



Seattle Office of
Police Accountability

OPA Investigations Process & Draft Proposed Process for Pilot Complainant Impact Statement

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Office Structure



OPA Core Functions

- Investigating allegations of SPD employee misconduct
- Identifying SPD system improvements and recommending effective solutions
- Promoting public awareness of, full access to, and trust in the complaint investigation process
- Helping reduce misconduct and enhancing employee conduct

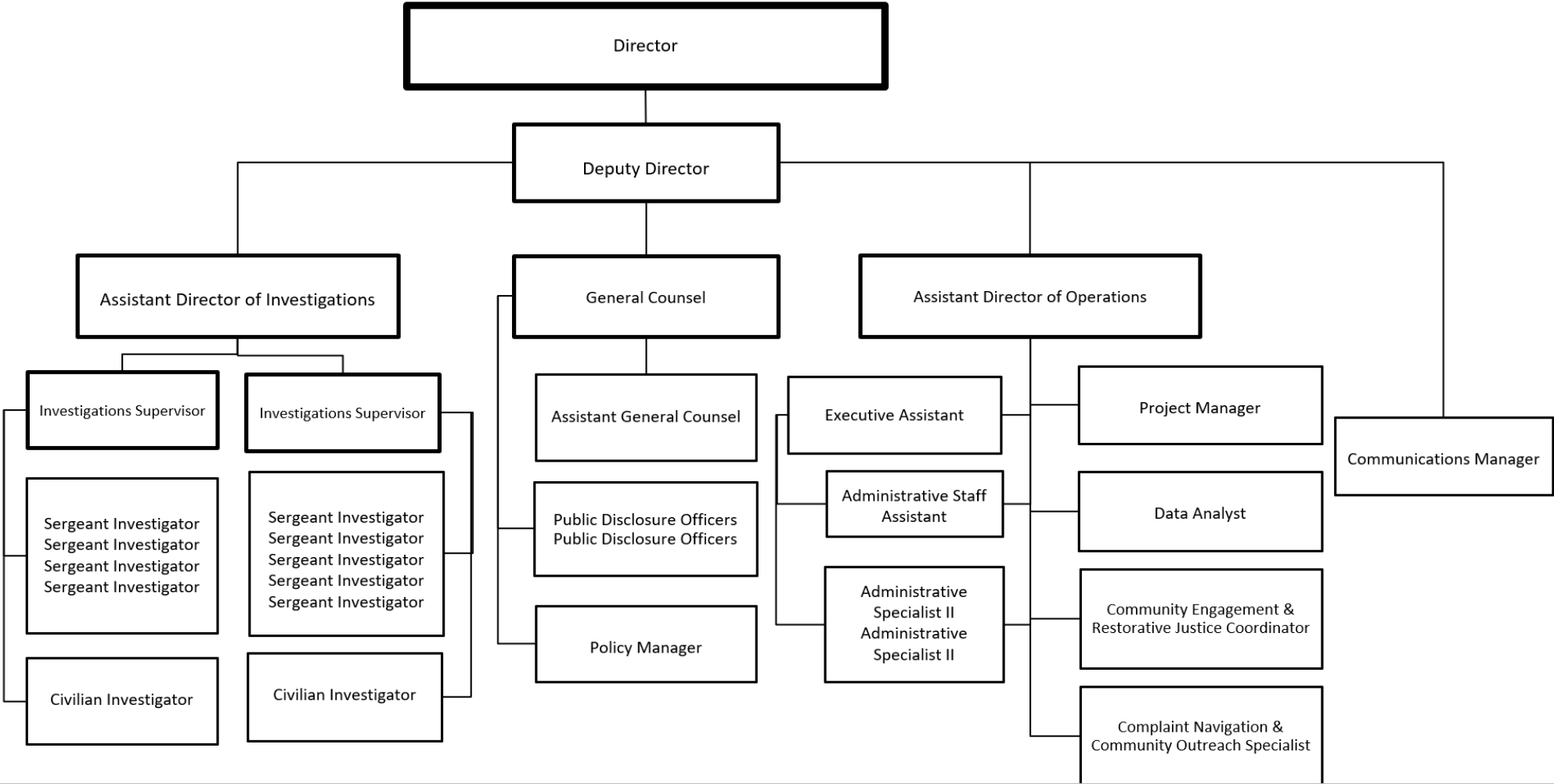
OPA's Independence

- OPA is physically and operationally outside of SPD, but within it administratively
 - Ensures full access to SPD information and personnel
 - Gov't officials prohibited from interfering in investigations
 - Director appointed by Mayor, confirmed by Council; can only be removed for cause
 - OPA employees report to Director, not through normal SPD chain of command

