



SEATTLE CITY COUNCIL

Public Safety Committee

Agenda

Tuesday, February 27, 2024

9:30 AM

Council Chamber, City Hall

600 4th Avenue

Seattle, WA 98104

Robert Kettle, Chair

Rob Saka, Vice-Chair

Joy Hollingsworth, Member

Cathy Moore, Member

Sara Nelson, Member

Chair Info: 206-684-8807; Robert.Kettle@seattle.gov

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SEATTLE CITY COUNCIL
Public Safety Committee
Agenda
February 27, 2024 - 9:30 AM

Meeting Location:

Council Chamber, City Hall , 600 4th Avenue , Seattle, WA 98104

Committee Website:

<https://www.seattle.gov/council/committees/public-safety>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at

<https://www.seattle.gov/council/committees/public-comment>

Online registration to speak will begin one hour before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Pursuant to Council Rule VI.C.10, members of the public providing public comment in Chambers will be broadcast via Seattle Channel.

Submit written comments to Councilmembers at Council@seattle.gov.

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

D. Items of Business

1. Accountability Overview Presentation

Supporting Documents:

[Accountability Overview Presentation \(updated; 2/26/24\)](#)

Briefing and Discussion (10 minutes)

Presenter: Greg Doss, Central Staff

2. Community Police Commission (CPC)

Supporting Documents:

[CPC Presentation](#)

Briefing and Discussion (30 minutes)

Presenters: Cali Ellis, Executive Director, and Joel Merkel, Co-Chair, Community Police Commission

3. Office of Inspector General (OIG)

Supporting Documents:

[OIG Presentation](#)

Briefing and Discussion (30 minutes)

Presenter: Lisa Judge, Inspector General, Office of Inspector General

4. **Office of Police Accountability (OPA)**

Supporting Documents: [OPA Presentation](#)

Briefing and Discussion (30 minutes)

Presenter: Gino Betts, Director, Office of Police Accountability

E. Adjournment



Legislation Text

File #: Inf 2407, **Version:** 1

Accountability Overview Presentation



SEATTLE CITY COUNCIL
CENTRAL STAFF

History of Seattle's Police Accountability System

GREG DOSS, SUPERVISING ANALYST

PUBLIC SAFETY COMMITTEE

FEBRUARY 27, 2024

City of Seattle's Current Accountability Triad



History of the Triad

Community Police Commission

- Established by MOU in July 2012 pursuant to the USDOJ & City of Seattle Consent Decree.
- Originally comprised of 15 members of the community.
- Made permanent and independent by the Police Accountability Ordinance (ORD 125315) in June 2017. Increased size of Commission to 21 members.
- The CPC assumed community outreach and policy review functions of the OPA Review Board. (See Ord 120728)
- In July 2023, reduced commission size to original 15 members and overhauled authorizing legislation. (see Ord 126860)

Office of the Inspector General for Public Safety

The Office of Inspector General for Public Safety (OIG) was established in 2017 by the Police Accountability Ordinance.

The OIG assumed the functions that had previously been performed by the Police Auditor. (See Ord 120728)

The OIG assumed the operational audit functions that had previously been handled by the OPA Auditor and the OPA Review Board. (See Ord 120728)

Lisa Judge was confirmed by the City Council on April 30, 2018, as the inaugural Inspector General (IG).

Office of Police Accountability

- In 2002, SPD's Internal Investigations Unit, now OPA, is to be led by a civilian Director. (See Ord 120728)
- Police Accountability Ordinance civilianized OPA supervisors / intake personnel. (ORD 125315)
- Police Accountability Ordinance revised investigations timelines (e.g., 180-Day Clock), standard of proof and disciplinary appeals and grievance processes.

Highlights of the Accountability System

Pre/Post Ordinance 125315

<u>Old System</u>		<u>New System</u>
Sworn investigators only		Mix of sworn and civilian investigators
Sworn investigative supervisors	<u>OPA</u> Office of Professional Accountability	Civilian investigative supervisors
Director selected by Mayor		CPC on Director search committee
No subpoena power		Power to subpoena
Auditor under contract in Executive branch	<u>OIG</u> Office of Inspector General for Public Safety	New independent office of IG
Role limited to auditing OPA investigation process	(Replaces OPA Auditor)	Empowered to review any SPD policy or departmental policies related to SPD
No public workplan	(Replaces some functions of OPA Review Board)	Workplan with input from Community Police Commission
No role in policy recommendations or CBAs		Formal role in policy recommendations, including CBAs
No subpoena power		Power to subpoena
Temporary	<u>CPC</u> Community Police Commission	Permanent
Role limited to terms of Consent Decree	(Replaces some functions of OPA Review Board)	Role expanded to formal review and comment upon any policy that affects public trust
All members appointed by Mayor		15 members equally appointed by Council, Mayor and CPC

Questions?



