SPD supervisors to support the handling of minor violations and public access to the accountability system.[30]
    - OPA is not able to implement this requirement due to the CBAs.

12. Either make entire intake and investigator personnel entirely civilian, or a mix of civilian and swornin, depending on the staffing configuration that best provides for continuity, flexibility, leadership, opportunity, and specialized expertise, and supports public trust in the complaint-handling process.[31]
    - The CBAs ratified by the City in 2018 allowed for only two civilian investigators in the OPA.

13. Collaborate with the SPD Chief to ensure that rotations of sworn staff into and out of OPA maintain continuity, expertise, and professionalism.
    - The CBAs ratified by the City in 2018 set forth a different process than the Ordinance. The OPA abides by the CBA's process.

14. Work with SPD to establish an effective system of misconduct referrals to OPA regarding officers who have not acted with integrity and honesty in dealings with others in the criminal justice system.
    - OPA receives complaints of misconduct from others in the criminal justice system but does not have a unique system set up for these referrals.

Seattle Police Department

The SPD has not yet fully implemented the following requirements. For a list of requirements SPD has completed, refer to Appendix A.

1. Give OPA the authority to observe and review all administrative investigation processes at SPD.[32]
    - SPD has denied OPA access to the department's Performance Appraisal System entries, which is a system the department uses to document minor infractions by employees. However, if something is related to an OPA investigation, it could be accessed.[33]

2. Confer with and respond in writing within 30 days to any written recommendations from an oversight entity.[34]
    - SPD said they have partially implemented this requirement. The department strives to respond within thirty days of receiving a written recommendation, and agrees that this timeline is a worthwhile goal. However, due to capacity, the department said they do not always reply within the thirty-day time frame.

3. Ensure that SPD disciplinary, grievance, and appeal policies and processes are timely, fair, consistent, and transparent.[35]
    - The CBAs ratified by the City in 2018 did not implement all aspects of this reform, but SPD has implemented many aspects of this reform.[36]

4. Track all records of Chief disciplinary determinations and give the OPA and OIG Directors unfettered access to this information.[37]
    - SPD is working to determine how best to track the Chief's disciplinary decisions. The department hopes to implement a tracking system this year and looks forward to having the ability to assess disciplinary trends. Additionally, OPA is working to improve the public's ability to track disciplinary determinations on its website.[38]

5. Give the Chief the authority to place an SPD employee on leave without pay prior to the initiation or completion of an OPA administrative investigation under certain circumstances.
    - The CBAs ratified by the City in 2018 did not implement this reform. The SPOG CBA limits the Chief's authority to place an SPD employee on unpaid leave to those charged with the commission of a felony or a gross misdemeanor involving "moral turpitude, or a sex or bias crime," narrowing the types of misconduct for which the Chief may place an employee on leave for longer than 30 days.[39]

6. Ensure that no disciplinary action will result from a complaint of misconduct that comes to the attention of OPA more than five years after the date of the alleged misconduct.
    - The CBAs ratified by the City in 2018 did not implement this reform.

7. Employ civilians with specialized skills and expertise to perform any SPD management and operational functions.
    - The SPOG CBA ratified by the City in 2018 did not implement this reform. The SPOG CBA expressly limits civilianization of SPD positions outside of OPA to the SPD Human Resources Sergeant position.[40]

8. Establish an internal office staffed and directed by civilians to manage the secondary employment of SPD's employees.
    - The SPOG CBA ratified by the City in 2018 did not implement this reform. SPD, however, tracks secondary employment of its employees in its data systems.[41]

9. Adopt consistent standards that underscore organizational expectations for performance and accountability as part of the application process for all specialty units, requiring an employee's performance appraisal record and OPA history to meet certain standards. SPD policy must also allow for removal from that assignment if certain triggering events or ongoing concerns mean the employee is no longer meeting performance or accountability standards.[42]
    - The CBAs ratified by the City in 2018 did not implement this reform. The SPOG CBA conflicts with an important Ordinance reform that gave management the authority to set and use performance standards that consider performance appraisals and OPA history in making specialty assignments. Under this reform, management would also have the authority, based on warranted conducted, to immediately transfer employees out of specialty units. The CBA requires a detailed explanation, reviewed and approved by the Chain of Command and the Department's Human Resources Director. The CBA also allows the employee to have 30 to 90 days to address any deficiency, which undercuts the Chief's authority to immediately transfer an employee.[43]

10. Collaborate with the OPA Director with the goal that sworn staff assigned to OPA have requisite skills and abilities with the goal that the rotations of sworn staff into and out of OPA are done in such a way as to maintain OPA's operational effectiveness.[44]
    - The SPOG CBA ratified by the City in 2018 did not implement this reform.[45]

11. Maintain current and searchable public databases with key policing data.[46]
    - SPD has current and searchable public databases on Terry stops and uses of force. It does not currently have a database on disciplinary actions matters, but is interested in tracking aggregate information on discipline imposed by the Chief. SPD believes that a database of all discipline actions, including that imposed by the Chief, should be maintained on the OPA's website.[47]

12. Make available information about its policies and operations that are of concern to the public.[48]
    - The SPD's Policy Manual is available on the department's website. Although there is no posting yet of any information on in-custody injuries, deaths, and other

information of concern to the public, SPD is working to post relevant information such as information related to officer-involved shootings and Force Review Board findings. Currently, officer-involved shootings data are on SPD's open data platform. SPD publishes videos and other content about major events on multiple social media channels.[49]

13. Post on the SPD website the terms of all collective bargaining agreements for SPD in addition to other specific documents and information.[50]
    - The CBAs are on the City of Seattle's website. SPD will add a link to its own website to the CBAs.[51]

Other

OIG has not yet fully implemented the following requirements. For a list of requirements OIG has completed, refer to Appendix A.

Office of the Mayor

1. Conduct a performance evaluation of the OPA Director.[52]
    - The Mayor's Office has initiated steps to conduct a performance evaluation of the OPA Director as of November 2019. The OPA Director independently initiated a 360-degree assessment in December 2019 to aid in his own professional development.[53]

2. Take whatever steps are necessary to fulfill all legal prerequisites of the Ordinance within 30 days of Mayoral signature.[54]
    - The most recent police union contracts adopted by the City do not conform and are not fully consistent with the provisions and obligations of the Ordinance in a manner that allows for the earliest possible implementation of the police accountability reforms. All prerequisite steps for other provisions of the Ordinance that do not require bargaining, such as community service preference points, have also not been taken.

City Council

3. Take whatever steps are necessary to fulfill all legal prerequisites of the Ordinance within 30 days of Mayoral signature.[55]
    - The most recent police union contracts adopted by the City do not conform and are not fully consistent with the provisions and obligations of the Ordinance in a manner that allows for the earliest possible implementation of the police accountability reforms.

Finance and Administrative Services (FAS)

4. Establish an effective system to ensure any claim evaluated and investigated by FAS involving possible misconduct by an SPD employee is reviewed by OPA.
    - OPA sends communications to FAS to initiate implementation of this requirement quarterly.[56]

City Attorney's Office (CAO)

5. Establish a protocol so that cases referred to prosecutors for possible filing of charges against SPD employees can be reviewed concurrently by City, county, and federal prosecutors.[57]
    - The CAO says moving forward and under the requirements of this ordinance, the CAO criminal division will provide a courtesy e-mail correspondence to county and federal prosecutors advising them of a referred case to the CAO criminal division for criminal prosecution.

6. Whenever collective bargaining occurs, any separate agreements in place affecting ongoing practices or processes which were entered into by SPD or the City in response to an unfair labor practice complaint, settlement of grievance or appeal, or for any other reasons, shall be incorporated into the new or updated collective bargaining agreement or shall be eliminated.
    - Neither CBA incorporated side agreements as required. The CAO says this is best directed to the Executive, as this is a labor relations issue.

Public Safety Civil Service Commission (PSCSC)

7. Ensure that all appeals related to SPD employee discipline are open to the public.
    - The CBAs ratified by the City in 2018 did not implement this reform.[58]

8. Prohibit SPD employees from using any type of accrued time balances to be compensated while satisfying a disciplinary penalty that includes an unpaid suspension.[59]
    - The CBAs ratified by the City in 2018 did not implement this reform.

9. Select commissioners using merit-based criteria and appropriate expertise and objectivity regarding disciplinary and promotional decisions. Implement specific appointment processes.[60]
    - The CBAs ratified by the City in 2018 did not implement this reform.

10. Prohibit the appointment of current City of Seattle employees as well as individuals employed by SPD within the past ten years to the PSCSC.[61]
    - The CBAs ratified by the City in 2018 did not implement this reform.

11. Adopt and use preference points for SPD candidates who have completed service in the Peace Corps, AmeriCorps, or those who have equivalent work experience such as domestic violence counseling, mental health care, or social services.[62]
    - Implementation for the work experience preference points program has stagnated. Although the PSCSC awaits draft rule language to consider, the Mayor's Office had not taken any meaningful steps to draft a rule and did not provide a concrete timeline and implementation plan as requested by the Commission in early 2019 and again in late 2019. SPD has taken on drafting a rule for the PSCSC's consideration in 2020, in partnership with the Commission.

12. Hear and determine appeals or complaints including all appeals affecting discipline of SPD employees. The SPOG CBA ratified by the City in 2018 did not implement this reform.
    - The SPOG CBA ratified by the City in 2018 did not implement this reform.



Ordinance Implementation Highlights

Ordinance Advocacy

The Police Accountability Ordinance was widely lauded across the City of Seattle and was enacted in 2017 with unanimous support from City Council and the Mayor of Seattle. Despite the widespread celebration for the historic legislation, the City had to negotiate for the implementation of many key reforms in the Ordinance with the two police unions in Seattle—the Seattle Police Officers Guild (SPOG), which represents officers and sergeants in SPD, and the Seattle Police Management Association (SPMA), which represents captains and lieutenants.

