



City of Seattle

Seattle Police Department

November 23, 2016

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

Re: Status Updates Concerning Management Action Recommendations

Dear Director Murphy:

This letter is to update you on the status of management action recommendations that are listed in your records as “in progress.”

OPA14-0070 (Excessive Overtime Spending): These recommendations mirror those of the City Auditor, to which we responded, initially, on April 10, 2015, and updated on April 11, 2016. We have implemented training and controls to better manage use of overtime. Ranks of Captain and above are now required to be trained on the department’s accounting software, and bi-weekly budget reviews with Captains (SeaFin) are now held immediately following SeaStat presentations (every other Wednesday). In addition, we are currently in bargaining sessions with the unions regarding proposed revisions to the overtime use policy.

OPA2014-0132 (Photo Lineups): Manual Section 15.170 was published on 02/01/16. POL-1 and PRO-1 specifically address montages. This recommendation should be marked as “complete.”

OPA2014-0128 (Officer Subpoenas): We initially responded on April 10, 2015, advising that we would be implementing new systems in the Legal Unit to track subpoenas received by the Department. Although technical and budget limitations have precluded the implementation of an automated system, the Legal Unit now has in place processes whereby subpoenas are tracked to ensure delivery and acknowledgement of receipt. Presently, the Seattle Municipal Court does not have a protocol or system in place to reliably affirm that officers appear, or alert when officers fail to appear, when summoned; we have reached out to the court to discuss a shared protocol to enable this feedback.

OPA 2015-0525 (Free Housing Benefit): This was an isolated matter that involved a SW Precinct Community Police Team Officer. SPD has confirmed that there is no current arrangement in place, and has advised Seattle Housing Authority that no such offers can be

accepted and should not be extended. This recommendation should be marked as “complete.”

OPA2014-0789 (Operation of Police Bicycles): Manual Section 13.050 was revised consistent with the recommendations and published on 02/01/2016. See POL-2(3). This recommendation should be marked as “complete.”

OPA2013-0410 (Secondary Employment): The Department is currently in bargaining sessions with the unions regarding proposed changes to the secondary employment policy. In addition, the Department is looking to procure a workforce management system that, among other things, would enable the Department to better track the off-duty work of officers. Substantial movement towards both improving technical capacity and implementing a new policy continues.

OPA2015-0643 (Policing Operations in Demonstrations, Protests and Marches): Manual Section 14.090 was revised with feedback from the Community Police Commission and was provided to the DOJ and Monitoring Team for approval and filing with the Federal Court on November 15, 2016. This recommendation should be marked as “complete.”

OPA2015-1035 (In-Car Video Policy): Directive 16-00016 was issued effective March 1, 2016, clarifying Manual Section 16.090 per the management action recommendation. This recommendation should be marked as “complete.”

2015OPA-1626 (Less-Lethal Projectiles): The Department submitted its proposed policy revisions to all of Title 8 (Use of Force), including 8.300 (Tools), to the DOJ and Monitoring Team on July 7, 2016; to date, the Department has not received comment back from either.

2015OPA-0128 (Recovery of Stolen Property): A policy concerning the use of cooperating victims is currently in draft.

2016OPA-0214 (Pursuits): The Department provided its proposed policy revisions to Manual Section 13.031 to the DOJ and Monitoring Team on July 7, 2016; to date, the Department has not heard back from either.

2016OPA-0303 (Failure to Appear in Court): This recommendation is substantively identical to the recommendation arising from OPA2014-0128; please see narrative above.

Finally, the Department provided substantive responses to the more recent matters of 2016OPA-0139, 0462, and 0469 within the last 30 days; these recommendations remain “in progress.”

Director Pierce Murphy
November 23, 2016

Please let me know if you have any further questions regarding these status updates.

Sincerely,

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

Kathleen M. O'Toole
Chief of Police

Cc: Deputy Chief Carmen Best
Brian Maxey, Chief Operating Officer
Assistant Chief Lesley Cordner
Rebecca Boatright, Senior Counsel
Fe Lopez, Executive Director, Community Police Commission