

Seattle City Councilmember Lisa Herbold testimony on SB 5134 and SB 5055
Senate Labor, Commerce & Tribal Affairs Committee
1-14-2021

Good morning, I am Lisa Herbold, Chair of the Seattle Public Safety and Human Services Committee.

I thank the sponsors of both SB 5055 and 5134.

In Seattle we have an appeals backlog - **80 and growing - with** misconduct findings of the chief challenged, some unresolved **cases of misconduct from five years ago**. In 2019, we only resolved two.

I believe thorough discussion of both bills can lead to enhanced public confidence in police.

Seattle's State Legislative agenda supports both reform of arbitration **and** removing private arbitration in law enforcement discipline.

In this spirit I support both bills.

On SB 5055, I support standards that benefit jurisdictions outside Seattle and, with amendment, potentially benefit Seattle, including:

- Appeals deference to the Sheriff or Chief decision
- Appeals based on the same record as discipline imposed
- Requiring a preponderance burden of proof in appeals
- A duty to record hearings.

If outright elimination of arbitration is not the path forward, I request that elements of SB 5134 be considered and recognize, as it does, that: "Policing is unique due to discretion to engage in state sanctioned force, taking of life, and taking of liberty" and prohibit collective bargaining agreements from requiring:

- Waiting periods for misconduct interviews,
- Allowance for secondary employment
- Time limits on complaint filing
- Limits on use of civilian supervisors and investigators and
- Limits on use of subpoena authority.