



City of Seattle

Seattle Police Department

April 18, 2016

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

Re: Management Action Recommendation (OPA-2013-0410, 2015OPA-1586, 2016OPA-0175, 2015OPA-1286)

Dear Director Murphy:

Thank you for your April 11, 2016, letter regarding the above OPA cases, which provides a timely opportunity for me to update you on the steps the Department has taken with respect to how it authorizes and manages secondary employment. You have rightly identified that there are ethical, legal, and financial concerns that must be addressed, but additionally, there are significant officer and public safety concerns that underscore the need for significant reform in this area. While we recognize the private sector's soaring demand for the services of off-duty SPD officers, our own operational needs must take priority, and it is our obligation to ensure that officers, our most valuable resources, are not worked beyond reasonable capacity. It is because we are committed to getting this right – legally, ethically, and operationally – that we are designing a system that can most completely address all necessary considerations.

As you know, on a closely related issue, the Department is currently in the process of overhauling how it assigns, tracks, and authorizes officer overtime. In our March 15th memorandum in response to the City Auditor's recent report on the Department's overtime demands, we detailed the processes and controls we are implementing to address inequalities and inefficiencies in this area. These measures include a new policy, currently in draft form, that we expect will take effect this quarter. In addition, the Department is in the process of procuring a new staffing and scheduling application that will allow us real-time visibility into overtime assignments and upcoming needs – technology that the Department presently lacks.

There is little distinction in terms of obligations under Department policy and the effect of work schedules on officer well-being between an officer who is working overtime to meet a Department need and an officer who is working off-shift in a commissioned capacity. The processes and controls that we are putting into place to manage overtime must accordingly inform and complement eventual systems for managing secondary employment. By way of key example, as is true with respect to overtime, a paramount goal for a secondary employment system is the ability to provide the Department with real time visibility into where, when, and for whom an officer is scheduled to work off-duty. Such functionality is necessary in order to ensure that off-duty work is authorized in a manner that does not conflict with the Department's staffing needs, policy requirements, or pose objectively unhealthy demands on an officer's time.

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Unfortunately, such functionality is more readily envisioned than effected. While I hear your concern as to timing, I assure you the pace at which we are moving this project forward is due entirely to the complexity of the issue and not for lack of time and effort put forth by my staff, in the midst of other equally urgent priorities, to develop a system that is efficient, fair, transparent, and sustainable. We have, however, made good progress towards our goal. We have been working to assess, on one hand, our potential capacity to manage in-house the scheduling of officers for off-duty assignments, but we have also been meeting with vendors who offer single-source staffing/scheduling services that, unlike most of the existing staffing services, offer to some degree the functionality needed to assure Department oversight, tracking, and pre-approval of assignments. While we work towards a decision in that respect, we are also actively drafting a revised policy on secondary employment, which should be completed soon.

Restructuring our oversight of secondary employment is of high priority for the Department, as I know it is for OPA. We will continue to keep you updated as to our progress, but, as always, please let me know if you would like to discuss this response further.

Sincerely,



Kathleen M. O'Toole
Chief of Police

cc: Judge Anne Levinson (Ret.)
Deputy Chief Carmen Best
Brian Maxey, Chief Operating Officer
Assistant Chief Lesley Cordner
Rebecca Boatright, Senior Police Counsel