

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 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.

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

# Seattle Police Department

## Directive

### Date

### Directive Number 15-000XX

### Manual Section 10.010 – Parking at Department Facilities Revised

Manual Section 10.010 – Parking at Department Facilities has been revised.

*Key point to the revised policy:*

- Employees who are authorized to park in the secure area shall not park in any area of the garage other than the secure area.
  - Authorization to park in the secure area does not equal an authorization to park elsewhere in the garage for free.

Please read the attached policy.  
Questions may be directed to the Policy Unit  
email: [SPD\\_aprs@seattle.gov](mailto:SPD_aprs@seattle.gov)  
Phone (206-684-4116)

## **10.010 - PARKING AT DEPARTMENT FACILITIES**

Effective Date: 1/21/2014 DRAFT

### **10.010-POL-1 Parking at the SeaPark Garage**

This policy applies to all Department employees when parking in the SeaPark Garage.

The SeaPark Garage is the parking structure located at 609 6<sup>th</sup> Avenue, connected to the Seattle Police Headquarters building (HQ).

The SPD secure area consists of those portions of the 7<sup>th</sup> and 8<sup>th</sup> floor leased by the Seattle Police Department. Access to the secure area is restricted by gates.

All parking spaces in the secured area are reserved/restricted for unit-assigned cars located at HQ, lieutenants and higher ranks assigned to HQ, and sworn employees assigned to the Office of Professional Accountability only.

The access gate on the 7<sup>th</sup> floor has a proximity-card (prox-card) reader, as well as an intercom to the Motor Pool Office. The intercom may be used by employees and pre-approved visitors during normal Motor Pool operating hours: Monday through Friday from 0700 to 1500.

#### **1. Motor Pool Employees Have Operational Control of the Secure Parking Area**

If employees encounter any problems or disputes with SeaPark employees, they may contact the Motor Pool (684-8769/ 684-8772), SPD Facilities office (684-8951), or the office of the Patrol Operations Bureau (386-0061).

#### **2. Employees Who Pay for Parking in the SeaPark Garage Will Not Park in the Secure Area**

This applies to both daily and monthly paid parking.

#### **3. Unit Commanders Determine the Use of Unit-Allocated Parking Spaces in the Secure Area**

Unit commanders are responsible for ensuring their employees do not use more than the unit-allocated number of parking spaces to park vehicles.

**a. Employees Who are Authorized to Park in the Secure Area Shall Not Park in any Area of the Garage Other Than the Secure Area**

Authorization to park in the secure area does not equal an authorization to park elsewhere in the garage for free.

**4. All Drivers of Marked Police Vehicles Must Take a SeaPark Ticket When Entering the Garage**

A "marked police vehicle" is any Department vehicle with either exterior markings identifying it as a Department vehicle, or is equipped with emergency lights and siren. This includes Parking Enforcement vehicles.

**5. Uniformed Employees Driving Marked Police Vehicles May Exit the Garage Without Paying Parking Fees**

Uniformed employees, including Parking Enforcement Officers, driving marked police vehicles must:

1. Write their signature and serial number on the back of the ticket
2. Give the ticket to the parking attendant when exiting the garage.

Employees must be **both**

- In uniform
- Driving a marked police vehicle

If only **one** of these conditions are met, the employee must either have a validated ticket or pay parking fees upon exiting the garage. See **10.010-PRO-1 Validating a SeaPark Garage Ticket.**

**6. Employees Are Responsible for All Parking Fees Unless Their Parking Tickets are Validated**

See 10.010-PRO-1 Validating a SeaPark Garage Ticket.

SeaPark tickets may be validated for the following:

- Employees who are attending court
- Special circumstances for which a captain or civilian director grants validation. This cannot be used for daily parking.

- This includes SPD employees, not assigned to HQ, who are attending official police business
- Employees who are participating on an oral board
- Non-SPD guests visiting HQ

**7. Employees Parking With a Validated Ticket Must Park in the Designated Visitor Spots in the Secure Area**

**8. Motor Pool and Data Center Staff Validate SeaPark Tickets Only if All Procedures Have Been Followed**

**9. Motor Pool and Data Center Staff Shall Maintain Parking Validation Logs**

The logs will record the time and date of ticket validations, along with the name and serial number of the employee receiving validation.