Legislation Text

File #: Inf 2410, **Version:** 1

Community Police Commission (CPC)

Seattle Community Police Commission

Joel Merkel
CPC Co-Chair

Cali Ellis, PhD
CPC Executive Director

February 27, 2024
Seattle City Council
Public Safety Committee

**Seattle
Community
Police Commission**



CPC and the History of Accountability

CPC Established by 2012 Consent Decree

First piece of the Accountability System, establishing OIG and OPA

Originally comprised of 15 members of the community

Made permanent and independent by 2017 Police Accountability Ordinance

- City Ordinance 125315, signed into law on June 1, 2017

Accountability Ordinance updated in July 2023



Seattle Community Police Commission

Section
3.29.01

2017 Police
Accountability
Ordinance

CPC's Mission:

“to help ensure public confidence in the ... responsiveness of the police accountability system to public concerns by engaging the community to develop recommendations on the police accountability system and provide a community-based perspective on law enforcement related policies, practices, and services affecting public trust; all for the purpose of ensuring constitutional, accountable, effective, and respectful policing.”



Seattle
Community
Police Commission

Seattle Community Police Commission




Structure



15 Commissioners

- Three appointing authorities: Mayor, City Council, CPC
- Each appointee must be confirmed by City Council
- Three year terms



Staff

- Executive Director
- Policy
- Community Engagement
- Communications



Commissioners



6 new Commissioners in 2023, including representatives for **public defense, civil liberties, and SPMA**



In-person New Commissioner orientation with presentations from **OIG, OPA, CAO, SPD**



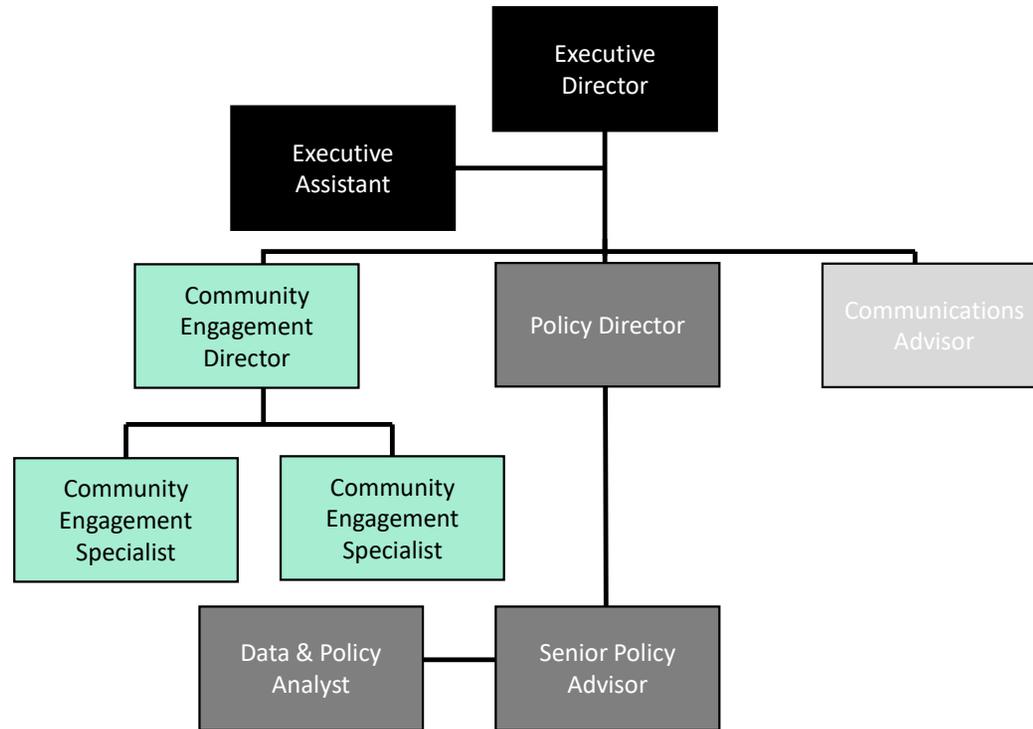
Seattle
Community
Police Commission

CPC is the Smallest of the Oversight Partners

CPC: 9 FTE (10 in 2024)

OPA: Approx. 28

OIG: Approx. 21



CPC Authority and Responsibility

Monitor	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.
Review	Review closed OPA investigations to identify opportunities for systemic improvements.
Collaborate	Collaborate with SPD, OPA, and the City Attorney's Office in improving system transparency.
Input	Review and provide input into SPD recruiting, hiring, and promotional practices.

