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Oversight entity says a City Council-led investigation into Seattle police officers who visited DC in early January isn't legal or just

Seattle — Today the Office of Police Accountability (OPA) expressed its opposition to Councilmember Sawant's call for Council to lead an investigation into the six Seattle Police Department officers who were in Washington, DC, on January 6, 2021. This matter is currently being investigated by OPA, which is responsible for investigating allegations of police officer misconduct.

Such an investigation by the City Council would likely be contrary to existing city ordinances and the federal Consent Decree, as well as violate police collective bargaining agreements. In addition, the City Charter only permits the Council to conduct administrative misconduct investigations into members of its own body.

"Regardless of whether these officers engaged in misconduct, which is an allegation that has not been proven, they are entitled to the contractual protections that the City agreed to during the collective bargaining process," said Andrew Myerberg, OPA's Director. "These are the same types of protections afforded to every represented city employee—from electricians to administrative staff to firefighters. This proposal would violate those protections in the name of political expediency and should be a concern for all labor organizations."

OPA was designed—after years of research and collaboration—to be protected from external pressures. This was so that its decisions could be based on fact rather than the current political winds. Councilmember Sawant's call for City Council action would do the opposite by, for the first time in OPA's knowledge, expressly politicizing an investigation. According to Myerberg, "this is a very dangerous path to go down that could have lasting consequences for Seattle's accountability system and undermine the rule of law and procedural due process."

Myerberg doesn't claim OPA is perfect. In fact, he says changes are needed to keep improving accountability systems both locally and statewide. "The way to do that, though, is through prospective legislation," he says, "which OPA has actively been supporting at the state level, rather than unilaterally acting contrary to existing law and contracts."

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