

**Seattle
Community
Police Commission**

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January 20, 2020

Via Electronic Email

Rebecca Boatright
Executive Director of Legal Affairs
Seattle Police Department
610 Fifth Avenue
Seattle, WA 98124-4986

Re: Review of the Seattle Police Department's Public Disclosure Processes

To Executive Director Boatright,

The Seattle Community Police Commission (CPC) writes this correspondence to 1) recognize the Seattle Police Department's (SPD) efforts to improve system transparency by improving its public disclosure procedures and 2) to make recommendations on how SPD's public disclosure team can further advance the significant improvements it has made.

Section 03.29.360.I of the City of Seattle's 2017 Police Accountability Ordinance states that the CPC is to "collaborate with SPD, OPA, and the City Attorney's Office in improving system transparency, including improving SPD public disclosure procedures and providing for timely online posting by OPA of information about the status of investigations and their outcomes." To fulfill our legislative mandate, under the leadership of Interim Executive Director Bessie Scott, CPC staff performed a detailed review of the 2012 and 2015 audits of the Legal Unit's Public Disclosure team and all applicable implementation tracking reports. CPC staff and leadership also met with Jane Dunkel from the Office of the City Auditor (OCA) at the end of June 2019, as well as Director Perry and Rebecca Boatright, Executive Director of Legal Affairs for SPD on July 12, 2019.

Review of Improvements to SPD's Public Disclosure Procedures

In 2015, the Office of City Auditor (OCA) conducted an audit of SPD's Public Disclosure Process, and subsequently released its audit of the Public Disclosure Unit's staffing, methods, and challenges and the subsequent implementation of the resulting recommendations. The OCA's recommendations were meant to create infrastructure and promote systems improvements, as opposed to identifying areas of negligence. Upon the CPC's initial review of the audit it was clear that the Public Disclosure team, despite the best efforts of employees and leadership, was operating at a deficit.

Soon after the March 2015 release of the audit, Mary Perry was made the Director of Transparency and Privacy for SPD to assist in implementing the 13 recommendations from the OCA and increase public trust. It is important for the CPC to acknowledge that under Director Perry, the Public Disclosure team made considerable

strides not just to implement the recommendations made by the OCA, but to increase public trust in the department. SPD has at least partially addressed all 13 of OCA's recommendations including in the following ways:

- SPD's adoption of GOV QA, a public records request management software, and the hiring of a video specialist address specific areas of concern, particularly around timely responses to requests for public records.
- SPD has done considerable work on improving communication between requestors of public information and staff, which includes staff proactively communicating challenges around specific records with requestors.
- SPD hired multiple temporary employees for the Public Disclosure Team, beginning to address lack of staffing, one of the most imminent challenge identified by the OCA.

Remaining Issues

The CPC is certain that SPD's commitment to furthering communication efforts and growing public trust will continue. The following issues remain of priority concern for the CPC.

Staffing Levels

In our meetings, SPD identified lack of staffing for fulfilling public disclosure requests as a priority area of concern. The CPC shares this concern. In its audit, the OCA identified that the workload of complex cases that falls on the Public Disclosure Team's manager is inhibitive to managerial duties, including the manager's ability to streamline any processes. The addition of Director Perry helped address a part of these concerns, yet low staffing levels can have a significant impact on public trust for SPD. For example, on December 19, 2019, a Seattle Times article mentioned the long wait to receive a video the publication had requested.

We understand that from our meetings with SPD that it has become commonplace for any one staff member to have more than 150 open requests at any given time. This immense volume of work only increases when staff members become sick, take medical or family leave, or even just take their contractually protected vacations.

Classification of Staff

Reclassification of the Public Disclosure team is also of priority concern for the CPC, as it is for SPD and the OCA. The current classification of public disclosure staff does not fully encompass the level of expertise needed to proficiently execute the work of the unit. It also it does not take into account the high level of vicarious trauma that employees are required to navigate. This is further supported by OCA's examination of other local law enforcement agencies' public disclosure practices. Of the 14 departments that responded to inquiries from OCA, only 3 handled anywhere near the varied types of records for which SPD's unit is responsible. SPD's Public Disclosure team also handles vastly higher numbers of requests than those three other agencies. Pay and classification should reflect that staff is the statewide leader in the types of records used, and the quantity of cases handled in a year. Director Perry identified for the CPC that all but one administrative staff members are women. Director Perry and Executive Director Boatright raised concerns that analogous positions held by men across the city are classified differently and therein have access to higher pay scales. The CPC supports all efforts to address the pay and classification inequity of the Public Disclosure team's administrative staff.

CPC Recommendations

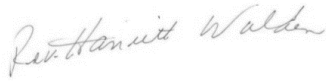
- Though SPD has received approval for several new temporary positions for the Public Disclosure team, the impermanent nature of these positions does not match the consistently growing and perpetual workload of the Public Disclosure team. It is the CPC's opinion that staffing for the Public Disclosure Unit

should be permanently expanded and positions be reclassified. We stand in full support of any efforts and budgetary requests to do so.

- The CPC recommends that we partner with the Public Disclosure Unit to assist in completing a two-pronged community engagement plan.
 - The first engagement to take place at a regularly scheduled public CPC Meeting, which occur on the first and third Wednesday of each month. Both SPD and CPC Communications teams would announce a 30 to 45-minute presentation to Commissioners and community attendees to review past implementation and leadership transition plans.
 - The second engagement would be a Lunch and Learn session for community and would be 90 minutes in duration, giving enough time for presentation, public comment, and a question-and-answer section. The proposed Lunch and Learn session would serve both as an opportunity to introduce community both to leadership and management from the Public Disclosure Unit (including the newly hired replacement for Director Perry), as well as reviewing the four years of positive changes made by the team. The CPC is happy to assist SPD in finding a community space or partner organization to host this second session.

The CPC appreciates the opportunity to recognize the significant efforts by SPD to improve its public disclosure processes and procedures and to make recommendations to further advance the Public Disclosure team's efforts. We look forward to your response to our recommendations above. We respectfully ask for a response to our recommendations by February 1, 2020.

Sincerely,



Rev. Harriett Walden, Co-Chair
Community Police Commission



Emma Catague, Co-Chair
Community Police Commission

cc: Community Police Commission