

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact/Phone:	CBO Contact/Phone:
LEG	Ann Gorman/684-8049	

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to civilian and community oversight of the police; establishing a process for investigating complaints naming the Chief of Police; adding a new subchapter V to Chapter 3.29 of the Seattle Municipal Code; and amending Section 49 of Ordinance 125315 to renumber the existing Subchapter V of Chapter 3.29 and Sections 3.29.500 and 3.29.510 of the Seattle Municipal Code.

Summary and Background of the Legislation: In 2017, Ordinance 125315 established the City's police accountability system, including the roles of the Office of Police Accountability (OPA) and the Office of the Inspector General (OIG). This ordinance gave OPA authority over complaints of misconduct involving Seattle Police Department (SPD) employees relating to SPD policy and federal, state, and local law. The ordinance did not take into account the handling of such complaints that named the Chief of Police. Because OPA's practice following its investigations is to recommend findings to the Chief of Police, a different process is necessary for complaints that name the Chief.

This bill would establish a role for OIG in the classification of complaints that name the Chief and in decision making about what agency will investigate such a complaint that is found to be warranted. This role, which is consistent with OIG's oversight role as set out in Ordinance 125315, addresses a potentially perceived conflict of interest that is inherent in OPA's organizational structure; OPA is housed administratively within SPD.

Complaints to OPA that could result in a finding of a violation or violations of the Equal Employment Opportunity Act typically result in OPA's consultation with SPD Human Resources, which houses an investigator with specialized training to investigate such complaints. The bill would create a potential role, for complaints that name the Chief, for the Seattle Department of Human Resources Investigations Unit, which also houses such investigators.

The bill would establish a required notification process for elected officials and stakeholders in the police accountability system regarding complaints that name the Chief and that warrant an investigation. This group would be initially apprised that an investigation will take place and then of the investigation's findings and any disciplinary action that the Mayor will take against the Chief.

The bill would require consideration of the public trust in decision making about complaints to the Office of Police Accountability that name the Chief. In some cases, the public trust will be best served when the investigation of a complaint that names the Chief is conducted

by an entity that is external to and independent of the City. The bill would establish criteria for decision making about whether such an entity should conduct an investigation and that entity's selection and management.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? Yes No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? Yes No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No.

Are there financial costs or other impacts of *not* implementing the legislation?

Not implementing the legislation could damage the public trust, since Ordinance 125315 did not address a process for the classification of complaints that named the Chief of Police or for their independent investigation.

If there are no changes to appropriations, revenues, or positions, please delete sections 3.a., 3.b., and 3.c. and answer the questions in Section 4.

3.a. Appropriations

This legislation adds, changes, or deletes appropriations.

3.b. Revenues/Reimbursements

This legislation adds, changes, or deletes revenues or reimbursements.

3.c. Positions

This legislation adds, changes, or deletes positions.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

This legislation poses operational-process impacts to OPA, OIG, SDHR, and SPD. These impacts do not imply any incremental changes to any of these departments' budgets or FTE count.

b. Is a public hearing required for this legislation?

No.

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No.

d. Does this legislation affect a piece of property?

No.

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

N/A

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

N/A

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

N/A

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)?

N/A

Summary Attachments: