



Seattle Office of City Auditor

David G. Jones, City Auditor

April 1, 2022

www.seattle.gov/cityauditor

2021 Annual Report

Advancing accountability, efficiency, equity, and transparency throughout City of Seattle government

Message from City Auditor

2021 was marked by the continued challenges of working during a global pandemic. Despite those challenges, our office continued to provide the City Council, City departments and the public with accurate information and useful recommendations for improvements to City programs, while receiving national recognition for our efforts.

- In 2021 our work focused on some of the pressing issues that the City of Seattle faced, such as [equity in the criminal legal system](#), [transportation infrastructure](#), [affordable housing](#), and [controls over City of Seattle surveillance technologies](#).
- We continued our [annual reporting on the implementation status of our audit recommendations](#).
- We continued our program evaluation work related to equity issues addressed through the [Sweetened Beverage Tax](#), a federal grant to prevent youth violence in Rainier Beach, and [the Secure Scheduling Ordinance](#).
- We successfully passed an [independent external peer review](#) of our audit work conducted by the Association of Local Government Auditors (ALGA).
- Our report on the [Seattle Municipal Court's Probation Program](#) won the highest award for report quality from ALGA.
- Assistant City Auditor Virginia Garcia received a Lifetime Achievement Award from ALGA for her work on diversity, equity, and inclusion.
- I had the honor of being reappointed by the Seattle City Council to another term as Seattle City Auditor, thanks to the great work performed by everyone in our office.

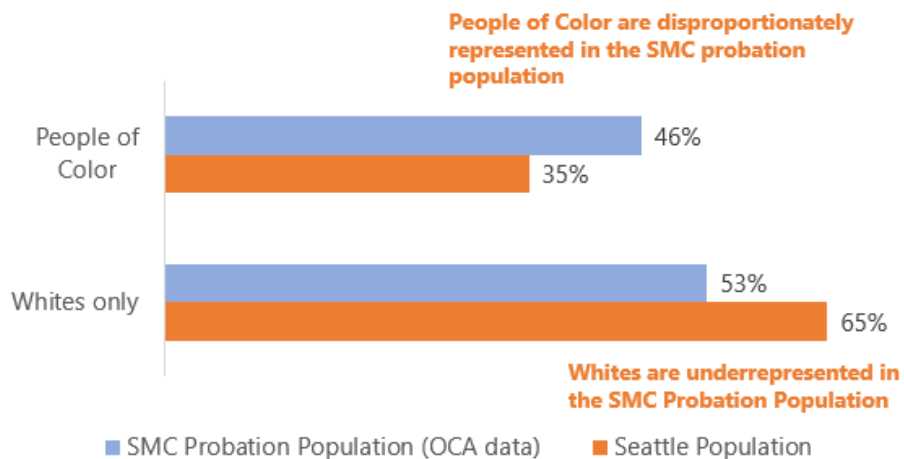
2021 also marked the 30-year anniversary since City of Seattle voters approved a charter amendment creating the Seattle Office of City Auditor. Looking ahead, we have a lot of important work planned in 2022 (see our work program on page 9) such as producing ordinance required reports on seven surveillance technologies and examining Seattle's experience with organized retail crime. I appreciate the commitment of our team in analyzing these complex issues and the Seattle City Council's continuing interest in and support of our office's work.

A handwritten signature in black ink that reads "David G. Jones".

Highlights from 2021

Seattle Municipal Court Probation Racial and Ethnic Proportionality: This audit was conducted in response to a 2020 Seattle City Council Statement of Legislative Intent, that directed our office to review the Seattle Municipal Court's (SMC) probation program. The audit's objective was to assess the impacts of SMC probation on people of color and the racial proportionality of imposing probation, conditions of compliance, rates of successful completion, and early release. Probation is court supervision instead of jail or after jail release to ensure the fulfillment of court ordered obligations or conditions. In Seattle, it is the predominate method of court sentencing that can last years for misdemeanor lower-level offenses. Given existing racial and ethnic disparities in the criminal legal system, probation can disproportionately burden people of color with court obligations, fines, and incarceration when the terms of probation are not met. Studies have shown that unnecessary and excessive imposition of probation can be counterproductive to reducing recidivism. In deciding to fund and staff a probation function, the City of Seattle (City) must ensure that its probation program is not contributing to racial disparities present in our criminal legal system and that probation results in successful outcomes for everyone.

