

## Police Accountability in Seattle, 1955-2020

Anne Frantilla, Seattle Municipal Archives

President Truman established the Advisory Committee on Civil Rights in December 1946 to address racial tensions in the United States. In an address at the Lincoln Memorial to the National Association for the Advancement of Colored People (NAACP), Truman stated, “The conscience of our nation, and the legal machinery which enforces it, have not yet secured to each citizen full freedom from fear.”<sup>1</sup> Indeed, the Advisory Committee stated in its December 1947 final report, titled [\*To Secure These Rights\*](#), that “the civil rights of certain minority groups have been in particular danger,” citing police brutality and a justice system that failed to provide “full and equal justice.”

The discrimination highlighted in *To Secure These Rights* existed in Seattle. The Black population in Seattle grew from 3,800 in 1940 to 15,700 in 1950. Discrimination, in the form of housing, redlining, and employment, served to escalate tensions between the white and Black communities and other minorities, and between the police and the Black community as well. Attempts to provide a mechanism for a form of police accountability began in 1955. That year, after repeated allegations of police brutality in the Seattle Police Department (SPD), Mayor Allen Pomeroy established an Advisory Committee on Police Practices which recommended establishment of a police advisory board. The recommendation was not followed. Over the years, however, and as a result of many protests, committees and conversations, incremental progress was made in forming mechanisms of accountability between the police and the community. A three-part civilian oversight system was set up in 2002, which included the Office of Professional Accountability (OPA), the OPA Review Board, and an OPA Auditor. Additional oversight was authorized in 2017 when [Ordinance 125315](#) established the Office of Inspector General, which was in place by May 2018. In 2020, police brutality and the death of African Americans and others at the hands of police across the nation, and in Seattle, continued to force the reexamination of the role and structure of police departments.

### 1955-1966: A Police Review Board Denied

The Mayor’s Advisory Committee on Police Practices, supported by both the American Civil Liberties Union (ACLU) and the Urban League of Seattle, met from May 1955 to January 1956. In their final report, the committee stated that their mission was “to investigate numerous complaints made by citizens of Seattle against members of the Police Department alleging brutality or the misuse of the policing power, particularly against those of minority groups. We found that the great majority of these complaints concerned negroes, although there were a few instances brought to our attention which involved others, including whites.”<sup>2</sup> The

committee recommended better training for the police, increased salaries, the hiring of minorities, and a better system of handling complaints in the form of a "Hearing Board" made up of citizens and one member of the Police Department.

Although a hearing board was not created, allegations of police brutality did not disappear in the 1950s. After 48-year-old Jack Frank Ross, who was Black and suffered from mental health issues, died in jail on July 9, 1956, the mayor appointed a committee to investigate his death. Based on the committee's findings, a new policy was established that required individuals taken into custody who had mental health issues and who had committed no criminal offense to be brought directly to the hospital.

On April 10, 1962, the Urban League passed a resolution urging the establishment of a police review board. In a letter to the mayor in April 1962, the Urban League reminded him of the 1956 recommendation of the Advisory Committee regarding the establishment of a board. The ACLU and the NAACP also appealed to the mayor on this issue. The ACLU wrote Mayor Gordon Clinton on May 5, 1962, calling for the creation of a citizen's advisory board for the Police Department. "We feel that there is no other effective means of policing the police department, and we find events arising continually which demand attention," wrote John Darrah, ACLU Executive Secretary. Mayor Clinton responded, stating that "a police review board would not be responsive to the electorate as is the Mayor and, through the Mayor, the Chief of Police. Its actions would duplicate functions now reserved to the Chief and would be incompatible with his responsibility to manage his department."<sup>3</sup>

In June 1962, the president of the Seattle Urban League, Eugene Hooper, wrote the mayor to confirm a meeting with him on June 21, stating his understanding that the purpose of the meeting was to discuss the establishment of a police review board. Mayor Clinton wrote back that the meeting was to discuss specific complaints of police brutality and how they were handled. Mayor Clinton stated the city charter made the police chief, who was responsible to the mayor, in charge of the Police Department. "...I firmly believe that a police review board is not authorized by the city charter; that it would duplicate functions vested in the Mayor and the Chief of Police, that it could effectively destroy the control which must be exercised by the Mayor and the Chief in order to maintain an efficient, honest force; and that public confidence in the Police Department would not be increased, but that public controversy and irresponsible complaints would be invited and encouraged, to the detriment of the morale of the force and the management of the department."<sup>4</sup>

In November 1962, the Seattle branch of the NAACP wrote Mayor Clinton a letter citing two incidents as further support for the establishment of a police review board. In one, Earnest Downs was kicked by a policeman while he was writing down the license number of an automobile involved in a minor accident. The second involved Gerald Franks, a local musician, who said he was pulled from his car and arrested because his passenger was a white female. Mayor Clinton wrote back that the officer in the Downs case was reprimanded and relayed information from Chief Ramon that the officer had an exemplary record. The mayor urged

members of the NAACP to attend the trials for both men. He made no mention of a police review board.<sup>5</sup>

As a result of incidents like these, the ACLU filed a petition in 1964 requesting establishment of a police review panel. City Council [held a hearing](#) to discuss the request on January 22, 1965. A second hearing was held in February for SPD to rebut the allegations made by the ACLU. Mayor Dorm Braman could not attend the February hearing but wrote City Council that “a Police Review Board would accomplish nothing that cannot be handled better through the administrative channels now existing.”<sup>6</sup> The City Council Committee of the Whole met the day after this second hearing and unanimously voted to reject the ACLU's petition. City Council ratified this rejection on March 15, 1965, after adopting [Resolution 20179](#) stating that existing officers and agencies were adequate to review charges of misconduct by a police officer.