**10. Employees May Access the Garage for Official Business When it is Closed**

Call Communications for directions to access or exit the garage via keypad when the garage is closed.

Building security can also be contacted at 684-8077.

**11. Employees Will Observe the Rules of the SeaPark Garage**

The following rules apply to both the public and secure areas of the garage, absent exigent circumstances:

- **Vehicles unable to park within boundary lines or which block access to other vehicles may not park in the garage**
- Vehicles shall only be parked in designated spaces, well within the boundary lines
- Drive with headlights on
- Do not drive faster than 5 mph
- Intermittently honk the vehicle's horn when backing
- Make a full stop before exiting the garage
- Always follow the one-way traffic pattern as indicated
- Limit engine idling time to a minimum
- All vehicles will be properly parked:
  - Emergency brake engaged
  - Transmission in "park"

- Keys removed
- Lights off
- Doors locked
- Small vehicles without an assigned space are to be parked in spaces marked "Small Car" whenever possible

## **12. The Department Will Conduct Random Audits of Employees Prox-Cards**

Employees parking in the SeaPark Garage and who are in violation of this policy will be subject to disciplinary action.

## **10.010-POL-2 Parking Vehicles at the Outdoor Range**

In order to ensure the availability of parking for individuals conducting training activities, individuals assigned to the range, and to individuals having contracts for the use of the Seattle Police Athletic Association (SPAA) property, restrictions must be placed on the use of the property.

### **1. Overnight Parking of City Vehicles Must be Pre-Authorized**

No Department employee shall park a City vehicle overnight at the outdoor range without the prior written authorization of their Bureau Chief or the Education & Training Section Captain, and the Seattle Police Athletic Association's Board of Directors.

#### **Requesting Authorization for City Vehicles:**

- Submit a Memorandum through the chain of command.
- If approved by the respective Bureau Chief, the Memorandum shall be forwarded to the SPAA Board of Directors in care of the Range Manager.

### **2. No Employee Shall Be Allowed to Park a Private Vehicle at the Outdoor Range at Any Time, Other Than When They Are on Site, Without Prior Written Approval From the Seattle Police Athletic Association's Board Of Directors**

Vehicles parked contrary to the above policy shall be subject to impoundment. The cost for the impoundment of any City vehicle shall be the responsibility of the authorized driver of the vehicle.

#### **Requesting Authorization for Personal Vehicles:**



- Submit a Memorandum directly to the SPAA Board of Directors. Requests shall include
  - a. Name of the vehicle owner/driver,
  - b. Unit of assignment,
  - c. Description of the vehicle and its license number, and d. Duration for which permission is being requested.

**3. All Authorizations Shall be Maintained in a File by the Range Manager (Sergeant)**

**10.010-PRO-1 Validating a SeaPark Garage Ticket**

SeaPark tickets can be validated at the Motor Pool office Monday through Friday, from 0700 to 1515. The Motor Pool office is located at the north end of 7<sup>th</sup> floor of Seapark Garage.

If the Motor Pool is closed, Data Center employees (5<sup>th</sup> floor of HQ) can validate parking tickets.

**Employee**

1. **Takes** the ticket to either the Motor Pool office (0700 hrs to 1515 hrs), or the Data Center (1515 to 0700 hrs), before exiting the garage
2. **Presents** the ticket along with any of the following:
  - A subpoena to appear in court
  - An overtime slip signed by a prosecuting attorney
  - The initials and serial number of the captain or civilian director who approved free parking for the day
  - A memo from Human Resources authorizing free parking for Oral Board participation
3. **Signs** the Parking Validation Log

**Motor Pool or Data Center Employee**

4. **Stamps** the ticket with a validation stamp
5. **Returns** the ticket to the employee

**Employee**

6. **Presents** the ticket to the parking attendant upon exiting the garage