

April 25, 2025

## MEMORANDUM

**To:** Public Safety Committee  
**From:** Karina Bull, Analyst  
**Subject:** Chief of Police Investigation Process

---

On April 29, 2025, the Public Safety Committee (Committee) will discuss draft legislation, sponsored by Councilmember Kettle, that would amend the City's process for investigating complaints naming the Chief of Police (see Attachment 1). This memo provides background on Chief of Police investigations, summarizes the draft legislation, and identifies next steps.

### Background on Chief of Police investigations

In 2017, [Ordinance 125315](#) (Accountability Ordinance) established the City's three-pronged police oversight system to (1) ensure that police services are delivered to the people of Seattle in a manner that fully complies with the Constitution and laws of the United States and the State of Washington; (2) ensure public and officer safety; and (3) promote public confidence in the Seattle Police Department (SPD).

In this system, the roles of the three accountability agencies, the Office of Police Accountability (OPA), the Office of Inspector General for Public Safety (OIG), and the Community Police Commission (CPC), are as follows:

- The OPA is an independent, civilian-led office within SPD that investigates misconduct complaints involving SPD employees to ensure that the actions of SPD employees are lawful and in compliance with SPD policies;
- The OIG is an independent office separate from the Executive that reviews and audits the management, practices, and policies of SPD and OPA, including OPA's handling of misconduct complaints; and
- The CPC is a community-based oversight commission that reviews closed OPA investigations and engages the community to develop recommendations on the police accountability system and identify opportunities for systemic improvements.

Although the Accountability Ordinance established standards and procedures for investigating misconduct complaints involving SPD employees, the ordinance did not include a process for ensuring that misconduct complaints naming the Chief of Police would be handled in a fair and transparent manner, free of potential conflicts of interest.

In 2022, [Ordinance 126628](#) created a specific process for OPA's handling of complaints naming the Chief of Police, including but not limited to: (1) conducting a comprehensive intake investigation (intake) for every complaint; (2) requiring civilian supervisors to conduct intakes; (3) recommending classification determinations on whether and how to proceed with investigations; (4) determining whether a City entity (i.e., OPA or the Seattle Department of Human Resources) or non-City entity would perform the investigation depending on the presence of real or potential conflicts of interest and type of allegation(s); and (5) assigning civilian staff to perform investigations.

This process also created an oversight role for OIG including but not limited to: (1) receiving notice of complaints; (2) reviewing and auditing intake and investigations, (3) finalizing classification determinations; (4) providing notifications to City entities and the complainant.

Since Ordinance 126628 went into effect in July 2022, OPA has received over 70 complaints naming the Chief of Police. After several years of implementation, OPA and OIG have signaled that certain aspects of the investigation process limit their ability to efficiently address these complaints. For example:

- **Comprehensive intakes for all complaints** – OPA must conduct a full examination of every complaint regardless of the content or allegations, including complaints that do not allege a plausible violation or present issues that have already been reviewed or adjudicated;
- **Staffing restrictions for conducting intakes** – Only two civilian supervisors are allowed to conduct intakes although there are potentially up to four civilian investigators who could also perform this work;
- **Inconsistent technical requirements** – The investigation standard (i.e., timely, thorough, and *neutral*) is different than the standard established by the Accountability Ordinance (i.e., timely, thorough, and *objective*), and there are varying timeline requirements (i.e., promptly or immediately) for OIG's notifications to City entities and the complainant; and
- **New complaints during an OIG-managed investigation** – There is not an established procedure for handling new complaints that arise during an ongoing investigation managed by OIG.

In addition, there are **limited reporting requirements**. While OIG must provide several notifications (e.g., notice of an open investigation) to City entities and the complainant, the only public reporting requirement is to include the number of complaints closed as a contact log<sup>1</sup> in OIG's annual report.<sup>2</sup>

---

<sup>1</sup> Under Ordinance 126628, a contact log is a type of classification that resolves a complaint without an investigation. This classification includes circumstances when: (a) the complaint does not involve a potential policy violation by an SPD employee; (b) there is insufficient information to proceed with further inquiry; (c) the complaint has already been reviewed or adjudicated by OPA and/or OIG; or (d) the complaint presents fact patterns that are clearly implausible or incredible, and there are no indicia of other potential misconduct.

<sup>2</sup> OPA included limited information on complaints naming the Chief of Police in its [2022 Annual Report](#) and [2023 Annual Report](#).

## Summary of Draft Legislation

This legislation would amend Ordinance 126628 with the intention of streamlining and clarifying the intake and investigation process to provide staffing flexibility, support procedural efficiency, and increase transparency. The bill would:

- Allow OPA, with OIG's agreement, to close qualifying complaints as a contact log after an initial screening;
- Allow OPA to assign non-supervisory, civilian staff to intakes;
- Allow OIG to initiate and manage the investigation of a new complaint that arises during an ongoing investigation managed by OIG;
- Clarify that all investigations must be timely, thorough and *objective*;
- Establish a consistent requirement for OIG to *promptly* notify City entities and the complainant; and
- Require OIG to include information on complaints, intakes, and investigations naming the Chief of Police in quarterly reports for the Mayor, the President of the City Council, and the Chair of the Council's public safety committee, and in its annual report for the public.

## Next Steps

This legislation is anticipated for introduction and referral on May 6, 2025. The Committee will continue discussing and may vote on this legislation at the next Committee meeting on May 13, 2025.

## Attachment

1. Draft legislation – Chief of Police Investigations Ordinance

cc: Ben Noble, Director  
Lish Whitson, Supervising Analyst

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

..title

AN ORDINANCE relating to oversight of the police; revising the process for investigating complaints naming the Chief of Police; adding new Sections 3.29.515 and 3.29.590 to the Seattle Municipal Code; and amending Sections 3.29.510, 3.29.520, 3.29.530, 3.29.560, and 3.29.570 of the Seattle Municipal Code.

..body

WHEREAS, in 2017, Ordinance 125315 (Accountability Ordinance) established the City's three-pronged police oversight system to ensure the delivery of police services to the people of Seattle in a manner that fully complies with the Constitution and laws of the United States and the State of Washington, effectively ensure public and officer safety, and promote public confidence in the Seattle Police Department (SPD); and

WHEREAS, the Accountability Ordinance strengthened elements of the City's existing system, clarifying and establishing the roles of the Office of Police Accountability (OPA) as an independent, civilian-led investigative office organizationally within SPD, the Office of Inspector General for Public Safety (OIG) as an independent office separate from the Executive, and the Community Police Commission (CPC) as a strong community-based oversight commission; and

WHEREAS, the OPA ensures that the actions of SPD employees are lawful and in compliance with SPD policies by initiating, receiving, classifying, investigating, and making findings related to misconduct complaints involving SPD employees; and

WHEREAS, the OIG provides civilian auditing of the management, practices, and policies of SPD and OPA by reviewing OPA's handling of misconduct complaints and any activities that could involve potential conflicts of interest; actions of possible fraud, waste, abuse,

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

inefficiency, or ineffectiveness; undermine accountability or be unethical, or otherwise  
compromise the public’s trust in the criminal legal system; and

WHEREAS, the CPC engages the community to develop recommendations on the police  
accountability system, including but not limited to reviewing closed OPA investigations  
to identify opportunities for systemic improvements; and

WHEREAS, the Accountability Ordinance established standards and procedures for  
investigating misconduct complaints involving SPD employees, but did not contemplate  
a process for ensuring that misconduct complaints naming the Chief of Police would be  
handled in a fair and transparent manner, free of potential conflicts of interest; and

WHEREAS, in 2022, Ordinance 126628 established a specific process for OPA’s handling of  
complaints naming the Chief of Police, including but not limited to (1) conducting  
comprehensive intake investigations (intakes) for every complaint; (2) requiring civilian  
supervisors to conduct intakes; (3) recommending classification determinations on  
whether and how to proceed with investigations; (4) determining whether a City entity  
(i.e., OPA or the Seattle Department of Human Resources) or non-City entity will  
perform investigations depending on the presence of real or potential conflicts of interest  
and type of allegation(s); and (5) assigning civilian staff to perform investigations; and