The Seattle Congress of Racial Equality (CORE) expressed its disappointment in the decision not to create a review board. Chairman Walter Hundley stated, “Seattle CORE has always taken the position that police-civilian relationships are, at the bottom, problems of race since it is the poor who have most contact with the police—and Negroes are abundantly represented among the poor. It is always spokesmen for Negro organizations or civil rights that have called for some kind of police-review system, and most of the complaints about police brutality have been made by Negroes.”<sup>7</sup>

On June 20, 1965, after an altercation between off-duty policemen and a group of African Americans, 40-year-old Robert Reese was killed by an off-duty policeman in Seattle's International District. According to the police report, when Reese and friends arrived at the restaurant, they claimed to have heard the officers refer to them in a derogatory way. The report states, “This is denied by the Offs & their wives. The employees state they heard nothing, all were busy.”<sup>8</sup> After a fight broke out the African Americans left and the officers pursued them, shooting at the car and killing Reese, a passenger in the car. The coroner's jury found Reese's death to be an “excusable homicide.”<sup>9</sup>

In 1966, Rev. John H. Adams of the Seattle Area Committee on Civil Rights delivered a petition to presiding Superior Judge William J. Wilkins to request the shooting of Reese be investigated. The petition was also signed by CORE, the Seattle branch of the NAACP, and the Urban League. The grand jury voted not to investigate his death. On November 2, 1972, the State Supreme Court upheld the King County Superior Court verdict with a 5-4 margin in favor of the officer who shot Reese, and refused to grant a rehearing.

Mayor Braman issued a statement on June 22, 1965, focusing on “...the effectiveness of the Police Department's training in dealing with minorities.”<sup>10</sup> He stated he was requesting Judge Charles Smith of the Municipal Court and John Spellman of the Civil Service Commission to investigate “the effectiveness of police training in the field of human rights.” Judge Smith gave the final recommendations of the ad hoc committee on training programs in the Police Department on September 20, 1965. Human relations training within the Police Department

was recommended, as well as making that a topic on Civil Service Commission examinations for agencies such as the Police Department during the hiring process. The goal of the training program, begun in October 1965, was to "provide an understanding of the backgrounds and histories of the various minority groups in Seattle and will show how these differences affect the City in such areas as education, housing, and employment."<sup>11</sup>

At the same time, Mayor Braman hired a consultant on race relations, Ronald Natali. He also recommended the creation of a Community Relations Unit in the Police Department, which was done in 1965. The police chief appointed six people to the unit and stated their role was not to investigate complaints "but to find the reasons behind complaints against the police."<sup>12</sup> The stated goal of the unit was to "improve the understanding, cooperation and relationships between the Seattle Police Department and the community it serves," according to the SPD 1965 annual report.

The Reese case engendered a large amount of attention and correspondence to the mayor's office. Maurice Shurman in the Ravenna neighborhood wrote that "...to find, as the jury did, that the assault justified the shooting of a man after the battle is pure nonsense and implies a whitewash condoned by high levels in our city government." An individual in West Seattle wrote in support of the police, stating, "There is nothing new in those who break the law claiming prejudice on the part of the police; there is something new in the number of people who come forward to protect the troublemakers." A Concerned Citizen wrote that "...97% of the people are bitterly opposed to the pressures these Negroes are bringing on us. We don't want to live with them. We don't want them taking white mens [sic] jobs..." Others wrote to stress there was no need for a review board which "would only disrupt the efficiency of the Police Department..." Mayor Braman responded to every writer concerned about the establishment of an accountability panel by stating, "You may be assured that there is no intention of letting this incident trigger another consideration of a police review board."<sup>13</sup>

The Central Area Youth Action Council (CAYAC) wanted a new trial for the three men who were with Reese when he was shot. These men were convicted of third-degree assault in a trial with an all-white jury. CAYAC sat outside Mayor Braman's office for several days in August 1965 in an attempt to meet with him. The group changed its request to ask that the policeman who shot Reese be tried for Reese's death and that the two officers involved, who were suspended for 30 days, be discharged. They also demanded that a police review board be established. Many other members of the community made this request also. When the mayor met with members of CAYAC on August 25, he denied their requests. Many Seattle residents wrote to the mayor stating they did not feel a police review board was needed and the mayor responded that this had already been decided with the ACLU request earlier in the year.

The Central Area community established "freedom patrols" in 1965 in which community leaders walked behind and observed policemen in the Central District in July 1965, bringing attention to the issue of police accountability. Bob Roberts of radio station KVI-570 was opposed to the freedom patrols. He sent a copy of comments he made on air to the mayor,

stating that the patrols would allow “policemen in performance of their duties [to] be hectored by groups of self-righteous snoops.” Mayor Braman congratulated him on his “fine presentation” and let him know both the Police Department and he appreciated it.<sup>14</sup>

Nineteen-year-old Eddie Ray Lincoln was fatally shot by police on November 30, 1966, at First and University in downtown Seattle. He was unarmed and fleeing after attempting to steal a car; he had a cigarette lighter shaped as a pistol. The coroner’s jury ruled the following month that the shooting was justifiable homicide. The ACLU responded to the verdict by stating that the process did not afford due process of law; Seattle CORE said the jury ignored medical and other testimony. The ACLU wrote Mayor Braman and asked for an examination of firearms regulations. A *Seattle Times* editorial stated that although they held to their position of being against police review boards, this case advocated for one. “If such action is not taken locally, we suggest that the Legislature review the basic statute on justifiable homicide.”<sup>15</sup> The mayor wrote back to the ACLU stating that he was “disturbed...at an attempt to make a civil rights incident out of any police action in which a Negro is involved.”<sup>16</sup> Many citizens wrote to the mayor in support of the police. The mayor reassured them that he “was not about to take any steps that will handicap them in their ongoing endeavor to protect the vast number of law abiding citizens against the depredations of a constantly increasing group, who apparently have not respect for either the law or the officers who enforce it.”<sup>17</sup>

## 1967-1979: Use of Force

In addition to charges of police brutality in the 1960s, the Police Department was also accused of bribery and payoffs. In response, Mayor Braman appointed a three-person committee in January 1967 (composed of William E Boeing, Jr., Richard D Harris, and Victor Denny Braman) to investigate reports of payoffs and recommend any needed changes in police procedures; the special committee was “in no sense a police review board,” the mayor said.<sup>18</sup> Later called the Blue Ribbon Committee, it concluded its hearings in April and was unable to substantiate payoffs. The report of the committee recommended further investigation and based on this, Mayor Braman arranged for an audit by the International Association of Chiefs of Police.

