

SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
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1. BILL SUMMARY

Legislation 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.

Summary and Background of the Legislation: 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 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.

In 2022, Ordinance 126628 created a specific process for OPA’s investigation 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 would 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.

This process also created an oversight role for the OIG including but not limited to: (1) receiving notice of complaints; (2) reviewing and auditing intakes and investigations to ensure compliance with certain standards, (3) finalizing classification determinations; and (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 almost three years of implementation, several aspects of the investigative process have emerged as limiting the ability of OPA and OIG to operate in a timely, efficient, and accountable manner. For example:

- OPA must conduct a comprehensive intake for 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;
- OPA supervisors must conduct intakes although there are other qualified staff members (e.g., four civilian investigators) who could perform this work;
- There is not an established procedure for handling new complaints that arise during ongoing investigations managed by OIG; and
- There are limited reporting requirements.

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.

These amendments would:

- Allow OPA, with OIG's agreement, to close certain complaints as a *contact log* after an initial screening;¹
- 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 if there is a sufficient nexus between the new complaint and the ongoing investigation;
- Establish a consistent requirement for OIG to *promptly* provide notifications to City entities and the complainant;²
- Clarify that investigations must be timely, thorough, and *objective*;³ and
- Require OIG to provide information on complaints, intakes, and investigations in quarterly reports for the Mayor, the President of the Council, and the Chair of the Council's public safety committee, and in its annual report for the general public.

¹ 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.

² The current process has varying requirements for *prompt* or *immediate* notification, depending on the type of notification.

³ The current process requires intakes and investigations to be timely, thorough, and *neutral*.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project?

☐ Yes ☒ No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City?

☐ Yes ☒ No

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not reflected above? If so, please describe these financial impacts. N/A

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources. N/A

Please describe any financial costs or other impacts of *not* implementing the legislation.

This legislation is intended to improve the City's process of investigating complaints naming the Chief of Police. Not implementing this legislation could limit the City's ability to efficiently conduct investigations and result in inconsistent reporting practices, potentially undermining the public trust in the City's police accountability system.

4. OTHER IMPLICATIONS

- a. **Please describe how this legislation may affect any departments besides the originating department.** This legislation proposes changes to policies and procedures that would impact OPA and OIG. These impacts are intended to improve operations and accountability; and are not forecasted to result in incremental changes to department budgets or FTE counts.
- b. **Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.** N/A

- c. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative.⁴**
- i. **How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response, please consider impacts within City government (employees, internal programs) as well as in the broader community.** This legislation is intended to strengthen the City's civilian oversight of misconduct complaints naming the Chief of Police by instituting a more efficient and transparent process for intakes and investigations. An ongoing practice of re-examining and revising the City's internal processes, including the handling of misconduct complaints naming the Chief of Police, is critical for building a lasting police accountability system that is responsive and accountable to vulnerable or historically disadvantaged communities.
 - ii. **Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.** N/A
 - iii. **What is the Language Access Plan for any communications to the public?** N/A
- d. **Climate Change Implications**
- i. **Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.** N/A
 - ii. **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
- e. **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)? What mechanisms will be used to measure progress towards meeting those goals?** N/A

5. CHECKLIST

Please click the appropriate box if any of these questions apply to this legislation.

- ☐ **Is a public hearing required?**
- ☐ **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**
- ☐ **If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

⁴ Principles: The City of Seattle Race and Social Justice Initiative.
<https://www.seattle.gov/rsji/about/principles#:~:text=Our%20commitment%20to%20ending%20racial,those%20who%20need%20it%20most>. Accessed online April 21, 2025

- ☐ **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

List Summary Attachments (if any):