WHEREAS, Ordinance 126628 also established an oversight role for OIG in the handling of  
complaints naming the Chief of Police, including but not limited to (1) receiving notice  
of complaints; (2) reviewing and auditing intakes and investigations; (3) finalizing  
classification determinations; and (4) providing notifications to identified City entities  
and the complainant; and

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

WHEREAS, a lasting police oversight system benefits from an ongoing practice of re-examining and improving internal processes; and

WHEREAS, since Ordinance 126628 went into effect in August 2022, the OPA has received over 70 complaints naming the Chief of Police; and

WHEREAS, the current process for handling these complaints challenges OPA’s ability to operate in an efficient and timely manner by restricting intake staff to two supervisors and requiring a full examination of all complaints regardless of the content or allegations, and also includes limited reporting requirements; and

WHEREAS, the City Council intends to streamline and clarify this process to provide staffing flexibility, support procedural efficiency, and increase transparency to strengthen the City’s oversight system of SPD and obtain the trust and confidence of the community;

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 3.29.510 of the Seattle Municipal Code, enacted by Ordinance 126628, is amended as follows:

**3.29.510 OPA intake, classification, and investigation scoping**

A. If the Chief of Police is named in a complaint, the initial screening process shall include the immediate creation of a case file and the immediate notification of the OPA Director or the OPA Director’s civilian appointed designee.

B. If the Chief of Police is named in a complaint, OPA shall notify OIG as soon as is practicable, but within 30 calendar days. OIG will ensure that OPA is pursuing its intake investigation (intake) without unnecessary delay. In the event that OIG determines that unnecessary delay is occurring, OIG shall promptly notify the President of the City Council, the

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

Chair of the Council’s public safety committee, and the complainant. Notification shall consist of: (1) the nature of the complaint, (2) the date the complaint was initiated or received, and (3) an explanation of why OIG has determined that unnecessary delay is occurring.

~~((C. A civilian investigator supervisor shall be assigned to complete the intake of the complaint, which shall consist of a thorough examination of the complaint and available information to determine whether an investigation should be conducted. This examination shall be designed to answer relevant factual questions and ensure the collection and preservation of time-sensitive evidence and, when possible, it will include an interview with the complainant.))~~

C. Following the initial screening and notification to OIG, OPA shall conduct an intake of the complaint or, with OIG’s agreement, close the complaint as a contact log.

D. If OPA opens an intake, the OPA Director shall assign a civilian of appropriate skill, training, and experience to complete the intake of the complaint, which shall consist of a thorough examination of the complaint and available information to determine whether an investigation should be conducted. The intake shall be designed to answer relevant factual questions and ensure the collection and preservation of time-sensitive evidence and, when possible, include an interview with the complainant.

~~((D.))~~ E. OPA shall consult with OIG ((when examining a complaint)) during the intake, with the goals of determining: (1) whether any laws or SPD policies would have been violated if the alleged actions are later proven to be true; and (2) whether criminal charges could result if the alleged actions are later proven to be true. ~~((This examination))~~ The intake shall result in OPA’s classification of the complaint for investigation, or as a contact log, as appropriate.

~~((E.))~~ F. If the OPA Director determines, upon conclusion of the ((examination)) intake, that investigation is appropriate, they will determine:

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

1                   1. Whether OPA, the Seattle Department of Human Resources (SDHR), or a non-  
2 City entity under subsection 3.29.540.C will perform the investigation. In making this  
3 determination OPA shall consider and document whether there are any conflicts of interest, real  
4 or potentially perceived, that could undermine the public trust if the investigation is conducted  
5 by OPA or SDHR; and

6                   2. Whether the investigation could result in a finding of a violation or violations  
7 of local, state, or federal anti-discrimination laws and/or any applicable City and/or SPD policies  
8 that prohibit harassment and/or discrimination.

