

A dark teal background featuring a stylized silhouette of the Seattle skyline. The skyline includes various skyscrapers, the Space Needle, and the Ferris wheel at the Seattle Great Wheel. A horizontal teal line is positioned across the middle of the skyline.

**Seattle** Community Police Commission

# **CPC Priorities for the SPOG Contract**

# SPOG Contract: 100 pages with redline edits





Sorted into 4 policy themes/buckets

**State action**

**Discipline/appeals**

- Discipline/chief
- Discipline/dishonesty
- Discipline/standards
- Discipline/transparency

**OPA investigations**

**Subpoena authority**

# Three action items rise to the top

## CPC highlights three main areas for city policymakers to consider:

- **Advocate for state action:** Ask the state to address the ability for police unions to hide weak accountability measures within Collective Bargaining Agreements (CBAs), which stops local governments from enacting strong local accountability measures.
- **Produce a new contract covering 2024 forward:** Accountability cannot be adequately addressed retroactively. Catch up with efforts to produce the next contract right away, so that community can prepare and weigh in on future actions around community safety.
- **Make changes to the current contract:** CPC has identified the following four areas that need to be addressed and enhanced to conform the contract to Seattle's landmark 2017 Accountability Ordinance.

# Communicating four priorities to conform the SPOG contract to the Accountability Ordinance

1

**Remove contract clauses allowing CBAs to take precedence over local law**

2

**Fix the broken officer disciplinary system**

3

**Empower & civilianize OPA investigations**

4

**Allow OPA & OIG full subpoena authority**

# **1. Remove contract clauses allowing CBAs to take precedence over local law**

The SPOG contract states that the contract supersedes city ordinances if they conflict with the contract. Clauses like this are barriers to accountability and hinder full implementation of the 2017 Accountability Ordinance.

## 2. Fix the broken officer disciplinary system

The contract is written so that it shields and obscures officers from discipline in a variety of ways. Address the many flaws in the officer disciplinary system, including the lack of transparency, backlogs created by unclear timelines, and the appeals process.

- **Close the accountability loopholes:** Seattle Police Department (SPD) officers use several loopholes to avoid discipline, including a 180-day time limit on investigations, heightened burden of proof for some types of misconduct, and concealing misconduct or dishonesty.
- **Give the Chief managerial authority:** Allow the SPD Police Chief the authority to make managerial decisions about placing SPD officers on leave without pay where determined necessary for employee or public safety.
- **Clarify and standardize disciplinary procedures:** The contract allows different processes for the same alleged misconduct. Procedures should be clarified and strengthened to ensure comparable discipline for similar misconduct. Preponderance of the evidence was removed in the 2018 contract. This basic standard for administrative hearings should be upheld for something as important as officer discipline.
- **Require discipline disclosure:** Any positive findings or discipline imposed on officers should be disclosed to complainants, the public, and oversight entities for full open transparency of what took place.



### **3. Empower & civilianize OPA investigations**

The Office of Police Accountability (OPA) needs to be fully independent from SPD, so that there is no conflict of interest with sworn (non-civilian) officers investigating themselves. The Accountability Ordinance calls for OPA to have as many civilian investigators as necessary, with full investigatory powers. We appreciate that two investigators are included in the newest contract. However, remove the limits on civilianizing OPA and ensure that civilian investigators have the same powers as their sworn counterparts.

## **4. Allow OPA & OIG full subpoena authority**

During an investigation, sometimes important evidence or testimony is not provided voluntarily. In order to compel witnesses to produce evidence in a timely manner, subpoenas may be necessary via court order. The contract needs to allow for thorough investigations of police misconduct by empowering OPA and the Office of Inspector General (OIG) to exercise their full subpoena powers.

# Final product



## CPC Priorities for the SPOG Contract

In April 2024, the Seattle Police Officers Guild (SPOG) released a retroactive Collective Bargaining Agreement (contract) covering 2021-2023.

The Seattle Community Police Commission (CPC) and community members seek full transparency in the bargaining process. We ask the city to release the contract and make it publicly available so that the community can review it and deliberate effectively.

The city needs to follow through on its prior commitments to community: That barriers to police accountability can be adequately addressed within the contracts.

In response to the new contract, CPC highlights three main areas for city policymakers to consider:

- **Advocate for state action:** Ask the state to address the ability for police unions to hide weak accountability measures within Collective Bargaining Agreements (CBAs), which stops local governments from enacting strong local accountability measures.
- **Produce a new contract covering 2024 forward:** Accountability cannot be adequately addressed retroactively. Catch up with efforts to produce the next contract right away, so that community can prepare and weigh in on future actions around community safety.
- **Make changes to the current contract:** CPC has identified the following four areas that need to be addressed and enhanced to conform the contract to Seattle's landmark 2017 Accountability Ordinance.

### 1. Remove contract clauses allowing CBAs to take precedence over local law

As mentioned in the first bullet above, the SPOG contract states that the contract supersedes city ordinances if they conflict with the contract. Clauses like this are barriers to accountability and hinder full implementation of the 2017 Accountability Ordinance.

### 2. Fix the broken officer disciplinary system

The contract is written so that it shields and obscures officers from discipline in a variety of ways. Address the many flaws in the officer disciplinary system, including the lack of transparency, backlogs created by unclear timelines, and the appeals process.

- **Close the accountability loopholes:** Seattle Police Department (SPD) officers use several loopholes to avoid discipline, including a 180-day time limit on investigations,



# Questions?

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