

	PAILCA RECOMMENDATION	BOISE ORDINANCE	SEATTLE ORDINANCE	SPOKANE PROPOSED ORDINANCE	RECOMMENDED SPOKANE ORDINANCE
STRUCTURE	Office within Executive; meet regularly with Chief of Police and report to the Mayor and City Council (pg. 19)	Office within Executive (Ordinance 5930, Sec. 2-22-02)	Appointed by Mayor and confirmed by council; reporting to Chief of Police (SMC 3.28.810)	Appointed and reports to the Mayor or the Mayor's designee. (Sec. 04.32.110) Meet quarterly w/Chief and Public Safety	No change recommended
AUTHORITY					
CITIZEN COMPLAINT	<ul style="list-style-type: none"> IPO receive intakes conduct initial intake sufficient to understand the nature of complaint IPO notify SPD Internal Affairs of all complaints and provide supporting documentation IPO notified of all complaints about police conduct and performance lodged with or referred to SPD IA IPO maintain records of complaints whether received by IA or IPO and whether they are investigated and provide appropriate communication to complainants IPO evaluate the effectiveness of the 	<ul style="list-style-type: none"> Ensure timely, fair, etc. investigation of the complaint. It is the discretion of the Ombudsman to determine who will investigate, the OPO, IA or any other competent investigative agency. Provide timely updates on progress of investigation to the complainant and the employee being investigated Based on facts of investigation, reach and INDEPENDENT FINDINGS as to the facts 	<ul style="list-style-type: none"> Responsible for the investigative and administrative functions of the police disciplinary process and shall manage the overall investigative, training and administrative functions of the Office of Professional Accountability Direct the OPA investigative process, classify all complaints, certify completion and findings of all complaints, make recommendations to the Chief of 	<ul style="list-style-type: none"> OPO may receive citizen complaints Mandated to turn all citizen complaints to SPD IA for investigation OPO is allowed to attend any interviews conducted by IA May request mediation to the Chief, prior to any investigation. Any complaint received by IA will be submitted to chain of command for review per existing policy. Chief or designee will determine if 	<ul style="list-style-type: none"> OPO may independently investigate and incident, complaint, policy or trend solely to achieve the purposes of this chapter, and not for any disciplinary purpose. No portion of any OPO investigation or report may be used by any party to advocate for discipline of an officer. The OPO may not compel an independent interview of an officer that is subject to possible

	<p>intake program and procedures. (pg. 20-21)</p> <ul style="list-style-type: none"> IPO will actively monitor all SPD IA investigations of incidents where the allegations, if sustained, could result in termination an/or referral to prosecuting authorities for consideration of criminal charges 	<ul style="list-style-type: none"> Communicate findings timely to Chief, employee and complainant. (Ord. 5930 2-22-04) 	<p>Police</p> <ul style="list-style-type: none"> Chief of Police remains the final police department decisionmaker in disciplinary actions Provide analysis to the Chief of Police regarding disciplinary action in order to promote consistency of discipline 	<p>investigation is warranted, if warranted IA will initiate the investigation.</p> <ul style="list-style-type: none"> After completed IA investigation, complete file will be given to OPO to determine if investigation was adequate and through 	<p>discipline for the event that the OPO is investigating.</p> <ul style="list-style-type: none"> No release of information that is deemed privileged under Washington law
<p>REVIEW/APPEAL</p>	<ul style="list-style-type: none"> IPO will be notified of the proposed disposition of all IA investigations For cases with any proposed sustained findings, IPO will also be notified of proposed discipline or other corrective action IPO will, prior to final disposition and closure, advise the Chief of any disagreement with proposed disposition and/or proposed discipline 	<ul style="list-style-type: none"> Any person may file an appeal with the Ombudsman of any IA investigation. Ombudsman has discretion for determining whether or not further investigation is warranted. IF warranted the further investigation is completed by the Ombudsman 	<ul style="list-style-type: none"> If the OPA Director and the Chief of Police disagree on disposition of a misconduct complaint investigation, each shall make a written explanation of the basis for the disagreement within 60 days of the final disposition for inclusion in the OPA case file. 	<ul style="list-style-type: none"> As a part of the review process, the OPA may conclude that additional investigation is needed on issues deemed material to the outcome. If there is any dispute between the assigned investigator (s) and the OPO regarding the necessity, partiality or 	<ul style="list-style-type: none"> No change, issue of collective bargaining.

		<ul style="list-style-type: none"> office. Reach independent findings based on the Ombudsman investigation. (Ord. 5930, Sec. 2-22-03 (C)) 	(SMC 3.28.812 (A))	<p>materiality of the requested investigation, the Chief will determine whether additional investigation is warranted. OPO may appeal that decision to the Mayor</p>	
REMOVAL	<ul style="list-style-type: none"> No recommendation given 	<ul style="list-style-type: none"> No term limit, removed only for cause 	<ul style="list-style-type: none"> Auditor for the OPA serves a two year term and can be reappointed for two additional two year terms. (SMC 3.28.850) 	<ul style="list-style-type: none"> One three year term with the possibility of an additional three year term for a total of six consecutive years. (Spokane Ord., 04.32.090) 	<ul style="list-style-type: none"> Shall be a six year term with the possibility of additional terms The Mayor may reappoint for a second three year term.