Our review of probation data revealed that People of Color were disproportionately represented in the 2017-2019 probation population compared to their percentage in the Seattle population.

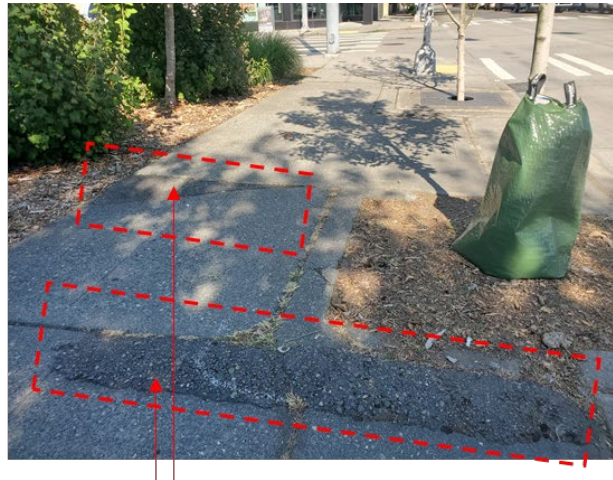


Specifically, we found that Black/African American people were overrepresented in the most intrusive forms of probation supervision monitoring, were underrepresented in successful probation outcomes, and had cases that remained open rather than being closed after obligations are met. We also found that SMC's efforts to promote equity within its probation system were hampered by data gaps, a lack of performance outcomes, accurate accounting of fines and fees, and internal controls. We made 14 recommendations in the report, including identifying gaps in the collection and in the use of Seattle Municipal Court Information System (MCIS) data, recommending filling those gaps, and suggesting further areas of study. In their response to our report, SMC stated that they concurred with the report's 14 recommendations.

Sidewalk Maintenance and Repair: This audit was conducted in response to Seattle City Councilmember Andrew Lewis' request for our office to review Seattle's sidewalk repair program. The City has about 2,300 miles of sidewalks. The City is responsible for repairing and maintaining sidewalks adjacent to City property or structures, affected by City utilities, and adjacent to City street trees. The Seattle Department of Transportation (SDOT) estimates that the City is responsible for about 15 to 20 percent of Seattle's sidewalks. The remaining 80 to 85 percent are primarily the responsibility of the adjacent private property owners to maintain. The report examined current funding for sidewalk repair in Seattle and compared it to need, analyzed how SDOT selects sidewalk repair and replacement projects, and assessed SDOT's progress in implementing recommendations from the Seattle City Council requested June 2020 *Policy Recommendations for Sidewalk Repairs in Seattle* report.



Example of a **bevel**: Edge of sidewalk was ground down so it matches the height of the neighboring concrete panel.



Example of **shims**: asphalt was added so that the height matches the height of the neighboring concrete panel.

We found that forty-six percent of Seattle's sidewalks are in fair, poor or very poor condition. The City's funding does not meet the needs for sidewalk repair in Seattle, which SDOT conservatively estimated to be \$500 million, in part because it does not enforce laws requiring private property owners to repair and maintain their adjacent sidewalks. Due to the complex enforcement process required by state law, the City has not established a process to require private property owners to fix their adjacent sidewalks. Other cities offer promising practices to help private property owners meet their responsibilities for sidewalks while maintaining equity. SDOT selects sidewalk repair projects carefully but, like in other cities, does not seek public input on how to repair them. We offered seven recommendations aimed at increasing sidewalk repair and maintenance in Seattle. SDOT officials stated that they concurred with the spirit of the recommendations in the audit report.