In 2018, after more than three years without a new contract, SPOG reached a tentative collective bargaining agreement with the City. Upon reviewing the contract, the Commission found that the tentative contract undermined Seattle's police accountability system by rolling back many key reforms adopted in the landmark Police Accountability Ordinance.

In 2019, the Commission spent significant time and resources to advocate for the full implementation of the Ordinance. The following timeline illustrates the ways in which the Commission, with the critical support of Community groups across Seattle, fought against efforts to dilute the Police Accountability Ordinance.

Timeline of Commission's Advocacy for Police Accountability Ordinance

August 28, 2018

SPOG reaches a tentative agreement with the City of Seattle.

After reviewing the tentative contract, the Commission found that it would roll back many reforms adopted by the City in the landmark 2017 Police Accountability Ordinance. The Commission and more than two dozen Community groups asked the Seattle City Council not to approve the contract without strengthening the police accountability measures it allowed. However, the Council approved the contract in an 8-1 vote on November 13, and it was signed by Mayor Jenny Durkan.

December 3, 2018

Judge James Robart, the federal judge who oversees Seattle's Consent Decree, issues an order to show cause.

Judge Robart voiced concerns about the impact of recent police contracts on police accountability and asked the City to explain why he should find that the City was still in compliance with the Consent Decree. Many of the concerns in his order were the same concerns the Commission had highlighted.[63]

December 18, 2018

The City argues in a brief that Seattle remained in full and effective compliance with the Consent Decree.[64]

February 20, 2019

The Department of Justice (DOJ) and Commission files briefs in response to the city.

Echoing the City's brief, the DOJ argued that Seattle should continue to be found in full and effective compliance with the Consent Decree on February 13. However, the DOJ also found that there were issues with SPD's Defensive Tactics training in which some officers were being taught to use unconstitutional levels of force. The DOJ requested that these trainings be re-audited.[65]

In its own brief on February 20, the Commission urged the Court to order the City to address the accountability weaknesses in the police contracts. The Commission submitted a detailed list of police accountability reforms that the police contracts rolled back.[66]

Judge Anne Levinson (ret.), who formerly served as the Office of Professional Accountability Auditor, also submitted an expert declaration in support of the Commission's position.[67]

May 15, 2019

Federal Court finds Seattle out of compliance with the Consent Decree.

Judge Robart held a status conference and found Seattle partially out of compliance with the Consent Decree when it came to accountability, just as the Commission had suggested in its February brief. The Court ordered the City to work with the Commission, court-appointed Monitoring Team, and DOJ to 1) formulate a methodology for assessing the present police accountability system, and 2) create a plan for the City to come back into compliance with the Consent Decree.[68]

The Court ordered that methodology and plan to come back into compliance with the Consent Decree to be submitted no later than July 15. Despite the short timeline, the City did not immediately engage the Commission and other court-mandated groups to do the work.

June 21, 2019

Community groups urge City to begin the work.

Twenty-seven Community groups deeply involved in Seattle's police reform process sent a letter to the City on June 21, urging them to begin work on the methodology and plan to come back into compliance.
They wrote in part, "Because this matter is urgent and central to the civil rights and public safety of our communities, we urge your prompt action and professional cooperation with the Commission to regain the City's compliance with the Consent Decree and to begin to rebuild the trust of the communities we serve."[69]

June 2019

City hires consultants to assess Seattle's accountability system.

When the City finally reached out to the Commission, Mayor Jenny Durkan informed the Commission co-chairs that she had chosen a group of consultants from Chicago-based 21 CP Solutions to assess Seattle's accountability system. The Commission was surprised by this development and the fact that the proposed process did not involve any Community members or organizations that were instrumental in the work to create Seattle's Police Accountability Law from 2013 to 2017.
The Commission released the following statement on June 26:
"There is important work to be done to bring the accountability provisions of the contract into alignment with reforms. But we didn't need to delay that work by having consultants come in and rethink what our accountability system should look like. That work has already been done, by people who worked in and lived with Seattle's accountability system for decades."[70]

July 10, 2019

The Commission raises concerns that the City still has not engaged any key stakeholders.

On July 10, the Commission co-chairs publicly raised their concern that five days from the Court's July 15 deadline, the City had still not held a single meeting with the stakeholders named by Judge Robart in the Court's order. The Commission co-chairs released the following statement:

"The Commission has heard significant concerns from Community groups about this process—including concerns about what the hiring of outside consultants will mean to years' long work on this subject that has already been done. Those concerns are not falling on deaf ears."[71]

July 15, 2019

Several City Councilmembers criticize Mayor Durkan's process.

On July 15, Seattle City Councilmembers Lorena Gonzalez, Teresa Mosqueda, and Lisa Herbold sent a letter to Mayor Durkan saying her office had not meaningfully engaged the City Council during this process. The councilmembers said the mayor's strategy for responding to the court order was insufficient and ran the risk of keeping the city "out of full and effect compliance and under court supervision for many years to come." The councilmembers also argued the mayor should not bring in outside consultants to rehash the process that led to the 2017 Accountability Law. [72]

July 29, 2019

Mayor's consultants circulate draft methodology for assessing Seattle's police accountability system.

August 7, 2019

Commission and more than 30 Community organizations urge City to change course.

The Commission urged the City to dedicate itself to implement reforms that had already been adopted through the democratic process.[73] A coalition of more than 30 community groups sent a letter to the City on August 14 supporting the Commission's position.

August 15, 2019

City advocates for consultants' methodology.

The City submitted a brief to the court on August 15, advocating for the consultant's plan to assess Seattle accountability system by surveying other cities around the nation and comparing their accountability systems to Seattle.[74]

August 19, 2019

Commission files brief asking Court to deny the City's plan.

In a statement, the Commission said it was still committed to working with the mayor's office and other stakeholders to "help the City keep its promises to institute a strong police disciplinary and accountability system. The City's proposed plan to the Court does not accomplish that."[75]

October 15, 2019

Court issues ruling rejecting City's argument that accountability system is outside of the Court's jurisdiction under Consent Decree.

The Court stated that the City could continue conducting its assessment, but should not try to justify Seattle's current accountability system through the consultants' nationwide survey, saying that any attempt to do so "will be a failure, reform will be delayed, and full and effective compliance with the Consent Decree will recede further into the future."

The Court again voiced many of the same concerns the Commission had raised about weaknesses in the accountability system and ordered the City to 1) conduct the assessment of the accountability system; 2) work with the Commission and other stakeholders to provide a plan to the court for how the City plans to address the weaknesses in the accountability system; and 3) provide a plan for how the Monitoring Team will work with the OPA and OIG to continue to provide oversight during a new two-year period where the City must maintain full and effective compliance in terms of police accountability.[76]

December 13, 2019

Mayor's consultants complete assessment and identifies concerns.

The consultants' assessment identified some of the same concerns the Commission and Community had raised, including:

- Issues with the deadlines for investigating police misconduct;
- Concerns about the current arbitration process, including that the pool of potential arbiters lack, "racial and ethnic diversity and the depth of experience that could be provided by additional requirements;"
- Issues with the standard of proof required in the SPOG contract;
- Lack of transparency in the disciplinary appeals process; and
- Lack of authority for the OPA and OIG to conduct thorough and effective investigations.[77]

The City characterized the report as concluding that Seattle's disciplinary system is working "as intended," but did identify some areas for improvement.[78]

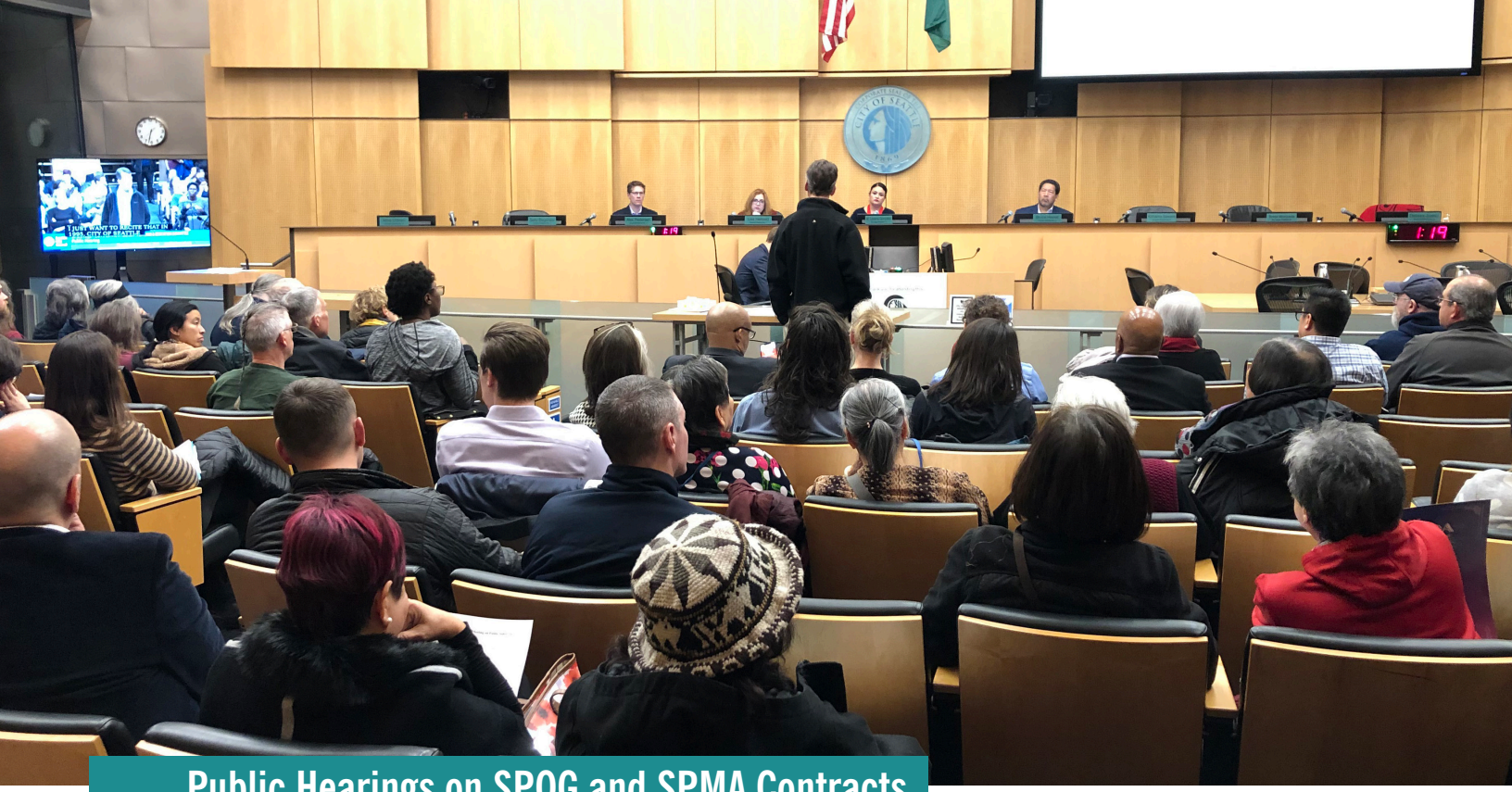
The City did not respond to parts two and three of the Court's order – to work with the Commission and other stakeholders to create a plan to come back into compliance, and to provide a plan for continued oversight by the Monitoring Team.