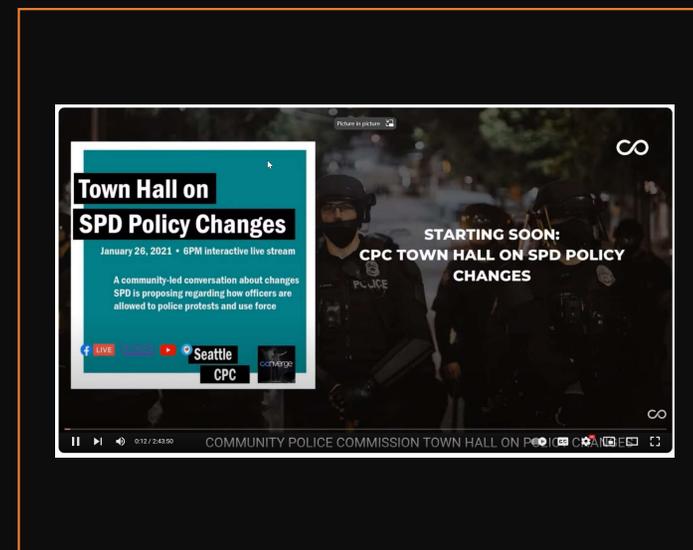
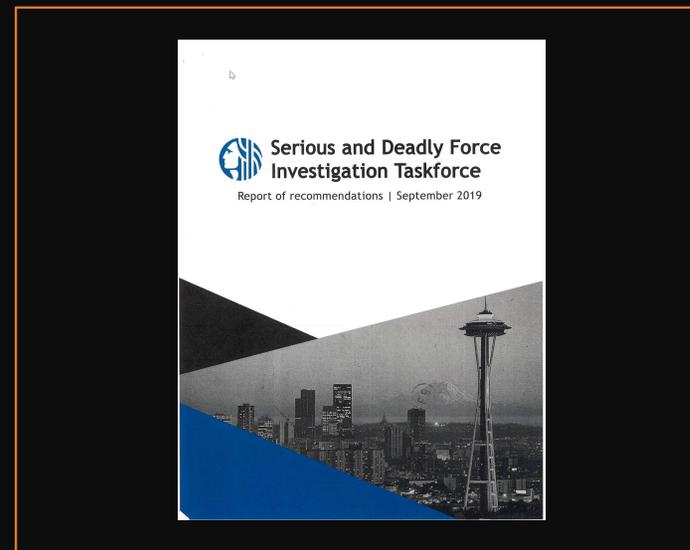


Collaboration with OIG, OPA, and SPD



CPC Accomplishments Since 2017

- Police Accountability Ordinance revisions to strengthen CPC as part of the oversight system (2023)
- Direct community input into Use of Force policies (2021)
- Serious and Deadly Taskforce Recommendations (2019)



CPC Priorities for 2024

Organizational

Increase responsiveness to community policing concerns through facilitated community engagement meetings with data and feedback collected and measured

Implement a comprehensive organizational restructuring plan, including updated processes and protocols, to increase time allocated to core statutory duties.

Comprehensive review of operations and procedures, benchmarking against recognized best practices in civilian oversight, and implement evidence-based initiatives aimed at increasing transparency, accountability, and community engagement

Systemic

Enhance public trust and confidence in police services through demonstrated commitment to the Police Accountability Ordinance

Promote transparency and information sharing with the public about police contracts

Strengthen community voice in direct input to SPD policy



News

CPC Co-Chairs' Statements and Media Appearances

September 27, 2023 | [Seattle Times: Decision to halt program analyzing Seattle police bodycam video under scrutiny](#) [↗](#)

September 21, 2023 | [Seattle police chief asked to suspend officer for offensive comments - MyNorthwest.com](#) [↗](#)

September 21, 2023 | [VIDEO: KOMO: Seattle Community Police Commission urges unpaid leave for officer caught allegedly mocking woman's death](#) [↗](#)

September 21, 2023 | [VIDEO: KING5: Community Police Commission calls for action after Seattle police bodycam video](#) [↗](#)

September 21, 2023 | [VIDEO: KIRO: Seattle Community Police Commission calls for suspension of officer caught mocking woman's death](#) [↗](#)

September 21, 2023 | [VIDEO: FOX13: SPD oversight group demands officer under investigation for viral bodycam comments be put on leave](#) [↗](#)

CPC Amplifies Voice of Community



Seattle
Community
Police Commission

Accountability and Community

- Police work requires accountability for trust
- Loss of community faith in policing affects trust and the effectiveness of SPD
- Staffing and rebuilding require community support
- Holding officers accountable improves community relationships with SPD





