



Community Oversight of Tacoma Police Department

City of Tacoma | Council Study Session

July 11, 2023





Agenda



- CPAC Overview
- History of Oversight Recommendation
- Advisory vs. Oversight
- Community Outreach and Feedback on Objectives
- Details of Recommendation
- What is NOT Included



CPAC Overview



Committee Responsibilities

- Foster understanding between TPD and the community
- Promote awareness of the citizen complaint process
- Promote TPD services and resources
- Review and make recommendations on policies, procedures, rules, training, and programs
- Convene community conversations on services, programs, and issues of public safety
- Review completed internal investigations

Current Complaint Review Process

- Currently CPAC must request, pay, and wait for public records related to complaints.
- CPAC is only able to review complaints after the investigation is complete and signed by the City Manager
- CPAC cannot ask questions or speak with investigators or the Chief until after the investigation is complete
- CPAC is only able to offer feedback on trends post-investigation



History of Oversight Recommendation

- 2005 – City Council adopted Resolution Number 36536 establishing “*citizen police oversight of the Tacoma Police Department.*”
- 2007 – City Council adopted ordinance 27589 to ensure the “*review of internal police investigations by an office outside of the TPD that reports directly to the City Manager and the creation of a citizen panel to review the outside office’s work, engage in community outreach, and conduct policy review.*”
- 2020 – CPAC began exploring switching from an advisory to oversight model. Work included national level research of other oversight committees, conversations with others doing similar work across the country, meeting with 21st Century Policing Solutions (21CP), and a expert legal advisor, Nick Brown
- 2021 – 21CP published the *Recommendations for the Tacoma Police Department* report, which included Recommendation 62; “*The City of Tacoma should consider developing an external oversight system as a backstop to ensure comprehensive investigations into misconduct and increase public trust in the accountability systems.*”
- 2022 – CPAC conducted community outreach to determine preference of model and priorities
- 2023 – CPAC met with policy advisor David Perez to finalize recommendation. CPAC then submitted recommendation to City Manager and Legal.



Advisory vs. Oversight



One of the main differences between advisory and oversight committees is involvement in the complaint and investigation process involving TPD Officers

ADVISORY

Currently Tacoma Municipal Code states CPAC *“shall have no power or authority to investigate, review, or otherwise participate in matters involving specific police personnel or specific police-related incidents”*

OVERSIGHT

Oversight models vary, but most include a more involved participation or review of investigations, the opportunity to ask questions, and/or give feedback prior to the final decision, rather than only reviewing completed investigations to look at data/trends.

Community Outreach



City of Tacoma Community Survey:

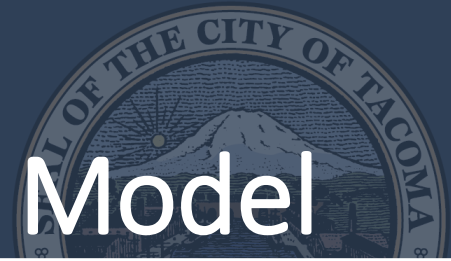
Police investigations were ranked as the number one priority for improvement from community. Satisfaction levels for police investigations fell from 57% in 2018 to 45% in 2022.

CPAC Community Survey:

When asked what level of oversight community members prefer, the highest level of oversight ranked first while no oversight ranked second. The CPAC recommendation splits the difference between these two preferences.



Community Objectives for CPAC Model



The review process and complaint resolution are **transparent**

Tacoma Police Department is held **accountable** for completion of complaint review.

Maintains ability for **community members to be involved** in the process.

Allows CPAC to **review investigations prior to the final decision** and make recommendations or ask questions before final review by Chief of Police or City Manager.

CPAC has legal authority to **review the quality** of Internal Affairs investigations.

Other (comments are generally not supportive of change)

Provides **insight into overall data and trends** of investigations as they are occurring, rather than quarterly reviews.

Gives CPAC the **ability to track the timeline** of when a complaint is made and the progress of the review.

Oversight Recommendation



- CPAC is supported by at least one, but preferably two (or one FTE and two ½ time employees) full time staff members who review all complaints and work with CPAC to review complaints, for example by calling specific complaints to CPAC’s attention. The staff member(s)’ duties and privileges would include:
 - Receiving all complaints at same time as TPD
 - Access to a complaint tracker
 - Access to evidence
 - Review all complaints and flag specific complaints for review and questions to CPAC
 - Consults with CPAC
 - Meets with Chief/TPD prior to completion of investigation to relay CPAC questions, insights, etc.
 - Interview complainants (in addition to TPD interviews)
 - Provides support and clearly communicates with complainants
 - Facilitates discussion about whether CPAC concurs with TPD findings and communicates that to TPD



Oversight Recommendation (continued)



- CPAC has a mechanism to provide input on which officers are assigned to community outreach.
- CPAC has access to documents and information without having to go through the Public Records Request process. *Currently they have to submit a Public Records Request to obtain any supplemental complaint information (i.e. body worn camera footage).*
- CPAC has subpoena power.
- CPAC receives optional demographic information collected with complaint form.
- CPAC is able to meet with the Police Chief prior to complaint sign off to ask questions during the investigation process so the Police Chief can take their input into consideration.
- CPAC has access to all complaints including TPD-initiated complaints. CPAC receives access to complaints within 7 days and all documents and other evidence (including but not limited to bodycam footage, complaint history, personnel file) within 30 days.



Oversight Recommendation (continued)



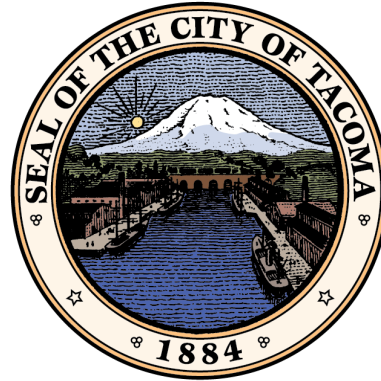
- CPAC has a mechanism to provide a recommendation if an officer is seeking a promotion. CPAC has access to a system that tracks all complaints (complaint filed, being investigated, pending, sent to City Manager, etc.).
- CPAC has an indicator on completed investigations that states if CPAC concurred/CPAC did not concur with TPD findings.
- CPAC is able to ask questions about investigations before they reach the Police Chief and the City Manager.
- CPAC can recommend additional investigative actions and receive information on the process (how TPD got there) if they deem it necessary but does require the ability to recommend discipline.



What is NOT Included



- Oversight models vary widely in strength and scope
- Oversight functions that were considered but not included in the final version:
 - Direct disciplinary authority over officers
 - Decision making power over corrective actions taken against officers
 - Participation in officer performance reviews
 - Hiring and firing power of officers
 - Independent CPAC conducted complaint process separate from TPD investigation



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