



Seattle Police Officers' Guild
2949 Fourth Avenue South
Seattle, WA 98134
206.767.1150
www.seattlepoliceofficers.org

Mike Solan – President
Dan Auderer– Vice President
Walt Hayden – Secretary/Treasurer

June 9, 2021

City of Seattle
Labor Relations
PO Box 34028
Seattle, WA 98124-4028
Sent via email

Re: SPOG Grievance 2021-0011—January 6, 2021 OPA Unlawful order/Discrimination Grievance
Step 3 Letter

Dear Interim Director Clark,

I am sending you this letter to inform you that the SPOG is moving this Grievance (2021-0011) to Step 3 of the grievance procedure.

Details or nature of the alleged violation:

On May 12, 2021, the Office of Police Accountability under the direction of Director Andrew Myerberg ordered named SPOG members in OPA case #2021-0013 to produce the following private information:

1. Any and all receipts dated on or about January 6, 2021, establishing your location on that date, including but not limited to receipts from any restaurants, bars or taverns, or other businesses at which you were a customer.
2. Any and all receipts, itineraries (including to and from flight records), or other records dated on or about January 6, 2021, establishing the hotel at which you stayed in the Washington, D.C. area and the airline(s) flown, including emails containing the above information.
3. Any and all text messages sent or received by you on January 6, 2021, including but not limited to text message records held by yourself, friends, or family members which would establish your whereabouts or activities on January 6, 2021.
4. Any and all photographs taken on January 6, 2021, in the Washington, D.C. area.
5. Any and all bank records showing financial transactions that occurred in Washington D.C. on January 6, 2021.
6. In the event that any of the above records have been deleted, please attempt to provide a record of the deletion and a statement of reasons for the deletion.

Through subsequent emails, the chain of command of the Seattle Police Department affirmed that this was a direct order under the threat of termination.



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Prior to this OPA investigation, OPA and the department have never ordered the production of private documents of SPOG members. It is the position of the SPOG that this unlawful department order was issued due to the named SPOG members' political ideology and political activities. SPOG filed this grievance at Step 2 on May 27, 2021. The City denied the Step 2 Grievance on June 7, 2021. SPOG is moving this Grievance to Step 3 on June 9, 2021.

It is the position of the SPOG that the Department has intentionally violated the following sections of the CBA:

- **Article 4.4 Non-Discrimination** of the SPOG CBA clearly reads that it is agreed by the employer and the Guild that the city and the Guild are obligated, legally and morally, to provide equality of opportunity, consideration and treatment to all members employed by the Seattle Police Department...

Remedy sought:

1. Rescind this unlawful order.
2. Destroy any digital or hard copies of the private documents provided to OPA.
3. Ensure that these documents are never publicly released via PDR and the city incur all legal fees associated with fighting any PDR/PDA requests.
4. These documents will be removed from this OPA case file and not used in any fashion by any City of Seattle department entity.
5. The department acknowledges the violation.
6. Make the named officers whole.
7. Provide retraining to the Director of OPA and the Chief of Police regarding non-discrimination policies in the workplace.

Thank you for your attention to this matter. If we can be of further assistance, please don't hesitate to contact us.

Sincerely,


Mike Solan
President
Seattle Police Officers Guild

CC:

SPD Interim Chief, Adrian Diaz
Labor Negotiator Liaison for the Guild, Mr. Ned Burke



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SPD HR Director, Mr. Mike Fields
Director Myerberg
Hillary McClure