Community Engagement and Building Trust

Key Partnerships

- African-American, East-African, LGBTQ, Filipino and SPD Precinct Advisory Councils
- East African Senior Lunch Program
- City of Seattle – OPA, OIG, SPD, Office of Civil Rights, Department of Neighborhoods, Seattle Youth Employment Program, City Auditor

Responsive to Community Needs and Concerns

D. CPC shall be responsive to community needs and concerns through means including, but not limited to, the following:

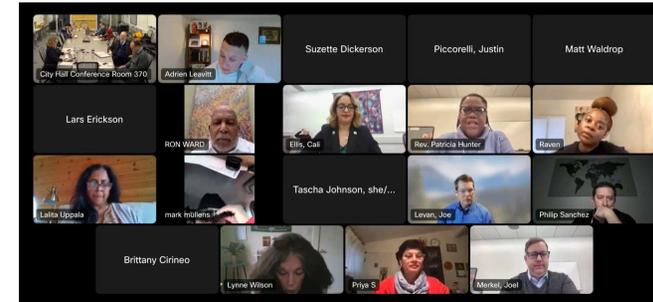
- Engaging in community outreach to obtain the perspectives of community members and SPD employees on police-community relations, SPD policies and practices, the police accountability system, and other matters.
- Maintaining connections with representatives of disenfranchised communities and with other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



Community Input to SPD Policies

3.29.300 Community Police Commission established – Functions and authority

- C. CPC shall review and provide input to OPA, OIG, SPD, and other City departments and offices, including the Mayor, Council, and City Attorney on the police accountability system, police services, and SPD policies and practices of significance to the public...



Seattle Police Department Manual

13.030 – Emergency Vehicle Operations

Effective Date: 03/01/2018

13.030-POL

1. Defining Emergency Response

Emergency Response – When an officer operates an authorized police vehicle in a manner that is substantially outside of a normal traffic pattern.

2. Officers May Drive in an Emergency Response Only When the Need Outweighs the Risk

The preservation of life is the highest priority. Criminal apprehension and the preservation of property are secondary.

Misdemeanor or property crimes do not justify an emergency response unless:

- Responding to an in-progress crime, or
- Where there is a legitimate concern for the preservation of life.

3. Officers Shall Modify Their Emergency Response When Appropriate

Emergency driving shall be modified or terminated:

- As ordered by a supervisor;
- Or
- When the totality of the circumstances indicates the risk of continuing the emergency driving outweighs the need.

The officer's decision shall be reviewed based on the information available to them at the time.

Including Accountability in Police Contracts

Critical to ensuring a
policing system with
community confidence

Accountability Ordinance
Adopted in 2017

State law allows
accountability provisions
to be bargained

City found out of
compliance with Consent
Decree in 2019 in part
due to CBA





2023: Consent Decree Winding Down

- Granted in part and denied in part the motion to approve the compliance agreement
- Ongoing assessments to evaluate sustained compliance, including accountability provisions
- Analysis for Court review of SPOG CBA Tentative Agreement for effect, if any on accountability systems due within 30 days of proposal



Seattle
Community
Police Commission

The Court's View

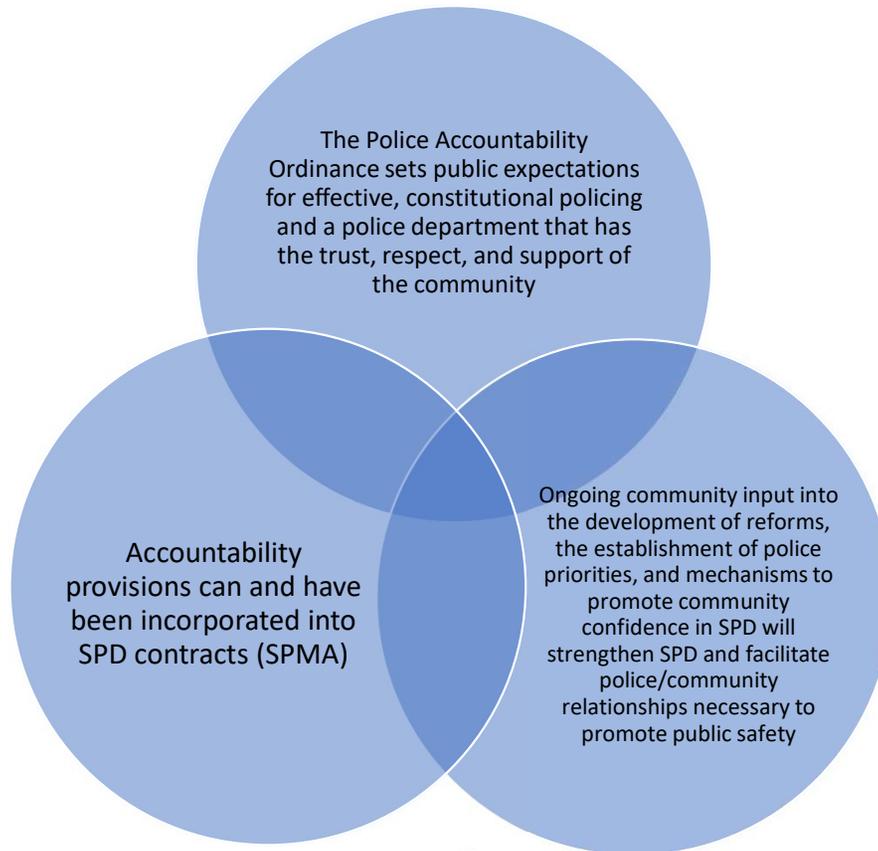
"In the court's view, I shouldn't be able to negotiate collective bargaining agreements. That's why it's a collective bargaining agreement.

To me, the exception to that principle should be when a contract is used to lock in procedures which foster unacceptable police behavior or avoid accountability for improper actions.

In my view, contracts should relate to wages, hours, benefits, and working conditions. They should not shelter officers from City ordinances."



Accountability Promotes Community Trust



Seattle
Community
Police Commission

Questions

Seattle
Community
Police Commission





Legislation Text

File #: Inf 2409, **Version:** 1

Office of Inspector General (OIG)



**Seattle Office of
Inspector General**

OIG Public Safety Committee Presentation

February 22, 2024

Accountability Partners

OPA

Investigates allegations of
employee misconduct

CPC

Provides community input on
policing & police reform

OIG

Conducts systemic oversight
through review & audits of SPD
and OPA

SPD

Supports & delivers public safety services

Purpose

The purpose of OIG is to “help ensure the fairness and integrity of the police system as a whole in its delivery of law enforcement services by providing civilian auditing of the management, practices, and policies of SPD and OPA and oversee ongoing fidelity to organizational reforms implemented pursuant to the goals of the 2012 federal Consent Decree in United States of America v. City of Seattle, 12 Civ. 1282 (JLR).”

(Ord. 125315)

Together, the three accountability entities (CPC, OIG, OPA) work to ensure “constitutional, accountable, effective, and respectful policing.”

(Ord. 125315)

Vision

The Office of Inspector General supports *constitutional, informed, compassionate* policing through application of *objective, independent, systemic oversight*.

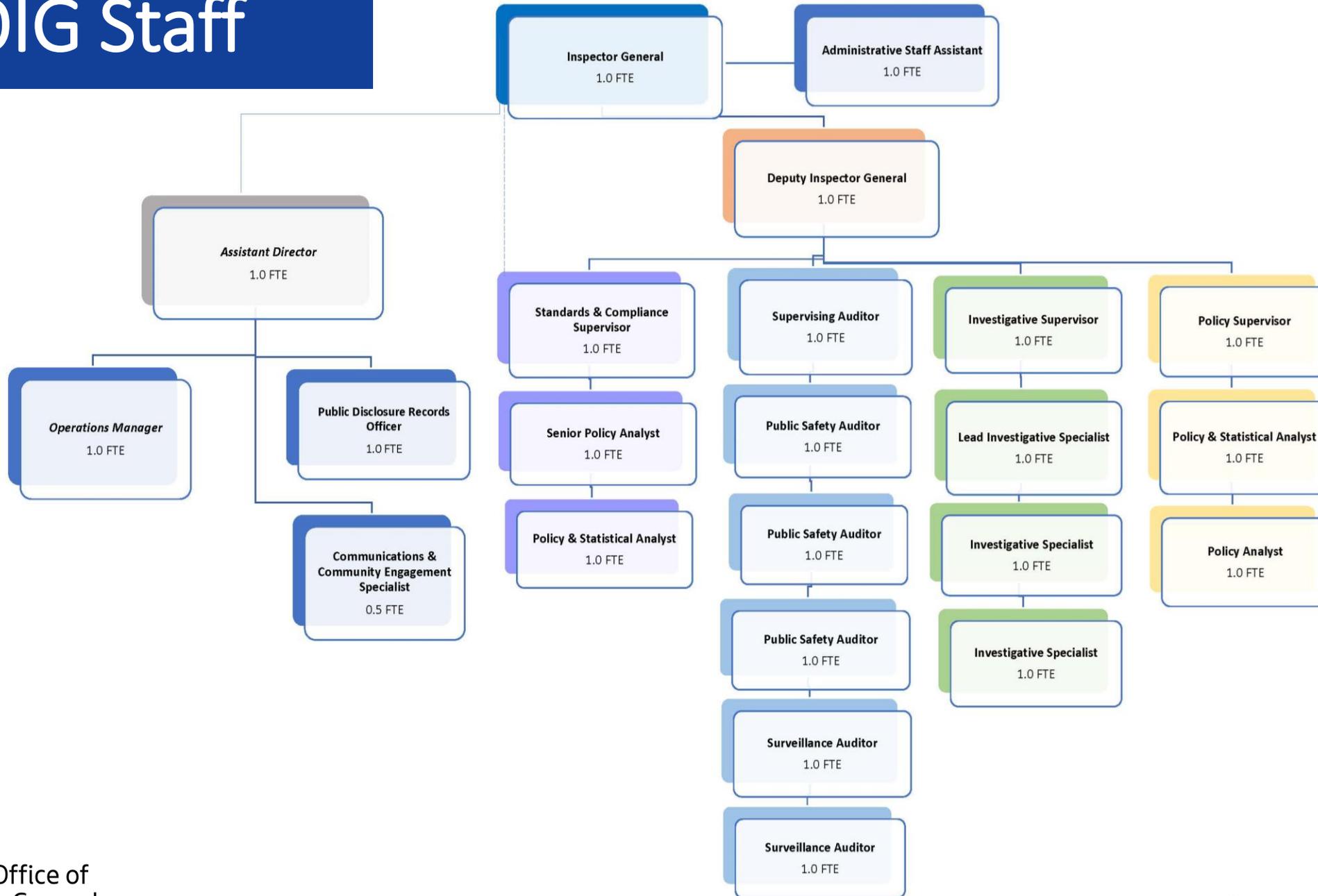
The credibility of OIG as an effective agent of reform requires:

