

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Mike Fong/5-1675	N/A – Eric Ishino, Leg Finance Manager/4-8141

Legislation Title: AN ORDINANCE relating to the Office of Professional Accountability (OPA), amending the following sections of the Seattle Municipal Code: Section 3.28.810, clarifying the term of office of the OPA Director; Section 3.28.850, clarifying the term of office of the OPA Auditor; Sections 3.28.900, 3.28.905, 3.28.910 and 3.28.920, increasing the number of OPA Review Board members from seven to nine, changing the name of the board to the Independent Police Oversight Review Board, and authorizing the board to conduct a performance review of the OPA Director.

Summary of the Legislation: This bill amends the Seattle Municipal Code (SMC) as it relates to the Office of Professional Accountability (OPA) by implementing the following:

- Clarifying that from this point forward, the OPA Director and OPA Auditor three-year terms shall begin on July 1, 2013 and that all subsequent terms will be constant and commence on July 1 after a three year period regardless of whether a specific individual serves out a full term. No individual may serve more than three terms in either of these positions. For the purposes of calculating the number of terms served, a partial term of more than 18-months shall be considered a full term.
- Changes the name of the Office of Professional Accountability Review Board (OPARB) to the Independent Police Oversight Review Board (IPO Review Board).
- Increases membership from seven members to nine.
- Removes the board’s responsibility of conducting outreach on behalf of the OPA and the OPA Auditor.
- Adds to the board’s responsibilities the need to assess public satisfaction with the OPA system.
- Adds to the board’s responsibilities the need to conduct an annual performance review of the OPA Director and to submit that review to the Chief of Police, Mayor and City Council.
- Adds to the board’s responsibilities the need to monitor and review SPD’s compliance with implementing any annual or semi-annual policy recommendations made by the OPA Director, OPA Auditor or IPO Review Board. An annual report will be submitted to the Chief of Police, Mayor and City Council.

Background:

In June of 2012, the OPARB released a policy report recommending changes to enhance the police accountability system. That report and examination was initiated by OPARB following the Department of Justice investigation and subsequent findings related to alleged excessive use of force and biased policing by the Seattle Police Department (SPD). This legislation is in part a response to that report in an effort to strengthen the role of civilian oversight within the current accountability structure. A companion resolution is also proposed that states the City Council’s intent to review, analyze and consider ways to strengthen civilian oversight within the City’s police accountability system and to request the Community Police Commission to consider the OPARB policy report recommendations as part of their review of the accountability system.

Please check one of the following:

This legislation does not have any financial implications.
 (Please skip to “Other Implications” section at the end of the document and answer questions a-h. Earlier sections that are left blank should be deleted. Please delete the instructions provided in parentheses at the end of each question.)

This legislation has financial implications.
 (If the legislation has direct fiscal impacts (e.g., appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the “Other Implications” Section. Please delete the instructions provided in parentheses at the end of each title and question.)

NOTE: The only financial implication of this legislation is the cost associated with funding and supporting two additional members of the IPO Review Board.

Appropriations:

(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not supported by revenue/reimbursements, please confirm that there is available fund balance to cover this appropriation in the note section.)

Fund Name and Number	Department	Budget Control Level*	2013 Appropriation	2014 Anticipated Appropriation
TOTAL				

*See budget book to obtain the appropriate Budget Control Level for your department.

Appropriations Notes:

This legislation will not result in any new appropriations. The additional costs associated with creating two additional IPO Review Board members is expected to be absorbed within the current Legislative Department budget for the remainder of 2013 and for 2014. All costs (stipend, training, reimbursable, etc.) for the two new positions are not expected to exceed a total

of \$15,000 annually.

Anticipated Revenue/Reimbursement Resulting from this Legislation:

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.)

Fund Name and Number	Department	Revenue Source	2013 Revenue	2014 Revenue
TOTAL				

Revenue/Reimbursement Notes:

N/A

Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:

(This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.)

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2013 Positions	2013 FTE	2014 Positions*	2014 FTE*
TOTAL							

* 2014 positions and FTE are total 2014 position changes resulting from this legislation, not incremental changes. Therefore, under 2014, please be sure to include any continuing positions from 2013.

Position Notes:

N/A

Do positions sunset in the future?

(If yes, identify sunset date)

Spending/Cash Flow:

(This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.)

Fund Name & #	Department	Budget Control Level*	2013 Expenditures	2014 Anticipated Expenditures
TOTAL				

* See budget book to obtain the appropriate Budget Control Level for your department.

Spending/Cash Flow Notes:
N/A

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?**
No. See earlier comments.

b) **What is the financial cost of not implementing the legislation?**

N/A

c) **Does this legislation affect any departments besides the originating department?**

The IPO Review Board has interaction with the OPA Auditor, the OPA Director, SPD, LAW and the Legislative Department.

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

N/A

e) **Is a public hearing required for this legislation?**

No

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No

g) **Does this legislation affect a piece of property?**

No

h) **Other Issues:**

List attachments to the fiscal note below: