



Lisa Judge, Inspector General  
Office of Inspector General  
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Re: Letter of Complaint; Call for Investigation

September 17, 2020

Inspector General Judge:

Pursuant to Ordinance 125315 3.29.010.B, the City of Seattle Office of Inspector General (OIG) institutional functions are (1) auditing and systemically reviewing the Seattle Police Department (SPD) and the Office of Police Accountability (OPA), (2) reviewing OPA's handling of complaints and investigating allegations against OPA staff, and (3) working with SPD and partners to improve policies and practices in support of best practices.

The Office of the Inspector General lacks institutional credibility unless it demonstrates (1) a fundamental commitment to objectivity and accuracy, (2) empathy for community concerns and perspectives on policing, and (3) an understanding of law enforcement principles, laws, and tactics for safe and effective policing.

There is a growing body of evidence tending to show SPD has failed to uphold its responsibilities and obey the law over the past three months.<sup>1</sup> At worst, the evidence suggests SPD has, through its officers and in its capacity as an institution, consistently engaged in various unlawful practices; and at best, the evidence suggests SPD has failed to uphold governing officer conduct policies.

Black Lives Matter Seattle-King County calls on the Office of the Inspector General to immediately, transparently, and aggressively investigate the following:

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<sup>1</sup> See generally Motion for Temporary Restraining Order, *Black Lives Matter Seattle-King County et al. v. City of Seattle*, Case No. 2:20-cv-00887-RAJ (Jun. 9, 2020), *granted in part* Jun. 12, 2020.



### **Excessive Force and Use of Chemical and other “less-lethal” Weapons**

Video and other evidence exists which the City of Seattle is in possession of, showing members of the Seattle Police Department using chemical and other “less-lethal” weapons against protesters on several occasions. The Inspector General must investigate and document publicly:

- Which equipment considered “less-lethal” was issued to officers responding to protest events prior to 6/12/20
- Which equipment considered "less-lethal" was issued to officers responding to protest events after 6/12/20
- Which procedure or protocol was followed or violated in the deployment of these weapons against protesters prior to 6/12/20
- Which procedure or protocol was followed or violated in the deployment of these weapons against protesters after 6/12/20
- What was the sequence of events that led to the deployment of “less-lethal” weapons between June 5, 2020-June 8, 2020
- By whom were officers ordered to utilize “less-lethal” weapons on June 6, 2020, and July 25, 2020

### **Abandonment of East Precinct**

According to public media reports *“two days before the Seattle Police Department abandoned its East Precinct, Assistant Chief Tom Mahaffey sent an email to officers, pledging the department would not abandon its Capitol Hill building... According to two police sources in the East Precinct, they never received any written command to not come to work on Capitol Hill. Instead, they were told by text or phone call from colleagues to head instead to the West Precinct on the north end of downtown Seattle..”* -Crosscut, June 19, 2020

The Inspector General must investigate and document publicly:

- Who in the Seattle Police Department gave the order, officially or unofficially, or made the decision, officially or unofficially, to abandon the East Precinct.
- Whether officers within SPD used City resources to coordinate a prolonged abandonment of the East Precinct.
- Whether officers within SPD violated written or verbal orders or expectations to report to the East Precinct as assigned.



- Whether officers violated their duties as assigned by failing to report to work at the East Precinct.
- Whether public safety was jeopardized by increased call times because of this action.

### **Surveillance of Protesters**

The Inspector General must investigate and document publicly:

- Whether members of the Seattle Police Department used personal cell phones or other electronic devices to take and share photos of protesters in the vicinity of or within the East Precinct, West Precinct, or SPD Headquarters, with other officers or those outside of the Seattle Police Department between May 25, 2020 and July 25, 2020.
- Whether members of the Seattle Police Department used personal cell phones or other electronic devices to take and share photos of protesters inside of, or within the vicinity of any other Seattle Police Department Precinct, with other officers or those outside of the Seattle Police Department between May 25, 2020 and July 25, 2020.
- Whether or not such actions were part of a lawful investigation.
- Whether or not officers or personnel in SPD illegally or in violation of SPD policy, accessed records of individuals believed to be associated with protest organizing.
- Whether or not officers or personnel in SPD illegally or in violation of SPD policy, accessed records of individuals believed to be associated with #DEFUND, specifically those organizing entities working to reduce funding to SPD.

### **Unlawful Influence of Law Enforcement Officers**

The Inspector General must investigate and document publicly:

- Whether any staff, civilian or sworn officers, within the Office of Police Accountability unlawfully or unethically counseled or otherwise provided “advice” or assurance to sworn officers in SPD on how to avoid a complaint or disciplinary action, either in response to a formal complaint, or as pre-emptive advice to insure such a complaint is dismissed or diminished.
- Whether any staff or elected official, within the Office of the Mayor unlawfully or unethically sought to directly influence or interfere with the actions and decisions of SPD’s tactical response during protests outside the East Precinct or any other area of the City of Seattle from May 25, 2020-June 15, 2020 either through in-person communications or actions, text messages, emails, phone calls, or direct messages from



City of Seattle employees in the Office of the Mayor to employees of the Seattle Police Department.

- Whether any staff or elected official, within the Office of Seattle City Council unlawfully or unethically sought to directly influence or interfere with the actions and decisions of SPD's tactical response during protests outside the East Precinct or any other area of the City of Seattle from May 25, 2020-June 15, 2020 either through in-person communications or actions, text messages, emails, phone calls, or direct messages from members of the City Council to employees of the Seattle Police Department.

Separate from issues specific to recent protest, we call on the OIG to investigate:

- Whether the director of OPA or any staff, civilian or sworn officers, within the Office of Police Accountability unlawfully or unethically shared otherwise internal or confidential information with members of the media in "off the record" discussions where they are not identified by the publication as a named source for information regarding the actions of police officers or disciplinary decisions handed down by SPD, from August 1, 2018-September 2, 2020.
- Whether these contacts or information shared were done to positively or negatively impact media or public perception of disciplinary decisions or actions taken by SPD during the same time period.
- Why the conversations were not on the record.

While making no accusations, the issues outlined above are gravely concerning to Black Lives Matter Seattle-King County. This investigation is essential for the community's understanding of police conduct during protests—and it adds much needed transparency to the process of creating authentic accountability for police in Seattle.



Correspondence regarding this request should be directed to the email address below.

Sincerely,

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