

The background of the cover is a large, faded, and slightly pixelated image of the Spokane Police Department badge. The badge is shield-shaped with a central circular seal featuring an eagle. The words "SPokane" and "POLICE" are visible around the central seal. The entire badge is rendered in a light gray tone, serving as a backdrop for the text.

Spokane Police Accountability Series Report

**Submitted by the League of Women
Voters – Spokane Area, Peace and
Justice Action League of Spokane,
and the ACLU of Washington**

March 2007

INTRODUCTION

The ACLU of Washington, the League of Women Voters – Spokane Area, and the Peace and Justice Action League came together to address the issue of police accountability in the city of Spokane. The need arose after a series of local incidents involving police conduct and the public. The goal of this meeting was to provide the Spokane community with information about the various aspects of police accountability. The working group decided to host a series of public education forums in December, January, and February. Each education forum focused on one element of police accountability and took place at the Gonzaga University School of Law on weekday evenings. A summary of panelist remarks and key questions from the audience follows.

What is police accountability and how does it work across the country?

The first event in the series took place on Wednesday, Dec. 6, 2006. Jennifer Shaw, legislative director of the ACLU-WA, Brooks Holland, Gonzaga University School of Law professor, and Pierce Murphy, city of Boise Police ombudsman and president of the National Association for Civil Oversight of Law Enforcement, spoke to an audience of approximately 50 individuals.

Pierce Murphy focused his comments on the city of Boise's independent oversight system and the general principles necessary to consider when implementing a new system. He highlighted six elements necessary for a successful oversight system:

- 1) Adequate independence
- 2) Appropriate scope
- 3) Authority to investigate
- 4) Ability to compel cooperation and testimony of employees
- 5) Access to resources
- 6) Transparency

Cities across the country have adopted various models to implement independent oversight in their communities. Pierce placed the models into three main categories:

- 1) Volunteer board or commission
- 2) Paid auditor or ombudsman
- 3) Stand-alone agency

Jennifer Shaw shared her experience working with the King County Sheriff's Blue Ribbon Panel. The panel provided recommendations on needed improvements to the misconduct/discipline policies, procedures, and practices of the King County Sheriff's Office. The panel agreed that the King County Executive and the King County Council should create and fund an Office of Independent Oversight with a full-time director and investigator. She also highlighted the work to put a Citizen Review Board in place in the city of Tacoma.

Brooks Holland spoke about police accountability in the city of New York. A civilian complaint review board is in place there to provide mediation, information access to the community, investigation and review of complaints. The city of New York provides community members the ability to submit their complaints in person and online. Brooks indicated that this system has problems meeting the needs of the large population in New York City.

What is happening in the city of Spokane?

The second event in the series brought out approximately 65 individuals on Tuesday, Jan. 30, 2007. Panelists included Chief Anne Kirkpatrick of the Spokane Police Department, Rick Mendoza of the Spokane Police Advisory Committee and journalist Tim Conner.

Tim Conner started the panel by sharing his observations of community interactions with Spokane Police. Conner wrote an extensive article on the subject in local media. His main

concerns with any independent oversight systems are with open government, transparency and the need to balance privacy needs with public interest. He commended Sam Pailca's current work with Chief Kirkpatrick.

Rick Mendoza began his presentation by stating that transparency is not everything. He thinks that the police department of today is not the police department of yesterday. Mendoza stated that individuals file complaints because of the attitude or demeanor they encounter with officers rather than their actions. He shared information about his previous work to create a racial profiling policy in Spokane.

Chief Kirkpatrick told the crowd that she knew that citizen review would be a big issue in Spokane when she was interviewing for the job. She knew her position on the issue coming into the job and that remains the same. Kirkpatrick indicated that she is agreeable and supportive of citizen oversight in some form, as long as she has control over the discipline of officers. She said that she is very strict with her staff and holds them up to a high set of standards. After learning the limitations of the current system, the chief decided to bring in Sam Pailca to provide guidance for improving the system. Kirkpatrick believes that accountability should be a two-way street where there is an ability to talk about both sides of the issue.

The audience asked a number of questions after the panelists spoke. The most common questions pertained to racial profiling, officer training and access to information about police advisory committee gatherings and police records. There were differing points of view on the state of racial profiling in Spokane. In discussing officer training, the chief announced efforts to train first responders on how to engage individuals with mental health issues.

Next steps in the city of Spokane

The last event in the series took place on Wednesday, Feb. 21, 2007. Panelists included Spokane Police Guild President Sergeant Chuck Reisenauer, City Council Member Mary Verner, and Breean Beggs from the Center for Justice. Approximately 45 community members participated in this event.

Breean Beggs talked about the progress made in advancing the issue locally. Beggs recommended that the independent oversight entity should report to the Public Safety Committee

of the city of Spokane. The members of the committee are elected and would therefore be accountable to the public for their oversight. Under this proposal the mayor would continue to have the chief report to him.

City Council Member Mary Verner spoke about the need to find balance for accountability with a professional police force. She noted that there are different issues at hand today then there were in the 1980s and 1990s in Spokane. Specifically, race and gender relations have improved over the years. Council Member Verner indicated that the most recent issues have centered on excessive force or perceptions of excessive force. Explaining that she is open to hearing from the community, she indicated that she did not have a particular proposal to address the issue of police accountability. She did wonder who an independent oversight entity would report to. Council Member Verner seemed open to discussing Breean's suggestion to have a new entity report to the city's Public Safety Committee. She articulated that whatever proposal comes before city council, there would have to be negotiations with the police guild.

Audience members provided numerous comments regarding panelist remarks and their opinions on police accountability. This particular forum dedicated a significant amount of time to gathering audience comments. Approximately one third of the audience indicated that they had attended one of the forums organized by Chief Kirkpatrick or had sent in comments to Sam Pailca.

A proposed ordinance on police accountability was presented by the Peace and Justice Action League of Spokane during the questions and answer period. The proposal was described as similar to the Boise model, with citizen access to an ombudsman. Follow-up questions on the proposal included a desire for information about how any proposal would get implemented, and how negotiations with the police guild would take place. Panelists and members of the audience highlighted the need for a new entity to gather data, analyze trends over time and provide recommendations.

Questions also arose about the difference between what is currently in place and what could be proposed. During this discussion, comparisons were made between a police accountability system and the internal accounting auditors that currently ensure financial responsibility for the city. The independence of a new entity to provide oversight of the police department was also brought into question, with

individuals wondering who the oversight entity would report to. Audience members also expressed an interest in viewing the findings that would be made by a future oversight entity.

Comments on a proposed entity to address police accountability general concerns were also raised. Audience members wanted specific information about police awareness of disability access requirements. Additionally, several individuals talked about the need to improve upon the trust between police and community.

Conclusion

Moving forward, it is important to take community concerns into account as new methods to conduct oversight of Spokane Police are proposed. The League of Women Voters – Spokane Area, the Peace and Justice Action League of Spokane, and the American Civil Liberties Union of Washington look forward to continuing the dialogue that began during the series of events. It is our hope that all parties involved balance the needs of the public and government.

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AMERICAN CIVIL LIBERTIES UNION OF WASHINGTON FOUNDATION

705 2ND AVENUE, 3RD FL., SEATTLE, WA 98104

WWW.ACLU-WA.ORG

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