Beyond 2019

Commission continues to advocate for the Police Accountability Law.

The Commission would later file a brief, in January of 2020, disagreeing with the City's assessment and questioning why they did not fully comply with the Courts order.[79]

As of the publication of this report, the Judge has not ruled on the matter. The CPC will continue to work to protect the reforms in the Accountability Law in 2020.



Public Hearings on SPOG and SPMA Contracts

The 2017 Police Accountability Ordinance requires the Commission and City Council to jointly hold a public hearing on both the SPOG and SPMA contracts at least 90 days before negotiations begin.

SPMA Contract Hearing

With the SPMA contract expiring at the end of 2019, the Commission and Council hosted a hearing on the contract on September 18 at Seattle City Hall. Before the hearing, the Commission reached out to Community groups and individuals directly and through an announcement on social media. The Commission also announced the hearing in the Commission's newsletter prior to the hearing.

The Commission's intent was to gather information from Community members during the hearing to inform the Commission's recommendations to City negotiators before negotiations with SPMA began. At the hearing, Councilmembers and representatives from the Commission explained the process through which the contract would be negotiated, described past positions on police accountability, and stated the purpose of the hearing.

Dozens of Community members spoke at the hearing, the majority of whom asked Council to align the SPMA contract with the 2017 Accountability Law. In addition, 38 Community groups, led by the American Civil Liberties Union of Washington, wrote a letter in support of the Accountability Law and Commission positions. That letter read in part,

"We ask again for the City to follow through on promises to reform the police accountability system that it made to our communities, our families, our organizations—and to the federal court. We should not have to continue to make the same appeals. We need you, our elected representatives, to understand this history, and to advocate, in the strongest terms possible, on behalf of us."

SPOG Contract Hearing

The Commission and City Council held a public hearing on SPOG contract negotiations on December 5. Prior to the hearing, the Commission sent its formal recommendations to the City regarding contract negotiations with SPOG and SPMA.

Given the gaps in the prior SPOG contract, significant public interest, and the fact the Commission had already issued its recommendations on bargaining, the Commission embarked on more robust Community engagement and communications efforts ahead of the SPOG contract hearing. The Commission's strategy entailed engagement with its Community partners, publishing blog posts and videos explaining the hearing and its importance, and a social media campaign designed to both inform Community and solicit turnout.

The hearing began with members of the Council addressing attendees about the purpose of the hearing and the procedures the Council would follow. Inspector General Lisa Judge, OPA Director Andrew Myerberg, and Commission Co-chairs Emma Catague and Rev. Harriett Walden articulated their respective agency's recommendations on the SPOG contract.

Significantly more people attended the SPOG contract hearing than the SPMA contract hearing, filling Council Chambers. Public comment lasted for more than one hour and ten minutes, with each speaker being given only two minutes or less to speak. Nearly every speaker supported the Commission's positions and advocated for implementing the reforms in the Accountability Legislation .

Commission Recommendations on SPOG and SPMA Contracts

As mentioned above, the Commission sent its recommendations concerning labor negotiations with SPMA and SPOG to the City on November 25. The Commission continued to call for full implementation of the reforms in the Accountability Law.

Given the complexity of accountability issues, the Commission strongly recommended that the City appoint an external advisor with accountability expertise, jointly recommended by the OPA, OIG, and Commission to assist the City in bargaining and navigating the impacts of any proposed contract changes.

The Commission also highlighted 10 key reforms the City should prioritize. That included:

1. Undoing changes to burden of proof and standard of review in the SPOG contract;
2. Reforming the calculation of the 180-timeline for disciplinary investigations;
3. Subpoena authority for OPA and OIG
4. Reforming features of disciplinary process affecting public confidence;
5. Ensuring OPA has the authority to refer alleged criminal misconduct to an independent agency;
6. Revising statute of limitations and record retention;
7. Reforming rules regarding disclosure of material information during investigations;
8. Empowering the Chief to put an employee on leave without pay when misconduct is alleged and the Chief determines it is necessary for public safety, public trust, or otherwise warranted under circumstances;
9. Reforming secondary employment; and
10. Implementing a reopener for the right of complainants to appeal disciplinary decisions.



Serious and Deadly Force Investigation Taskforce

A companion resolution to the Police Accountability Ordinance required the Commission to "convene meetings with and lead stakeholders in assessing the feasibility of establishing mechanisms to use investigation and review processes wholly external to SPD for cases involving serious and deadly uses of force, and provide any recommendations adopted by the stakeholder group to the Council for consideration."[80] To fulfill this mandate, the Community Police Commission convened the Serious and Deadly Force Investigation Taskforce.

Although the SDFIT was initially charged to assess the feasibility of external, independent investigations of serious and deadly uses of force in Seattle, its scope of work changed after Initiative 940 was enacted, which required independent investigations by all law enforcement agencies statewide. The SDFIT refocused its efforts from assessing the feasibility of independent investigations to designing an ideal independent investigation model for the City of Seattle.

The Commission selected the SDFIT'S members to be inclusive of a variety of experiences and perspectives across Seattle. The goal of the Commission was to create a body which, as a collective, would have a balance of knowledge and expertise on best practices, technical expertise on SPD practices and local laws, a firm understanding of the Community's expectations and desires regarding issues related to serious and deadly uses of force, and demonstrated work relevant to investigations of uses of force.

The SDFIT membership represented various Community groups across Seattle as well as former and current law enforcement officers and system partners of the Seattle Police Department. The Taskforce was co-chaired by Jim Graddon, a former King County deputy sheriff and former Chief of the SeaTac Police Department, and André Taylor, a co-founder of Not This Time, a Community organization with a mission to reduce fatal police shootings, change the laws that govern the use of force, and rebuild trust between communities and the police.

Over the course of 2018 and 2019, the SDFIT held a total of nine meetings to learn about Seattle's current investigative processes, research investigation models in other jurisdictions across the country, speak with Community members and law enforcement officers, consult with experts, and develop recommendations.

Meeting with Families

On June 22, 2019, the SDFIT held a meeting with families of people who were killed by police. Attendees reviewed the SDFIT's draft recommendations and provided their input. The SDFIT prioritized meeting with and seeking feedback from people who had been or whose loved ones had been directly affected by a serious or deadly use of force by police officers. This was done intentionally in order to center those who had first-hand

experience participating in investigations of serious and deadly uses of force. The SDFIT's final recommendations incorporated the family members' input and were supported by the family members who attended the meeting.

Recommendations

In August 2019, the SDFIT adopted a set of 15 recommendations to advance to the Seattle City Council. The recommendations included, but were not limited to, the following: (1) conduct long-term strategic planning to prevent serious and deadly uses of force; (2) create a fund to support for families and loved ones of the individual involved in the incident; (3) make liaisons available to people impacted by a serious or deadly use of force and consult Community members to develop accessible materials about the investigation process; (4) require timely and regular communication with the family and loved ones of persons killed by police; and (5) develop a media policy that protects those subjected to a serious or deadly use of force, among others. The SDFIT's full set of recommendations can be found here: https://bit.ly/39rJ7qf.

Officer Wellness

On July 18, 2019, the Commission voted to explore ways to increase officer wellness within SPD, committing to working with SPD and the accountability system partners. This came after SPD Chief Carmen Best held a press conference on July 15, 2019 in which she identified issues with officer morale within SPD. The Chief attributed low morale to short staffing and the lack of support from public officials. In a statement, the Commission co-chairs said, "These are issues we can all agree on. Our police department improving in these areas doesn't just help officers, they help the entire Community." They continued, "Chief Carmen Best has identified a problem, and we want to help be part of the solution."

Meetings with Police Officers, SPD, and Accountability Partners

As part of its efforts to help improve officer wellness, the Commission met representatives from SPD to discuss the strategies the department already had in place, or were considering, to support officer wellness. Commissioners and staff met with individual police officers to better understand the causes of and potential solutions for lagging officer morale. The Commission also met with the OPA and the OIG to assess how the accountability system could support officer wellness efforts.

