City of Seattle
Office of Professional Accountability Review Board

OPARB 2015 Annual Report

Open Data is the future of the world. In an era in which the legitimacy of long established institutions is continuously called into question, only those institutions that fully embrace sharing without reservation can claim authentic transparency. The President's Task Force on 21st- Century Policing noted: "Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will ensure decision making is understood and in accord with stated policy. ... *When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally*, respecting areas where the law requires confidentiality. [i]As shown by determined individuals who legally gained access to SPD complaint and accountability records, there is a need to provide readily available, free access across all of the cases, not just individual cases, in order to re-establish the public trust in police.[ii]

Seattle has an opportunity to continue to lead in the accountability space while rebuilding the trust with the community damaged by the events that resulted in the consent decree with the Department of Justice by embracing the Open Data movement. OPARB believes that the SPD and OPA should publicly share detailed information in a readily accessible format – to the full extent allowed by the SPOG contract and applicable law[iii] for all discipline and accountability cases and outcomes. Seattle should take the next step and provide all the data on mid 2014 and newer cases - which currently exists in a readily shareable format - beyond what it currently does on its Open Data site.[iv]

In addition to making the data available, it should be done in a consistent manner that allows the lay public to readily understand the contents and context of what they are viewing. This past fall OPARB examined the information the OPA provided regarding all sustained discipline cases from 2011 to 2013. After spending numerous hours reviewing the cases, we observed there was no standard format for how the files were organized or how the case data was presented. While the length of case materials ranged from 50 to 500 pages, a particular piece of information about a case did not always reside in the same part of the report. Often simple information was buried within a case. The detail we sought was simple enough – some basic demographic, geographic and dispositional information in regard to the cases. Despite this straightforward quest, there was no easy way to compare, contrast or compile information across cases without excruciating effort.

We note there are several activities underway that support embracing Open Data. Concurrently with our review we were encouraged by several developments:

- The OPA Director is making a concerted effort to share information with the public.
    - The OPA has posted active case file summaries on its website.

- That the OPA has fully implemented new case management software (IAPro) and finalized procedures for its use. [v]

- The OPA is taking early steps at utilizing Data.Seattle.gov to provide data for public use.
    - There is some rough data in regard to police video COBAN logs and public data requests.

- The SPD had taken steps to embrace the open source and hacker development community to leverage technology to better serve the community.
    - SPD held a hackathon on police video last December. [vi]

- SPD continues to share information it previously guarded closely through the various new technology platforms.
    - http://www.seattle.gov/police/crime/default.htm
    - Tweets by Beat Program
    - SeaStat Data Driven Policing
        - " The department, as part of SeaStat, is drilling down into the numbers to get real-time information on murders, assaults, burglaries and other serious crimes to help identify emerging trends. It's also using community feedback on neighborhood crime."

- The OPA Auditor does a great job by writing in depth reports and applying a critical legal eye to the department's disciplinary activities. The format and depth of these reports create an overburden of individual time and attention that makes them suboptimal to a society driven by graphical distillation and presentation of big data to undercover trends and patterns that matter.

Against those positive developments, the Review Board notes there are still challenges with file contents and access.

- The level of detail OPA publishes in regard to individual cases is lacking. While just making a case available is a huge step forward, when so much detail is stripped out, what remains has limited value. The filter applied is so strong it could appear that the City's effort is insincere.

- Public disclosure requests are currently expensive and arduous for any member of the public to get the entire contents of a file, as shown by the programmers. The file should be well organized, uniform in structure and easy to understand. It should not require a significant investment of time to understand the investigatory process.

- Releasing files individually is a significant barrier to entry for data analytics. Without full access to all files and data, it is difficult if not impossible to analyze systematic, repeated and cultural disciplinary problems within the department. The lay public should be able to review and understand the accountability system and its outcomes. It should not require an advanced Science, Technology, Engineering, Mathematics (STEM) education to understand patterns within the SPD disciplinary system.

- While OPA has significantly improved the quality and depth of its semiannual reports the aggregation of data in these reports masks what is really important. What is critically important are the consequences and outcomes of interactions between individuals.