Notice of Intent to Sell Affordable Housing Units: Ordinance 125873 requested that the City Auditor, in collaboration with the Office of Housing, evaluate multifamily building owners' compliance with the ordinance's notice of intent to sell provisions. The intent of the Ordinance is to inform affordable housing providers and tenants of opportunities to purchase buildings before they are publicly listed for sale on the market.

We found that there is insufficient evidence available to fully evaluate multifamily building owners' compliance with the notice provisions in Ordinance 125873. We also found that in the past five years, the City received 20 notices of intent to sell a multifamily rental housing building with two or more units any of

which rents for an amount affordable to households at or below 80 percent of area median income. It is unclear whether this is above, below, or equal to the number that should have been submitted. We found that identifying cases when building owners should be submitting notices of intent to sell but are not complying with the ordinance would require access to complete and reliable data, additional resources, and significant ongoing efforts by the City. As of February 2021, there had been no letters of interest from tenants or tenant groups to purchase a property for which a notification was submitted. Currently, there are no public or community-based financial or technical resources to help affordable housing providers and tenants purchase real estate identified through the ordinance. The City of Seattle's Office of Housing, the Seattle Department of Construction and Inspections and the Seattle Housing Authority generally agreed with the five recommendations we made in the report.

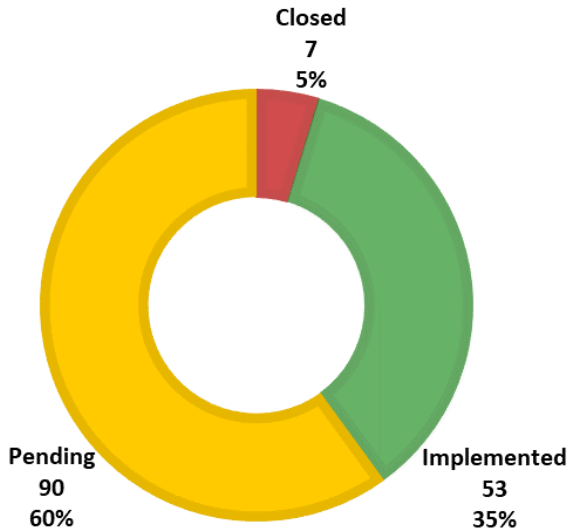


SDOT CCTV Traffic Cameras
Source: Seattle Department of Transportation Traffic Cameras Fact Sheet.

Surveillance Technology Usage Review of Seattle Department of Transportation Closed Circuit Television Cameras: The Surveillance Technology Ordinance required that we review the Seattle Department of Transportation's (SDOT) use of Closed-Circuit Television (CCTV) Traffic Cameras to ensure that individuals civil rights were not being violated because of the technology. We concluded that overall, SDOT generally complied with the technology's use pursuant to its Surveillance Impact Report (SIR) and Consolidated Surveillance Impact Report (CSIR). However, we identified several areas that SDOT should address, including policy inconsistencies and user training. We also concluded that the City has no control over what users may do with CCTV data because it is publicly streamed. Also, SDOT does not have written agreements with the City departments that have access to the CCTV cameras to not record what they view through the cameras. We made 19 recommendations to address SDOT's use of its CCTV technology to improve compliance with the Ordinance approved SIR and CSIR. Recommendations included: addressing and resolving inconsistencies in operational policies and training documents, clarifying policy terminology, executing technology and data use agreements with non-SDOT users, and increased user training. SDOT concurred with our 19 recommendations.

Follow Up on Recommendations

In 2021, we continued our annual practice of following up on open audit recommendations. As seen in the chart below, in 2021 departments implemented 35 percent of the open recommendations made in our reports. Our 2021 status report on departments' implementation of our audit recommendations will be published in Q2 2022.