Survey of Best Practices

The Commission surveyed best practices around the country, reviewing academic research as well as local, federal, and international programs. In late October, a commissioner and staff member attended the International Association of Chiefs of Police gathering in Chicago, where the Commission learned from other police departments and national experts about the successes and failures of existing officer wellness programs.

Moving Forward

SPD has tasked two sergeants to work with a consultant to outline a potential officer wellness program within the department. The Commission stands by, along with the OPA and the OIG, to offer its assistance and to consult on the development of the program.

Status of Recommendations

The Commission maintains a database of recommendations across the police accountability system as required by the 2017 Police Accountability Ordinance. Below are all incomplete recommendations made by a police accountability body in 2019, and the status of implementation of each recommendation by the publication of this report.

Definitions of Status

Received – The recipient has received the recommendation and has not yet responded.

Declined – The recipient declined implementing the recommendation.

In Progress – The recipient is in the process of implementing the recommendation.

On Hold – The recipient has accepted the recommendation but has not yet begun implementation of the recommendation.

Partially Implemented – The recipient has implemented certain elements of the recommendation, but not the full recommendation.

Recommendations to Seattle Police Department

As of the publication of this report, SPD has completed implementation of 14 out of 28 recommendations made to the department in 2019. For a list of all 2019 recommendations completed by SPD, please refer to Appendix B.

Date	Author	Recommendation	Status
1/18	OPA[81]	**SPD Policy 6.220 Terry Stops** Modify SPD Policy 6.220 (10) to state that when officers perform a Terry stop, a Terry template is always required, regardless of whether officers have probable cause to arrest at the time of the Terry stop.	Declined
3/15	OPA	**SPD Policy 13.031 Vehicle Eluding/Pursuits** Clarify what steps officers are expected to take when transitioning from a vehicle pursuit to emergency vehicle operations.	Declined

Date	Author	Recommendation	Status
3/15	OPA	**Swatting** Research national best practices in dealing with "swatting " calls and determine whether there are any mechanisms available to weed out these false crime reports. Determine whether such mechanisms can also be utilized to identify frivolous, racially motivated reports in order to limit the inappropriate use of law enforcement to further systemic racism.	Partially Implemented
5/20	CPC	**Bias in Policing** Meet formally with the CPC to initiate a collaboration between SPD and the CPC to address the disparities confirmed by the audit.	Partially implemented
5/29	OPA	**SPD Policy 5.001 Standards and Duties** Secondary Employment Create guidelines to govern approval, training, monitoring, and record-keeping for holders of Special Commissions, ensuring that these individuals are held accountable to fundamental SPD policies, such as force, bias, professionalism, and the reporting of serious misconduct.	Received
6/11	OPA	**SPD Policy 6.180 Searches** Revise the policy governing searches to include an exception to the requirement of a cross-gender search when no officer that shares the arrestee's gender can respond to the scene within a reasonable timeframe. In such cases, officers should be permitted to search the arrestee, regardless of whether there is a reasonable likelihood that the arrestee is armed or possesses evidence that could immediately be destroyed, lost, or lose its evidentiary value.	In Progress
6/21	OIG	**Collection of Information for Law Enforcement Purposes** Develop, in consultation with the City Attorney's Office, a clear policy for whether written authorization is required prior to collecting protected information from open sources or third parties.	In Progress

Date	Author	Recommendation	Status
6/21	OIG	**Collection of Information for Law Enforcement Purposes** Ensure there is a procedure in place to notify OIG of all approved written authorizations to collect protected information.	In progress
6/21	OIG	**Collection of Information for Law Enforcement Purposes** Ensure that SPD retains records relating to approved written authorizations for at least six months, to facilitate future audit reviews.	In progress
6/21	OIG	**SPD Policy 6.060 Collection of Information for Law Enforcement Purposes** In consultation with the City Attorney's Office, review Chapter 14.12, SPD policy, and state law in light of current records retention needs and modify policy or suggestions to the City regarding revisions to the retention provisions of Chapter 14.12 to bring SPD records retention policies into alignment with applicable laws.	In progress
7/3	OPA	**SPD Policy 4.040 Sick Leave** Modify sick leave policy and the associated leave paperwork to require employees to seek approval from the Employment Services Lieutenant (or a successor to that position) prior to leaving their place of recovery under FMLA leave.	Received
8/1	OPA	**SPD Policy 6.180 Searches** Revise the policy to include an exception to the requirement of a cross-gender search when no officer that shares the arrestee's gender can respond to the scene within a reasonable timeframe.	In progress
10/15	OPA	**SPD Policy 8.200 Using Force** Provide instruction on how to properly apply the neck or carotid hold, the physiological results and risks of the tactic, and when the tactic is appropriate, with specific emphasis on the fact that it should only be used where deadly force would be justified.	Received

Date	Author	Recommendation	Status
10/17	CPC	**Community Service Officers** Continue to work to identify and remove barriers for Community Service Officer candidates who have appropriate inter-personal and Community skills to be successful in this role, but who lack the traditional work experience, or have other factors in their backgrounds that would not inhibit their ability to fulfill their role.	In Progress
10/17	CPC	**Community Service Officers** Create a trainee program for promising candidates with limited experience as an entry point into the CSO program.	Received
11/1	OPA	**SPD Policy 13.031 Vehicle Eluding/Pursuits** Add language requiring that reasonable suspicion for a DUI pursuit be established prior to the traffic stop being initiated.	Received
11/8	OPA	**SPD Policy 5.001 Standards and Duties** Add ruses to an existing in-service training module, including when they are appropriate and when they shock fundamental fairness .	In progress
12/16	OPA	**SPD Policy 12.010 Communications** Modify the Sergeant School curriculum to include a discussion of SPD Policies 12.010-POL-2(3) and 12.010-POL-2(4). This discussion should include guidance on how to monitor officers' responses to calls, and specifically, on how to manage the duration of officers' responses to calls and the prompt handling of high precedence calls. Ensure that Acting Sergeants receive this training, contingent on resource availability.	Received
12/16	OPA	**SPD Policy 8.400 Use of Force Reporting and Investigation** Reevaluate use of force reporting and investigation requirements under two common scenarios: 1) if subjects harm themselves or inadvertently suffer an injury while in police custody and while officers are not hands-on with them, and 2) when subjects injure themselves while officers are hands-on but where those officers do not cause the harm.	Received

Recommendations to OPA

Date	Author	Recommendation	Status
4/23	CPC	Address prior recommendations offered by the former OPA Auditors related to improving the mediation program .	In Progress
4/23	CPC	Address accountability system structure recommendations provided by the Commission as part of its settlement agreement responsibilities for review of the accountability system in April 2014.	In progress
4/23	CPC	Crosswalk and address the language in both SPMA and SPOG contracts that related to mediation and Rapid Adjudication.	On Hold

Recommendations to OIG's Work Plan

Date	Author	Recommendation	Status
12/3	CPC	Audit/Review 911 Dispatch Center including a review of elements below , which does not represent an exhaustive list but a baseline for review.	On Hold
12/3	CPC	Improve SPD Disciplinary Processes. The CPC asks that the OIG build on this work and, per the 2017 Accountability Ordinance, enhance SPD's culture of police accountability by collaborating with SPD to make disciplinary processes as fair, impartial, objective, certain, timely, consistent, understandable, transparent, and effective as possible.	In Progress
12/3	CPC	The CPC requests that the OIG track and provide updates to the CPC on the status of recommendations that have yet to be implemented completely.	In Progress
12/3	CPC	Evaluate SPD's Response to Hate Crime Reports.	On Hold
12/3	CPC	Assess Disparity in Police Stops.	Declined Action

Date	Author	Recommendation	Status
12/3	CPC	Conduct Officer Wellness Survey: The CPC recommends that the OIG conduct a survey of SPD officers to inform efforts to ensure officer wellness.	Reviewing
12/3	CPC	Conduct Sentinel Event Review on Iosia Faletogo's Shooting: The CPC requests that the OIG develop a sentinel event review process with the intention of eventually conducting a sentinel event review of the shooting of Iosia Faletogo.	On Hold
12/3	CPC	Review OPA Complaint Handling: The CPC requests that per the 2017 Accountability Ordinance, the OIG reviews and issues a report on the thoroughness, fairness, consistency, and timeliness of OPA complaint handling for cases that are that are not investigated by OPA such as cases that result in supervisor action, mediation, and rapid adjudication. Furthermore, as the OPA's newly implemented rapid adjudication program rolls out, the CPC recommends that the OIG work with OPA to identify effective oversight and review mechanisms for the program.	In Progress
12/3	CPC	Audit SPD Supervision: The CPC requests that the OIG conduct an audit on SPD supervision to evaluate consistency in supervisory duties and training across Seattle, in addition to looking at accountability of supervisors. As part of the audit, we hope that the OIG will provide line officers an opportunity to speak candidly and provide input to the OIG on supervision and management.	On Hold
12/3	CPC	Continue Efforts on Effective Interviewing: In 2020, the CPC requests that the OIG continue to work with the CPC and SPD to bring training on effective interviewing techniques and relevant policy changes to SPD, OPA, and OIG. Once SPD investigators complete training on effective interviewing techniques and adopt and implement relevant policies, the CPC hopes that the OIG will continually audit or review SPD interviewing practices in the future.	On Hold

2019 Challenges

In preparation for developing the 2019 annual report, the Commission committed to reporting not only on the successes of the Commission, but the challenges the Commission faced in 2019.

The 2017 Police Accountability Ordinance expanded the Commission from being a 15-member body, each member appointed by the mayor, to a 21-member body, with the Mayor, City Council, and the Commission itself appointing seven members respectively. In May, to fulfill the requirement of an expanded Commission in the Ordinance, City Council confirmed eight new commissioners following their appointments by the Mayor, City Council, and the Commission. This led to a welcome influx of new perspectives on the Commission. Meanwhile, attendance among long-term commissioners with deep institutional knowledge about the Commission and the history of police reform in Seattle declined and the Commission experienced a change in executive leadership.