A fundamental commitment to objectivity and accuracy, balanced with

Empathy for community concerns and perspectives on policing; and

An understanding of law enforcement principles, laws, and tactics for safe and effective policing.

OIG Staff



Areas of Work

OIG provides systemic oversight of SPD to ensure that the department is addressing crime and improving quality of life through constitutional, effective policing.

OIG oversight efforts occur in five main areas:



Recent OIG Projects

Audit of Youth Access to
Legal Counsel

Follow-up Audit:
SPD Compliance with
Chapter 14.12 of Seattle
Municipal Code

Safer Traffic
Enforcement
Workgroup

Use of Force Report to
the Federal Court

Current Priorities

Transitioning the
Work of the
Federal Monitor

Surveillance
Technologies

Equity
Assessment

Responsive Policy
Projects

Collaboration
with SPD on Data
Transparency

OPA Classification & Investigation Review

OIG performs duties of the former "OPA Auditor" plus expanded duties of conflict investigation

Reviewing OPA's classification handling of complaints

Certifying whether OPA investigations are thorough, timely, and objective

Oversight of handling complaints against the Chief

Conducting conflict investigations

2024 Work Plan – Investigation & OPA Review

New

- **OIG contacts tracking system**
- Improved system for OPA referrals
- Documentation system for OPA communications
- **OIG website dashboard**
- Online complaint filing system

Recurring

- Case certification and classification review
- **Quarterly report on OPA classification decisions**
- Semi-annual report on OPA review

2024 Work Plan – Policy Projects

New

- **SER Process for OIS Involving People in Crisis**

Ongoing

- Effective Interviewing and Use of Deception in Public Safety
- Data Collaborations
- Review of Local Mutual Aid Agreements
- Review of Federal Mutual Aid Agreements

Recurring

- State Legislative Agenda
- Annual Trends in Inquests, Claims and Lawsuits
- Annual Study of OPA Sworn and Civilian Staff

2024 Work Plan - Audits

New

- **Follow-Up Review of Chief of Police Disciplinary Determinations**
- Audit of Vehicle Operation During Pursuit and Emergency Response
- **Audit of Impacts of Overtime on Officer Performance**

Ongoing

- Audit of COVID-19 Leave Administration
- Audit of Extended Leave Prior to Retirement

Recurring

- Chapter 14.12 Biannual Reviews
- **2023 Annual Surveillance Usage Reviews**

Annual Surveillance Usage Reviews

- OIG is required to perform annual reviews on 16 Technologies in 2024
 - OIG reviewed 10 surveillance technologies in 2023
 - Number of technologies expected to grow
- OIG partnered with City Auditor to develop a risk framework
 - All technologies reviewed based on survey and available data
 - Compliance Reviews for limited set of technologies
 - Highest risk scores
 - New technologies

