

CM Farrell

City of Seattle



OFFICE OF PROFESSIONAL ACCOUNTABILITY Director

Reconfirmation Packet

KATHRYN OLSON



Mike McGinn, Mayor
City of Seattle

August 28, 2012

The Honorable Sally Clark
President, Seattle City Council
600 Fourth Avenue, 2nd floor
Seattle, WA 98104

Dear Council President Clark:

I am pleased to transmit to the City Council the following confirmation packet for my reappointment of Kathryn Olson as the Director of the Seattle Police Department's Office of Professional Accountability (OPA). The materials in this packet are divided into two sections:

A. Appointment

This section contains Ms. Olson's Appointment and Oath of Office forms.

B. Professional Credits

This section contains Ms. Olson's résumé and list of accomplishments.

As you know, Ms. Olson began service as OPA director in May 2007. SMC 3.28.810 provides that an OPA director may serve up to three consecutive three-year terms of office. My expectation is that reconfirmation will be effective for the period until May 2013.

Ms. Olson was chosen in 2007 from a field of over 90 applicants by an independent and diverse selection committee. Her prior career was dedicated to the service of individual civil rights; she served as an attorney, mediator, and investigator with the federal Equal Employment Opportunity Commission (EEOC), a lecturer on fair employment practices, and a litigator on behalf of a non-profit group fighting discrimination. In 2010, Ms. Olson was elected president of the National Association for Civilian Oversight of Law Enforcement (NACOLE). She is a nationally recognized authority and has presented on professional accountability issues at conferences around the country.

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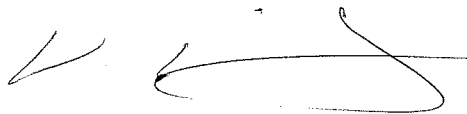
Since becoming OPA Director, Ms. Olson has overseen implementation of the recommendations of the Police Accountability Review Panel (PARP), which was convened in 2007 to perform a comprehensive review of Seattle's police accountability system. She has taken significant steps to improve the quality and timeliness of investigations, develop improved case tracking systems, and improve staff training and monitoring. Outside reviewers, including OPA Auditors and the United States Department of Justice, have consistently found that OPA investigations under Ms. Olson's direction are thorough, professional and objective.

Ms. Olson is now engaged in implementing changes required by the recent Settlement Agreement with the United States Department of Justice, including revisions to reporting policies and updates to the OPA Training and Operations Manual. She is also actively engaged in reviewing and implementing policy changes in key areas relating to use of force, de-escalation techniques, first-line supervision, respectful policing, and in-car video usage. Her continued dedication to these tasks is essential to fulfilling our commitments to DOJ and the community as part of the Settlement Agreement.

As Mayor, I have found Ms. Olson knowledgeable, professional, and fully dedicated to the goals of police accountability. At this critical stage in SPD's reform process, I urge you to reconfirm Kathryn Olson.

If you have any questions, or need additional information, please contact my Legal Counsel, Carl Marquardt, at 684-0962.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike McGinn', with a stylized flourish at the end.

Mike McGinn
Mayor of Seattle

Attachments.

cc: Honorable Members of the Seattle City Council

Section

A

City of Seattle

Notice of Appointment

Name: <i>Kathryn Olson</i>		Executive Appointment <input checked="" type="checkbox"/> Reappointment <input type="checkbox"/> Legislative Appointment <input type="checkbox"/> Agency Appointment <input type="checkbox"/> PDA Council <input type="checkbox"/> PDA Constituency
Residential Neighborhood: <i>N/A</i>	Zip Code: <i>N/A</i>	Contact Phone No.: <i>206-684-8485</i>
Appointed to: <i>Director, Office of Professional Accountability</i>		Date of Appointment: <i>August 28, 2012</i>
Authority (Ord., Res.): <i>SMC 3.28.810</i>		Term of Office From: <i>Confirmation</i> To: <i>May 2013</i>
Background: <i>This is a Re-Appointment</i>		
Authorizing Signature: 		Name and Title of Officer Making Appointment: Mayor Mike McGinn



**CITY OF SEATTLE - STATE OF WASHINGTON
OATH OF OFFICE**

STATE OF WASHINGTON

COUNTY OF KING

I, Kathryn Olson, confirm that I am the person reappointed on August 28, 2012 and reconfirmed by the City Council on _____, to the position of Director, Office of Professional Accountability, of the City of Seattle, in the State of Washington, and that I possess all the qualifications prescribed for said position by the Charter of the City of Seattle; that I will support the Constitution of the United States; and the Constitution of the State of Washington; and the Charter and Ordinances of the City of Seattle; and that I will faithfully conduct myself as Director, Office of Professional Accountability.

Kathryn Olson

**Subscribed and sworn to before me
this _____ day of _____, 2012**

(affix seal)

Monica Martinez Simmons, City Clerk

Section

B

KATHRYN BLAIRE OLSON
Kathryn.olson@seattle.gov
206.684.8485

INVESTIGATION, LITIGATION AND MANAGEMENT EXPERIENCE

Director - Office of Professional Accountability
Seattle Police Department
2007-present

- Develop and implement strategies to improve police misconduct investigations, make policy and training recommendations, and conduct outreach, with the goal of enhancing trust and respect between the police and Seattle community.
- Oversee sworn and civilian personnel handling intake and investigation of misconduct and EEO complaints in context of SPD policy and labor contracts. Seek opportunities to use alternative dispute resolution options.
- Work with Command Staff, Mayor's Office and City Council to respond to community concerns about policing issues.
- Determine disposition of all complaints except sustained findings, which are referred to Chief of Police for final decision. Advise on appropriate discipline.
- Monitor and facilitate implementation of training and policy recommendations. Play integral role in SPD's diversity training, and recent initiatives regarding justice based policing and improved use of force review.
- As member of Executive Command Staff, help set department-wide initiatives and performance measurements, institute policing innovations, set budget priorities, foster transparency and accountability, and provide leadership to the organization.
- Report on complaint trends, policy recommendations, and initiatives undertaken by the Department to enhance police professionalism. Reports available on OPA website.
- Coordinate with City Law Department on discipline appeals and litigation matters, and with Mayor's Office and City Council on legislative changes related to policing and collective bargaining issues.
- Collaborate with OPA Auditor and OPA Review Board on joint projects and community outreach, and facilitate their work with the Department.
- Provide training on variety of issues related to civilian oversight including the investigation process, discipline alternatives, and racial profiling.
- President of National Association for Civilian Oversight of Law Enforcement (NACOLE) Fall 2010 to Fall 2012. Conference Planning Committee Chair for 16th Annual NACOLE Conference held in Seattle, September 2010.
- Graduate (July 2011) of Police Executive Research Forum Senior Management Institute for Police, a three week course for executives focused on the latest management practices and taught by faculty from the Harvard Kennedy School, Boston University, and other leading institutions.

Trial Attorney/Supervisory Trial Attorney
Equal Employment Opportunity Commission
Los Angeles, CA and Seattle, WA
1991-2007

- Responsible for litigation filed in five state region alleging violations of Title VII, the Age Discrimination in Employment Act, the Equal Pay Act, or the Americans with Disabilities Act, often involving novel questions of law or class issues. Hired as attorney and promoted to supervisor for legal and support staff.
- Managed litigation strategy; reviewed pleadings, motions, and discovery; oversaw litigation budget. Consistently met or exceeded local and national litigation goals.
- Represented the Commission at trial and in hearings, mediation and settlement conferences. Coordinated litigation with private counsel and other EEOC offices.
- Participated on office management team, coordinating review and prioritization of charge processing and interface of enforcement and litigation functions. EEOC Chair's Core Award 2004 for successful office partnership and strategic planning. Recognition and award in 2006 for role in facilitating agency reorganization.
- Responded to grievances and EEO complaints arising internally in unionized environment.
- Presented on variety of substantive and procedural topics related to employment issues associated with diverse workforce.
- As certified mediator, mediated employment and labor disputes involving federal employees. Received Seattle Federal Executive Board Award and EEOC Chair's Core Award in 2005.

Assistant Director and Lecturer in Law – Fair Employment Practices Clinic
Cleveland-Marshall College of Law, Cleveland State University
and
Attorney – Women's Law Fund, Inc.
1983-1990

- Litigated employment law matters on behalf of non-profit organization specializing in sex discrimination.
- Taught employment law and clinical courses on individual and class action discrimination.
- Second chair on case successfully argued before US Supreme Court - *Firefighters v. City of Cleveland*, 478 U.S. 501 (1986).

EDUCATION

- J.D., 1982 - Case Western Reserve University Law School, Cleveland, OH. Course work concentration in labor and employment law.
- B.S., 1975 - Applied Behavioral Sciences; University of California, Davis. Graduated with Highest Honors and Departmental Citation.

BAR ADMISSIONS

- Washington and Ohio.
 - United States District Court for the Western and Eastern Districts of Washington.
 - United States District Court for the Northern District of Ohio.
 - United States Court of Appeals for the Sixth and Tenth Circuits.
 - United States Supreme Court.
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KATHRYN OLSON, OPA DIRECTOR

ACCOMPLISHMENT HIGHLIGHTS

(August 2012)

1. Complaint Investigations: The OPA Director has worked to improve the quality and timeliness of police misconduct investigations through careful attention to staff training and process monitoring. For example, several recent high profile cases have involved criminal allegations, requiring that OPA coordinate its administrative investigation with other timelines and procedures. OPA's investigation into each of these cases was done expeditiously and thoroughly, keeping in mind the public's interest in knowing how these cases would be resolved internally. Outside review has consistently confirmed that OPA investigations are thorough, professional and objective. Over the past six months, a number of changes were implemented to ensure OPA consistently communicates with complainants and named officers to inform them about the OPA process and to provide updates about the status of investigations as they move forward.
2. Complaint Tracking: The OPA Director has developed a number of case tracking systems to ensure that investigation timelines are met and that discipline in sustained cases is consistent for similar infractions. For example, she set up monthly meetings with the Assistant Chief for the Criminal Investigations Bureau to track investigations of SPD employees accused of criminal misconduct, and regular meetings with the Legal Advisor to confirm that discipline ordered by the Chief is imposed and to track the status of discipline appeals. She and her staff also meet bi-monthly with the Chief of Police to keep him informed about the status of the most serious complaints, such as those involving allegations of criminal misconduct. These meetings also provide an opportunity to consider whether an officer named in such a complaint should be reassigned, would benefit from EAP or other assistance, or whether there are related legal issues requiring further consultation. Also, in 2012, a number of changes have been made to shorten the time it takes to complete OPA investigations, including setting shorter timelines for both the investigation and review process and having the OPA Auditor complete her case review at an earlier stage.
3. Coordination with OPA Auditor and OPARB: The three prongs of civilian oversight in Seattle are coordinated through the OPA. All intake classification decisions and completed investigations are reviewed with the Auditor, and efforts are made to coordinate projects with the Auditor and OPA Review Board. During the summer 2011, the three entities jointly released a report recommending changes to simplify the OPA classification and findings system, with the recommendations put into place as of January 2012.

4. Policy and Training Recommendations: OPA worked with SPD on implementing a variety of recommendations described in SPD's Response to Recommendations on Use of Force, De-escalation and Respectful Policing (December 2010), including a policy prohibiting retaliation against complainants, a policy recognizing the right of by-standers to record police activity, a policy creating a presumption of termination for dishonesty, and others. More recently, she worked with the Professional Standards Section to develop a method of tracking all policy and training recommendations made by OPA or the OPA Auditor, and is continuing to refine the system to ensure there is a timely response from the Department. The OPA Director currently is participating in a number of Department projects, including the 20/20 Initiatives, training and development of the Justice Based Policing curriculum, and the DARPA project to study and develop training on effective police/citizen interactions. She is actively working to enhance the role of first line supervisors; for example, she recently assisted in patrol sergeant training to improve the quality and thoroughness of police reports. She conducted a broad review of In-Car Video usage by SPD and published a report in December 2011 with recommendations for issues to be addressed, and since then has worked with the Professional Standards Section to clarify ICV policy.
5. Reports: The OPA publishes at least two reports each year, addressing annual complaint statistics and trends, and policy/training issues. In addition, there is a monthly report summarizing closed OPA cases with some limited statistical analysis as the year progresses. Beginning in 2011, the OPA Director added a "Director's Message" to these monthly reports, highlighting issues of interest in a more immediate way than the annual report allows. For example, topics covered in the "Director's Message" have included an overview of the new classification and finding system, a summary of the investigation process when criminal allegations are made, and a discussion about complaints OPA has received from internal SPD sources. All reports are available on the OPA website, which was revamped during recent SPD website changes.
6. Outreach: The OPA Director looks for opportunities for outreach with representatives of all diverse communities, and is in regular contact with such groups as ACLU, El Centro de la Raza, and the Minority Executive Directors Coalition. She has attended and presented at the Department's precinct and demographic advisory councils (e.g., African American, Filipino, Latino, Muslim, Sikh, and Arab, and Native American Advisory Councils). She was instrumental in arranging both the Department-wide course and a community presentation of SPD's Perspectives on Profiling training, has participated twice in the Race: Power of Illusion training, and has consulted with numerous people from across the country about unbiased policing training options. She helped facilitate a day long retreat in early 2012 for the MEDC Police Accountability Task Force, with a particular focus on SPD recruiting and training efforts. She also teaches twice a year at