These significant changes, in the absence of a strategic plan, marked a period of structural reassessment for the Commission. Whereas the Commission's inaugural commissioners came with deep backgrounds and expertise on police reform and police accountability, the incoming commissioners in 2019 came with varying degrees of experience and knowledge, and the Commission was not structurally equipped to onboard eight new commissioners with respect to the Commission's work and the history of police reform. Furthermore, with commissioners now coming from different appointing authorities, the Commission faced a new challenge: building consensus on complex issues.

One of the biggest challenges for the Commission in 2019 was consistent attendance among commissioners, with a 66 percent annual attendance rate. There were two out of 23 meetings in which the Commission did not achieve a quorum of commissioners. As a result of commissioner turnover and a low attendance rate, the Commission did not adopt a 2019 work plan until September 18, 2019, on which the Commission adopted a 2019 Quarter 3/Quarter 4 work plan. To address low attendance, the Commission tasked the newly established Governance Committee to assess barriers to attendance and propose changes in Commission practices moving forward to make meetings as accessible as possible.

Finally, the Commission contended with issues related to its capacity and scope of work. As was true at the time of its inception, the Commission continued to spend significant energy responding to emergent issues, expending considerable resources advocating for the implementation of the Police Accountability Ordinance which has yet to be fully implemented. Protecting and advocating for the legislation put a strain on Commission resources. Moving forward, the Commission recognizes that it is imperative to develop a strategic plan that envisions



a role for the body beyond the Consent Decree and the Police Accountability Ordinance.

Due to the challenges above, the Commission was not able to move forward on the following work in 2019. The Commission is continuing to work to address its institutional and operational challenges for future success.

Strategic Planning

Commission staff members, including the Interim Executive Director, have consistently recommended that the Commission undertake a strategic planning process to define the Commission's purpose and direction. The Commission did not develop a strategic plan in 2019 but formed a new Governance Committee to undertake this work in 2020.

District Liaison Program

The Commission is required to assign commissioners to City Council districts and this requirement was only partially fulfilled in 2019. Although commissioners were assigned to all seven City Council districts, due to lack of commissioner availability, the Commission has not fully implemented its district liaison strategy to actively engagement people within each council district and report back regularly to the full Commission.

Response to Hate Crimes Audit

The Police Practices Workgroup paused its meetings in April 2019 through the end of the year due to commissioner turnover and low membership. Due to this, the Commission was not able to respond to and develop a position on a recent audit by the City Auditor on hate crimes and police response to hate crimes in Seattle.

Community Engagement Strategy

The co-chairs requested a community engagement strategy from the community engagement team. The team submitted a strategy proposal in May 2019, but the proposal was never forwarded to the full Commission. The Community Engagement Committee stopped meeting in September due to commissioner absences.

Schools and Youth Program

Scheduling conflicts and commissioner workload outside of the Commission prohibited the Commission from designing and executing a schools and youth program.

Baseline Survey

In early 2019, Commission staff proposed a strategy to conduct a baseline assessment via surveys to assess the efficacy and reach of the Commission. The Commission has not yet approved a strategy.

Looking Forward

The Community Police Commission looks forward to what the future holds for us as a fully independent and permanent body. As the Interim Executive Director of the Commission, I am excited to continue centering and amplifying the priorities of the Seattle's communities. I write this letter in gratitude to the many who make the Commission successful: our Commissioners and Co-Chairs, Commission staff, system partners, and most important of all, Community. In full transparency, leading the Commission during the latter half of 2019 presented experiences that both strengthened and challenged our agency.

Our origin is rooted in Community coming together to demand change in Seattle. Grounded in the Community's call for change, the Commission champions equitable policing in Seattle. The Commission was initially formed as an ad hoc committee by authorization of the Federal District Court, through the Department of Justice. Ad hoc committees rarely become permanent by their very nature, and when they do, they face unique challenges during the transition to permanence. The Commission is no exception to this.

The federal mandate made it clear that the Commission was to be independent of the local Executive Office. The 2017 Police Accountability Ordinance even placed budget authority of the Commission under the City Council to insulate the Commission from the Mayor's influence. As an independent body, the Commission was not made aware of the City's available resources to help it build critical organizational infrastructure to ensure organizational integrity. Successfully integrating a grassroots agency within a government structure requires an intentional and comprehensive organizational plan. Without such a plan, and without an assessment for the Commission's funding needs, the Commission's transition into the City of Seattle's governmental structure was nothing short of a challenge.

Thus, 2019 has been year of learning. I have welcomed the opportunity to learn and grow with the Commission and with our partners in the City. I am grateful to the City Budget Office, the Department of Human Resources, and the Finance and Administration Department for partnering with the Commission during my tenure. The staff members of these departments have been integral to ensuring that the Commission's unique needs are met, including our compliance with City rules that hold its departments to certain standard. I cherish the relationships that these partners were willing to build with us. I am confident that with these partnerships, the Commission will continue to strive for excellence not only as an expectation, but as its norm.

This past year brought eight new Commissioners on board—all with unique backgrounds and experiences in Community—from three appointing authorities. This influx of Commissioners has further cemented Community's access to and voice in critical conversations about policing, police accountability, and police reform in Seattle. It is my hope that this new capacity will build on the Commission's strong foundation for Community-led police reform by:

- Creating a strategic plan for 2021-2023 that includes dynamic Community programs

2019 brought forth renewed commitments and a spirit of partnership. I want to express my gratitude to the Community, but for without their rallying cry, the Commission would not exist. I give my sincere gratitude and appreciation for the support that Community and our system partners extended to the Commission throughout 2019, from Seattle Police Department to the numerous Community-based organizations who reached out to us, assisted us, and stood by us. Without these partnerships, we would not be able to do the important work of achieving lasting positive change in policing in Seattle. We hope to continue our partnerships with the collective understanding that efforts toward a socially just and equitable police accountability system benefit us all.

One body. One Voice. The Commission commits to charging forward even when obstacles present themselves or when challenges seem insurmountable. We stand unified as a body that was created to address Community's concerns. Even as we grow, change, and evolve, we will always stand faithful to our mission, for Community.



In partnership,
Bessie Marie Scott
Interim Executive Director

Endnotes

1) Seattle Municipal Code 03.29.360

2) City of Seattle, Resolution 31753, Section 3

3) City of Seattle, Resolution 31753, Section 6

4) 03.29.140.F

5) City of Seattle, Resolution 31753, Section 4

6) Email communication with OIG on February 21, 2020.

7) 03.29.200.I

8) 03.29.200.I

9) City of Seattle, Resolution 31753, Section 2

10) Email communication with OIG on February 21, 2020.

11) 03.29.200.J

12) Email communication with OIG on February 21, 2020.

13) 03.29.240.I

14) Email communication with OIG on February 21, 2020.

15) 03.29.240.K

16) 03.29.270.C

17) 03.29.270.D

18) Email communication with OIG on February 21, 2020.

19) The following status updates were confirmed with the OPA via email communication on February 19, 2020.

20) 03.29.100.D

21) 03.29.100.G

22) 03.29.120.E

23) 03.29.125.E

24) 03.29.130.E

25) 03.29.130.F

26) 03.29.130.G

27) 03.29.130.I

28) 03.29.130.J

29) 03.29.135

30) 03.29.140.B

31) 03.29.140.C

32) 03.29.125.C

33) Email communication with SPD on February 20, 2020.

34) 03.29.410.A.1

35) 03.29.420.A

36) Email communication with SPD on February 20, 2020.

37) 03.29.420.A.1

38) Email communication with SPD on February 20, 2020.

39) Community Police Commission's Response to Court's Order to Show Cause (Document 531), United States of America v. City of Seattle (2/20/2019)

40) Community Police Commission's Response to Court's Order to Show Cause (Document 531), United States of America v. City of Seattle (2/20/2019)

41) Email communication with SPD on February 20, 2020.

42) 03.29.430.E

43) Community Police Commission's Response to Court's Order to Show Cause (Document 531), United States of America v. City of Seattle (2/20/2019)

44) 03.29.430.G

45) Email communication with SPD on February 20, 2020.

46) 03.29.440.B

47) Email communication with SPD on February 20, 2020.

48) 03.29.440.C

49) Email communication with SPD on February 20, 2020.

50) 03.29.460.B

51) Email communication with SPD on February 20, 2020.

52) 03.29.115.H

53) Email communication with OPA on February 22, 2020.

54) 03.29.510.A

55) 03.29.510.A

56) Phone communication with OPA on February 6, 2020.

57) 03.29.400.H

58) 03.29.420.A.7

59) 03.29.420.A.8

60) 04.08.040.A

61) 04.08.040.B

62) 04.08.070.F.1.c

63) Order to Show Cause Whether The Court Should Find That The City Has Failed To Mainatin Full And Effective Compliance With The Consent Decree (Document 504), United States of America v. City of Seattle (12/03/2018)

64) City of Seattle's Response to Court's Order to Show Cause (Document 512) United States V. City of Seattle (12/17/2018)

65) United States' Response to the Court's Order to Show Cause (Document 528) United States V. City of Seattle (2/13/2018)

66) Community Police Commission's Response to Court's Order to Show Cause (Document 531) United States V. City of Seattle (2/20/2019)

67) Declaration of Judge Anne Levinson (Ret.) in Support of Community Police Commission's Response to Court's Order to Show Cause (Document 533) United States V. City of Seattle (2/20/2019)

68) Order Finding City of Seattle Partially Out of Compliance With The Consent Decree (Document 562) United States V. City of Seattle (5/21/2019)

69) ACLU of Washington "U.S. District Judge James L. Robart's Order Regarding City of Seattle Having Fallen Out of Compliance with the Consent Decree" Message to Seattle Mayor Jenny Durkan, Seattle City Council, Seattle Police Monitor Merrick Bobb, and U.S. Department of Justice. June 21, 2019. Via email.

