



City of Seattle
Mayor Edward B. Murray

February 27, 2014

To: Merrick Bobb, Federal Monitor
Jenny Durkan, United States Attorney, Western Washington
Council President Tim Burgess
Council Member Bruce Harrell
Council Member Sally Bagshaw
Council Member Sally Clark
Council Member Jean Godden
Council Member Nick Licata
Council Member Mike O'Brien
Council Member Tom Rasmussen
Council Member Kshama Sawant
City Attorney Pete Holmes
OPA Director Pierce Murphy
OPA Auditor Anne Levinson
Community Police Commission Director Fe Lopez
Community Police Commission Co-Chair Lisa Daugaard
Community Police Commission Co-Chair Diane Narasaki

Dear Federal Monitor Bobb, U.S. Attorney Durkan, and Colleagues:

I want to start by acknowledging the considerable confusion the Marion case and the six other cases recently reviewed under police accountability grievance and settlement processes have generated for the people of Seattle.

I am determined to lead in redesigning and reforming the Office of Police Accountability (OPA) complaint, investigation, and discipline and grievance process, and to eliminate the potential for this kind of confusion from occurring again. I want to reiterate to each of you and your offices my commitment to police reform and, in particular, to the need for greater transparency and accountability that the Marion case and these six additional cases have brought forward in recent days.

I have consulted with the Federal Monitor and the Department of Justice about our approach, and they agree with me that the best next step is for my outside police advisor, Dr. Bernard Melekian, to convene a group consisting of representatives from the City Attorney's Office, the City of Seattle's Labor Relations group and the Seattle Police Department (SPD), with input from the Federal Monitor and the U.S. Department of Justice, to provide a thorough, critical review of all of these six cases. Dr. Melekian is highly qualified to conduct such a review as his Doctorate was awarded in police discipline systems. The purpose of this review would be 1) to assess the judgments and processes that were followed from the very beginning of these cases to determine where we must make improvement, and 2) if necessary and appropriate, to move forward with a different disciplinary action other than what was approved by Interim Chief Bailey.

I appreciate the public airing of many thoughtful and insightful questions that were posed to Interim Police Chief Bailey, the Law Department, and Deputy Mayor Kim and the rest of my staff and city representatives during Wednesday's Public Safety, Civil Rights, and Technology Committee. Thank you in particular to Committee Chair Harrell for organizing the hearing in order for the public to learn more about this process. I have instructed my staff to incorporate the issues and questions that were articulated in that public hearing into the review Dr. Melekian will lead of these six cases. Additionally, if any of you have further questions you would like to pose around any or all of these cases, please present them to Dr. Melekian by the end of the day on March 3, 2014, and we will make sure they are addressed in the context of this effort.

But beyond the Marion case and these six additional cases, our focus needs to be broader.

We clearly know that the OPA complaint, investigation, discipline and grievance process is flawed and needs to be reviewed. That is the work that we are going to undertake. As you know, the OPA Auditor sent Interim Chief Bailey a letter on Monday, February 24, 2014, requesting certain data in order to look at various aspects of the OPA process. I welcome and embrace this review.

In addition, the Community Police Commission (CPC) will be offering their recommendations at the end of March for improving the OPA process. Moreover, in the last few years Council Member Harrell as Public Safety chair has also raised many issues and concerns about the current process and structure. In fact, so have SPD, the OPA Director and even the Seattle Police Officers Guild. On this we can all agree: our convoluted process requires review and reform.

As a result, Dr. Melekian will initiate and lead a broader group to review and comprehensively address the complaint process, the investigation and discipline process, and the appeals and settlement process, incorporating the CPC's work as well as previous recommendations made by the OPA Auditor and others.

And in order for us to be able to conduct such a review with transparency, I have directed Chief Bailey to place an indefinite hold on any further actions that would result in any potential settlement of any outstanding grievance where an OPA finding of misconduct has been sustained.

Dr. Melekian will conduct this broader effort with all of you: representatives from the City Council, the City Attorney's Office, Labor Relations, the Seattle Police Department, the OPA Director and OPA Auditor, the CPC, and in consultation with the Federal Monitor and DOJ.

We know that it is vitally important for us to make sure that the outcome in any OPA complaint process is fair, transparent, and predictable for the complainant and the officer (or officers) involved. Our current process falls far short of these principles, and therefore, it falls short of ensuring to the general public that our police department and our City is deserving of their trust. We have too many good, dedicated, and brave law enforcement officers to allow our current OPA process to continue to erode the public's trust in our SPD. And I commit to each and every one of you that with your guidance and partnership, as Mayor I will bring to bear the power and influence of the Executive Branch of our great city in order to reform the systemic problems that have riddled the OPA process for far too long.

Sincerely,

A handwritten signature in black ink, appearing to read "E. B. Murray". The signature is fluid and cursive, with a large loop at the end.

Mayor Edward B. Murray
City of Seattle

cc: Mayor's Special Advisor Dr. Bernard Melekian
Seattle Police Chief Harry Bailey
Deputy Mayor Hyeok Kim
City of Seattle Personnel Director Susan Coskey
Senior Policy Advisor Tina Podlodowski