



UNIVERSITY of WASHINGTON

Ana Mari Cauce
Professor of Psychology
PRESIDENT

September 10, 2020

Representative Gerry Pollet
46th Legislative District
Gerry.Pollet@leg.wa.gov

Dear Representative Pollet,

Thank you again for your detailed letter outlining concerns associated with the contract between the University and Teamster 117 covering UW's police officers. We take issues of public transparency and accountability seriously. Per your request, we have completed a review of the contract language and relevant university policies and procedures. While I have not communicated with the Attorney General regarding his own response to your letter, my review was completed in collaboration with the Division Chief of the UW's Office of the Attorney General.

We have confirmed all police records are retained in accordance with public records requirements and legally required retention schedules. "Removal" of documents from personnel files, as outlined in your letter, in no way represents the destruction or failure to properly retain those documents. Records that are removed from department files are retained in official personnel files within central Human Resources per the Public Records Act and retention schedules.

Specifically, responding to the relevant sections from your letter:

Section 8.1, regarding **removal of records of misconduct in three years or earlier**, is referring to the department's employee file and not the official personnel file that is maintained by Human Resources or the internal affairs file maintained by the UW Police in conjunction with the state mandated retention schedule. This provision specifically allows an employee to request removal from their department employee file when the offending behavior has been corrected and maintained over time. This language is not specific to our police contract, and is included in other classified staff contracts (SEIU 925, WFSE).

Sections 17.2 and 17.3, which include the **disposition of records relating to all internal investigations** upon request in three years if no similar incidents have occurred, stipulate that removal is, similarly, specific to the department's employee file. When documents are moved to, or replicated in, an employee's official personnel file, UWPD's internal affairs file, or files maintained by other UW entities involved in the investigation or disciplinary outcome (UCIRO, Title IX, Ombud, etc.), they are maintained in accordance with the Public Records Act.

We agree that the UW cannot delete or redact a record in responding to a public records request unless a specific exemption to the PRA allows for such a redaction. We can confirm that redacting the name of an officer from a document produced pursuant to a public records request would only occur in circumstances in which it is allowed by the Public Records Act. This is why the contract includes the clause "...or if disclosure is otherwise required by law." Like you, it is hard for me to imagine when this would be the case.

Please let me know if you have an additional questions.

Sincerely,

A handwritten signature in black ink that reads "Ana Mari Cauce". The signature is written in a cursive, flowing style.

Ana Mari Cauce
President
Professor of Psychology

cc: Mindy Kornberg, Vice President for Human Resources
Banks Evans, Assistant Vice President, Human Resources
David Kerwin, UW Division Chief, Office of the Attorney General of Washington
Randy Hodgins, Vice President of External Affairs
Joe Dacca, Director of State Relations