In April 1967, the Seattle chapter of the Urban League assessed race relations for the previous year at their annual meeting. Executive Director Edwin T. Pratt and President Benjamin E. Weeks said that “tensions in the community will continue to grow toward explosive proportions unless genuine progress is made to improve police-community relations and provide fair housing, employment and educational opportunities for the nonwhite citizens of the community.” Weeks referenced the failed attempt at establishing a police review board, or anything that would limit police abuse and harassment toward nonwhite citizens, referring to SPD’s community relations unit as “potentially useful.”<sup>19</sup>

Events nationally, including race riots in Los Angeles in 1965 and in Newark and Detroit in 1967, increased racial tensions and fear of riots in Seattle. In 1968, three weeks after the assassination of Martin Luther King, Jr., the City Council unanimously passed an ordinance prohibiting discrimination in the sale, rental and financing of houses. Similar legislation had gone before the voters in 1964 and been voted down by a margin of two to one. Further amendments were made in 1975 and 1999 to address discrimination based on sex, marital status, sexual orientation, and political ideology as well as age and parental status, creed, disability and gender identity.

Police review boards were a topic of national discussion. At a 1968 Citizens Conference on Crime held at the Seattle Center, Bruce Terris, the former assistant director of the National Crime Commission claimed the boards were ineffective, stating that “full investigations by police department officials and strict discipline that is publicized are much more effective.”<sup>20</sup>

Increased violence in Seattle during the summer of 1968 prompted Mayor Braman to create a Police Liaison Committee in July in an effort to improve the relationship between the police and the community. It was not, the mayor stated, to serve as a police review board but to promote better communication and understanding between citizens and the Police Department.

The eight-member committee included the police chief and another police officer along with two Black residents of the Central Area and other local citizens. The group held its first meeting on July 5, 1968. Its first stated goal was to “create an atmosphere of equal protection under the law through the establishment of equal justice for all.” The committee created a complaint form and by April 1969 had received 77 complaints. The group focused its work on disseminating information about the committee, recruiting Black candidates for the Police Department, providing car tours “to provide citizens of the community with on the spot knowledge of their police in action,” and setting up conferences between the Police Department and other City and County units to improve understanding and ultimately a “cure for the causes of crime.”<sup>21</sup> The April 1969 report of the committee cited problem areas in the Police Department including: bad manners by policemen, reluctance to accept criticism, harshness toward Black people, the assumption that all Black youth are Black Panthers, and the questions that arise when there is a shooting as to whether the police are empowered to be the judge, jury and executioner of Black people.<sup>22</sup>

After the committee recommended its work be made a permanent part of the Human Rights Commission in mid-1969, several members resigned. In the fall of 1968, the Seattle Human Rights Commission had introduced a Council Bill requesting departmental status and with it the authority to investigate complaints concerning all City departments. When the Human Rights Department was created in 1969, the functions of the Police Liaison Committee were transferred there.

In July 1968, after a six-month study, the International Association of Chiefs of Police completed its report on allegations of misconduct and payoffs involving officers within the Seattle Police

Department. Rather than focusing on reports of payoffs, it concentrated on the need for restructuring and internal reorganization to enable internal investigations. The report was critical of the department's use of manpower and material. As a result, Assistant Chief Anton Gustin was hired in December 1968 to head a new Inspectional Services Bureau and address these criticisms. Gustin saw the unit as a mechanism for continuous change, rather than a unit that policed the policemen.<sup>23</sup> Gustin was present at meeting of over 300 people called by the newly formed Concerned Central Area Citizens (CCAC) on June 19, 1969, at Mount Zion Baptist Church. One of the ten demands presented to City representatives was an external review system to handle complaints against the police.

A Seattle Crime Prevention Advisory Commission was established in January 1969 with neighborhood representatives to evaluate crime prevention and public safety issues and to make recommendations to the mayor and City Council. Among the recommendations in the January 1971 report was that "continued attention must be given to the public credibility of police internal investigation procedures with provision for appeal to an independent civilian-controlled investigating body to process complaints against law enforcement personnel." The chairman, Alfred Schweppe, dissented and in his minority report stated a "civilian review board will never be competent" and "civilian boards reviewing complaints against police have not been significantly popular."<sup>24</sup>

After allegations of police misconduct during a demonstration at a University of Washington construction site on September 23, 1969, the Seattle Human Rights Commission held public hearings to look into the complaints. The Commission issued an interim report which concluded that some officers used "excessive and abusive force...amounting to misconduct and brutality."<sup>25</sup> Human Rights Department Director Philip Hayasaka stated, "We are sensitive to citizens who have alleged police misconduct. We are concerned that all charges be brought to light to remove the cloud of doubt."<sup>26</sup> The mayor and City Council had established the Human Rights Commission in July 1963 as a response to organized protests and other acts of non-violent civil disobedience related to employment and housing discrimination issues. The commission was meant to "investigate and study problems arising in the city which may result in tensions or discrimination because of race, color, religion or national origin..."<sup>27</sup>

The Police Guild was unhappy with the hearings, alleging that the commission was attempting to set itself up as a police review board. It did not agree with the conclusions in the interim report and denied using excessive force. This did not deter the commission from issuing a final report in June 1970. This report included recommendations that all members of the Seattle Police Department should make their name and badge number visible while on duty, that the Police Department should be trained to understand the "legitimate aspirations of members of the community who have been the victims of racial injustice," and that physical confrontations "in emotionally charged racial incidents should not be initiated by police except for strong and compelling reasons."<sup>28</sup>

The following year, on May 15, 1970, 22-year-old Larry Ward was shot and killed by police as he was fleeing, after unsuccessfully attempting to light a bomb at Hardcastle Real Estate Co. at 24<sup>th</sup> Avenue and East Union. Four days later demonstrators marched from Garfield High School to City Hall where the door was guarded by a line of police. Six members of the community, including Larry Gossett and Leonard Ward, brother of Larry Ward, met with Mayor Wes Uhlman to request half of the inquest jury be selected by the Black community. Their request was denied. On May 28, the coroner's jury ruled that the killing was not justifiable or excusable. On May 29, more than 2,000 people showed support for the Police Department at the Public Safety Building in what was called a demonstration of the silent majority. The mayor received many letters in support of the police as well.<sup>29</sup>

The City's public defender, a position established in late 1969, stated in February 1970 that there were a substantial number of incidents of police misbehavior. That July, the chair of the Human Rights Commission, Elliott Couden, resurrected the idea of citizen review of Police Department procedures. Couden said that, in light of a federal grand jury investigation of organized crime, reports of payoffs to police and recent testimony in a perjury trial, "the police cannot police themselves." The idea of civilian review board was supported by the Church Council of Greater Seattle.

Many citizens wrote to the mayor in 1970 stating they were not in favor of police review board. Mayor Uhlman wrote back "I, too, do not favor a civilian review board. Such a review board has not been successful in other cities when it has been attempted and I see no reason why it would be successful here."<sup>30</sup>

Two Black men, Leslie Allen Black (21) and Louis Alton Jones (27), were killed by police in March and April of 1971. Black was initially pursued on March 21 because his car did not have a front license plate and the rear one was loose; he was shot as he was fleeing on foot at 23<sup>rd</sup> Avenue and Spruce Street. Jones was pursued on April 16 because he ran a stop sign. In protest, about 200 demonstrators representing the Black community marched from Garfield High School to the Municipal Building on [April 20, 1971](#), and occupied City Council chambers. Mayor Uhlman was out of town, leaving Acting Mayor Charles M. Carroll to address the crowd. The group occupied chambers from 3:40 until 6:40 pm, calling for immediate answers to four demands relating to the inquest of Louis Jones. At the end of three hours, Carroll returned to answer the demands, stating that the inquest was in the hands of the County.

This protest came the day after an all-white inquest jury found Black's killing to be unnecessary and contrary to the Police Department's own regulations. Carl Maxey, an African American lawyer from Spokane, helped represent the Black family at the inquest. The Seattle Police Officers Guild made a statement in support of the officer who killed Black, and the police chief declined to take disciplinary action against the officer. The chairman of the Seattle Human Rights Commission, Rev. D. Harvey McIntyre, stated that the chief's actions only served to worsen the relationship between the minority community and the police.<sup>31</sup> The commission recommended establishment of a Citizens Review Board "to investigate serious and tension-

producing infractions of Police Department regulations.” Fredric C. Tausend, Chairman of the Seattle Crime Prevention Advisory Commission, [wrote in support](#) of the commission’s recommendation for a review board.

The King County prosecutor filed a charge of manslaughter in Superior Court against the officer who shot Black a week after the inquest jury result. The Central Area Community Council wrote in support of the charges, stating it gave notice “that the laws will apply equally to all, policeman as well as private citizen.”<sup>32</sup> The Superior Court jury found the officer who killed Black innocent of manslaughter charges on November 2, 1971.

The inquest jury for Louis Jones ruled on November 17, 1971, that the shooting was justified because Jones had a gun.

In 1972, the Internal Investigations Division, formed in December 1968, received 165 complaints of physical abuse by policemen. Only two complaints were sustained and the rest were dropped. The next year, 155 complaints were received with very few sustained. Seize the Time for Oppressed People (STOP) circulated a petition in 1973 for the establishment of a civilian review board to investigate complaints against police. STOP was also considering a class-action suit charging that Seattle police consistently violated the civil rights of minorities through physical and psychological harassment.

There were frequent charges of police brutality and excessive use of force in the 1970s. Councilman Sam Smith wrote Mayor Uhlman in 1973, requesting that his office investigate. Uhlman wrote to the police chief stating, “I hope that you will inform Councilman Smith of the activities of the Internal Investigations Division, with specific reference to the cases which he mentions. I also want to reiterate my complete confidence in the Internal Investigations Division.” He also restated his lack of support for anything similar to a review panel, writing, “Where citizen review boards have been set up in other cities, they have proven to be inefficient, unworkable, and an impediment to the effective and professional operation of the police.”<sup>33</sup>

After charges of police brutality were made by Jon Bisha in the fall of 1973, the officer involved was suspended but later reinstated. When Mayor Uhlman asked the police chief to review the case, the chief resigned on March 15, 1974. “While I respect your concerns regarding the administration of internal discipline within the Seattle Police Department, I am unable to comply with your directive... Because of your apparent lack of confidence in my ability to properly adjudicate this matter...I am therefore resigning—effective immediately.”<sup>34</sup>

The Cascade Community Council wrote Mayor Uhlman on April 3, 1974, in support of a citizen’s review board for the Police Department. “The Cascade Community Council Board feels that such a board can be effective only if it is made up of representatives of each of the communities of Seattle... There must be representatives from racial and sexual minorities, poor whites and women’s groups. We of the Community Council Board feel that a citizen’s review board can not be effective if it’s made up of appointments by the mayor.” Mayor Uhlman

responded that “the City Council, Chief Hanson, and I are all taking a look at the review procedures which currently exist...and we will probably be establishing some sort of civilian input into the review process.”<sup>35</sup>

In 1974, in response to an ordinance proposed by STOP, the [Public Safety and Health Committee](#) chaired by Councilmember Randy Revelle held a hearing considering a police review board. A petition was submitted with 1500 signatures, and representatives from the ACLU, Radical Women and the Japanese American Citizens League spoke and wrote in support. Interim Chief Hanson denied police brutality was a problem. Hanson said that during that year 375 complaints against police for their conduct were investigated and fewer than half involved allegations of improper or excessive use of force.<sup>36</sup>

Nineteen-year-old Michael Jones was wounded by police on November 14, 1974, near 16<sup>th</sup> Avenue and East Yesler Way as he was escaping over a fence after fleeing from a stolen car. In response to demands by 25 members of the Black community, including Rev. Samuel McKinney, Elmer Dixon of the Black Panthers, and University of Washington Law School Associate Dean Charles Z. Smith, Chief Hanson allowed a Black civilian – Deputy King County Ombudsman Fred Maxie – to serve on the Department’s shooting review board. The board found that the officer did not violate state law but did violate department regulations with respect to firearms. The police chief said that civilian observers would be allowed in the future if circumstances warranted it.

