



## N O Annual N Report

#### OCPC@Seattle.gov

https://www.seattle.gov/community-police-commission

The John T. Williams Memorial Totem Pole Seattle Center



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#### **Letter from the Co-Chairs**



During 2022, the Seattle Community Police Commission (CPC) –through cooperation, consultation and community engagement – worked to ensure the people of Seattle continued to have a voice in the work of police oversight, accountability and reform. Critical CPC work during 2022 included addressing collective bargaining on a new Seattle Police Officers Guild (SPOG) contract, state legislation that affects how the Seattle Police Department (SPD) trains and disciplines its officers, how officers interact with the public, SPD compliance with the Consent Decree and preparing for SPD oversight and accountability in a post-Consent Decree world.

2022 was a busy year for the CPC – one that saw new leadership and exciting developments in how the CPC engages with its accountability partners and the community. In June, Commissioner Joel Merkel, Jr. and Commissioner Rev. Patricia Hunter joined Commissioner Rev. Harriett Walden as co-chairs of the Commission. The immediate priorities for the new co-chairs included overseeing the hiring of new staff and appointment of new commissioners to vacant positions, increased collaboration with community stakeholders and accountability partners and revamped engagement of its workgroups.



### Seattle Community Police Commission



This is our 11th year as a Commission, and while our activities and procedures continue to develop, our mission is always the same: to center and uplift voices from communities disproportionately impacted by policing and make sure the community has a voice in police accountability and reform.

The importance of our oversight role and the duty we hold to represent all people of Seattle, especially those in communities disproportionately impacted by policing, was made clear to us this year when Federal Monitor Antonio Oftelie presented the federal monitoring team's preliminary assessment of use of force at one of our community engagement meetings. His message was that the SPD's data on the department's use of force data omitted certain data points due to a system malfunction and was incomplete in other ways, such as reporting in one third of use of force reports that the subject's race was unknown

Community members at our meeting (held online, as most meetings were in yet another year of COVID) were able to ask Oftelie the obvious and very valid questions: Why should the community trust SPD statistics and, if data isn't reliably collected and accurately reported, how can we believe in progress in police accountability?

As we go into a new year, we press on with these and other issues and will continue to listen to and build common ground among communities. We also will work within the structure of the system toward a time when the Consent Decree is lifted and the primary responsibility of police oversight will return to the city and our community. Our vision, as it has been from our inception, is for SPD and Seattle's communities to be aligned in shared goals of safety, respect, and accountability.

Rev. Dr. Patricia L. Hunter Rev. Harriett G. Walden Joel Merkel, Jr.



#### Who We Are

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The Seattle Community Police Commission, established by the City of Seattle in 2014, is a 21-member independent, self-governing oversight and monitoring board of the Seattle Police Department.

#### **Our Mission**

The Commission supports and works toward policing practices centered in justice and equity. We are committed to listening to and building common ground among communities affected by policing.

#### **Our Vision**

We strive to amplify communities' voices and envision a future in which policing, public safety and accountability in Seattle reflects trust and respect or all community members, especially those most barmed by police viole

#### for all community members, especially those most harmed by police violence.

#### **2022 Commissioners**

Prachi Vipinchandra Dave Suzette Dickerson Rev. Patricia L. Hunter Tascha R. Johnson Joel Merkel Asha Mohamed Mark Mullens Erica Newman Mary Ruffin Alina Santillan Joseph Seia Douglas E. Wagoner Rev. Harriett Walden Le'Jayah Washington Jeremy Wood

Co-Chairs January - May 2022: Katherine Seibel, Douglas Wagoner, Rev. Harriett Walden Co-Chairs June - December 2022: Rev. Patricia Hunter, Joel Merkel, Rev. Harriett Walden





Community and advocacy groups have been alleging brutality or the misuse of the policing power in Seattle since the 1950s, with protests and calls for investigation and reform periodically boiling to the surface in reaction to a questionable traffic stop, a beating or a shooting by police, often involving a person of color.

In August 2010, First Nations woodcarver John T. Williams – 50 years old, partially deaf and holding a closed penknife – was shot to death by a Seattle Police Department officer. His death set off protests and galvanized the community's push for police reform that continues today.

By that December, 35 community groups came together and asked the U.S. Department of Justice to investigate whether Seattle police had routinely violated people's civil rights and shown a pattern of using excessive force. The DOJ took up that investigation and concluded that SPD's excessive and unnecessary use of force violated the U.S. Constitution. It also raised questions about potential race- and disability-based bias in SPD's policing.