We have taken the liberty of applying the Police Foundation's "5 Things You Need to Know About Open Data in Policing" to police accountability in Seattle.[vii] We believe the following:
- Community Analysis of Open Data could yield important insights into Police Accountability.
- Open Data Helps the Community Understand What Police Accountability Is And Provides Opportunities for Two Way Engagement.
- Open Data Demonstrates Transparency & Can Promote Legitimacy of Police Accountability.
- Public Safety Accountability Data is Important in Addressing Broader Community Concerns.
- Opening Law Enforcement Accountability Data Can Help Identify New Tools & Better Processes to Improve Public Safety

We believe that the citizens of Seattle deserve the right to open information about their police department and its officers. In a time in which the legitimacy of many police departments is being called into question as a result of the thin blue line, we believe that a truly open, truly authentic and truly shared system of accountability requires public sharing of officer accountability data for the public to scrutinize and bring authentic legitimacy to this part of the SPD.

If the city of Seattle is truly serious about open and transparent policing it will provide the data fields in Appendix One for all complaint and accountability cases for mid 2014 onward no later than March 31st, 2016 on the Data.Seattle.Gov website.

As Sir Richard Peel, the British Statesman who founded the London Police Department stated: "The police are the public and the public are the police." Implementing authentic and genuine open data in regard to police accountability is the way forward to making the police and the public genuine partners in public safety once again.

Appendix 1: Data Fields to be Provided

Descriptive:
Incident Date
Incident Time
Data Reported
Date- Certification of Completion
180 Day Expiration Date
Summary Narrative

Number of Officers Involved
Pages in Case File

Geographic:
Incident Location
Precinct
Sector
Beat
Census Block

Complaint :
Allegation(s)
Proposed OPA-IS Disposition(s)
OPA Certified Disposition(s)
Chief's Finding(s)
Chief Cited
Final Discipline
Original Classification of Complaint
Complaint Type Sustained

Complaintant Info:
Complaintant Race
Complaintant Gender
Complaintant Homeless Status

Officer Info:
Officer Race
Officer Gender
Years on Force
Assignment
Supervisor
Prior Sustained Complaint Types
Prior Sustained Complaint Dates

Discipline:
Discipline Imposed and Date
Discipline Amended on Appeal and Date
Discipline Actually Implemented and Date

[i] March 2015 Interim Report, The President's Task Force on 21ˢᵗ Century Policing, Recommendation 1.3, Action Item, 1.3.2 http://www.cops.usdoj.gov/pdf/taskforce/Interim_TF_Report.pdf, viewed 6/14/15, 7:47am

[ii] http://news.slashdot.org/story/15/05/06/1424233/two-programmers-expose-dysfunction-and-abuse-in-the-seattle-police-department, Programmers Eric Rachner and Phil Mocek are now the closest thing Seattle has to a civilian police-oversight board. Through shrewd use of Washington's Public Records Act, the two have acquired hundreds of reports, videos, and 911 calls related to the Seattle Police Department's internal investigations of officer misconduct. Among some of Rachner and Mocek's findings: a total of 1,028 SPD employees (including civilian employees) were investigated between 2010 and 2013. (The current number of total SPD staff is 1,820.) Of the 11 most-investigated employees—one was investigated 18 times during the three-year period—every single one of them is still on the force, according to SPD. In 569 allegations of excessive or inappropriate use of force (arising from 363 incidents), only seven were sustained—meaning 99 percent of cases were dismissed. Exoneration rates were only slightly smaller when looking at all the cases — of the total 2,232 allegations, 284 were sustained. This is partly why the Seattle PD is under a federal consent decree for retraining and oversight. viewed 6/14/15, 7:47am

[iii] Additionally, we believe that this should be codified in the pending contract and individual officer identification should be a goal in contract negotiations moving forward.

[iv] Data.Seattle.gov is the open data sharing site. https://data.seattle.gov/browse?category=Public+Safety, viewed 6/14/15, 7:49a

[v] OPA Directors Letter, Feb 2015 http://www.seattle.gov/Documents/Departments/OPA/Special%20Reports/OPA_Memorandum_Re_Auditor_Semi-Annual_Report_June-Dec_2014.pdf, viewed 6/14/15, 11:42am

[vi] http://www.geekwire.com/2014/seattle-police-holding-first-ever-hackathon-help-improve-video-redaction-process/, viewed 6/15/15, 11:43am

[vii] http://www.policefoundation.org/sites/g/files/g798246/f/201504/Open%20Data%205%20Things%20updated.pdf 5 Things you Need to Know about Open Data in Policing, viewed 6/14/15, 11:45am