In October 1974, Police Department policy changed to allow citizen observers on the Police Department Disciplinary Hearing Panel or what became known as the Complaint Advisory Board. The five-member panel was part of a process that was meant to provide for the resolution of allegations of misconduct made against members of the Police Department by citizens. Two of the members were non-voting: one of these was a police officer appointed by the Police Officers’ Guild and the other a civilian appointed by the mayor.<sup>37</sup> The role of the civilian observer was to certify to the mayor in writing whether the citizen complainant and the accused officer received a full, fair and impartial hearing. One of the first observers was John M. Steel, an attorney at Houger, Garvey and Schubert. Although he wrote the mayor that both the complainant and the accused received a fair hearing, he noted that there was an “institutional bias which is built into the hearing process, in favor of the officer and against the citizen complainant.”<sup>38</sup>

A Seattle police officer shot and killed 22-year-old Joe Hebert on February 15, 1975, as he was fleeing on foot. The officer had stopped him in the Central Area for a suspected stolen car. Hebert had a knife which the officer thought was a gun. The Firearms Review Board ruled that the shooting was justified. The King County inquest jury found the shooting not justified but the King County prosecutor did not file charges against the officer. Questions arose about how inquest juries were handled by the County, especially regarding the uniformity and transparency of procedures. Hebert’s family brought a \$1.25 million claim against the City. On April 6, 1976, a Superior Court jury ruled that the officer was justified in the shooting.<sup>39</sup> Two

years later, the same officer was charged with two counts of second-degree assault after he shot a man in the abdomen near Green Lake. The Firearms Review Board ruled that shooting to be justified.

A group called “Justice for Joe” and represented by Larry Gossett met with the police chief at the Eastside branch of the YWCA on April 4, 1975. The chief told the crowd that he intended to hire more minority officers. Gossett asked for an apology for Chief Hanson’s “improper and racist” remarks when he made references to Hebert’s criminal record, that the officer who shot him be suspended and that charges be filed against him. The president of the NAACP was at the meeting and requested civilian participation in police review boards. He also criticized the chief for coming with several officers as escorts. Calvin Trillin commented on Hebert’s death in a June 1975 issue of the *New Yorker*: “A lot of black people in Seattle still seem to believe that the causes of Joe Hebert’s death had to do with fascism, and that the circumstances amounted to the deadly combination of a white policeman with a gun confronting a black man.”

In November 1975, STOP again urged creation of a civilian police review unit, complaining about police harassment and the maintenance of intelligence files on people not accused of crimes. STOP also wanted a provision for a civilian police review board in the proposed charter being developed by citizens; the provision was not included.

In the late 1970s, [City Council conversations](#) shifted to focus on the use of “deadly force.” After years of discussion, in May 1978 City Councilmember Randy Revelle proposed, and City Council passed 5-3, a measure that would tighten the circumstances in which deadly force could be used. In response, the Seattle Police Guild introduced Initiative 15, which would allow police greater freedom in using weapons. The Washington State Trial Lawyers Association opposed Initiative 15, as did the Black Law Enforcement Officers Association and Washington Women Lawyers. The *Seattle Times* supported it as did the King County prosecutor. Initiative 15 passed at the November 1978 election, and as a result, overturned the City Council policy passed in May that was to take effect November 11.

On August 22, 1977, 26-year-old Manual Medina was shot and killed by Seattle police after he robbed a Rainier Valley Safeway store with a gun. He fled the store and had been hiding in blackberry bushes before police shot him with at least twelve bullets. “We don’t trust the Police Department to conduct a fair hearing,” Roberto Maestas told the *Seattle Times*, representing El Centro de la Raza in a demonstration outside City Hall on August 30, 1977.<sup>40</sup> The King County prosecutor’s office ruled on October 1 that the shooting was justified.

On August 19, 1978, a Seattle police officer shot and killed John Alfred Rodney (26) as he was climbing over a fence fleeing from a burglary, unarmed. An inquest jury held that the officer’s use of force was “reasonable under the circumstances.”<sup>41</sup> Councilmember Sam Smith, chair of the Public Safety Committee, told the *Seattle Times* that he did not question that police shootings are “accidents” but “almost always the accident happens to a minority. That’s not an

accusation, that's a fact.”<sup>42</sup> The SPD shooting review board determined the shooting was justified.

