



City of Tacoma

Community's Police Advisory Committee (CPAC)

Tacoma City Council
747 Market Street
Tacoma, WA 98402

Sent via email to vwoodards@cityoftacoma.org

RE: Charter Review Committee Recommendations on Civilian Oversight of the Tacoma Police Department

May 29, 2024

Dear Councilmembers:

The majority of the members of the Community Police Advisory Committee (CPAC), write to share our opinion regarding the Charter Review Committee's recommendations on civilian oversight of the Tacoma Police Department (TPD).

CPAC wholeheartedly agrees with the Charter Review Committee (CRC) that community/civilian oversight of TPD should be enshrined in the Tacoma City charter. First, if oversight is implemented by ordinance only, it could be erased by a simple vote of a future Council. Second, putting civilian oversight of the TPD into the City's foundational document would clearly demonstrate its importance. Tacoma voters should be given the opportunity to demonstrate just how important this issue is to them.

The recommendations of CPAC and the CRC are similar in many ways to what the Human Rights Commission recommended to Council nearly 20 years ago. Those recommendations were adopted wholesale by Resolution 36536; however, two years later Ordinance 27589, which created CPAC, was significantly watered-down. Instead of creating "citizen police oversight" the Council instead created a committee focused on community outreach and policy review. That is not oversight.



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Community/civilian oversight is common in modern policing and absolutely needed for the City of Tacoma. See the 21 CP Solutions report the City commissioned and received in March 2021 (Recommendation 62).

CPAC's June 10 regular meeting will be devoted to soliciting and discussing public comment on the subject. We hope you will tune in, and we will share a summary of what occurs at that meeting with you following it. However, as you are aware, we previously conducted significant public outreach regarding community/civilian oversight of the TPD. We shared the results of that outreach, and our own recommendations, with you last July at Study Session. However, we feel that it is prudent to make you aware of our current thinking on the subject prior to your upcoming June 4 Study Session. We hope you will make the contents of this letter part of your discussion. Many in the community have been clamoring for a robust system, like the one proposed by the CRC, for quite some time. We recognize and respect the time, effort, and thoughtful consideration that the CRC put into its recommendations. We also want to underscore that CPAC has been working on this for a number of years with robust community engagement, City staff support, and dialogue with the Council and TPD leadership. With this expertise and collaboration, CPAC took into consideration budget, bargaining, implementation, and many other factors when putting together the recommendation we delivered to the City Manager and shared with Council during the July 11, 2023 Study Session. With that, we want to highlight a couple of important elements for you as you consider as you move forward.

- CRC and CPAC agree that transparency regarding allegations of officer misconduct, the investigations into said allegations, and their outcome, is critical to developing the public trust, which ultimately will make officers' jobs easier and the community safer.
- CPAC agrees with CRC's idea to include community/civilian oversight in the charter while leaving many of the details to be legislated by ordinance. It would be good to have some flexibility to adapt as the City works to implement oversight over the years.
- CRC and CPAC agree that it is important that any community/civilian oversight body tasked with reviewing allegations of officer misconduct should have access



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- to *all* complaints, not just externally-generated complaints, and all of the evidence. This includes officer-generated complaints.
- CPAC is not opposed to the creation of an independent office of policing accountability, although our own recommendations did not go that far, as we recognize there are some limitations to creating such an office for the City of Tacoma at this time. We do believe having dedicated full-time staff to support a civilian oversight effort is essential to moving this work forward.
 - CRC's proposal would empower the OPA to recommend specific disciplinary actions be implemented by the Chief of Police. However, CPAC felt that disciplinary authority would not be feasible and proposed that CPAC should have the authority to weigh in on whether an allegation should be sustained or not before the Chief makes a decision. In this form, CPAC would have no role in the actual disciplinary process – although we would want to be made aware of the outcome (the discipline imposed, up to and including termination) in cases of sustained officer misconduct, because that is a clear matter of public concern.
 - Because other agencies such as the Pierce County Force Investigation Team and the Washington State Office of Independent Investigations already investigate (or will soon) uses of deadly force, we are not adamant that civilians should undertake “review and analysis of use of force conduct by sworn Tacoma Police Department officer whether or not the use of force has been the subject of a complaint” (New Section 2.XX(c) [first]). We would expect, however, that one or more members of OPA, CPAC, or whatever some future civilian oversight might be called, should be invited to sit on every deadly force review board. We feel that the deadly force review board should be half civilian, half sworn.
 - TMC 1.06.075(c)(7) explicitly prohibits CPAC from doing anything remotely like oversight. That section of the Code needs to be amended to empower CPAC. We hope to work with you to revise that language.
 - To be clear, we do not support the enshrinement of CPAC as-is on the charter as it currently prohibits community oversight.
 - The Chief of Police has expressed to us in no uncertain terms that he does not support the CRC's recommendation regarding the creation of an independent OPA. He has also expressed to us his willingness to entertain our original proposal regarding civilian oversight. CPAC supports the Chief, and we certainly appreciate his support.



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We suggest that the Council should hear from the Director of the Seattle Office of Police Accountability, Professor Sharon Fairley of the University of Chicago Law School, and other subject matter experts, on this crucially important issue. We hope you will accept that suggestion and give this subject the kind of attention it deserves.

While we agree with much of what CRC has recommended in theory, we stand by the recommendations we made to the Council at the July 11, 2023 Study Session. We would be happy to make ourselves available to share more with the Council, and we would welcome opportunities to meet with councilmembers. Thank you for your time.

Respectfully,

Allen McKenzie
Chair

Adrienne Jones

Tracy Jones

Ralette Churchwell

Louis Cooper

Louis Cooper, Jr.
Vice-Chair

John Borden

Angela Mealing