70) http://perspectives.seattle.gov/cpc-condemns-mayors-hiring-of-police-accountability-consultants/

71) http://perspectives.seattle.gov/seattle-cpc-co-chairs-statement-on-citys-request-for-an-extension-in-consent-decree-case/

72) Seattle City Councilmember Lorena Gonzalez, Teresa Mosqueda, Lisa Herbold "United State of America v. City of Seattle" Message to Seattle Mayor Jenny Durkan. July 15, 2019. Via email.

73) Seattle Community Police Commission "Comments Relating to Proposed Methodology" Message to 21 CP Solutions Consultant Team. August 7, 2019. Via Email.

74) City of Seattle's Stipulated Motion to Approve Accountability Methodology (Document 576) United States v. City of Seattle (8/15/2019)

75) The Community Police Commission's Response to The City of Seattle's Stipulated Motion to Approve Proposed Accountability Methodology (Document 8/19/2019) United States v. City of Seattle (8/19/2019)

76) Order Regarding the City's Motion to Approve It's Accountability Methodology (Document 585) United States v. City of Seattle (10/15/19)

77) An Assessment of the City of Seattle's Police Accountability System (Document 589-2) United States v. City of Seattle (12/13/2019)

78) City of Seattle's Notice of Accountability Assessment (Document 598) United States v. City of Seattle (12/13/2019)

79) The Community Police Commission's Response to 21CP's Assessment of Police Accountability (Document 602) United States v. City of Seattle (1/16/2020)

80) City of Seattle, Resolution 31753, Section 5

81) OPA issues policy recommendations to SPD via what the agency calls Management Action Recommendations (MAR). MARs, as well as SPD's responses to MARs, which detail information such as steps the department has taken to implement a recommendation or reasons why the department declined action, can be found on the OPA website. All information regarding OPA recommendations to SPD in this report can be found on OPA's website: https://www.seattle.gov/opa

Appendix A

Fully Implemented Ordinance Requirements

Community Police Commission

The CPC has fully implemented—and will continue to fulfill—the following requirements.

1. Appoint 21 commissioners with ties to Seattle who represent certain communities and have relevant experience and expertise. (03.29.340.A)

    - At the end of 2019, the Commission had 14 out of its 21 commissioner seats filled. There were four vacant Commission-appointed seats, two vacant Council-appointed seats, and one vacant Mayor-appointed seat. The Seattle Police Management Association continued to leave its Commission-appointed seat unfilled, but starting in May, a representative began to attend commission meetings as a non-voting, ex-officio member.

2. Serve on search committees for Office of Police Accountability director and the Inspector General. (03.29.360.A)

    - In 2017 and 2018, two commissioners served on search committees for theOPA director and for the Inspector General. The Commission will continue to serve on search committees for both offices as needed.

3. Convene an annual meeting to present annual report. (03.29.360.C)

    - The Commission held its first annual meeting on November 20, 2019, where the Commission presented its 2018 annual report.

4. Hold regular meetings open to the public, no less than once a month, and establish workgroup subcommittees of its members to meet as necessary. (03.29.360.D)

    - The Commission holds regular meetings on the first and third Wednesday of each month.

5. Review recommendations and monitor implementation of recommendations. (03.29.360.E, 03.29.360.F)

    - The Commission continues to review recommendations by all accountability system partners and monitor the implementation of recommendations.

6. Provide input on OIG work plan. (03.29.360.G)

    - In 2019, the Commission provided input on the OIG's 2020 work plan on December 3, 2019.

7. Review closed OPA cases. (03.29.360.H)

- The Commission reviews closed OPA cases as needed, when possible systemic issues arise.

8. Provide input on improving system transparency, such as public disclosures. (03.29.360.I)

    - In 2019, the Commission met with the Seattle Police Department's Executive Director of Legal Affairs and personnel from the Seattle Police Department's Public Disclosure Unit to assess the department's needs for fulfilling public disclosure requests, and began to prepare feedback to submit to the department in 2020.

9. Provide feedback on Office of Police Accountability manual. (03.29.360.K)

    - The Commission provided feedback on the manual in late 2018. The Office of Police Accountability has not produced a new draft of the manual since late 2018 due to conflicts between the Accountability Ordinance and the 2018 Collective Bargaining Agreements, and the pending Consent Decree process to remedy these conflicts. OPA plans to disseminate a newly revised draft for feedback by the end of March 2020, and the Commission plans to provide feedback on the new draft.

10. Evaluate the Executive Director. (03.29.360.L)

    - The Commission conducted an evaluation of its Executive Director in late 2018. At the end of 2019, the Commission had an interim Executive Director and therefore did not conduct a formal evaluation.

11. Produce an annual report. (03.29.370.A)

    - The Commission produced its first annual report, the 2018 annual report, in July 2019.

12. Evaluate SPD processes in meeting diverse work force needs. (03.29.370.B)

    - In 2019, the Commission continually advocated for the full implementation of the language and work experience preference points programs as mandated by the 2017 Police Accountability Ordinance. The Commission will work with OIG to periodically evaluate work force issues, such as hiring timelines, impediments to hiring ,and retaining diverse officers, as needed.

13. Present a mid-year report to the Gender Equity, Safe Communities, New Americans, and Education (GESCNA-Ed) City Council Committee on the status of recommendations. (03.29.400.B)

    - The Commission presented its first mid-year report to the public safety committee on July 31, 2019.

14. Compile and maintain a database of recommendations. (3.29.410.A.3)

    - The Commission completed the development of its database of recommendations in 2019. The Commission tracks all recommendations within the police accountability system and their implementation, including recommendations from OIG, OPA , and the Commission itself.

15. Convene meetings on external investigations of serious and deadly uses of force. (City Council Resolution 31573, 2017)

    - The Commission convened the Serious and Deadly Force Investigation Taskforce in 2018 and the Taskforce completed its work in 2019, producing a report with a comprehensive set of 15 recommendations as well as a list of shared values and expectations.[1]

16. Identify and advocate for reforms to state laws that will enhance public trust and confidence in policing and the criminal justice system.

    - Although the Commission has not yet submitted feedback on the City's state legislative agenda, it plans to identify and advocate for reforms to state laws as needed.

Office of the Inspector General

The OIG has fully implemented—and will continue to fulfill—the following requirements. The OIG confirmed the following status updates via email communication on February 21, 2020.

1. Establish an independent Office of Inspector General for Public Safety. (03.29.200)

    - OIG was established in 2017. The first Inspector General, Lisa Judge, was appointed and confirmed in 2018. The first full year of operation was 2019. OIG performs the duties assigned to it under the accountability law (Ord 125315).

2. Review evidence-based research and successful police practices in other jurisdictions and make recommendations. (3.29.200.K)

    - OIG work is informed by practices of and conversations with other jurisdictions on their successes and challenges. Currently, OIG is conducting a survey of 15 different civilian police oversight jurisdictions around the country. This survey will identify practices, trends, and models for staffing and conducting police misconduct investigations. The main focus of this study is the mix of civilian and sworn investigators. OIG has also engaged the services of an internationally renowned consultant to bring a training program on effective interviewing to SPD, OPA, and OIG. This recommendation was supported by collaborative groundwork by SPD, OIG, CPC, and OPA in 2018 and 2019.

[1] http://perspectives.seattle.gov/seattle-taskforce-to-recommend-major-reforms-to-investigations-of-serious-and-deadly-force-by-police-officers/

3. Handle misconduct complaints involving OPA staff where a potential conflict of interest precludes OPA from handling the complaint. (03.29.240.D)

    - OPA and OIG have implemented processes to identify conflicts of interest based on Government Auditing Standards (Yellow Book GAO-07-731G). When OPA considers that its independence is affected by a conflict, OIG handles the complaint. At a minimum, this includes complaints about supervisory staff at OPA that implicate potential policy violations by those staff. OIG will also review OPA decisions to ensure that conflicts that compromise OPA independence are being appropriately routed to OIG.

4. Perform the police intelligence auditor functions defined in Chapter 14.12. (03.29.240.E)

    - The first OIG police intelligence audit was issued in 2019. The audit did not detect any violations of Chapter 14.12, but did identify several issues relating to the outdated language of the Chapter which prevented the OIG from being able to determine whether SPD is in full compliance. Follow-up is currently being conducted as part of the next Ch. 14.12 audit.

      OIG is required to conduct an audit every 180 days of SPD activity. OIG reviews, or audits, all incoming Chapter 14.12 authorizations as well as any documentation related to authorizations that the Intel Unit is preparing to purge on an on-going basis. OIG issued its first audit report on June 21, 2019. SPD reported on implementation of audit recommendations in Q4 2019. OIG has not yet issued its second audit report on activity in the 180-day period after June 21, 2019. The second OIG audit involves testing the implementation status of prior recommendations, so work on the second audit commenced in Q1 2020. The second audit covers all authorizations issued between 11/1/2018 and 1/31/2020, as well as following up on the status of the recommendations in the previous audit.

5. Create an annual work plan in consultation with OPA, CPC, and the Chair of the public safety committee. (03.29.240F)

    OIG produced a work plan for its first full year of operation, 2019, and has produced its annual work plan for 2020. The work plan was developed using a risk assessment approach that weighed the likelihood of occurrence and severity of consequence for areas of concern identified in the course of OIG oversight activities. As part of its work plan process, OIG solicits requests from CPC, OPA, SPD, and the Chair of the public safety committee. OIG also takes into account other stakeholder input throughout the year, including issues raised by the public.