## 1980-1996: An Uphill Struggle for Justice

When Robert Baldwin was served with an eviction notice at Yesler Terrace on March 28, 1984, because he was \$110 behind on his rent, he met the King County officer who served him at the door with a sword and killed him. In response, Seattle police surrounded his apartment and, after a 17-hour standoff, stormed his apartment and killed him. He had 21 shots in the back. On June 1, an inquest jury voted 5 to 1 that the officers were justified in the shooting and killing of Baldwin. The *Seattle Times* quoted Larry Gossett, director of the Central Area Motivation Program (CAMP), saying, “My 16 years of experience in being an activist in Seattle has been that the jury always falls on the side of the police, and it’s unfortunate and unfair. This means the black women and men of Seattle have an uphill struggle for justice and fair play.”<sup>43</sup>

The SPD shooting review board concluded later in June that the officers were justified in shooting Baldwin and that the use of deadly force was justified. The King County prosecutor ruled in July that no charges would be filed against the officers. SPD convened an external panel to review police actions, including equipment and training, in Baldwin’s shooting. The panel included the Houston police chief, two University of Washington administrators, and a psychologist. The review panel concluded its work in July 1984. and in their report made twenty-three recommendations regarding police procedures and equipment, as well as on Seattle Housing Authority policies. A review of SPD’s responses to date implementing the recommendations was published in October 1985.<sup>44</sup>

Five men were shot and killed by the police in 1988: one in the Central Area, one in the Rainier Valley, two in north Seattle and one in Ballard. The *Seattle Times* reported in March 1988 that between 1980 and 1988, twenty-three people were shot by SPD officers and twelve died; six of the deaths involved individuals with mental health issues.<sup>45</sup>

Two years later, Seattle’s Harriett Walden formed Mothers Against Police Harassment because police stopped two of her sons, then 15 and 17, in front of their house. On October 22, 1990, she wrote Mayor Norm Rice about harassment her sons experienced after a football game on October 12; her son was a member of the team and a senior at Garfield and suffered physical violence when he was brought to the police station for a crime he did not commit. “This tragedy defies the Code of Ethics that a law enforcement officer is sworn to uphold,” she wrote. “Mayor Rice, this is Seattle, not a terrorist nation.”<sup>46</sup>

National attention on the beating of Rodney King by Los Angeles police in 1991 again put the spotlight throughout the nation on the treatment of African Americans by police. In early 1992, the Human Rights Commission released a study citing a “deep and disturbing lack of trust” in

the police among minority communities. Mayor Rice sought to monitor complaints about excessive force and created a plan with Councilmember Jane Noland for the creation of a Civilian Auditor position within the Police Department's internal investigations unit. The Auditor would decide if the department was following its own rules and regulations but would not have the power to discipline officers or make recommendations. City Council approved the position by a vote of 5-4 on December 9, 1991. Some community members wanted a police review board; others said without any power the Auditor would not carry any weight. The chairwoman of the Human Rights Commission said that although it was a good first step, they would have liked more. The police chief said, "We have high hopes that this will allay the fears of police critics."<sup>47</sup> It was a small move towards police accountability, and the first one independent of the Police Department.

However, calls for some kind of review board continued. On January 25, 1992, a 400-person march against fascism, racism and sexism resulted in a confrontation with the police. The following month, on February 24, 100 protesters demonstrated at the Public Safety Building to ask for investigations into police actions at the January protest march, and for an independent civilian review board for the Police Department to probe allegations of police misconduct. In July 1992, the ACLU urged creation of such a board in order to promote confidence in the department's complaint review process. In April 1993, the 37<sup>th</sup> District Democrats passed a resolution also asking City Council to establish a citizens' review board, which the Council denied. The Police Auditor Terrence Carroll, first hired in 1992, disagreed that a civilian review board was necessary, calling instead for strengthening independent oversight and the discipline system.

On January 15, 1996, police shot and killed Edward Anderson when responding to a domestic violence call. Anderson had fled and was caught on a fence when he was shot. A King County inquest jury and the Police Department Firearms Review Board ruled the shooting was accidental. The Seattle Human Rights Commission also investigated the shooting. Mothers Against Police Harassment (MAPH) organized a meeting at Mount Zion Baptist Church in March. Chief Stamper apologized but the crowd of 300 wanted to know why the officer was still on the force. The chief said that what was needed was better training for officers. Rev. Samuel McKinney was quoted in the *Seattle Times* as saying, "...you can't be the arresting officer, the judge, the jury and hangman at the same time and then have your actions justified by the system."<sup>48</sup>

## **1997-2020: A Consent Decree and Accountability**

In part due to the two fatal shootings of Edward Anderson and Bodegard Mitchell in 1996, scrutiny of the Firearms Review Board, whose deliberations were previously closed to the public, led to the addition of a Citizen Observer with passage of Ordinance 11842 in February 1997. Councilmember Jane Noland brought the proposal to Council at an October 22, 1996,

Public Safety Committee meeting. "Currently, all board members are from the [police] department. I believe that adding a citizen will increase the confidence of the general public in, and enhance the creditability of, the review process. The point is not to have a lay person determining the degree of appropriateness of a shooting, but to report to the public an opinion on whether the process was a fair one," she wrote Council in preparation for the meeting.<sup>49</sup> The first Citizen Observer, serving a three-year term, was Jenny Durkan. The Observer did not vote but wrote reports and made recommendations. This would be the first time in the City's history that a citizen would sit on the police board that reviewed every instance when a police officer fired their gun. The other two instances of existing citizen participation in the confidential police discipline processes were the Citizen Observer on the Complaint Advisory Board established in 1974, and the Internal Investigations Auditor position established in 1991.

Mayor Paul Schell convened a Citizens Review Panel in 1999 to study SPD's policies and procedures relating to accountability and the reporting of police misconduct. The panel was created in response to the theft of \$10,000 by a homicide detective from a crime scene in 1996. The group found no evidence of widespread corruption but determined that the mechanisms for reporting misconduct were not sufficient. The panel recommended the creation of an Office of Professional Accountability (OPA) to replace the Internal Investigations Section in the Police Department. Legislation for OPA was passed in December 1999 and the ACLU stated, "This is a stunningly important measure that the council has passed. This is, on multiple levels, a system of checks and balances."<sup>50</sup>

Although the OPA was established in December 1999, the first director, Sam Pailca, was not hired until January 2001. The OPA Board was to be responsible for reviewing the quality of the complaint-handling process, advising the City of Seattle on Police Department policies and practices, and conducting public outreach. Due to a dispute between the City and the police union, the three positions on the OPA Board were not filled until 2002. Thirty-six-year-old Aaron Roberts was shot and killed by the police on May 31, 2001, at 23<sup>rd</sup> Avenue and East Union Street. It was not until a month later when the family filed a formal complaint alleging the shooting was part of a pattern of harassment that the OPA agreed to be involved. Many were frustrated that the OPA Review Board still did not exist. In October 2001, an internal police review was released which found the shooting to be justified, and the King County prosecutor announced he wouldn't pursue legal action against the officers.