Prior Recommendations

OIG regularly checks on implementation of prior recommendations. Some notable recommendations reviewed recently include:

- **Audit of SPD Patrol Canine Teams (2020):** Promptly assess the performance of all patrol canine teams to determine (1) ability to meet minimum state patrol canine certification requirements and (2) to determine whether these skills translate to field proficiency.
 - OIG reviewed certification records and found all patrol canine teams successfully passed their WSPCA certification and all are up-to-date.
 - Current training/certification practices meet state standards and after-action reviews are conducted after serious incidents.
- **Audit of Destruction of Post-Conviction DNA Evidence (2020):** SPD should take immediate steps to address capacity issues at the Evidence Warehouse, which is 94 percent full and the vehicle storage facility, which is at 100 percent capacity.



Community Engagement

OIG is responsible to community and strives to be accessible, flexible, and present.

OIG maintains relationships in the Seattle community to further assist the IG in “meeting its mission in a way that reflects the values of Seattle’s diverse communities” (Ord 125315).

Examples:

- SER Panel
- Targeted Stakeholder Engagement
- Roundtable Workgroups



Legislation Text

File #: Inf 2408, **Version:** 1

Office of Police Accountability (OPA)



Seattle Office of
Police Accountability

OPA's Public Safety Committee Presentation

February 27, 2024

GINO BETTS JR., DIRECTOR
BONNIE GLENN, DEPUTY DIRECTOR

Overview

1. Introduction
2. Responsibilities
3. Cases by Classification Type
4. Complainants and Employees
5. Allegations by Type and Location
6. Case Dispositions
7. Community Outreach and Engagement
8. Budget
9. Questions

History of Police Accountability

2010

**DOJ
Investigation**

2012

**Consent
Decree**

2017

**Accountability
Ordinance**

OPA's Role and Responsibilities

1. Police Misconduct Complaints
2. Enhance Police Culture
3. Community Awareness

Independent, Hybrid Structure

- **Civilian-led:** Director, assistant directors, managers, and investigation supervisors
- **Independent:** Physically and operationally separated from SPD

Complaint Process



Step 1: Complaint Received

Day 1

Four ways you can file a complaint



SUBMIT A WEB FORM

seattle.gov/opa



EMAIL US

opa@seattle.gov



CALL US

206-684-8797



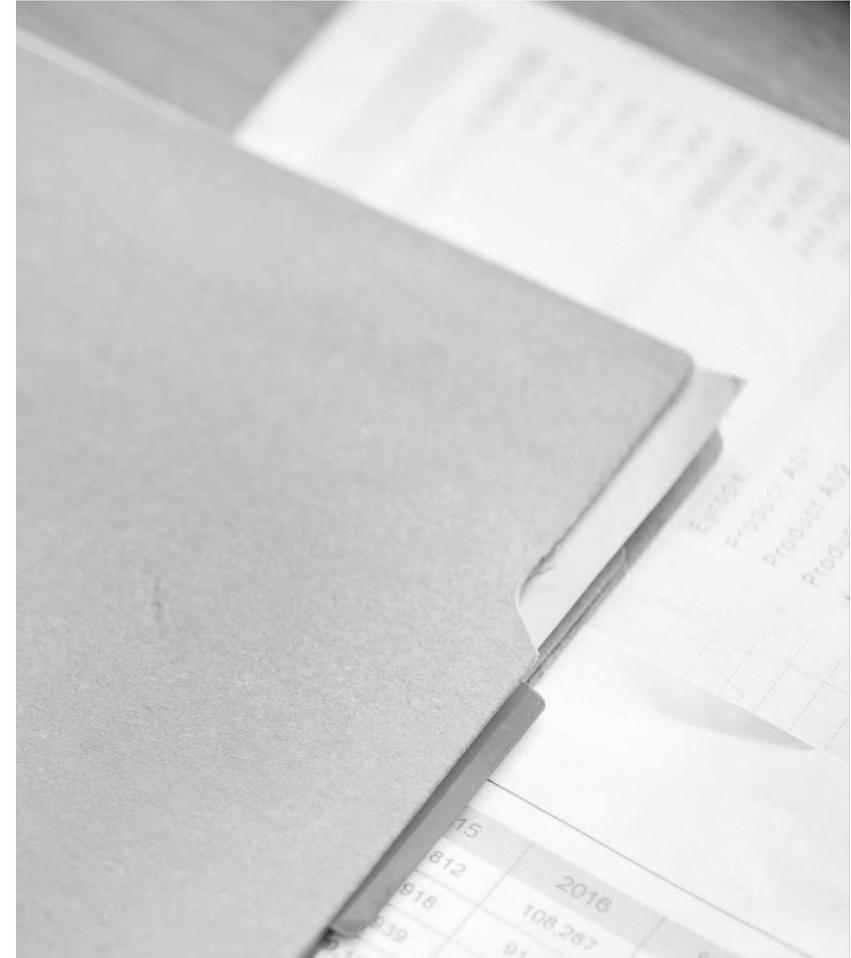
VISIT US

720 3rd Ave. Floor 18

Step 2: Intake Investigation

Day 1 - 30

- Who?
- What?
- When?
- Where?
- How?



