



City of Seattle

Seattle Police Department

October 25, 2016

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

Re: 2016OPA-0303 Management Action Recommendations

Dear Director Murphy:

I am writing in response to your October 20, 2016 Management Action Recommendation arising from your review of 2016OPA-0303, regarding the failure of a Parking Enforcement Officer to appear in Seattle Municipal Court responsive to a subpoena issued in a vehicle impound matter. I know that my legal counsel has been in communication with the City Risk Manager about this same issue and fully appreciates the concern.

I completely agree that there needs to be a mechanism in place whereby the Department is notified when officers fail to appear in court when summoned. Currently, the Legal Unit is responsible for receiving, distributing, and tracking subpoenas when they are issued, but absent feedback from the court or prosecutor does not have a mechanism to confirm that officers in fact appear. Responsive to discussions with City Risk Management, the Legal Unit has been exploring opportunities to coordinate with Seattle Municipal Court on closing this loop on parking and traffic citations where the City is not represented; in addition, in response to your recommendation, I have asked the Legal Unit to expedite engagement with the City Attorney's Office and the King County Prosecutor's Office to explore how we can best assure, with the assistance of those agencies, that officers are meeting their obligations under Manual Section 5.190.

Sincerely,

Kathleen M. O'Toole
Chief of Police

cc: Deputy Chief Carmen Best
Brian Maxey, Chief Operating Officer
Assistant Chief Lesley Cordner
Rebecca Boatright, Senior Police Counsel