6. Review SPD handling of incidents involving death, serious injury, serious use of force, mass demonstrations, and serious property or vehicle damage. (03.29.240.G)

    - The Inspector General attends on-scene investigations of significant officer-involved use of force and the associated departmental reviews. In 2019, OIG began exploring the feasibility

of a review board to engage in a systems-based root cause analysis of incidents involving significant force, pursuits resulting in significant injury, and other events of public concern. The focus of the board would be systems improvement with community perspective and law enforcement subject matter experts at the table, not individual officer accountability (which is already addressed through the SPD Force Review Board and OPA). OIG plans to implement a pilot sentinel event review program in 2020.

7. Conduct audits of random samples of classifications of all misconduct complaints from the prior quarter to validate OPA's classifications. (03.29.250.A)

    - Until May of 2019, OIG continued to conduct individual classification reviews by OPA while working out a quarterly review process with OPA. In May 2019, OIG began conducting quarterly reviews of cases classified by OPA for investigation, while continuing to conduct individual classification reviews for contact logs and supervisor actions. In August 2019, OIG began conducting quarterly reviews of most OPA classifications from the prior quarter using random sampling methods. At times, OPA will send classification decisions to OIG for individual review for more complex cases, and OIG also individually reviews OPA classification decisions for rapid adjudication and mediation. The findings, trends, and areas of opportunity identified from OIG classification reviews will be reported in the Annual Report.

8. Review certain OPA investigations to determine whether they are thorough, timely, and objective. (3.29.260)

    - OIG reviews all OPA investigations in the categories required by the ordinance to certify whether they are thorough, timely, and objective.

9. Conduct audits and reviews. (3.29.270.A)

    - Audits are a major work product of OIG. Details of audits completed, ongoing, and planned can be found in the annual OIG work plan, available at www.seattle.gov/oig/reports.

10. Maintain a website consistent with City Information Technology standards. (3.29.270.B)

    - The OIG web site, www.seattle.gov/oig, provides information about the purpose of OIG, its staff, and its reports. Members of the public can submit questions or complaints through the web site. Alternatively, the OIG email address and phone number are also provided.

11. Monitor the implementation by SPD, OPA, City elected officials, and other city departments and offices of recommendations made by the Inspector General, the OPA Director, and CPC. (03.29.240.H)

    - This requirement is generally addressed by the OIG annual report. As with all oversight entity annual reports, OIG shares the charge of assessing whether the system is working as

intended. The first OIG annual report, covering its first full year of operations in 2019, will be forthcoming in early 2020.

With respect to OIG recommendations specifically, OIG follows up on all audit recommendations, per GAGAS (Generally Accepted Government Auditing Standards). Testing is conducted to ensure each recommendation is implemented as described, and that the implementation fulfills the intention of the recommendation. Follow up activities occur either during the next audit of that subject area (e.g., recurring Chapter 14.12 audits), or within three years of issuing the original report – whichever is sooner. Follow up is prioritized in order of risk.

12. With the CPC, conduct a review and provide recommendations to City Council for any needed revisions to SMC Chapter 14.12 on the collection of information for law enforcement purposes. (14.12.320.A)

    - In mid-2019, OIG and CPC presented their mid-year report to Council. This presentation included a summary of the OIG Chapter 14.12 audit and recommendations. Those recommendations can form the starting basis for any further work on Chapter 14.12 that policymakers wish to conduct. The steps SPD is taking in response to the recommendations will be reported as part of the next recurring OIG audit of Chapter 14.12.

Office of Police Accountability

The OPA has fully implemented—and will continue to fulfill—the following requirements. The OPA confirmed the following status updates via email communication on February 21, 2020.

1. Give the CPC and OIG access to unredacted files of closed OPA investigations when requested. (03.29.240.H)

    - OPA provides access to unredacted files of closed OPA investigations when requested by the CPC and OIG.

2. Address complaints of police misconduct through investigation, Supervisor Action referral, mediation, Rapid Adjudication, or other alternative resolution processes as well as policy recommendations (Management Actions). (03.29.100.F)

    - OPA addresses complaints of police misconduct through each of these avenues and regularly makes policy recommendations to SPD.

3. Enhance SPD culture of police accountability through means including supporting SPD supervisors and strengthening supervisor's involvement in the accountability system. (03.29.100.I.1)

    - OPA provides trainings on the police accountability system for various SPD groups. These trainings are provided at new-sergeant school, sergeant in-service training, and field training

officer training. OPA also collaborated with SPD to re-draft SPD Policies 5.001-5.003, which alter how minor misconduct is handled.

4. Assist SPD in the development and delivery of SPD in-service training related to the accountability system. (03.29.100.I.2)

    - OPA provides training on the accountability system to each class of SPD recruits that graduates from the Basic Law Enforcement Academy (BLEA).

5. Collaborate with SPD to make disciplinary processes as fair, transparent, etc. as possible. (03.29.100.I.3)

    - OPA is in continuous conversation with SPD regarding disciplinary processes, including ways to make processes fairer and more transparent.

6. Be responsive to Community needs and concerns including in communications with complainants and named employees about the status of their investigations. (03.29.100.J.1)

    - OPA employs three Community engagement specialists to obtain and be responsive to Community input. OPA is currently assessing the “OPA complainant experience," which will eventually lead to revised standards and practices to improve the experience of complainants.

7. Work with complaint navigators, Community-based organizations, and use other approaches to provide additional channels for filing complaints and support understanding of the system. Conduct Community outreach. (03.29.100.J.2)

    - OPA hired three Community engagement specialists in 2018 to fulfill this ordinance provision.

8. Obtain information about Community perspectives and concerns on OPA access on an ongoing basis. (03.29.100.J.3)

    - OPA conducted a baseline public opinion survey in July 2019 to obtain information about Community perspectives and concerns regarding OPA access.

9. Provide technical assistance on OPA matters to the Community Police Commission. (03.29.100.J.5)

    - OPA responds to requests for technical assistance by the Commission and attends Commission meetings as well as meetings of its committees and workgroups to provide information and technical assistance.

10. Physically house OPA outside of any SPD facility and be operationally independent of SPD. (03.29.105.A)

    - The OPA offices are separate from any SPD facilities. OPA is also operationally independent of SPD.

11. Make and maintain a fair and effective mediation program and a fair and effective Rapid Adjudication process. (03.29.120.D)

    - At the beginning of 2019, OPA surveyed mediation best practices across the country and assessed OPA's mediation program, identifying areas of much needed improvement. OPA implemented numerous improvements to the program which can be found in OPA's Mediation Program Guidelines that were developed in September 2019. In October 2019, OPA held a training for mediators and a training for investigators to introduce the program's changes and receive input. OPA also updated its mediation brochure, which is included as a part of the agency's outreach materials used to engage Community.

    - In 2019, OPA began a rapid adjudication pilot program. Rapid adjudication is an alternative complaint resolution process that occurs when an employee recognizes their conduct was inconsistent with SPD standards and is willing to accept pre-determined discipline. OPA has developed draft guidelines, including a list of allegations that would make a case ineligible for the program, some of which include criminal violations, force, bias, and retaliation. In 2019, far, six cases were processed via rapid adjudication, and OPA has declined to process one case through the program.

12. Comply with all OPA deadlines, including investigation deadlines. (03.29.120.G)

    - OPA complies with all deadlines, including investigation deadlines, to the best of its abilities.

13. Provide all necessary investigations to OIG as soon as possible for review and certification. (03.29.130.H) Provide status reports to OIG regarding criminal investigations. (03.29.145.E)

    - OPA complies with all requirements to provide investigations to OIG for review and certification. OPA also provides status report to OIG regarding criminal investigations.

14. Make civilian the OPA Director, Deputy Director, and all investigative supervisors. (03.29.140.A)

    - OPA has civilians in these personnel slots.

15. Post summaries of completed investigations and other key information and materials online. Post Management Action recommendations and outcomes of recommendations online. (03.29.145.B-C)

- Each quarter, OPA compiles investigation summaries and posts them on the agency's website. OPA also posts Management Action Recommendations, the status of recommendations, and SPD's response to recommendations on the agency's websites.

16. Produce annual reports to describe the work of OPA and include OPA's policy recommendations, the implementation status of OPA's recommendations, a summary of information received through Community outreach, and key statistics and information. (03.29.145.F.1-11)

    - OPA's first annual report after the enactment of the 2017 Ordinance was published in 2018 and reported on OPA's 2017 work. The report detailed elements of the Ordinance that OPA had not yet been able to completely implement in 2017.

Seattle Police Department

SPD has fully implemented—and will continue to fulfill—the following requirements. SPD confirmed the following status updates via email communication on February 20, 2020.

1. If there is disagreement between the Chief and the OPA Director on the OPA Director's recommendations on investigation findings, engage in a supplemental meeting. (03.29.135.A)

    - This is standard practice.

2. If the Chief decides not to follow one or more of the OPA Director's written recommendations, provide a written statement of the material reasons within 30 days of the Chief's decision on disposition of the complaint. (03.29.135.B)

    - SPD is sending its required communications to the listed partners. If this is in reference to sending "to the public," that responsibility rests with OPA.

3. Create a process to establish policies for all SPD administrative investigation units or boards, including time limits for review and prohibition against determining misconduct or recommending discipline. (03.29.400.A)

    - The Force Review Board and other bodies within SPD are governed by manuals, policies, and strict timelines for documenting and forwarding relevant information to OPA.

4. Give OIG access to observe reviews, meetings, and trainings, such as SPD administrative investigation unit meetings, disciplinary hearings, or discussions of misconduct complaint investigations. (03.29.210.C)

    - OIG has unfettered access to all SPD operations.