As a result of that investigation, the City of Seattle and DOJ entered into a Consent Decree – a settlement agreement to eliminate unlawful practices through reform overseen by a monitor appointed by a federal judge.

Under the agreement, the City of Seattle in 2014 created the Community Police Commission, an independent board to oversee and monitor SPD. The Commission played a significant role in drafting what would become known as the Police Accountability Ordinance, a historic piece of legislation enacted by the City of Seattle in 2017. The ordinance made the Commission permanent and enacted significant reforms to policing and police accountability in Seattle.

The accountability system is now comprised of an Office of Inspector General, the Office of Police Accountability and the Community Police Commission.

After extensive reviews by the monitoring team, the police department came into full compliance with the Consent Decree in January 2018. On May 7, 2020, the city and the Department of Justice filed a motion to terminate most of the Consent Decree's provisions. But three weeks later, Minneapolis officers murdered George Floyd, and Seattle, along with other cities, erupted in protest. SPD's response to the protests were found by the monitor to include significant use of force, and resulted in historic levels of misconduct complaints. In June 2020, the City withdrew its motion to terminate most of the Consent Decree, electing to investigate SPD's response to the protests and continue its monitoring of the police department.



#### **Accountability Partners**

**OPA** Investigates allegations

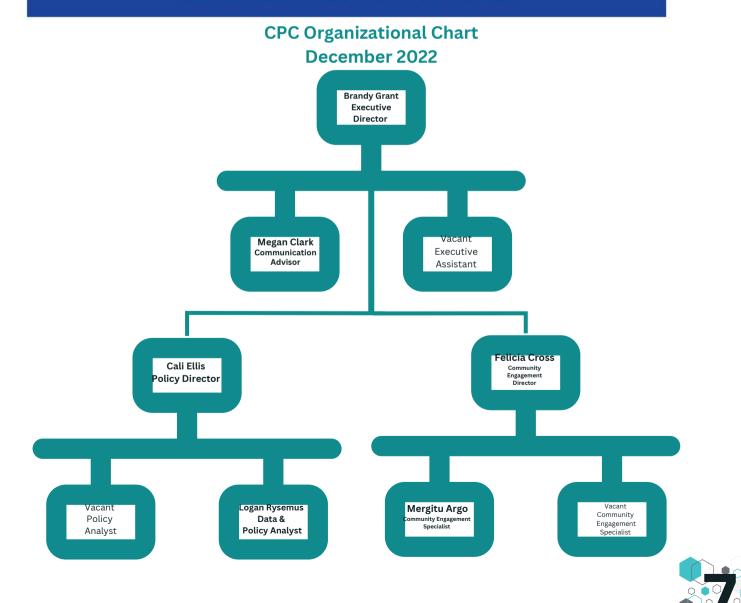
Investigates allegations of employee misconduct CPC

Provides community input on policing and police reform OIG

Conducts system audits, OPA audits, and reviews

## SPD

Supports and delivers public safety services





Three key words for the Office of Community Engagement in 2022 were "partnerships," "accountability" and "Zoom."

Our office works to build partnerships in the community. I am deeply committed to improving relationships between the community and law enforcement and I strive to become a trusted resource for people from all walks of life as they engage with the police reform process and we advocate for accountability of the Seattle Police Department.

My role as director of Community Engagement for the CPC consists of meeting with community members to explain developments in the ongoing federal oversight process and to seek community members' input in how the oversight is working, how it's being communicated and how we as a Commission are serving the public in our role of watchdog for accountability.

In 2022, while bringing on new staff in our office and working under the constraints of the ongoing pandemic, we were able to engage regularly with community members and to forge some new partnerships.

We added neighboring police departments in Bellevue and Tacoma to our partnership network and I worked with SPD Chief Adrian Diaz and the CSEC (Commercial Sexual Exploitation of Children) task force to raise awareness of overlooked cases and to inform the community about the new 911 center's protocols after that function was moved out of the Seattle Police Department to its own independent office.

I personally was able to enhance my professional development during the year. I gained a Diversity, Equity and Inclusion certification after training from e-Cornell, Cornell University's online platform. And I received certification from NACOLE as a Practitioner for Civilian Oversight, the culmination of a years-long process. These certifications help to strengthen my work with the CPC, as do our office's presence at national and international conferences.



