



January 10, 2022

Kristen Simpson, Acting Director
Seattle Department of Transportation

Darren Morgan, Acting Director
Seattle Parking Enforcement

Adrian Diaz, Chief of Police
Seattle Police Department

RE: Bias Complaints

Dear Acting Director Simpson and Acting Director Morgan:

I am issuing this policy recommendation letter (“Management Action Recommendation”) to supplement my findings in OPA case 2021OPA-0229. The case involves a parking enforcement supervisor who is now employed by the Seattle Department of Transportation (SDOT). During our investigation, OPA was made aware of an apparent widespread practice among parking enforcement supervisors that is inconsistent with their training and Seattle Police Department (SPD) policies that applied to them at the time of the incident. This letter summarizes the incident as it relates to OPA’s policy and training concern, provides an analysis of relevant SPD policies and training, and includes a recommendation for how the issue could be addressed from OPA’s perspective.

A formal response to this letter is not required; however, OPA will gladly support SDOT in the implementation of this recommendation, if desired.

Summary

- It was alleged that a parking enforcement supervisor did not investigate or document a biased policing complaint as required by SPD policy.

Analysis

- The complainant was delivering woodchips for a community garden. She parked on the sidewalk to unload woodchips from her vehicle. She returned to the vehicle to find a parking enforcement officer (PEO) ticketing the vehicle. A verbal disagreement ensued, and the complainant reported asking the PEO, “Are you racist or something?”
- The PEO reported the incident to their supervisor, the named employee (NE), who felt that the complainant stated a question, not an allegation. The NE did not respond to the scene or investigate the bias claim. The complainant later filed a complaint with OPA.
- At the time of the incident, in May 2021, PEOs were civilian SPD employees and required to comply with [SPD Policy 5.140 – Bias-Free Policing](#).
 - Employees call a supervisor in response to allegations of bias-based policing.
 - Supervisors investigate the allegations and attempt to contact the complainant.
 - Supervisors document their investigation in a Bias Review template or make a referral to OPA.



- The NE told OPA that after SPD published guidelines in 2014 for bias complaints involving PEOs, PEO supervisors collectively decided that they would not complete a Bias Review template if the ticketed vehicle was unoccupied and the PEO did not see the driver of the vehicle.
- OPA is concerned that a group of managers unilaterally decided what bias allegations they would investigate. Even though SPD and OPA no longer have jurisdiction over these employees, OPA believes there will be a continuing need for bias allegations against PEOs to be investigated.

Recommendation(s)

- Create a bias complaint investigation policy and process. Require all PEOs and supervisors to comply with bias reporting and investigation requirements.

Thank you for your consideration of this matter. Please let me know if I can be of further assistance.

Sincerely,

AM

Andrew Myerberg
Director, Office of Police Accountability