5. Establish and maintain clear written policies requiring that all significant matters coming to SPD's attention that involve potential police misconduct or policy violations are documented and forwarded to OPA.

- Section 5.002 of the Seattle Police Department Manual clearly documents this. 5.140 adds additional clarity around bias complaints.

6. Ensure timely and substantive follow-through for cases referred by OPA to a named employee's supervisors.

    - OPA sets a deadline. Extensions can be requested, but OPA does follow-up on the referral for their tracking.

7. Respond in writing to any Training Referral or Supervisor Action referral from OPA with an explanation of actions taken. (03.29.410.B)

    - SPD currently tracks these responses in its data systems, Blue Team or IAPro.

8. Establish a schedule and protocol for regular and timely review of proposed revisions to the SPD Policy Manual. (03.29.410.C)

    - SPD utilizes a three-year policy review calendar, which the department shares with its accountability system partners.

9. Maintain systems of critical self-analysis, including audits and reviews of critical events. (03.29.410.D)

    - This is current SPD practice, and SPD has committed to maintaining systems of critical self-analysis beyond the Consent Decree. The Office of Inspector General's published workplan has several audits scheduled.

10. Implement discipline when it is imposed or shortly thereafter. (03.29.420.A.3)

    - Discipline is imposed after the involved officer's Loudermill hearing, which gives officers an opportunity to present their side of the story before the employer makes a decision on discipline. SPD does not hold for grievance or appeal. This is tracked through SPD Human Resources.

11. SPD shall track and document OPA cases referred from the OPA Director to the Chief in OPA and SPD data systems.

    - All OPA cases are initiated and tracked inside IAPro – the OPA and SPD data system.

12. Notify in writing the Washington State Criminal Justice Training Commission when any sworn employee is terminated from employment. (03.29.420.A.10)

    - SPD currently sends letter to the Washington State Criminal Justice Training Commission in the event of a termination of a sworn employee.

13. Consulting the Community Police Commission and the OIG, develop and implement recruitment, hiring, testing, training, mentoring, assignment, and promotional practices that support equity and the goals set forth in the Consent Decree. (03.29.430.A)

    - SPD continuously works to develop and implement strategies to support equity and the goals in the Consent Decree. In 2020, SPD will partner with the CPC and the OIG to determine how best to consult the accountability entities on these issues moving forward. The City formed an Innovation & Performance Team specifically focused on improving hiring and recruitment practices. The City implemented the new language preference points and is working on the public service preference points.

14. Ensure that its "take-home" policy for SPD vehicles are consistent with SPD accountability practices. (03.29.430.F)

    - SPD currently follows the City of Seattle's Finance and Administrative Services' rules regarding take-home vehicles.

15. Collaborate with accountability system partners to develop and deliver in-service training on the accountability system. (03.29.430.H)

    - The OPA and OIG present to officers in post-BLEA training and to new sergeants.
    - SPD has been working with CPC on a "CPC 101" training. The Accountability partners need to finalize this training.

16. Retain all SPD personnel and OPA case files according to the requirements of the law. (03.29.440.E)

    - This is current SPD practice.

17. Document letters sent by SPD to the Washington State Criminal Justice Commission regarding de-certification of an officer who is terminated or resigned in lieu of termination. (03.29.440.F)

    - SPD's human resources division maintains a copy of each letter in the employees personnel file. Other methods of retention would be subject to negotiations.

Other

These requirements have been implemented and the involved agencies will do continuous work as needed for these requirements.

City Attorney's Office

1. When there is a conflict of interest and the City Attorney's Office declines to provide legal representation to an oversight entity, the City Attorney shall inform the oversight entity in

writing the reason for declined representation. The city shall provide sufficient funding for legal services. (03.29.480.B)

2. Establish a protocol so that cases referred to prosecutors for possible filing of charges against SPD employees can be reviewed concurrently by City, county, and federal prosecutors. (03.29.450)

3. Provide the OPA Director and Inspector General with two status reports regarding appealed OPA cases. (03.29.410.H)

Office of Intergovernmental Affairs

1. Consult OPA Director, Inspector General, and the Commission during the development of the City's state legislative agenda. (03.29.410.G)

Office of the Mayor

1. Consult those who provide civilian oversight of the police accountability system in the formation of the City's collective bargaining agenda. (03.29.460.A)

2. Notify the Council and Commission in writing when recommendations requiring City funding are not included for funding in the Mayor's budget proposal. (03.29.410.E)

3. Notify the Council and Commission in writing when associated recommendations by the oversight entities are not included in the proposed state legislative agenda. (03.29.410.F)

City Council

1. Conduct a performance evaluation of the Inspector General for Public Safety. (03.29.230.G)

Public Safety Civil Service Commission

1. Adopt and use preference points for SPD candidates deemed fluent in a language other than English. (04.08.070.F.1.b)

Appendix B

Complete Recommendations

Recommendations to Seattle Police Department (SPD)

SPD has fully implemented the following recommendations that were made in 2019.

Date	Author	Recommendation	Status
1/17	OPA	**SPD Policy 8.100 De-Escalation** Revise SPD Policy 8.100 language to clarify that threats of force – and particularly threats of force that would otherwise be excessive – do not constitute a de-escalation tactic.	Completed
3/13	OPA	**Search and Seizure Training** The Training Unit should create a search and seizure training module and provide this training to all officers assigned to the Patrol Operations Bureau, at a minimum.	Completed
3/13	OPA	**SPD Policy 11.010 Detainee Management** The Department should clarify whether supervisors should always screen and document the use of a spit sock hood, regardless of whether the subject is later brought to a Department facility	Completed
3/13	OPA	**SPD Policy 8.100 De-Escalation** Revise the language of SPD Policy 8.100 to make clear that threats, including threats of force, do not constitute a de-escalation tactic.	Completed
3/15	OPA	**SPD Policy 11.010 Detainee Management** Clarify to state whether "visual" checks include monitoring the detainee via a holding cell video feed or whether in-person checks are always required.	Completed
3/15	OPA	**SPD Policy 8.300 Use of Force Tools** Rethink the purpose of the two prongs in Policy 8.300-POL-2(4) and the possible confusion that may result. Consider the sole requirement that all Taser applications be reasonable, necessary and proportional, like any other use of force.	Completed
5/20	CPC	**Community Service Officers (CSO)** - Send the CPC regular updates regarding the CSO program including details about program implementation and opportunities to check in around key milestones; - Assign a CSO supervisor to the monthly Community Engagement System Partners meetings held in collaboration among the CPC, SPD, OPA, and OIG at which they can provide updates regarding the CSO program and receive feedback; - Formally collaborate with the CPC in analyzing the CSO program moving forward, including how well the program	Completed

		fulfills Community needs. The CPC must be invited to play a key role in conversations about making adjustments to the program in the future.	
5/29	OPA	**SPD Policy 8.300 Use of Force Tools** - Revise SPD Policy 8.300-POL-1 to be more consistent with caselaw, clarifying that a fleeing subject does not, by itself, provide a justification to use a canine. - Ensure the "handler supplemental report" is completed when appropriate. If SPD does not wish to use this report, remove reference to it from policy and instead provide guidance on where and how that information should be captured.	Completed
6/11	OPA	**SPD Policy 8.300 Use of Force Tools** Revise the second prong of the policy concerning when a Taser application is objectively reasonable; as it stands, the language is too broad.	Completed
6/11	OPA	**SPD Policy 8.300 Use of Force Tools** **Canine Deployment** - Amend policy on canine deployment to make it consistent with current practice and training as well as with the practicalities surrounding off-leash deployment. - Clarify policy and/or provide additional training guidance to supervisors concerning what types of injuries rise to the level of great and substantial bodily harm. - Engage in a robust analysis of canine application caselaw, Department canine policy as a force tool, and Department canine training and whether this training is consistent with law and Department expectations of officer conduct.	Completed
6/18	OPA	**SPD Policy 8.300 Use of Force tools** **Canine Deployment** - Edit policy to ensure consistency with law and update the canine unit manual to comply with policy. - Audit canine training to confirm that it accurately represents and communicates the requirements of policy.	Completed
6/25	OPA	**SPD Policy 12.050** **Criminal Justice Information Systems** - Reiterate to all officers the restrictions on the use of the NICS database. - Provide additional training and/or revisions to the applicable policies to ensure the database is not improperly accessed in the future.	Completed
9/19	OPA	**SPD Policy 6.180 Searches** **SPD Policy 16.110 Crisis Intervention** Modify SPD Policy 6.180 and SPD Policy 16.110 to include the Community caretaking/Emergency Doctrine exception to the search warrant requirement as set forth in caselaw. 0353/2018COMP-0101.	Completed

10/10	OPA	**SPD Policy 16.110 Crisis Intervention** Provide a training update to the Patrol Bureau concerning Involuntary Treatment Act court orders. Remind officers that, without additional information supporting Community caretaking or exigent circumstances, these orders do not permit a warrantless entry into an otherwise constitutionally protected space.	Completed
11/14	OPA	**SPD Policy 16.110 Crisis Intervention** Provide a training update to the Patrol Bureau concerning Non-Emergent Detention orders.	Completed

Recommendations to Office of Police Accountability (OPA)

OPA has fully implemented the following recommendations that were made in 2019.

Date	Author	Recommendation	Status
4/23	CPC	Fully examine the impact of issues of bias within OPA cases.	Completed
4/23	CPC	Adopt policy to ensure officers who have received numerous complaints are not eligible for mediation.	Completed
4/23	CPC	Plan for the needs of participants with disabilities in mediation. Accommodations can range from having a pre-mediation debrief (days ahead of time) with the mediator or OPA staff to explain the process, ensuring availability of interpreters with mediation experience, taking location needs into account, having an advocate present at mediation to help complainant articulate concerns, and a holding longer mediation sessions.	Completed