### Community Engagement

In 2022, I attended the national conference for the International Association of Chiefs of Police and the national conference of the National Organization of Black Law Enforcement Executives, as well as its national board meetings and CEO Symposium. I also attended the National Association for Civilian Oversight of



Law Enforcement national conference, where I was a facilitator for a table-top conversation about "Navigating Your Region." And I was a panelist on the Peace 2 Police conference, where I spoke to law enforcement agencies about community policing.

In my continuing quest to spread the word about the CPC and the reform process in Seattle, in 2022 I attended the Dubai Community Police Dialogue Session Conference in Dubai, UAE, and served as the keynote speaker. The trip was paid for by the Dubai Police General Department of Criminal Investigations and gave me the opportunity to talk to a wider audience about our important work.

In Seattle, we continued to engage in community meetings nearly every month (please see a complete listing on pages 11 and 12) and I worked with the federal monitoring team to make sure community input was included in periodic status reports from the federal monitor to U.S. District Court Judge James L. Robart.

In mid-December, I was delighted to attend and present at a very productive meeting with accountability partners and clergy at Emerald City Bible Fellowship. Meeting in person with stakeholders is good for communication and good for the soul. It was a very productive meeting and gratifying to see our partners and community face to face after years of Zoom.



## COMMUNITY ENGAGEMENT EVENTS

In 2022, despite continuing restrictions due to the COVID-19 pandemic, The CPC

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continued its mission of engaging with community members. Our meetings, community engagement sessions and community conversations were mostly held online, although by December we were able to meet in person with clergy and representatives of the Office of Police Accountability at Emerald City Bible Fellowship.

We held joint briefings with the Seattle Monitor and the Department of Justice on crisis intervention, use of force and stops and detentions and community engagement sessions on Micro Community Policing Plans, 911 operations, the state legislative agenda and communities directly affected by gun violence.

Despite pandemic restrictions, we were able to engage with more than 400 community members and partners.



### **Community Engagement Calendar**

#### 1/11/2022

Seattle Consent Decree Monitor Assessment Series Crisis Intervention Team Training Dr. Antonio M. Oftelie

2/8/2022

Seattle Consent Decree Monitor Assessment Series Stops and Detention Assessment Dr. Antonio M. Oftelie

> 3/8/2022 Department of Justice Presentation on Use of Force Matt Waldruff and Brian Maxey

#### 5/10/2022

Seattle University Micro Community Policing Plans, State Legislative agenda Recap and CPC Response Dr. Jacqueline Helfgott, Nia Franco, Evan Lih



### **Community Engagement Calendar**

6/14/2022

Meet with Mothers and Community Impacted by Gun Violence Jenell Purvis and Queenie Bradford

> 7/12/2022 911 Operations Deputy Chief Chris Lombard

8/9/2022 Welcome New Office of Police Accountability Director Gino Betts

11/29/2022 King County Medical Examiner's Office Dr. Richard Harruff



### **Community Engagement Calendar**

12/10/2022

In-person Meeting with Office of Police Accountability and Clergy at Emerald City Bible Fellowship



CPC Co-Chair Rev Harriett G. Walden with OPA Executive Director Gino Betts, Jr. at a meeting with Clergy at Emerald City Bible Fellowship.

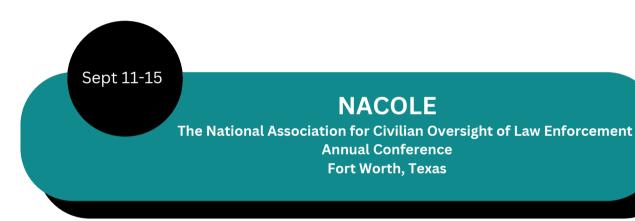


# Conferences 2022

July 22-27

#### NOBLE

National Organization of Black Law Enforcement 46th Annual Conference Orlando, Fla.







## LEGISLATIVE PRIORITIES 2022

This was the CPC's second year of engaging with the state legislative process. Our State Legislative Agenda Committee began preparing for the legislative session in the fall of 2021, with Commissioners Austin Field and Esther Lucero serving as co-leads. Commissioner Douglas Wagoner was also a committee member and CPC staff provided support.

During the legislative session, commissioners delivered testimony during committee meetings. The Commission also submitted written statements outlining the CPC's stance on bills of concern, and signed in either in support of or in opposition to legislation ahead of committee hearings.

The CPC also worked with the Washington Coalition for Police Accountability and American Civil Liberties Union of Washington to stand in opposition to pieces of legislation that would roll back advances in police accountability won in the 2021 legislative session.





