

SEATTLE COMMUNITY POLICE COMMISSION BY-LAWS
Revisions to 12-14-16 bylaws
Adopted 11-15-17

PREAMBLE

Whereas Seattle Municipal Code (SMC) 3.29.330.A, as established by Ordinance 125315, provides that the “CPC is self-governing and functionally independent. CPC may adopt bylaws to govern its own activities;” and

WHEREAS, to adopt bylaws to govern its own activities organize, elect officers, and adopt such rules and administrative procedures consistent with the City Charter and said Ordinance as are necessary for the conduct of its affairs and performance of its functions and responsibilities prescribed in said Ordinance;

Now, therefore, the organization and rules of procedures of the Seattle Community Police Commission shall be as follows:

ARTICLE I: COMMISSIONERS

A. Expectations

Commissioners are expected to:

1. Attend regularly scheduled Commission meetings
2. Attend and participate in community meetings, forums, and other events as a Commissioner
3. Serve on Commission committees, as assigned
4. Respond in a timely manner to communications that require a response
5. Act as informal liaisons to the community, including at least one City Council District, to listen to concerns, and get input and feedback on Commission activities

B. Terms of Office

Commissioners are appointed for terms as provided in SMC 3.29.350 and Section 39 of Ordinance 125315.

C. Resignation

1. A Commissioner who wishes to resign from the Commission shall notify the Executive Director in writing prior to the Commissioner’s resignation.
2. A Commissioner who has four (4) sequential unexcused absences from scheduled Commission meetings shall be deemed to have resigned. The Executive Director shall notify the appointing authority that the position is open.

D. Commission Vacancies

In filling its vacancies, the Commission will adhere to the same criteria of the demographic attributes or other relevant constituencies represented by the Commissioner who previously served in the vacant position, and will appoint individuals who reflect those attributes or constituencies unless others are determined by the Commission to be more pressing priorities for representation, consistent with the requirements of SMC 3.29.340. Should a Mayoral or Council vacancy occur, the Co-Chairs, after consultation with the Commission, may present options for replacement to the Mayor and City Council. Commission recommendations to the Mayor and City Council regarding nominations for such open Commission positions will adhere to the same criteria.

E. Removal of Commissioners for Cause

1. Commissioners may be removed from office by the appointing authority only for cause (SMC 3.29.350). By a three-quarters vote of its membership, the Commission may approve removal of Commissioners appointed by CPC. A majority vote of the full Council is required to confirm the

removal of any Commissioner.

2. Commissioners appointed by the Mayor or City Council may be recommended for removal from the Commission for cause at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider recommending removal shall be made at the first meeting following the required notice. The motion to recommend removal shall be voted on and requires a three-quarter (3/4) majority vote, of all voting Commissioners (not 3/4 of Commissioner's present) to pass.
3. If the affected Commissioner desires to continue serving, the affected Commissioner shall request the tabling of any motion to remove or recommend removal and the Commission shall table such motion until the next regularly scheduled Commission meeting. Prior to the vote at the next regularly scheduled Commission meeting, the affected Commissioner shall submit to the Executive Director a written statement of appeal at least seven days prior to the next regularly scheduled Commission meeting stating the basis for believing removal is not warranted. The Executive Director shall distribute the statement by email to all Commissioners at least five days prior to the next regularly scheduled Commission meeting.

ARTICLE II: OFFICERS

A. Election of Officers

Each January the Commission shall elect, by a majority vote at a regularly scheduled Commission meeting, a slate of at least two Co-Chairs from the Commission membership to serve an annual term as Commission officers.

B. Responsibilities of Co-Chairs

1. The Co-Chairs shall preside at all meetings of the Commission, shall sign all official documents of the Commission, and appoint all committees, committee members, and committee chairs. In the event that all Co-Chairs are absent or unable to perform their duties, their duties will be assumed by their designee, or by a member approved by a majority of Commissioners at a regularly scheduled or special Commission meeting.
2. The Co-Chairs shall be responsible for approving proposed Commission meeting agendas, meeting dates, times, and locations, and ensuring, along with staff, minutes are recorded for each meeting and distributed in advance of the following regularly scheduled Commission meeting.
3. The Co-Chairs shall be responsible for approving any Commissioner requests for an extended absence.

C. Removal of Co-Chairs

Any Commission member may make a motion to consider the removal for cause of any Co-Chair from office at a regular meeting of the Commission, provided that at least seven (7) days written notice of such intent is given to all Commission members. The motion to consider removal shall be made at the first meeting following the required notice. The motion to remove shall be voted on and requires a three-quarter (3/4) majority vote, of all Commissioners (not 3/4 of Commissioner's present) to pass.