9                   ~~((F.))~~ G. If the OPA Director or a designee of the Director determines that the intake  
10 warrants an investigation, then the Director or designee shall work with the ~~((assigned))~~ civilian  
11 ~~((investigator supervisor))~~ assigned to the intake to prepare an investigative plan that includes, at  
12 a minimum, information that will be necessary in the case that OIG must issue a request for  
13 proposal for an investigation by a non-City entity.

14                   Section 2. A new Section 3.29.515 is added to the Seattle Municipal Code as follows:

15 **3.29.515 OIG intake during an ongoing investigation**

16 If a complaint arises against the Chief of Police or an unrepresented SPD employee during an  
17 ongoing investigation managed by OIG and there is a sufficient nexus to the ongoing  
18 investigation, OIG shall notify OPA as soon as is practicable, but within 30 calendar days.  
19 Notification shall consist of: (1) the nature of the complaint; (2) whether OIG has determined  
20 that OIG will manage the new case and initiate an investigation to maintain the integrity of the  
21 entirety of the matter; and, if applicable, (3) the OIG case number. OIG's determination for the  
22 complaint is definitive.

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

Section 3. Section 3.29.520 of the Seattle Municipal Code, enacted by Ordinance 126628, is amended as follows:

**3.29.520 OIG review of OPA intake, classification, and investigation scoping**

A. OIG shall conduct a review of OPA’s intake investigation and classification to ensure that (1) the intake investigation was timely, thorough, and ~~((neutral))~~ objective, and (2) OIG concurs with the classification determination.

\* \* \*

C. If investigation is appropriate, OIG shall review the OPA recommendation on whether that investigation should be (1) conducted by either OPA or SDHR; or (2) conducted by a non-City entity under subsection 3.29.540.C. OIG shall then determine whether it concurs with OPA’s recommendations. In making this determination, OIG shall consider the factors in subsection ~~((3.29.510.E.1))~~ 3.29.510.F.1. If OIG and OPA do not concur, the OIG determination shall prevail and shall be considered definitive for the complaint.

\* \* \*

E. If OPA has determined the investigation could result in a finding of a violation or violations of local, state, or federal anti-discrimination laws and/or any applicable City and/or SPD policies that prohibit harassment and/or discrimination, then OIG shall review the OPA recommendation on whether the investigation should be conducted by SDHR or by a non-City entity under subsection 3.29.540.C. OIG shall then determine whether it concurs with OPA’s recommendations. In making this determination, OIG shall consider the factors in subsection ~~((3.29.510.E.1))~~ 3.29.510.F.1. If OIG and OPA do not concur, the OIG determination shall prevail and shall be considered definitive for the complaint.

\* \* \*

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

Section 4. Section 3.29.530 of the Seattle Municipal Code, enacted by Ordinance 126628, is amended as follows:

**3.29.530 (~~(Notification)~~) OIG notification and reporting on classification and investigation**

A. Where the classification determination is a contact log, OIG shall include the finding in its annual report required under Subchapter II of this Chapter 3.29. No other notification or reporting is required for this classification.

B. When an investigation will be:

1. Conducted by OPA or SDHR, OIG shall (~~(immediately)~~) promptly notify the Mayor, the President of the City Council, the Chair of the Council’s public safety committee, the Executive Director and Co-Chairs of the Community Police Commission, the City Attorney, the City Director of Human Resources, and the complainant. Notification shall consist of: (1) the classification type; (2) whether OPA or SDHR will conduct the investigation; and (3) the rationale for the determination as supported by the factors in subsection (~~(3.29.510.E.1)~~) 3.29.510.F.1.

2. Conducted by a non-City entity, OIG shall (~~(immediately)~~) promptly notify the entities listed in subsection 3.29.530.B.1. Notification by OIG pursuant to this subsection 3.29.530.B.2 shall consist of: (1) the classification type; (2) the non-City entity by whom OIG has determined, either solely or with the concurrence of OPA, that the investigation be conducted; and (3) the rationale for the determination as supported by the factors in subsections (~~(3.29.510.E.1 and 3.29.510.E.2)~~) 3.39.510.F.1 and 3.29.510.F.2.

C. Notification pursuant to this Section 3.29.530 shall include no more information than would otherwise be available to the public on the OPA website, so as not to compromise the integrity of the investigation.

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

Section 5. Section 3.29.560 of the Seattle Municipal Code, enacted by Ordinance 126628, is amended as follows:

**3.29.560 OIG review and notification of the intake investigation, classification, and investigation standards**

A. OIG shall (~~(immediately)~~) promptly notify the entities listed in subsection 3.29.530.B.1 if it: (1) is unable to determine whether the OPA intake was timely, thorough, and (~~(neutral)~~) objective or if it determines that the OPA intake was not timely, thorough, and objective; or (2) disagrees with the OPA Director's classification decision.

B. OIG shall conduct a review of any completed investigation, consistent with the requirements of Section 3.29.260, to determine whether the investigation was timely, thorough, and (~~(neutral)~~) objective.

C. To determine whether any completed investigation was timely, thorough, and (~~(neutral)~~) objective, OIG shall retain the authority to access any investigative materials that will support making the determination.

D. OIG shall (~~(immediately)~~) promptly notify the entities listed in subsection 3.29.530.B.1 if it is unable to determine whether an investigation was timely, thorough, and (~~(neutral)~~) objective or if it determines that an investigation was not timely, thorough, and (~~(neutral)~~) objective. In such case, OIG shall choose a new non-City entity to perform a new investigation.

Section 6. Section 3.29.570 of the Seattle Municipal Code, enacted by Ordinance 126628, is amended as follows:

**3.29.570 Transmittal of investigative results**

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

1           A. For any investigation completed by OPA, upon determination by OIG that the  
2 investigation was timely, thorough, and ~~((neutral))~~ objective, OPA will transmit the investigation  
3 file and findings to the Mayor.

4           B. For any investigation completed by SDHR, upon determination by OIG that the  
5 investigation was timely, thorough, and ~~((neutral))~~ objective, OIG will transmit the investigation  
6 and findings, as determined by SDHR, to the Mayor.

7           C. For any investigation conducted by a non-City entity, upon determination by OIG that  
8 the investigation was timely, thorough, and ~~((neutral))~~ objective, OIG will transmit the  
9 investigation and findings, as determined by the non-City entity, to the Mayor

10           Section 7. A new Section 3.29.590 is added to the Seattle Municipal Code as follows:

11 **3.29.590 OIG reporting**

12           A. OIG shall include information on complaints, intakes, and/or investigations naming  
13 the Chief of Police in quarterly reports to the Mayor, the President of the Council, and the Chair  
14 of the Council’s public safety committee. The reports shall include information for the prior  
15 quarter and year to date, as follows:

- 16                   1. The number of complaints initiated or received by the OPA and OIG;
- 17                   2. The number of complaints closed as a contact log;
- 18                   3. The number of complaints with completed intakes;
- 19                   4. The number of complaints remaining open;
- 20                   5. The number of opened and completed investigations; and
- 21                   6. The number and percentage of intakes and investigations that OIG was unable  
22 to determine were timely, thorough, and objective, or that OIG determined were not timely,  
23 thorough, and objective.

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

1           B. OIG shall include information on complaints, intakes, and/or investigations naming  
2 the Chief of Police in its annual report, required under Subchapter II of this Chapter 3.29. The  
3 annual report shall include information listed in subsection 3.29.590.A.1 through 3.29.590.A.6  
4 for the prior calendar year.

**Attachment 1 - Draft legislation – Chief of Police Investigations Ordinance**

Section 8. This ordinance shall take effect as provided by Seattle Municipal Code  
Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025,  
and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of  
\_\_\_\_\_, 2025.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scheereen Dedman, City Clerk

(Seal)