



# City of Seattle

Seattle Police Department

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April 10, 2015

Director Pierce Murphy  
Office of Professional Accountability  
720 Third Avenue, 18th floor  
Seattle, WA 98104

RE: OPA Management Recommendations 9/26/14 Special Report; 2014-0095; 2014-0132; 2014-0358; 14-0128.

Dear Director Murphy:

I write to update you on department actions taken in response to the OPA Management Recommendations that you transmitted over the last six months. Overall, the department has developed systemic changes to address the concerns set forth in your recommendations.

**Special Report on Overtime, received September 26, 2014:** OPA recommended that SPD 1) develop adequate leadership, management oversight, supervisory control, and robust procedures to enforce budget compliance; 2) that the Chief of Police formally invite the City Auditor to conduct an audit of ETS overtime; and 3) that the department implement the recommendations by the City Auditor.

In response, on September 30, 2014, I requested that the City Auditor conduct an audit of the Education and Training Section. Additionally, on October 3, 2014, I requested that the City Auditor expand the scope of that audit to include all overtime expenditures for the Seattle Police Department. Since then, department staff have been working closely with the City Auditor to implement in-process recommendations.

Additionally, internally, we have made many proactive management changes to ensure better controls on overtime spending. We have implemented SeaFin, which is a bi-weekly financial health meeting for the organization. Using available data, this process allows executive oversight of spending on a close to real-time basis (data represent approximately two weeks in the past). Additionally, every Captain and above have been trained in Summit, the accounting software for the department. This allows commanders to search and analyze their overtime spending as well as their operational expense budget. Captains are also provided monthly summaries of where they stand in relation to their overtime budgets. For the first time, Captains have been provided with the experience and capacity to monitor their budgets.

Finally, the department continues to explore different technological options to increase the real-time capacity to not only monitor overtime spending and overall budgets, but also to track a wide variety of employee productivity data.

**2014-0095 Chain of Command Review of Force Deadlines, received November 6, 2014:**

OPA recommended that the timelines set forth in the Use of Force Policy (Title 8) for chain of command review of force be clarified to ensure that "reviews are either completed before a supervisor goes on leave or, in the case of an unplanned absence of a supervisor, are conducted by a another supervisor of the same rank."

The Department agrees with this recommendation. In response, SPD has drafted an updated UOF policy (currently under review by the Monitoring Team and the Department of Justice), which addresses the timeliness issue as follows:

For all reviews, furloughs, vacations, extended sick leave or any other absence from work are not considered valid reasons for delaying the review process. Each level of review is expected to have a sufficient number of personnel trained in the review process to sustain the review process in a timely manner. In the case of absences from work, the reviewer or his or her designee will assign another supervisor to complete the review of the use-of-force report.

This requirement will apply to all reviewers of force (e.g., FIT), not just the chain of command. As such, the department believes this addresses your concerns in full.

**2014-0132 Live and Photographic "Line-ups" Policy, received December 23, 2014:** OPA recommended developing a policy to govern live and photographic line-ups.

The department agrees with this recommendation and APRS is drafting a policy (SPD Manual 15.170), which is currently under internal review with subject matter experts. Additionally, SPD detectives are part of the King County Eyewitness Working Group (KCEWG). Other group members are Lara Zarowsky of the UW law school's NW Innocence Project; Professor Stephen Ross-an expert in witness ID issues-from the UW Tacoma Campus; Mark Larsen, Chief Deputy for the King County Prosecutor's Office; Chief George Delgado of the Des Moines Police Department.

I also ordered that the policy not only cover live and photographic line-ups, but also provide direction on show-ups and identifications that occur out in the field. Some of the information that will be integrated into 15.170 was included in the November 5, 2014, Training Digest, which is attached.

I will forward the draft policy once a completed draft is available.

**2014-0358 SeaPark Parking Policy, received February 13, 2015:** OPA recommended that the SPD Manual be amended to provide clear guidance to employees concerning where they may or may not park in the SeaPark garage.

The Department agrees with this recommendation. In response, I directed APRS to clarify the policy, which is attached. Once approved through all channels, this will be published.

**2014-0128 Court Appearance Control, received November 4, 2014:** OPA recommended developing a policy or procedure to provide feedback to supervisors and the department when officers miss court appearances.

Chief Kathleen O'Toole  
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The department agrees with this recommendation and has taken several steps to improve feedback. First, the Legal Unit and IT are developing a "Legal Track" system for subpoenas received by the department. The subpoenas will be scanned in and attached to an automatic email system. The officer will receive an email with the subpoena and an option to acknowledge that they will attend the court date. If no acknowledgement is received, a second email will be automatically generated to the officer and to his/her supervisor. If no acknowledgement is received, the legal unit will follow up with the officer telephonically. As part of this system, an email will be sent to the court coordinators in the various courts reporting weekly on expected court appearances and giving the opportunity to indicate any missed appearances.

Second, APRS and the Legal Unit is revising SPD Manual 5.190, Court Appearances and Legal Proceedings, which is completely out of date and provides incorrect information throughout.

Third, once complete, SPD Manual 5.190 will be transmitted to the various courts so that the administrators know the rules and expectations for SPD employees.

Sincerely,

A handwritten signature in cursive script that reads "Kathleen O'Toole".

Kathleen O'Toole  
Chief of Police

KT:bm:cv