OPA's Hybrid Structure

- Office comprised of civilian and sworn employees
 - Current staffing numbers = 31 (22 civilian, 9 sworn)
 - All leadership positions held by civilians

Organizational Chart



Complaint Processing

Records are subject to the WA Public Records Act, which requires all information to be disclosed. If you do not want your information disclosed, check No below, and OPA will protect your information to the extent possible. Please note that this may still involve revealing some of your information.

Should contact information be disclosed? Yes No

Mediation is an alternative to traditional complaint resolution. It is a voluntary, confidential process facilitated by a trained mediator. Community members and officers talk and listen to each other.

Do you want to participate in Mediation for this complaint? Yes No

The OPA Director is required to report the racial, ethnic, and gender distribution of persons who file complaints. It is voluntary but helpful to know the following information:

- | | | | |
|-------------------------------------|--|---|---|
| <input type="checkbox"/> Non-Binary | <input type="checkbox"/> Asian | <input type="checkbox"/> Native American | <input type="checkbox"/> 2 or More |
| <input type="checkbox"/> Other | <input type="checkbox"/> Black | <input type="checkbox"/> Pacific Islander | <input type="checkbox"/> Other |
| <input type="checkbox"/> Decline | <input type="checkbox"/> Hispanic/Latino | <input type="checkbox"/> White | <input checked="" type="checkbox"/> Decline |

Where did the incident occur:

1st Avenue

(Date) 6/13/20

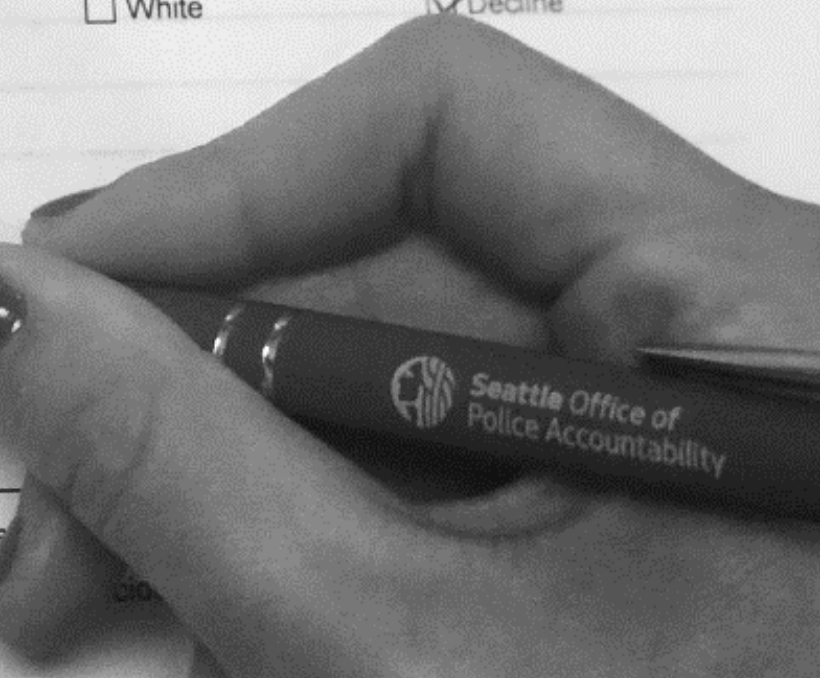
(Time, if known) _____

Other persons involved _____

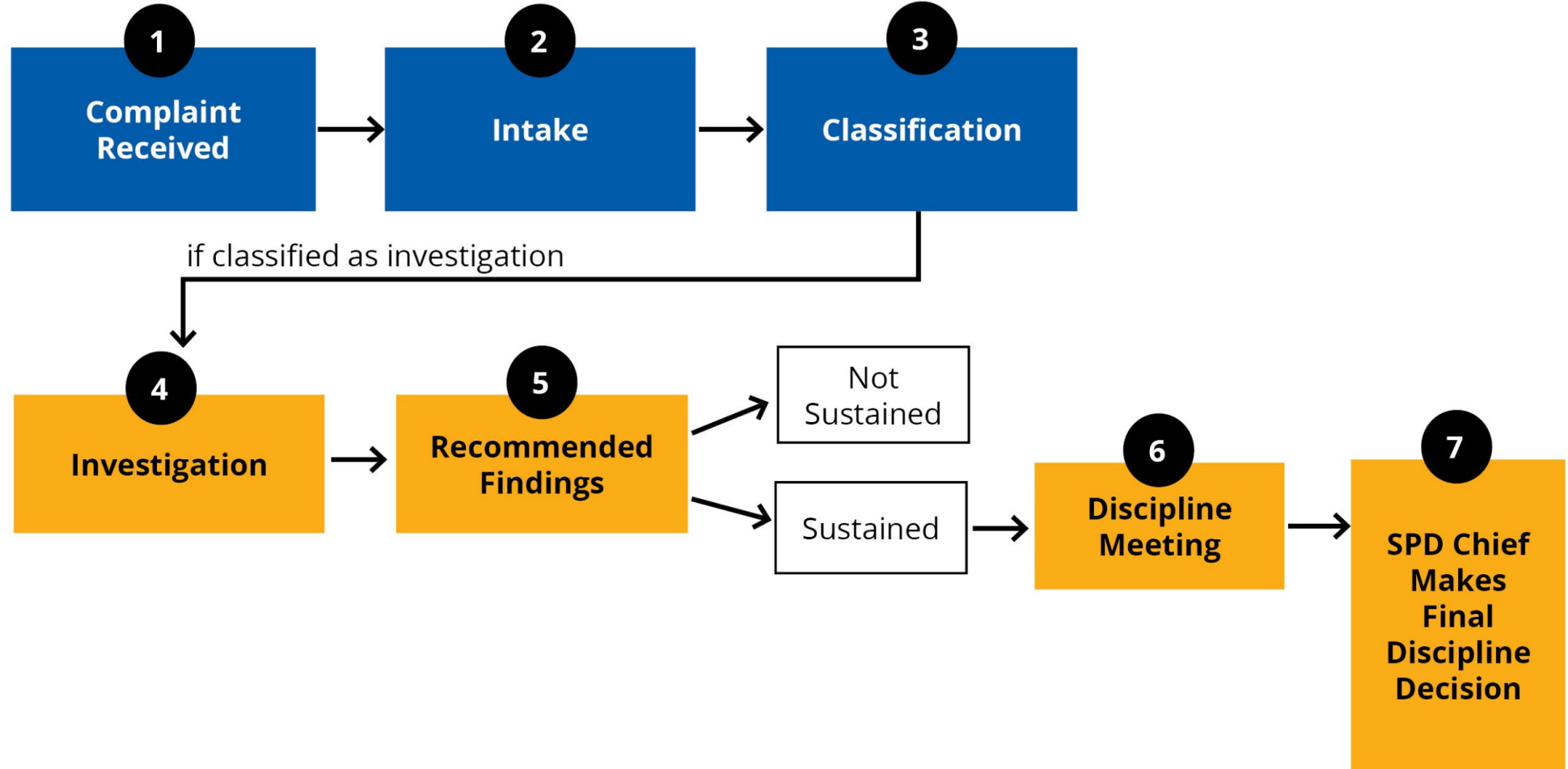
Report/Incident number (if known or applicable) _____

Are you aware of any photographs or video relevant to this incident?