The Civilian Auditor became the full-time OPA Auditor. Between 2004 and 2006, City Council clarified the role of the OPA Review Board, giving the board access to unredacted OPA files, increasing the number of terms a Review Board member could serve from two to three, and supporting timely complaint investigations by the OPA.

OPA Director Pailca left in 2007 citing issues with access to records and budget difficulties. In 2007, the City of Seattle convened two police accountability review panels, one formed by the mayor and one by [City Council](#). Many of their recommendations to further strengthen civilian police oversight were implemented. The changes clarified the roles of the OPA Director (now

Kathryn Olson) and the OPA Auditor, expanded the OPA Auditor's roles, and increased OPA Review Board membership to seven.

On December 2, 2010, 35 civil rights and community-based organizations wrote to the U.S. Department of Justice (DOJ) and U.S. Attorney Jenny Durkan to request that the Civil Rights Division of the DOJ investigate whether SPD had engaged in a pattern or practice of violations of civil rights by using unnecessary and excessive force against residents, citing a series of incidents over the previous 18 months, particularly against persons of color. One of these incidents was in April 2010 when an officer used a racial slur and kicked robbery suspect Martin Monetti in the head. (The City later settled a civil rights lawsuit for \$150,000.)

Another incident cited in the request took place on August 30, 2010, when 50-year-old John T. Williams was killed by a Seattle police officer. A Native American carver, partially deaf and losing his sight, Williams was holding a penknife when he was shot. The knife was closed. Protests erupted. The King County prosecutor did not file charges against the officer who shot Williams, but the Firearms Review Board determined that the officer's use of force was unjustified. A 34-foot tall memorial totem was carved and installed at the Seattle Center almost two years later. "I don't think you can talk about police accountability in our region without also talking about the murder of John T. Williams," civil rights attorney, activist and poet Nikkita Oliver told *Seattle Met* in 2020.<sup>51</sup>

In 2011, the Department of Justice conducted a nine-month [investigation](#) of SPD and found a pattern and practice of excessive force warranting federal intervention. Based on its findings, DOJ initiated a lawsuit against the City of Seattle, *United States of America v. City of Seattle*, 12 Civ. 1282 (JLR), in the U.S. District Court for the Western District of Washington. The City of Seattle entered into a Settlement Agreement and Memorandum of Understanding (collectively, "consent decree") with the DOJ that included federal court oversight to ensure the City implemented required improvements and corrections to SPD policies, practices, training, and systems. The consent decree was approved by the federal court on September 21, 2012. The decree would be lifted if the City could demonstrate sustained compliance for no less than two years, called a "sustainment period." As part of the settlement agreement, a Community Police Commission (CPC) was created in 2012 by Ordinance [124021](#) and an [Executive Order](#); the mayor appointed fifteen people to serve on the Commission in January 2013. They were charged with reviewing the police accountability system and making any necessary recommendations to the mayor and City Council. An independent monitor was to be appointed as well.

At the end of April 2014, the CPC provided the mayor, City Council, and city attorney a set of Accountability System recommendations developed with input from civilian oversight experts and community leaders. The CPC recommended the name be changed from the Office of Professional Accountability to the Office of Police Accountability and that the Auditor's title be changed to the Independent Police Monitor. The CPC would replace the citizen OPA Review Board. The Monitor would be independent and external to the OPA and the Police Department.

Discussion between the CPC and the mayor lasted months, but agreement on the legislation was reached in June 2015. Before it could be introduced to Council, U.S. District Judge James Robart made it clear that any changes to the CPC needed the court's approval as changes forced amendments to the consent decree.

From 2014 to 2016, multiple police-involved deaths of African Americans and others across the nation received significant national attention and raised local community concerns to a new level. President Obama's White House Task Force on 21st Century Policing released a comprehensive report in May 2015 that identified best practices and included recommendations on how policing practices could promote crime reduction while building public trust. In January 2016, Seattle Police Chief Kathleen O'Toole joined First Lady Michelle Obama during President Obama's final State of the Union address. Chief O'Toole was chosen for what the White House described as the City of Seattle's nationally recognized efforts to align SPD policies with current best practices and improve police ties with the community.

After Judge Robart issued an order in January 2017 allowing most of the proposed legislation to move forward, the mayor submitted it to City Council. On [May 22, 2017](#), City Council voted unanimously to pass the [legislation](#). Three years in the making and known as the accountability law, the legislation implemented a three-pronged oversight system comprised of the existing OPA, a new Office of Inspector General for Public Safety (OIG), and a newly permanent Community Police Commission (CPC). Before Council voted, the chair of the Public Safety Committee, Councilmember Lorena Gonzalez, asked Rev. Harriett Walden, co-chair of the Community Police Commission, to stand. She received a standing ovation. Gonzalez went on to say, "It is because of the deep and steadfast belief of so many in this community that brings [us] up to this truly historic moment... In Seattle, that community's call to action, and the DOJ's acceptance of that action, is now paving the way to sustainable, long-term police reform without compromising officer or public safety." Mayor Ed Murray signed the legislation on June 1, 2017.

The City asked Judge Robart to find it in compliance with the consent decree and begin the sustainment period on September 29, 2017. The City Council approved a new contract with the Seattle Police Management Association (SPMA) in November 2017. The next day, the SPD Force Review Board found the fatal June 18 shooting of Charleena Lyles to be reasonable, proportional, and within SPD policy. Lyles was shot at her transitional housing apartment in Sand Point after she called to report a burglary. She had a knife and suffered from mental health issues. On November 22, 2017, Judge Robart ordered the City and the DOJ to address the impact of the SPMA contract and the Force Review Board findings in the Lyles case on the Court's consideration of the City's motion to be found in compliance with the consent decree.

