

Serious and Deadly Force Investigation Taskforce

Sixth Meeting Summary

October 16
10am to 1pm

Public Defender Association
110 Prefontaine Pl S Suite 502
Seattle, WA 98104

Allotted times are suggestions.

Attendees: Emma Catague, Lisa Daugaard, Jim Graddon, Kelly Harris, Lisa Judge, Jim Maher, Michelle Merriweather, Andrew Myerberg, Sweetwater Nannauck, Andre Taylor

Absent: Gregg Caylor, Leslie Cushman, Lorena Sepin

I. **Recap of 5th Meeting** (10:00 – 10:15)

- Quality of investigations would dip substantially with another law enforcement as there is not a peer in Washington.
- Peer agencies are often less willing to hold agencies accountable and give a greater amount of latitude. SPD's policies are stricter.
- SPD has the best skilled, trained people to do this work, but that is not the problem. If we recommend a change to the current state of affairs, it must move the needle on community legitimacy. Otherwise, we should stay with what we have.
- If key community voices are saying they will not feel confident with a multiagency taskforce, for example, then we should not go with it.
- A potential model is utilizing the state Attorney General's Office of the Criminal Justice Training Commission—something that is centralized and thus there is a fair amount of scrutiny. They have a budget, are separated from peer entities, and have standards. We would not be losing anything in skillset, but are gaining something in terms of centralization, lots of eyes, lots of community and civilian dialogue. Probably a way to build something like that.
- The issue with a centralized model is that it is costly, and no one would do that just for SPD.

II. **Recommendations** (10:15 – 1:00)

The Taskforce continued to discuss who should conduct forensic investigations of serious and deadly uses of force:

- The aim of the Taskforce is to achieve both the best investigations one can possibly have, and also community confidence in the investigations.
- When the forensic investigation is in the hands of sworn colleagues, people just cannot accept the findings. That is the problem. The civilian entities in Seattle are not build to solve for this problem.
- The NY model had transparency, which satisfied community.
- Ontario is intriguing because it's wholly separate and has a well-defined mission.

The Taskforce agreed on further developing an external investigation model that would involve an entirely external, independent agency that conducts forensic investigations of serious and deadly uses of force of SPD officers, with the following considerations:

- When an incident happens, a group of investigators from this independent, external entity would conduct an empirical, forensic investigation.
- The administrative investigation by SPD would happen concurrently, but separately.
- It should be a purely community-led agency. Perhaps an advisory committee of community members would appoint the head of the agency.
- Rather than calling for "civilian" investigators, define the desired candidates by qualifications and abilities, as well as demonstrated commitment to integrity.
- The investigators should have the same access as a homicide investigator.
- Build in mandatory reporting requirements to create transparency. For example, when an investigation is complete, within 45 days the entity must post exactly what occurred, the steps taken, and commit to doing quality control. There should be a constant loop of feedback and analysis, to determine what went well, and it should be abundantly clear to everyone.
- There should be a penalty for the investigators if it is determined that an investigation was intentionally flawed.
- An estimated budget is around \$3.5 million per year.

The Taskforce decided to form a subcommittee to further build on the model discussed by the Taskforce, and present it to the Taskforce at the next meeting, which will take place after the election, and therefore once the result of I-940 is known. OPA and CPC will serve on the subcommittee, and staff will invite others to join the subcommittee. The Taskforce agreed to reach back out to SPOG and SPMA, in addition to Chief Carmen Best, to inform them of the Taskforce's direction and invite their input.