No



Complaint Process Overview



Step 1: Complaint Received

Day 1

Ways to make a complaint

- Email
- Phone
- Web form
- In person
- Letter

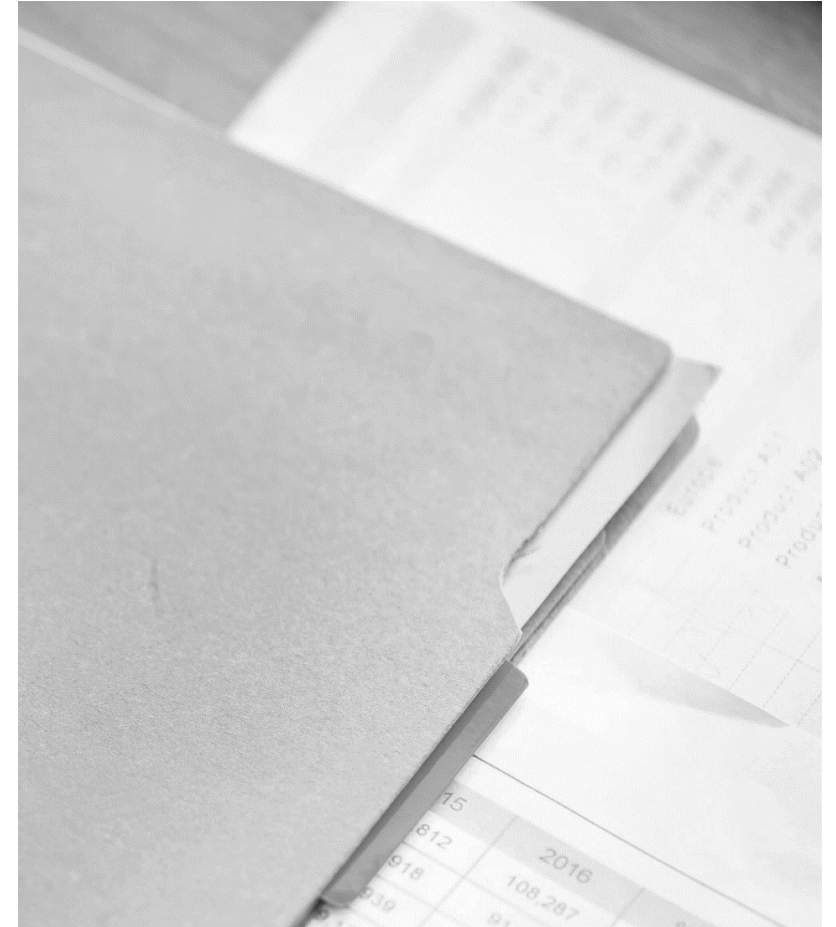
Who can make a complaint?

- SPD employees
- Members of the public
- Other City offices
- OPA Director or designee
- Anonymous individuals

Step 2: Intake

Day 1 - 30

- Create case file in IAPro
- Add documents/video to file
- Conduct preliminary investigation



Step 3: Classification

Day 1 - 30

- Intake evaluated by OPA chain of command
- Case is classified
- Contact Logs and Expedited Investigation classifications reviewed by OIG
- Named employee and community members get 30-day notice

Classification Types

Classification	Description
Contact Log	Doesn't involve SPD or no policy violation
Supervisor Action (SA)	No policy violation (FYI SA), or violation should be addressed through employee's supervisor (PAS SA)
Investigation	Potential policy violation that needs further investigation
Expedited Investigation	Alleged policy violation that OPA is required by law and policy to investigate, however findings can be reached during the intake investigation (not sustained)

Alternative Dispute Resolutions

Method	Description
Mediation	An employee and community member voluntarily and confidentially discuss a conflict with the guidance of a neutral third party, both parties must agree.
Rapid Adjudication	An employee recognizes their conduct was inconsistent with required standards and is willing to accept discipline in place of undergoing a full OPA investigation, OPA director or designee must agree.

