



Seattle

Police Department

October 30, 2023

Community Police Commission
700 Fifth Avenue, Suite 1640
Seattle, WA 98124

Reverend Patricia Hunter, Reverend Harriet Walden, Mr. Joel Merkel

Dear Co-Chairs:

This letter is in response to yours of September 20, 2023 asking that the Chief "immediately exercise [his] authority to place Detective Auderer on indefinite unpaid leave" and requesting that he "engage in a workgroup consisting of the Seattle Police Accountability partners (Community Police Commission (CPC), the Office of Police Accountability (OPA), and the Office of Inspector General (OIG)), SPD Command Staff and Officers, and community members to address concerns regarding SPD culture that the CPC and the community have repeatedly raised." Because your recommendation to the Chief bears on his eventual decision-making around a pending disciplinary decision, the Chief has delegated this response to me in order to avoid any appearance that he has pre-decided a disciplinary matter that is still pending at OPA.

At the outset, let me say again that the death of the Ms. Kandula caused by a collision with a Seattle Police Officer is unquestionably tragic. The comments made by Detective Auderer, regardless of the context in which he may have made them, have compounded that harm to Ms. Kandula's family, our community, and to the members of our department who have overwhelmingly expressed shock and dismay at the comments. Nothing in this letter is intended to diminish or ignore that impact.

Recommendation concerning indefinite unpaid leave

Without delving into privileged communications with the City Attorney's Office, we disagree that the collective bargaining agreement with SPOG clearly provides the Chief authority to place Detective Auderer on indefinite unpaid leave in these circumstances. While SPOG CBA 3.3 is admittedly not a model of clarity, to apply it in the context you urge would potentially require the Chief to circumvent provisions of due process and procedures outlined in the Accountability Ordinance which, require a full investigation and pre-disciplinary process prior to a disciplinary determination.

To the degree that different readings of SPOG CBA 3.3 could come to a different conclusion or that there are nuances about what is possible under that language, we believe it would be imprudent to test those theories in a case as important as this one. While we understand completely the instinct to take swift action, such a deviation from past practice could jeopardize the City's ability to sustain any eventual discipline, while also undermining the integrity of the process.

Det. Auderer has been administratively reassigned to an administrative function that is not-public facing while OPA's investigation continues.

SPD Culture Workgroup

Of course, SPD will engage in a workgroup with our accountability partners to discuss and strategize around the “culture” of the department. We have never shied away from coming to the table to engage in intellectually honest work that could better our organization and improve legitimacy with our community. So, yes, we will be there.

However, while again not attempting in any way to minimize the impact of the incidents that you reference, I am compelled to push back on the framing of “SPD culture” set forth in your letter. I reject that a few incidents, amongst the hundreds of thousands of calls for service to which SPD responds every year, are a complete barometric measure of SPD culture. Efforts to extrapolate from isolated incidents—*as disturbing as they may be*—the “culture” of an organization and its employees must be balanced against the lives saved, the volunteer hours, the community engagement time and energy that far exceeds any other department, the commitment to Relational Policing, the 98.3% of crisis calls resolved with no use of force whatsoever, the cross-sectional survey results that reflects high customer satisfaction with SPD officers (8.78/10 currently), the reduced rates of force overall, the engagement with victims and families, and the steady removal of firearms from our streets—*all of the positive examples of our activities*. I submit that our worst days—while they need to be dealt with directly and not ignored—do not necessarily define us. The drumbeat of what is wrong often drowns out all that is right, and I ask that we look at the department holistically to assess culture.

Additionally, SPD has been engaged in cultural development for some time. From organizational initiatives around Before the Badge, Outward Mindset, huge investment into bias-free and other training initiatives, research partnerships with academic institutions, our commitment to developing comprehensive wellness support, and – of particular note – a new approach to early intervention that has captured national attention, to individual contributions to the body of knowledge in this area, we have focused on both understanding and working to mitigate the root causes of an unhealthy work environment. I am attaching, to that end, just some of the research that SPD and/or its employees, in individual capacities, have contributed to.

I look forward to the engagement moving forward.

Thank you,

Sincerely,



Brian G. Maxey
Chief Operating Officer

BGM:lt