Step 3: Classification

Day 1 - 30

- OPA supervisor review
- Classification
- Complainant notified

Classification Types
Contact Log
Mediation
Supervisor Action
Investigation
Rapid Adjudication

Step 4: Investigation

Day 30 - 180

The Investigation Process

1 OPA investigator gathers evidence and conducts interviews.



2 OPA Director reviews case and recommends findings to Chief of Police.



3 Chief of Police makes final decision.



4 OPA sends complainant letter summarizing the outcome.



Step 5: Recommended Findings

Day 180

- OPA's director reviews the case files and recommends finding for each allegation – **Sustained / Not Sustained**
- Those findings are sent to the employee's chain of command and union
- The complainant is notified about OPA's findings.



Step 6: Discipline

The Chief of Police decides the final discipline.

Discipline range:

- Oral Reprimand
- Written Reprimand
- Suspension Without Pay
- Demotion
- Termination



Seattle Office of
Police Accountability

Community Outreach and Engagement





2023 Community Engagement



Seattle University School of Law



Black Coffee Northwest



Asian Pacific Islander Heritage Month

74 events

**6,687 community
member
interactions**

18 presentations

Trust Building Initiatives



Discipline Meeting Transparency

Complainant Impact Statements

Complainant Feedback Surveys

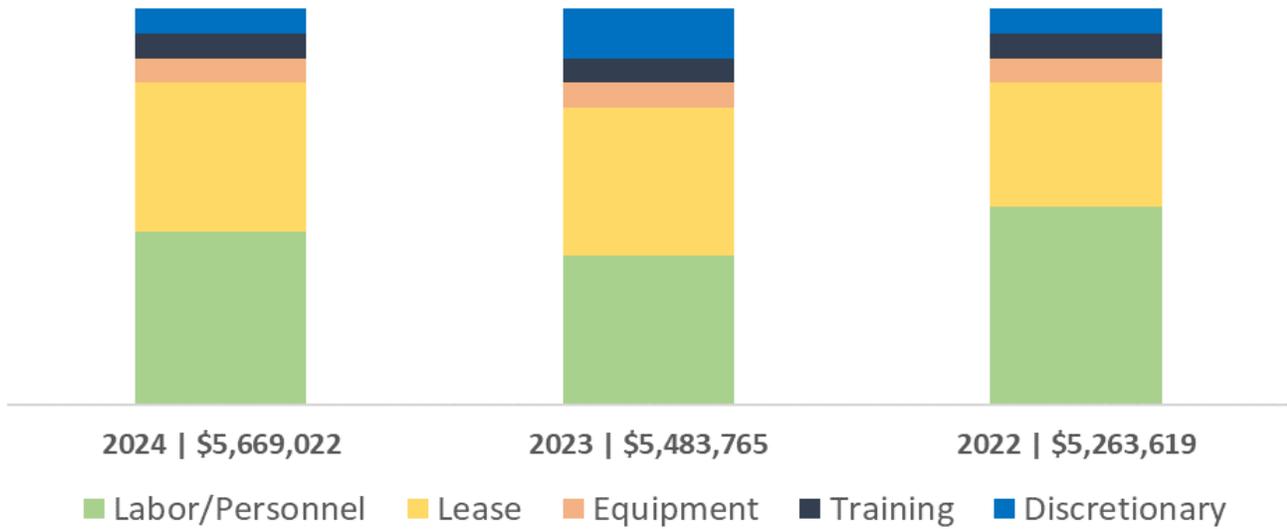
Targeted Community Surveys

OPA Budget



OPA's annual budget has largely remained constant.

OPA's Annual Budget Breakdown



Year Total	Personnel (31 FTEs)		Lease		Equipment		Training		Discretionary	
2024 \$5,669,022	\$5,180,924	91%	\$352,361	6%	\$28,410	1%	\$68,532	1%	\$38,795	1%
2023 \$5,483,765	\$4,953,243	90%	\$340,000	6%	\$28,195	1%	\$68,532	1%	\$93,795*	2%*
2022 \$5,263,619	\$4,864,910	92%	\$260,000	5%	\$26,382	1%	\$68,532	1%	\$43,795	1%

Questions?