### Legislative Bills **CPC** Supported

### HB 1202

Addressing meaningful civil remedies for persons injured as a result of police misconduct.

Did not pass the House Committee on Civil Rights and Judiciary

## HB 1507

Establishing a mechanism for independent prosecutions of criminal conduct arising from police use of force Scheduled for a vote, no action taken and did not pass the House Committee on Public Safety

### HB 1690

Concerning the use of deception by law enforcement officers during custodial investigations

Did not pass the House Committee on Public Safety

HB 1719

Concerning the use and acquisition of military equipment by law enforcement agencies.

Passed and signed by Gov. Inslee

## HB 1735

Modifying the standard for use of force by peace officers

Passed and signed by Gov. Inslee



### Legislative Bills CPC Opposed



Concerning the authority of peace officers to use force

First reading – referred to the House Public Safety Committee, which took no action



Modifying standards for use of physical force by peace officers

Did not pass the House Committee on Public Safety



Concerning vehicular pursuits

Did not pass the House Committee on Rules



### Legislative Bills CPC Opposed

## HB 2037

Modifying the standard of use of force by peace officers

Passed and signed by Gov. Inslee

## SB 5522

Increasing the penalty for assaulting a law enforcement officer First reading – referred to the Senate Law & Justice Committee, no action taken

Concerning the standard for law enforcement authority to detain or pursue a person

Failed in the Senate Committee on Rules



# Monitored by CPC but took no action

### HB 1692

Promoting racial equity in the criminal legal system by eliminating drive-by shooting as a basis for elevating murder in the first degree to aggravated murder in the first degree

Did not advance beyond first reading

### SB 5485

Prohibiting traffic stops for certain traffic violations Hearing held in Senate Committee on Transportation, did not pass from committee

### SB 5677

Enhancing public trust and confidence in lawenforcement andstrengthening lawenforcement accountability by specifying required practices for complaints, investigations, discipline and disciplinary appeals for serious misconduct

Did not advance beyond first reading and referral to Senate Committee on Law & Justice



# **Police** Contracts

In June, the Seattle City Council voted to approve the Seattle Police Management Association (SPMA) collective bargaining contract, and for the first time, the Seattle Community Police Commission was included in the contract negotiating process. The CPC appointed Commissioner Suzette Dickerson as its technical advisor. And while the Commission welcomed this step to increase community representation in police contract negotiations, the process was not without problems.

The CPC was not given enough advance notice to complete a comprehensive, community-based review of the SPMA contract prior to a vote. Dickerson had requested the 73-page contract, stricken language and a summary, but only received the materials less than 24 hours before the Council's scheduled vote. In addition, CPC Co-Chairs Rev. Harriet Walden and Douglas Wagoner and Executive Director Brandy Grant did not receive advance notice of the timeline of the Council's vote. The Council refused a request by the CPC to delay the vote until the CPA had ample time to review and engage with the community on the final contract.

The lack of transparency and an unreasonable timeframe for CPC and community input undermined trust with the Seattle Police Department. Nonetheless, the contract that covers police management above sergeants takes several critical steps forward.

Previously, civilian investigators at the Office of Police Accountability (OPA) were restricted from completing certain tasks. The new contract removes those restrictions, allowing the OPA to make assignments based on investigators' skills rather than their sworn status.

Arbitrators/neutral examiners will only be allowed to assess whether OPA findings are supported by the related investigation and if the resulting discipline was fair. They will no longer be able to conduct full reviews of OPA investigations.





## **Police Contracts**

SPMA members who are required to wear body cameras will receive a 2% premium based on their base monthly salary and added to their pay through the end of 2022.

As the city continues to negotiate a collective bargaining agreement with the Seattle Police Officers Guild (representing patrol officers and sergeants who comprise a larger proportion of frontline officers), the CPC will continue to push for more transparency and offer these recommendations, most of which resulted from community engagement at CPC's Collective Bargaining Town Hall.





### **Police Contracts**

#### Fully implement the reforms in the 2017 Accountability Ordinance.

These reforms would create strong policies in areas often abused by police, such as secondary employment; empower civilian investigations into police misconduct by allowing for such things as civilianization of misconduct investigations and the OPA and OIG to exercise their subpoena powers; close many of the loopholes police officers use to avoid discipline, such as the 180-day time limit on investigations and heightened burden of proof currently in place for some types of misconduct; and fix Seattle's broken disciplinary appeals system by addressing the many flaws posed by the City's current arbitration system, such as lack of transparency and backlogs created by the lack of clear timelines.