Status Categories

Implemented

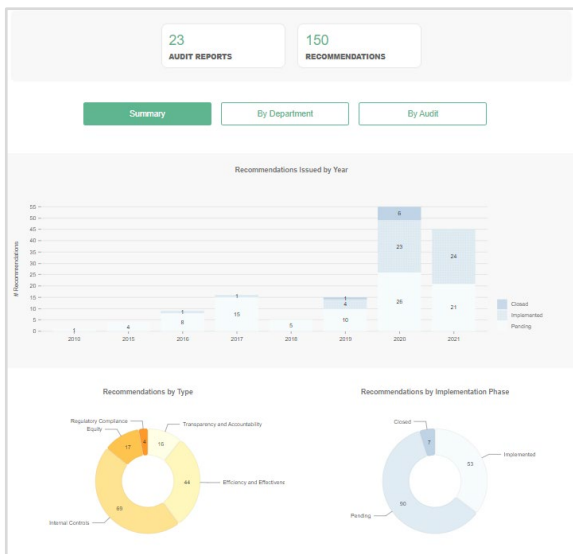
We determined that the recommendation or the intent of the recommendation has been met, or we see significant progress has been made and no barrier to its full implementation.

Pending

We determined that implementation is in process or is uncertain, and additional monitoring is warranted. We will follow up on these recommendations in the future.

Closed

We decide to close recommendations when either: 1) the recommendation is no longer relevant; 2) implementation is not feasible; 3) the audited entity's management does not agree with the recommendation and is not planning to implement the recommendation; or 4) the recommendation was considered by the City Council but not adopted. We will no longer follow up on these recommendations.



We have added a new improved version of our interactive recommendation status dashboard that will be available on our office's website in Q2 2022. A screenshot of the new dashboard is on the left.

Race and Social Justice Initiative

Our office is committed to the City's efforts to end institutional racism in City government and achieve racial equity across our community. To this end, we use a racial equity toolkit in each of our audits as a standard part of our audit process and use internal metrics to encourage our staff to build their expertise in race and social justice issues. The table below shows the Race and Social Justice Initiative (RSJI) outreach issues and racial equity recommendations addressed in our 2021 reports.

2021 RSJI Audit Work Outreach and Recommendations Summary

Project Title & Year Published	Issue Area	Involved Community Input or Auditees' Outreach Efforts	RSJI Recommendations
Seattle's Sidewalk Maintenance and Repair Program Report (2021)	Transportation	Researched if/how the Seattle Department of Transportation (SDOT) solicits public input about sidewalk repair projects.	Recommended SDOT implement an income-based cost-sharing program or cost waiver for low-income property owners to assist them in paying for sidewalk repairs.
Assessment of Seattle Municipal Court Probation Racial and Ethnic Proportionality (2021)	Criminal Legal System, Probation, Racial and Ethnic Disproportionality	Reviewed Seattle Municipal Court (SMC) probation's involvement in community outreach and found it could be improved.	Recommended SMC improve data collection and address data gaps, address inequities in the probation population, the type of supervision assigned, successful outcomes, and the early release of probationers.

The Office of City Auditor Continues to be Certified as Meeting Stringent Professional Auditing Standards

After conducting a thorough review, a team of two auditors independently selected by the Association of Local Government Auditors (ALGA) concluded on December 2, 2021, that our office operated in compliance with Government Auditing Standards during the period of September 30, 2018, through October 1, 2021. The Government Auditing Standards are issued by the U.S. Comptroller General to provide a framework for performing high-quality audit work with competence, integrity, and independence. This is the fourth consecutive ALGA Peer Review the Office of City Auditor has passed since David Jones became City Auditor in 2009. The next review will occur in 2024.

The ALGA Peer Review team noted that our office excelled in these areas:

- The office demonstrated a commitment to equity through the Race and Social Justice Initiative, which included processes to consider equity throughout all phases of their audits.
- The experienced and dedicated staff members were very knowledgeable about the Government Auditing Standards, and staff demonstrated their abilities to research audit subject matters and identify audit criteria that informed established audit objectives.
- The office received the 2020 Exemplary Knighton Award as a Medium Shop for the Audit of Seattle Department of Transportation: Strategic Approach to Vehicle Bridge Maintenance is Warranted.
- The office continued to maintain a highly esteemed reputation, as an objective organization, through a well-defined relationship with the executive and legislative branches, as demonstrated by the number of requests for audits and non-audit services.