ARTICLE III: MEETINGS

A. Time and Place

Regular meetings of the Commission shall be held at least once each month at such time and place as the Commission Co-Chairs shall designate (SMC 3.29.360.D). Commission meetings are open to the public. The dates and times of regular meetings shall be posted on the Commission's website. The Executive Director shall make best efforts to post the agenda for each meeting on the Commission's website at least 24 hours before each meeting (RCW 42.30.077). Minutes of each meeting shall be promptly recorded and posted on

the Commission's website (RCW 42.32.030).

B. Special Meetings

Special meetings of the Commission shall be held upon the call of the Co-Chairs or upon request of a majority of Commissioners. Said special meetings shall be held for a specific purpose or purposes and shall not take the place of a regular Commission meeting unless so determined at a prior regular meeting. Notice to each Commissioner shall be personally delivered by mail, by fax, or by electronic mail. The Executive Director shall make best efforts to post a public notice for each special meeting, along with the agenda, on the Commission's website at least 24 hours before the time of the meeting specified in the notice. The public notice shall be posted at the main entrance of the Commission's principal location and at the meeting site at least 24 hours before the time of the meeting. Notice shall also be provided to each local newspaper of general circulation and local radio or television station that has on file with the Commission a written request to be notified of such special meeting or of all special meetings (RCW 42.30.080). Where circumstances require, special meetings may be held by telephone conference, provided that the public shall be allowed access to a location where the telephone conference can be heard.

C. Compliance with Laws

1. All regular and special meetings shall be held in accordance with public meeting laws, including the Open Public Meetings Act (Chapter 42.30 RCW) and Chapter 42.32 RCW, and these Commission bylaws.
2. During any regular meeting, the Commission may convene in closed executive sessions to discuss matters as permitted in RCW 42.30.110, including but not limited to, litigation or potential litigation to which the Commission, or any Commissioner or staff acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the Commission. If the Commission intends to convene in executive session in any special meeting, the executive session and its purpose shall be stated on the special meeting notice.

D. Quorum

A simple majority of currently appointed Commissioners shall constitute a quorum for the transaction of business.

E. Participation in Meetings by Telephone

In special circumstances such as unavoidable schedule conflict or travel, Commissioners may participate in a Commission meeting by conference telephone call, which allows all persons participating in the meeting to hear each other. Participation by telephone shall be equivalent to presence in person at the meeting for purposes of determining if a quorum is present.

F. Public Testimony

Public testimony is not received at Commission or Commission committee meetings. The Commission will receive public input and information about the extent to which the purposes, duties, and responsibilities detailed in SMC Chapter 3.29 have been met through its community engagement activities, including public forums, and through written statements submitted to the Commission by email or delivered by postal service.

ARTICLE IV: ATTENDANCE

A. Responsibility

It is the responsibility of each Commissioner to attend scheduled Commission meetings and meetings of committees to which the Commissioner is appointed.

B. Excused Absence

1. An excused absence shall be defined as an absence due to one or more of the following:
 - a. Illness
 - b. Family leave
 - c. Out of town trip
 - d. Emergency
 - e. Unavoidable work or personal conflicts
 - f. Commission-related business
2. To request an excused absence, Commissioners shall notify the Executive Director or the Executive Director's designee prior to the Commission meeting, stating the specific reason for the request. If the circumstances prevent a Commissioner from notifying staff prior to the meeting, the Commissioner will notify staff as soon as possible.

C. Extended Absence

In special circumstances, the Co-Chairs may grant an extended leave of absence. If a Commissioner anticipates an extended absence from their Commission activities, the Commissioner shall submit a written request for an extended leave of absence of not more than 3 months to the Executive Director. The written request shall state the reasons for the request and the expected date of return to active participation on the Commission. The Executive Director will forward the request to the Co-Chairs.

ARTICLE V: COMMITTEES

Committees may be formed by the Co-Chairs to accomplish specific tasks or work outside the Commission's regularly scheduled meetings. Committees shall not exercise decision-making authority on behalf of the Commission, but shall act in an advisory capacity to the full Commission regarding such decisions.

ARTICLE VI: DECISION MAKING

A. Voting and Consensus

Decisions of the Commission shall be made in compliance with the Open Public Meetings Act (Chapter 42.30 RCW). Decisions shall be made by group consensus whenever possible. In the event that consensus cannot be reached, a vote with a simple majority of those present will prevail. Dissenting opinions will be entered as part of the minutes if requested.

