



# City of Seattle

Seattle Police Department

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February 7, 2018

Director Andrew Myerberg  
Office of Police Accountability  
720 Third Avenue, 18<sup>th</sup> Floor  
Seattle, WA 98104

Re: Management Action Recommendation (2017OPA-0938, 1014, 1016, 1017, 1018, 1077, 1079, 1108)

Dear Director Myerberg:

I am writing in response to your January 10, 2018 Management Action Recommendation, which arises out of your review of several cases that all center around SPD Manual Section 5.140, concerning the entry of Blue Team Bias Review Reports. You identify two concerns with the existing policy. First, you note that the requirement that supervisors are to complete a Bias Review Entry, in lieu of a Complaint Entry, only when (a) the supervisor believes that no misconduct was involved and (b) “the supervisor believes that the matter has been resolved to the satisfaction of the person making the allegations” is proving problematic in practice in that the latter cannot be reasonably satisfied, especially in instances where the individual leaves the scene or declines to speak to the supervisor. Second, you note that the alternative of the Bias Review Entry in lieu of the Complaint Entry is in conflict with Manual Section 5.002-POL-5 regarding mandatory reporting provisions, a point that the Department recognizes and will correct consistent with your recommendation.

With respect to the first issue you raise, and as you note, the language, though not the intent, of the “satisfaction of the Complainant” prong has long been the subject of much discussion. While all at the table during its drafting, a team that included your predecessor and members of the Community Police Commission, recognized the potential for impracticality for the reasons you identify, the decision was made to implement the policy with this prong as written and to reconsider should concerns play out in practice. You have well-documented that, in practice, that prong is problematic as written, and the Department agrees that, consistent with its processes for iterative review informed by experience and best practice, this policy should be revisited. APRS currently has this policy in its queue to address, which it will do as to both of the issues you raise, in full collaboration with the CPC and your office.

Director Andrew Myerberg  
February 7, 2018

Thank you for your very thorough, thoughtful, and well-articulated analysis. As always, please let me know if you would like to discuss further.

Sincerely,



Carmen Best  
Chief of Police

Cc: Deputy Chief Chris Fowler  
Brian Maxey, Chief Operating Officer  
Assistant Chief Lesley Cordner  
Rebecca Boatright, Chief Legal Officer  
Fe Lopez, Executive Director, Community Police Commission