2021 Published Reports

Performance Audits

- [Surveillance Usage Review: Seattle Department of Transportation Closed Circuit Television \(CCTV\) Traffic Cameras](#)
- [Assessment of Seattle Municipal Court Probation Racial and Ethnic Proportionality](#)
- [Seattle's Sidewalk Maintenance and Repair](#)

Evaluations

- [Secure Scheduling Ordinance Year 2 Worker Impact](#)
- [Report on Norms and Attitudes Toward the Sweetened Beverage Tax \(Ordinance 125324\) 24 Months After the Tax's Implementation](#)

Other Reports

- [Status Report on Implementation of Office of City Auditor Recommendations as of December 2020](#)
- [Evaluation of Compliance with Ordinance 125873: Notice of Intent to Sell](#)
- [Gun Safe Storage Ordinance: Statistical Report on 2019 Data and Updated 2017 Data](#)

Seattle Office of City Auditor Staff in 2021 and 2022

David G. Jones, City Auditor
Sean DeBlieck, Deputy City Auditor
Sarah Bland, Executive Assistant
Melissa Alderson, Assistant City Auditor
Jane Dunkel, Assistant City Auditor
Virginia B. Garcia, Assistant City Auditor
Claudia Gross Shader, Assistant City Auditor
Robin Howe, Assistant City Auditor
Rhonda Lyon, Assistant City Auditor
IB Osuntoki, Strategic Advisor
Kamaria Sims, NIJ Grant Human Services Coordinator
Marc Stepper, Assistant City Auditor
Megumi Sumitani, Assistant City Auditor



During 2021, two long-time employees, Robin Howe and Megumi Sumitani, retired and in March 2022, another long-time employee, Jane Dunkel, retired. It will not be easy to replace their expertise and good company. Sean DeBlieck, IB Osuntoki, and Rhonda Lyon also left our office to take positions with other government entities. We wish all our former colleagues well in their future endeavors. Recently Sarah Bland and Kamaria Sims joined our office. We are excited to have them on board.

Office of City Auditor Annual Work Program (as of April 1, 2022, and subject to change)

Projects	Source	Estimated Completion Date
Procurement of Seattle Police Department Patrol Vehicles	City Councilmember Lewis Request	Published 1/25/22
Audit of Seattle Public Utilities Residential Solid Waste Billing	City Auditor Initiated	Published 3/30/22
Encampment Progress Dashboard	City Councilmembers Herbold and Lewis Request	Q2 2022
Community Safety Initiative	City Councilmember Herbold Request	TBD
Office of City Auditor Annual Recommendation Follow up Report	City Council Request	Q2 2022
Audit of Surveillance Technologies: Seattle Fire Department Computer-Aided Dispatch System	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Seattle Fire Department Emergency Scene Cameras	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Seattle Fire Department Hazmat Cameras	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Seattle City Light Binoculars/Spotting Scope	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Seattle City Light Check Meter Device	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Seattle City Light Sensor Link Amp Fork	Ordinance 125376	Q3 2022
Audit of Surveillance Technologies: Annual Review of Seattle Department Closed Circuit Television Cameras	Ordinance 125376	Q3 2022
Safe Gun Storage Statistical Reports	Ordinance 125620	Q3 2022
Management of Secure Scheduling Evaluation Contract	Ordinance 125135	Final report on employer implementation to be published in 2022
Participation in Federally Funded Evaluation of National Institute of Justice Grant: Rainier Beach	Follow up to City Council requested report published by	Q4 2022

Campus Positive Behavioral Interventions and Supports	our office in 2011 on crime hot spots	
Quality Assurance Reviews of Office of Inspector General Investigations	Under the agreement between the City of Seattle and the Seattle Police Officers' Guild Appendix E – 3.29.125 (H), we review investigations the Office of Inspector General (OIG) performs when the Office of Police Accountability has a conflict of interest with an investigation and OIG must perform it.	As needed