Make public the City's bargaining priorities.

Members of the community were curious about how the Labor Relations Policy Committee sets bargaining parameters and wanted the process to play out publicly.



Be more proactive in publicly identifying who is at the negotiating table for the collective bargaining agreements, who those parties represent and their role in the negotiating process and release regular updates on the status negotiations.

While the city publicly posts this information, the community

continues to express that it is not readily available. The city should work to make

sure that the information is easily located and available

to members of the public. The community is interested in seeing more transparency

in the bargaining process.

Commit to releasing all information that can be made public on the negotiation process at the conclusion of the process, but prior to City Council approval.

The community expressed concerns over the City Council signing on to the contracts without the community knowing what they contain.

Publicly state, explain and justify to the community what it has given up and gained in the negotiation process.

This will allow the community to know what sorts of things are not being fought for.



Remove clauses from the contracts that allow collective bargaining agreements to take precedence over local law, including the 2017 Accountability Ordinance.

As an example, article 18.2 in the SPOG contract states that the contract will supersede City ordinances if they are in conflict with the contract. This, and any other similar clauses, should be removed as it is a barrier to accountability, as evidenced by the incomplete implementation of the 2017 Accountability Ordinance.

Remove limits on civilianization of the Office Police Accountability and ensure that civilian investigators have the same investigatory powers as their sworn counterparts.

Under the current contracts, the OPA is only allowed to have two civilian investigators and their investigatory powers are limited. The 2017 Accountability Ordinance would allow the Office of Police Accountability to have as many civilian investigators as it wanted and would have given them full investigatory powers.

Since its inception, the CPC has been committed to ensuring the collective bargaining rights of all people are protected. However, police are vested with unparalleled authority in our society to carry weapons, use force and deprive people of their liberty. Because of this unique dynamic, police officers must be subject to higher standards, including transparency in collective bargaining above and beyond what is appropriate for non-law enforcement unions.



### **Office of Police Accountability**



This is not the total number of officers who were disciplined.

The Office of Police Accountability (OPA) investigates complaints of police misconduct from the public and makes recommendations to the Chief of Police. CPC is required to review all OPA closed case summaries from that year and include its findings in the annual report. Closed case summaries are anonymized versions of the investigation that outline the alleged policy violations conducted by SPD officers. In each report, OPA details its investigative process, which may include conducting interviews, watching body cameras worn by officers and reviewing documents. OPA published 246 closed case reports in 2022, which include 57 disciplinary action recommendations toward officers who violated SPD policy. Most officers who violated policy were recommended to receive a written reprimand.



#### OPA closed cases

Each OPA closed case summary includes the policy and sub policy that was allegedly violated. The policy that was allegedly violated the most is SPD Policy 5.001 -Standards and Duties. This is a broad policy that outlines the conduct and professionalism to which officers are held. The policy that was allegedly violated second most frequently is SPD Policy 5.140 Bias Free Policing, which assures that officers do not treat one group of people differently than another. The third most frequently alleged policy violation was of SPD Policy 8.200 Using Force 1., Use of Force: When Authorized. This may mean that an officer used force that was unauthorized by SPD's manual. The fourth most frequently alleged policy violation as of SPD Policy 15.180: Primary Investigations. This may mean that an officer did not conduct a thorough investigation, or did not accurately document their investigation in their report. Least frequently alleged was violation of SPD Policy 8.400: Use of Force Reporting and Investigation. This may mean that an officer did not properly investigate or report to their supervisor a use of force, whether it was authorized or not. It is important to note that these findings are only alleged policy violations and not sustained policy violations. Anyone can report an allegation of policy violation against an officer, and it is OPA's responsibility to determine whether the situation required disciplinary action, a training recommendation, or whether the allegation was unfounded. An allegation may not be founded or may be deemed as inconclusive if there was not information available in the investigation, or if the policy was not violated based on the information available.







The CPC's strategic planning process began in April 2021, with its first meeting between Connected Realities, a consulting firm, and a working group comprised of commission leadership and staff.

The group analyzed the CPC's relationship with the 130 groups and individuals that it identifies as stakeholders through focus groups, surveys and interviews. All of that work was reflected in the Deep Learning Results Report, released in October 2021.