the Community Policing Academy and has been invited to teach classes at Seattle University and the University of Washington. Through the World Affairs Council, she meets regularly with international visitors interested in police accountability. Finally, she also looks for opportunities to reach out to SPD officers and civilian employees through meetings with SPOG, Operations Command Staff, a Patrol Sergeants group, attending roll calls, going on ride-alongs, and the like.

7. Mediation: With the assistance of former OPA Auditor Carroll, the OPA mediation program was expanded to include a larger group of available mediators. All were trained in the unique issues involved with police misconduct complaints. The OPA Director and Auditor have been working with two graduate students this year to assess the program and determine how to interest more complainants in alternative dispute resolution options, and anticipate issuing a report on their findings and recommendations in early fall 2012.
8. Restorative Circles and other Outreach to Native American Communities: OPA's outreach with Native American communities in both training and relationship building has increased over the past two years. The OPA Director coordinated with counsel for the family of the late John T. Williams to arrange meetings between family members, Chief Diaz and other members of the command staff in Restorative Circles to address concerns and help restore a sense of trust in the police by the Williams family. As a result, Chief Diaz and the Director have been included in a number of events sponsored by the family. The Director also provided training at Chief Seattle Club on the OPA complaint process, has attended numerous meetings of SPD's Native American Advisory Council and other representative groups, and has worked to facilitate input from the community to SPD. She and an attorney for the Williams family will present an overview of the Restorative Circle experience at the 2012 NACOLE Conference.
9. Education Based Discipline: OPA continues to work with the Chief and other commanders to identify opportunities for training and mentoring of employees. Though serious misconduct must be addressed with discipline, OPA complaints more often point to training gaps. Thus, in the past two years, more complaints were referred at the outset or after an investigation for handling by a supervisor, who can work closely with an employee to correct performance issues. Also, she's working with the Department to analyze complaints not only from the perspective of whether a policy was violated (which is the primary function of OPA), but also to determine if related tactical and other decision making was sound; *i.e.*, not just **Can** the officer do what he/she did, but **Should** the officer have responded in this manner.
10. NACOLE: The 2010 NACOLE Conference was held in Seattle in the wake of several high profile events. OPA paid for registration for a number of community representatives to attend, so they could network with others interested in civilian oversight and learn first-

hand best practices followed by law enforcement throughout the country. The OPA Director was elected president of NACOLE in 2010 and was re-elected to serve another year in 2011. She has presented at NACOLE numerous times, including on issues of Lethal and Less Lethal Force, Incident Analysis, and Civilian Oversight Models. She has also given presentations on issues related to civilian oversight at the Canadian Association for Civilian Oversight of Law Enforcement and was the keynote speaker at a meeting earlier this year of Police Commissioners in Hawaii.

11. Examples of Training attended by OPA Director:

- a. Police Executive Research Forum Senior Management Institute for Police, a three week course for executives focused on the latest management practices and taught by faculty from the Harvard Kennedy School, Boston University, and other leading institutions.
- b. Legal and Operational Issues related to Internal Affairs, sponsored by the International Association of Chiefs of Police.
- c. SPD Street Skills and other courses offered through SPD and the Washington State Basic Law Enforcement Academy, such as training on Use of Force, Search and Seizure, Less Lethal Force including TASER and Bean Bag, In-Car Video, Defense Tactics, Crisis Intervention, CPR, SPIDER, and the incident Simulator.
- d. Principles of Force Science, provided by Force Science Research Center, a week-long certification program.
- e. Leadership Initiatives for Command Staff Training Program, Tools for Tolerance for Law Enforcement.
- f. Perspectives on Profiling Facilitator Training Program, Tools for Tolerance for Law Enforcement.
- g. Race: The Power of an Illusion, Seattle Office of Civil Rights.
- h. NACOLE Annual Conference, 2007 – 2011 (with the 2012 conference scheduled for October 14 – 18).