B. Proxies

Members are not allowed to vote in advance or by proxy on issues voted on at Commission meetings.

ARTICLE VII: DELEGATION OF AUTHORITY

A. General Provisions

The Commission delegates to its Co-Chairs the authority between regular Commission meetings to carry out the CPC's duties and responsibilities, and to advance and implement the Commission's past decisions and actions. The Co-Chairs may exercise this authority themselves or by directing or assigning Commission staff or other Commissioners to do the work within a specific scope and on specific topics. This delegation may be in a general category and need not be expressly reiterated for every step or action to be taken.

B. Contents of Letters and Documents

1. Upon an affirmative vote of the Commission to issue a letter or other document, the Co-Chairs may delegate to Commission staff or to a Commissioner or Commissioners the task of drafting such letter or document consistent with the content approved in the vote.

2. Commission staff or the Co-Chairs may email drafts to Commissioners for feedback. When this occurs, individual Commissioners must respond only to the Co-Chairs or Commission staff and not to other Commissioners in order to avoid a violation of the Open Public Meetings Act (Chapter 42.30 RCW). The Co-Chairs shall have final authority to approve the letter or document.

ARTICLE VIII: PRIVILEGED AND CONFIDENTIAL COMMUNICATIONS

A. Legal Counsel

Ordinance 125315 provides that the Seattle City Attorney shall be the Commission's legal advisor or will select and retain private counsel for the Commission. These attorneys shall provide confidential legal advice to the Commission in writing and in executive session at Commission meetings.

B. Confidentiality

Commissioners are required to maintain the confidentiality of all legal advice and other privileged communications, whether the advice was communicated in writing or orally. Commissioners may share the contents of such legal advice or other privileged communications with no one except for other Commission members, Commission staff, or Commission attorneys. Commissioners are required to maintain writings containing legal advice received from Commission attorneys in a secure location or in a secure fashion.

C. Waiver

The privilege relating to a particular piece of legal advice or other confidential communication may be waived only by a majority vote at a regularly scheduled Commission meeting. A majority of Commissioners present must vote in favor of waiver for the privilege to be appropriately waived. Upon such a vote, the confidentiality provisions set forth above will no longer apply to the legal advice or communication that was the subject of the vote.

D. Recusal

Any Commissioner who believes that he or she will be unable to comply with the confidentiality provisions set forth above, because of fiduciary obligations to another organization or for any other reason, must recuse him or herself from receiving the legal advice or confidential communication. In the case of advice provided in executive session, this will require that the Commissioner leave the meeting for the duration of the executive session. In the case of written advice, this will require the Commissioner to affirmatively request not to receive a copy of the memorandum or other writing.

ARTICLE IX: PUBLIC STATEMENTS

A. Commission Spokespersons

The Co-Chairs shall act as the official spokespersons for the Commission on Commission positions to the media, Mayor, City Council, or other governmental entities unless another spokesperson is chosen by the Commission or the Co-Chairs ; however, in all cases such spokespersons shall represent the majority position of the Commission. When asked to represent Commission actions or positions, Commission staff shall notify the Co-Chairs and may be delegated authority to do so by the Co-Chairs.

B. Commissioner Comments

The Commission acknowledges that on some occasions individual Commissioners may disagree with Commission actions. Commissioners may comment publicly about their disagreements with Commission actions after giving prior notice to the Co-Chairs of their intent to do so, and must make clear to the public that they are doing so as an individual community member or as a representative of a dissenting organization with which they are affiliated. Commissioners must express such disagreements in a transparent and respectful way that furthers the goal of building community trust in the Commission and the Seattle Police Department. On all other occasions, Commissioners remain free to speak and advocate

in their private capacities or through other organizations with which they are associated, so long as they do not give the impression that they are speaking as Commissioners.

ARTICLE X: INDEPENDENCE

The CPC is self-governing and functionally independent (SMC 3.29.330.A). The Executive Director reports to and takes direction from the Commission, and CPC staff report to and take direction from the Executive Director.

ARTICLE XI: ENDORSEMENTS

The Commission shall not make endorsements or take positions outside the scope of its work.

ARTICLE XII: AMENDMENTS

Amendment(s) to the rules of the Commission shall be made by written resolution adopted by a vote of not less than two-thirds of the Commission membership, which resolution shall be presented at the meeting prior to any vote taken thereon.