On January 10, 2018, the Court granted the City's motion to begin the two-year sustainment period, noting that the results of collective bargaining would cancel the sustainment period if a new contract resulted in changes inconsistent with the accountability ordinance.

In October 2018, City Council introduced legislation to ratify a new contract with the Seattle Police Officers Guild (SPOG) that was proposed by the mayor. The CPC voted unanimously to urge Council to reject the SPOG contract, concerned that it rolled back reforms in the accountability law. Many community organizations requested City Council reject the SPOG contract as well. The contract was approved by City Council and signed by Mayor Jenny Durkan in November 2018.

After asking the City and the DOJ to address whether the SPOG contract's inconsistencies with the accountability law, particularly regarding the disciplinary processes, were in conflict with the consent decree, Judge Robart ruled in May 2019 that the City had fallen out of full and effective compliance in the area of discipline and accountability. He issued an order for DOJ and Seattle to work with CPC and the Court Monitor and submit a proposal on how the City would regain compliance, stating that the consent decree would not be terminated until the City had sustained compliance for two years.

On September 18, 2019, City Council held a public hearing on the next SPOG contract and community members pressed for changes.

In May 2020, the City filed a motion to terminate all independent monitoring of progress on the SPD reforms, despite the May 2019 ruling. On May 29, 2020, protests about the death of George Floyd in Minneapolis began in Seattle. The Office of Police Accountability reported receiving 12,000 complaints about SPD's handling of demonstrations.

On June 3, 2020, the City of Seattle withdrew its motion to terminate independent monitoring of compliance with the consent decree.

In August, Police Chief Carmen Best announced she was stepping down effective September 2, 2020. City Council and the mayor wrestled with the budget for SPD as well as for the rest of the City, taking into account the effects of the pandemic. Efforts to reimagine police departments across the country are reflected in Seattle and the results are yet to be seen.

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<sup>1</sup> *Seattle Times* June 30, 1947, p. 3

<sup>2</sup> Box 3, Folder 13, Allen Pomeroy Records (Record Series 5267-01), Seattle Municipal Archives

<sup>3</sup> Box 8, Folder 11, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>4</sup> Box 8, Folder 10, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>5</sup> Box 8, Folder 11, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>6</sup> Box 49, Folder 2, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>7</sup> *Seattle Times* February 21, 1965, p.12

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<sup>8</sup> Box 48, Folder 1, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>9</sup> Box 48, Folder 2, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>10</sup> Box 48, Folder 8, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>11</sup> Box 48, Folder 8, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>12</sup> *Seattle Times* September 21, 1965, p.8

<sup>13</sup> Box 48, Folders 1 and 2, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>14</sup> Box 48, Folder 2, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>15</sup> *Seattle Times* December 15, 1966, p. 12

<sup>16</sup> Box 71 Folder 3, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>17</sup> Box 71, Folder 3, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>18</sup> Box 95, Folder 1, Records of the Office of the Mayor (Record Series 5210-01), Seattle Municipal Archives

<sup>19</sup> *Seattle Times* April 9, 1967, p. 19

<sup>20</sup> *Seattle Times* April 4, 1968, p. 8

<sup>21</sup> Box 181, Folder 11, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>22</sup> Box 181, Folder 11, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>23</sup> *Seattle Times* December 1, 1968

<sup>24</sup> Box 149, Folder 9, Wesley C. Uhlman Subject Correspondence (Record Series 5287-02), Seattle Municipal Archives

<sup>25</sup> *Seattle Times* February 7, 1970, p. 10

<sup>26</sup> *Seattle Times* January 26, 1970, p. 18

<sup>27</sup> Seattle Human Rights Commission Annual Report 1964-1965, p. 2, Human Rights Department Annual Reports (Record Series 1802-G9), Seattle Municipal Archives

<sup>28</sup> Seattle Human Rights Commission/Human Rights Department Annual Report 1970, Human Rights Department Annual Reports (Record Series 1802-G9), Seattle Municipal Archives

<sup>29</sup> Box 180, Folder 19, Wesley C. Uhlman Subject Correspondence (Record Series 5287-02), Seattle Municipal Archives

<sup>30</sup> Box 176, Folder 10, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>31</sup> *Seattle Times* April 28, 1971, p. B12

<sup>32</sup> *Seattle Times* May 2, 1971, p. 63

<sup>33</sup> Box 169, Folder 7, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>34</sup> Box 169, Folder 10, Wesley C. Uhlman Subject Correspondence (Record Series 5287-02), Seattle Municipal Archives

<sup>35</sup> Box 169, Folder 10, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>36</sup> Clerk File 279625, Seattle Municipal Archives

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<sup>37</sup>Box 170, Folder 5, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>38</sup> Box 170, Folder 7, Wesley C. Uhlman Departmental Correspondence (Record Series 5287-01), Seattle Municipal Archives

<sup>39</sup> *Seattle Times* April 7, 1976, p. 25

<sup>40</sup> *Seattle Times* August 31, 1977, p. 14

<sup>41</sup> *Seattle Times* September 10, 1978, p. 1

<sup>42</sup> *Seattle Times* August 21, 1978, p. 14

<sup>43</sup> *Seattle Times* June 2, 1984, p. A10

<sup>44</sup> Published Document 10, 1985, Seattle Municipal Archives

<sup>45</sup> *Seattle Times* March 6, 1988, p. K1

<sup>46</sup> Box 8, Folder 4, Jim Street Subject Files (Record Series 4683-02), Seattle Municipal Archives

<sup>47</sup> *Seattle Times* November 12, 1991, p. B1

<sup>48</sup> *Seattle Times* May 3, 1996, p. B1

<sup>49</sup> Box 42, Folder 1, Jane Noland Subject Files (Record Series 4663-02), Seattle Municipal Archives

<sup>50</sup> *Seattle Times* December 14, 1999, p. B3

<sup>51</sup> *Seattle Met* Fall 2020