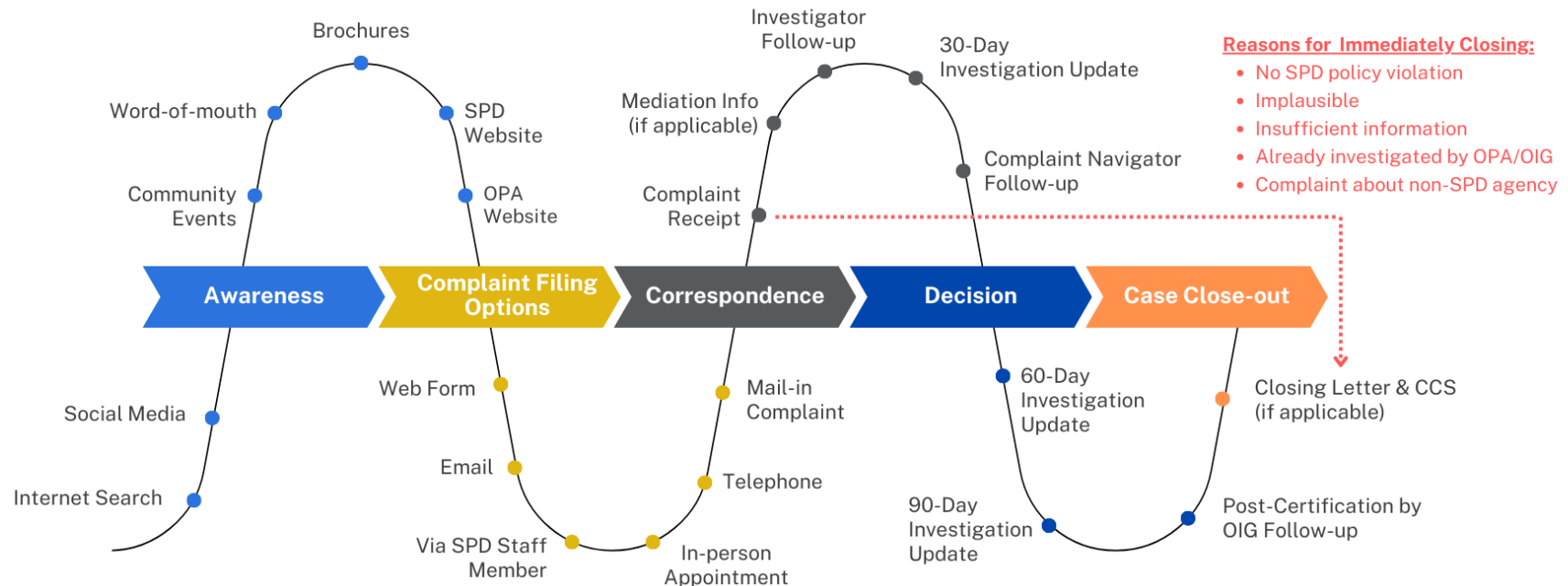
Step 4: Investigation

- Rely on BWV and ICV
- Interview named employees and material witnesses
- Must be completed within 180 days of receipt
- Reviewed by multiple OPA staff & certified by OIG
- Expedited investigations—no employee interviews



Complainant Experience

2024 Complaint Journey Map for Community Members



Draft Proposed Process

Pilot Complainant Impact Statement

Pending final legal and labor relations review.

Impact Statement Context

- Why should OPA & CPC facilitate complainant impact statements?
 - Provide the Chief of Police with a firsthand account of the named employee's impact
 - Help the Chief of Police “weigh issues of credibility,” as the Accountability Ordinance provides.
 - Promote and build public trust in the accountability system.
 - Fulfill OIG's 2021 recommendations.

Pending final legal and labor relations review.

Pilot Impact Statement Criteria

- Complainants who can partake in this process are non-SPD employees, and are either the impacted person, or have a **direct relationship** with the impacted person who was the original complainant. No witnesses can participate in this process.
- Only full investigations are eligible at this point for impact statements.

Pending final legal and labor relations review.