With those valuable perspectives in hand, Connected Realties held six virtual strategic planning workshops in 2022. Discussion topics were: Naming the Gaps, Defining the Work, Setting Goals and Identifying Objectives and Action Planning.

The strategic plan was completed in 2022, with goals spelled out for the coming years and actions to meet those goals.





## **Strategic Plan**

#### ORGANIZATIONAL EFFECTIVENESS

One of the top objectives was to ensure that the Commission operate "as a highly effective organization."

#### Actions to be taken in 2022 included:

• Update and approve bylaws that clearly articulate the roles and responsibilities of commissioners and staff.

- Delineate the roles and responsibilities of the executive director and section directors when making decisions.
- Clarify staff roles as they pertain to the individual sections of the Commission.
- •Clarify roles and expectations with existing commissioners. Include familiarity with updated bylaws in roles and expectations.
- Ensure that current commissioners are willing to meet the commissioner requirements.
- Clarify the process on how commissioners report out and in with their district
- Reconsider the number of commissioners.
- Review and revisit meeting structure, timing, location, etc.
- Ensure commissioners have access to necessary documents, website and other relevant resources.
- •Ensure that all commissioners have the same level of knowledge about the consent decree and all the things that define us as a commission (legal aspects, rules, etc.).
- Rebuild enthusiasm in commissioners.



## **Strategic Plan**



Despite its official role in the police accountability system, the CPC is limited in its authority to bring about the changes it envisions.

#### Actions to be taken in 2022 included:

- Seek from the City the authority to hold SPD accountable for appropriate officer discipline.
- Develop relationships with City Council and Mayor and begin to advocate for the changes that need to be made.
- Update bylaws to outline how we will carry out the new work.
- Update internal systems to enable carrying out the new work.



Our goal is to effectively use our power to make necessary changes in policing, police oversight and police accountability.



## **Strategic Plan**

#### Community Engagement

The CPC aims to strengthen relationships within the Seattle community to expand how the CPC can learn more from the Community especially those disproportionately impacted by police violence.

#### Actions to be taken in 2022 included:

- Implement a system for how CPC responds to public comment.
- Staff up communications and community engagement sections to support the commission's strategic priorities.
- Ensure Community Engagement Plan addresses findings from Deep Learning Report, as well as intentions that emerged in the strategic planning process.
- Be involved in the community: support other organizations and attend their events, get to know their priorities and build relationships.
- Engage and listen to the entire community, especially those with whom CPC hasn't yet engaged.
- Hear from the community about what they expect from CPC.
- As events happen (a law is passed, a protest occurs, etc.), CPC communicates to the community to ground them regarding its role in the situation –describing what it is, what it means, how to get connected and involved.
- Repeat messages across different modes for audiences to access.
- Include voices of families who have lost someone to violence not necessarily police violence and ensure that those who know something/an experience the most are leading the discussion.
- Leverage commissioners for more support in community engagement.
- More capacity/help from the community with work groups.
- Engage community members with lived experience in advocacy directed at state and local decision-makers related to how CPC engages in policy changes and recommendations for improvement





Executive Director: Brandy Grant Policy Director: Shayleen Morris, Cali Ellis Senior Policy Advisor: Nia Franco Policy Analyst: Luiza Montesanti, Logan Rysemus Communications Advisor: Megan Clark, Jacqueline Wu Community Engagement Director: Felicia Cross Community Engagement Specialist: Mergitu Argo Administrative Assistant: Jhileah Jackson, Emily Trbovich

No longer with the CPC

#### **About CPC Annual Reports**

The CPC's annual reports are mandated by the 2017 Accountability Ordinance. The Ordinance states:

SMC, 3.29.370.A. CPC shall produce annual reports that are readily understandable and useful to policymakers. The annual report shall be posted online and electronically distributed to the Mayor, City Attorney, Council, Chief, OPA Director, and Inspector General, as well as to the City Clerk for filing as a public record. The annual report shall include, but not be limited to, the following: 1. An evaluation of the extent to which all of the purposes, duties, and responsibilities detailed in this Chapter 3.29 have been met; 2. A summary of all recommendations for changes in policies and practices, collective bargaining agreements, City ordinances, and state laws; 3. A summary of the implementation status of any previous recommendations and, for any that have not been implemented, the reasons; and 4. Information about CPC's outreach to SPD employees and the public, the perspectives gathered by CPC from such outreach, and how the outreach informed CPC's work.

#### SMC, 3.29.360.C.

Convene an annual meeting to receive public comments and present to the community highlights of CPC's annual report.

