CITY OF SPOKANE

OFFICE OF POLICE OMBUDSMAN COMMISSION
808 W. SPOKANE FALLS BLVD.
SPOKANE, WASHINGTON 99201
509.625.6755 (VOICEMAIL ONLY)
FAX 509.625.6748

November 13, 2018

Mayor David Condon
808 W. Spokane Falls Blvd.
Spokane, Washington 99201

RE: Complaint against Chief Meidl

Dear Mayor Condon,

In reference to your letter to the Center for Justice dated October 15, 2018, we are raising our concerns to you about Spokane Police Department (SPD) impeding the work of the Office of the Police Ombudsman (OPO). We, the Office of the Police Ombudsman Commission (OPOC), believe SPD Chief Craig Meidl is in violation of Spokane Municipal Code §04.32, the Office of the Police Ombudsman's governing ordinance, specifically §04.32.010(C), 04.32.030(M), and 04.32.150(B)(8).

We are concerned with SPD's continuous interference with the OPO's independence. The citizens of Spokane voted to create meaningful civilian oversight of SPD. SMC §04.32.010(C) says, "no person shall attempt to unduly influence or undermine the independence of the police ombudsman, or any employee of the OPO, in the performance of the duties and responsibilities set forth in this chapter." Yet, SPD has hindered the work of the OPO in several ways (emphasis added).

First, OPO's Administrative Specialist, Christina Coty is being denied access to the IAPro database, a necessary component of completing monthly reports, one of her primary responsibilities. SMC §04.32.030(M) provides, "the OPO will have unimpeded access to all complaint and investigative files from OPO Involved investigations for auditing and reporting purposes." Ms. Coty is responsible for double checking the numbers on complaints entered and cases certified as part of her administrative functions. The data Ms. Coty reviews as part of her function is housed in IAPro. As you know, OPO's complaints have already doubled. To date, the OPO has filed 60 citizen complaints with Internal Affairs. In 2017, it filed 30 total complaints. More instances have come up where unnecessary steps had to undertaken to get around Ms. Coty's lack of access to IAPro. For instance, in order to complete a report, another member of the OPO with access had to come into the office to log into IAPro and verify a case number. SPD argues Ms. Coty's access must be bargained. However, historical precedence has provided the OPO staff with access to IAPro. Historically, employees of the OPO responsible for complaints had access to this database without question and without being subject to negotiation. Rebekah Tuno had access to IA Pro and Luvimae Omana was provided access instantly without question upon gaining employment. Ms. Coty completed all requirements SPD set forth to receive access. It has been six months and there is no resolution in sight. Citing this as an issue that must be negotiated is contrary to the historical precedence of OPO access and only serves as a means for SPD to impede the OPO's independence and access to investigative files. *See* SMC §04.32.010, 04.32.030(M), Spokane Police Guild Collective Bargaining Agreement (CBA) Art 27(m).

Second, we each have signed a confidentiality agreement with SPD and should have access to police records that help us in the performance of our duties but have been denied. SMC §04.32.150(B)(8) provides, the Commission shall request the OPO examine or re-examine specific non-disciplinary policy or procedure issues." In May 2018, the OPO decided to review 2016 use of force cases against African Americans for policy and training recommendation purposes. Since Commissioner Wilburn is passionate about race relation issues, particularly between SPD and the African American community, he was interested in studying this issue with the OPO. The OPO requested the cases from SPD and was met with denial. We have provided all assurances to safeguard SPD's case files by signing a confidentiality agreement. While SPD has provided the Police Ombudsman with the unredacted files, they have insisted Commissioner Wilburn only view redacted files. It has been six months and we still have not received redacted use of force files. Unnecessary administrative delay despite confidentiality agreements on file only serves to impede OPO's work and undermines OPOC's function. *See* SMC §04.32.010, 04.32.150.

Lastly, we take issue with your assertion that the Center for Justice somehow represents the OPO in your response to the Center's letter. The OPO's legal counsel is Tim Szambelan in the City Attorney's office. The Center for Justice is a stakeholder in the community. Police accountability is one of the Center's core principles. It follows that they are interested in issues that concern the OPO.

We understand that our concerns are related to the Spokane Police Guild and bargaining issues. However, negotiations between SPD and the City should in no way impede the work and access the OPO is entitled to complete its charge under SMC §04.32. Since Chief Meidl is the senior most official in SPD who has refused to provide OPO the access that has already been bargained, we are filing our complaint against him. We hereby request a formal investigation into these allegations.

Sincerely,

Ladd Smith, Chair

ABSENT

Jenny Rose, Commissioner

James Wilburn, Jr., Commissioner

Elizabeth Kelley, Commissioner

cc: Bart Logue, Police Ombudsman