Pilot Impact Statement Important Notes

- Complainants should be reminded and aware of the public disclosure realities
 - Statement can be PDRed (appropriate redactions will be made)
 - Statement will be shared with SPOG for sustained findings (unredacted)
 - Statement will be part of case file and can be viewed by authorized parties
- The complainant impact statement is ***different*** from the complainant interview during the investigation process and should not include information not previously disclosed to OPA
- If new information or an allegation was made in the statement, OPA can open new allegations as appropriate, under a new OPA investigation
- **It is not the role of CPC to determine if there is new information or do any investigative work**
- A statement request **does not** equal a sustained finding

Pending final legal and labor relations review.

Pilot Impact Statement Process

Case is classified for full investigation

- OPA engages with the complainant to share process information
- OPA will include information on how CPC can support the written statement process and request complainant's consent to share their contact information with CPC
- If consent is provided, OPA will give CPC the complainant's name and contact information

Statement should be submitted within 2 months of request (around day 90 in the investigation)

- OPA will review the statement to make sure there is no new information
- OPA will include the statement in the case file and share with authorized parties when appropriate

If the case is sustained and the Chief reviews the case file, the document will be included and available

Pending final legal and labor relations review.

Language from External Facing Guide

We intend for our process to be safe and transparent. Please be aware, any correspondence during this process and other OPA documents are subject to public disclosure requests pursuant to the Public Records Act, chapter 42.56 RCW. **This includes the written impact statement and any notes from the meeting with the Chief of Police (if applicable).** Do not share personal information that you want to keep private. Please note that the named employee's union has a right to receive all information in an unredacted format. Retaliation is prohibited under SPD Policy.

Pending final legal and labor relations review.

Draft Proposed Process

Language from External Facing Guide

The Community Police Commission staff are available to provide support and guidance when drafting your impact statement. If you would like OPA to share your contact information with CPC, please let OPA know or reach out to CPC directly at OCPC@seattle.gov.

Impact statements received after day 90 in the investigation may not be considered. Please refer directly to the documentation OPA provided you for the exact dates. In general, this is 60 calendar days *after* you received the classification notification from OPA. As a note, the impact statement **does not** guarantee your case will be sustained (meaning the SPD employee was found to have committed misconduct).

Pending final legal and labor relations review.

Language from External Facing Guide

Writing Suggestions:

Consider the following as you draft your impact statement. OPA **cannot** provide feedback on any drafts and can only answer process related questions. If you'd like additional support, please reach out to the Community Police Commission at OCPC@seattle.gov .

- This is your opportunity to talk about your experience related to the incident. Write simple and descriptive sentences.
- Descriptive words can help others understand your experience, including helping the Chief of Police understand the impact of the named employee's alleged actions. Clear words and phrases are helpful.
- Omit personal identifiable information from your impact statement (whether written or orally expressed), including your physical address, mailing address, email address, and phone number.
- Reliving the incident may be uncomfortable and emotional. However, participating may also be empowering and provide an opportunity to have your perspective communicated. It is **your** decision to participate.

Pending final legal and labor relations review.

Language from External Facing Guide

Guiding Questions:

- Describe what happened, how it made you feel, and how it has impacted you, this may include:
 - What, if any, physical impact you experienced?
 - What, if any, emotional impact you experienced?
 - What, if any, financial impact you experienced?
- What, if any, solution(s) would you recommend to the Chief of Police?
- Did your interaction with the named employee impact your view of the Seattle Police Department (SPD), or its employees?
- Is there anything else you want to share with the Chief of Police related to your experience?

Pending final legal and labor relations review.

Step 5: OIG Certification

Day 120 - 180

- OIG will review the case and determine if the investigation is timely, thorough and objective
 - OIG may request additional investigative steps
- OIG generally returns the investigation within about 10 days

Step 6: Recommended Findings

Day 120 - 180

- Director reviews case and issues findings
- If evidence shows misconduct: sustained finding
- If evidence doesn't show misconduct: not sustained finding
- Findings go in memo to chain of command
- Complainant receives summary of findings after case is closed

Step 7: Discipline

Day 180

- Discipline meeting: reach agreement on recommended findings and proposed discipline
- Proposed discipline is based on employee's record and past comparable cases involving other employees
- Discipline meeting team forwards recommended discipline to Chief (may recommend a range)
- Chief makes final determination of discipline

Questions?

