

Presentation to the City of Seattle
Police Accountability Review Panel

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AGENDA

- What is police oversight?
- Role of civilians in oversight.
- Different models in use.
- How Seattle compares.
- Recommendations.
- Discussion.

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OVERSIGHT PROCESS

- Detection
- Fact Finding
- Accountability
- Improvement

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DETECTION

- Monitoring & Reporting
- Internal Referrals
- External Referrals
- Public Complaints
- Civil Filings
- Criminal Cases
- Media Reports

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FACT FINDING

Finding out what happened in a way that is:

- Thorough
- Competent
- Objective
- Well documented

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ACCOUNTABILITY

- Application of policies, procedures and standards to the facts
- Imposition of appropriate consequences, both reinforcing and remedial

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IMPROVEMENT

- Individual
- Supervision
- Hiring
- Field Training
- Other Training
- Procedures
- Systems
- Policies

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DESIRED OUTCOMES

- Maximize excellence
- Minimize misconduct
- Increase safety, reduce injuries
- Protect civil liberties
- Reduce liability exposure
- Instill public confidence



CIVILIANS IN OVERSIGHT

- Can be at any or all stages of the oversight process
 - Detection
 - Fact Finding
 - Accountability
 - Improvement
- No “perfect” model exists

<u>National</u>	Detection	Fact Finding	Accountability	Improvement
Citizen Board	Some receive comp's	Rare	Seldom Ex: Police Commission	Rare
Board & Staff	Some receive comp's	Some	Seldom Ex: Police Commission	Some
Staff – Auditor	Some receive comp's	Some	Very seldom	Frequent

<u>Seattle</u>	Detection	Fact Finding	Accountability	Improvement
OPA Director	External and Internal Comp's	All for comp's	Recommend to Chief	Some
OPA Auditor	None	None - can request more	None	On investigative process only
OPA Review Board	None	None – auditor can bring in	None	On complaint process only



DESIRED CHARACTERISTICS

- Independence
 - Juridical
 - Structural
 - Budgetary
 - Physical
 - Perceived

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DESIRED CHARACTERISTICS

- Scope & Responsibility
 - Clearly defined
 - Limited
 - Reasonable

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DESIRED CHARACTERISTICS

- Authority
 - Matches scope
 - Adequate to accomplish the mission
 - Balanced

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DESIRED CHARACTERISTICS

- Access
 - Adequate to accomplish the mission

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DESIRED CHARACTERISTICS

- Resources
 - Adequate budget
 - Necessary skills
 - Access to outside legal counsel
 - Access to outside experts

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DESIRED CHARACTERISTICS

- Transparency
 - Required to inform the public to fullest extent allowed by law and contract
 - Qualified immunity and legal defense
 - Required to conduct outreach

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DESIRED CHARACTERISTICS

- Focus on improving police policy, practice & training to:
 - Increase safety
 - Protect civil liberties
 - Deliver efficient and effective police services
 - Improve police community relations
 - Limit municipal liability



Seattle – Independence

- Strengths
 - Auditor
 - OPARB
- Weaknesses
 - OPA Director's budget
 - Auditor's role in active cases



Seattle – Scope & Responsibilities

- Strengths

- OPA Director on investigations
- Auditor's role

- Weaknesses

- Fact finding between OPA and Chief
- Auditor as “insider”
- OPARB role not defined specifically



Seattle – Authority

- Strengths

- Auditor has necessary authority
- OPA has 95% of what is needed

- Weaknesses

- Chief's ability to change finding with no further investigation
- OPARB's authority is vague and therefore contested



Seattle – Access

- Strengths

- OPA has insider access
- Auditor has complete access
- OPARB has access to closed files

- Weaknesses

- OPA does not monitor force reports or other indicators
- Timeliness of access to files for OPARB



Seattle – Resources

- Strengths
- Weaknesses
 - OPA resources not adequate for mission
 - Part-time Auditor
 - No admin support for OPARB



Seattle – Transparency

- Strengths

- OPA web site with cases
- Many public reports


- Weaknesses

- Too many reports from the three parts
- Unable to track cases and issues through the process
- Citizen role of OPARB not fully utilized



Seattle – Improving police policy, practice & training

- Strengths
 - OPA has focused on this in the past
 - Some informal advice from the Auditor
- Weaknesses
 - Not defined as OPA, Auditor, or OPARB responsibility

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Seattle – Strengths

- Insider access for OPA
- Outside review by Auditor & OPARB
- Three sets of review
- Access to files and data
- Some transparency
- Support from elected officials

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Seattle – Weaknesses

- Minimal focus on policy, practice and training
- Inadequate independence
- Lack of separation between fact finding & accountability
- Too little transparency
- Overlapping responsibilities
- Lack of budget independence
- Inadequate resources
- Limited community outreach



RECOMMENDATIONS

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OPA

- Budgetary independence
- More staff for analysis and outreach
- Must certify all findings
- No change to findings post Loudermill
- Monitoring of force reports, shootings, pursuits, civil claims and other indicators of potential or emerging problems.

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Auditor

- Increase to a full-time position
- Add administrative support
- Audit after finding by OPA
- Report all audit findings to the public with needed redactions

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OPARB

- More precise definition of what they are to report regarding closed cases
- Conduct survey of officers and complainants after closure on process only
- Increase to Five members
- Add administrative support



OPA/Auditor/OPARB

- Joint quarterly reports
 - Common statistics
 - Separate sections with total editorial freedom
 - Section for comments from the Chief
- Joint projects to review police policies, practices and/or training



QUESTIONS AND DISCUSSION