



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA# 14-0070

Issued Date: 03/26/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (II.A)(1.c) Responsibility of Supervisors (Policy that was in effect prior to 7/16/14)
OPA Finding	Not Sustained (Management Action)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (VI.A)(3) Integrity – Misuse of Authority (Policy that was in effect prior to 7/16/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (II.A)(1.c) Responsibility of Supervisors (Policy that was in effect prior to 7/16/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (II.A)(1.c) Responsibility of Supervisors (Policy that was in effect prior to 7/16/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

Named Employee #4	
Allegation #1	<u>Seattle Police Department Manual</u> 1.040 Department Mission Statement & Priorities (Policy was effective 4/28/05 - 1/20/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

Named Employee #5	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (II.A)(1.c) Responsibility of Supervisors (Policy that was in effect prior to 7/16/14)
OPA Finding	Not Sustained (Management Action)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Education and Training Section (ETS) of the Seattle Police Department has a captain and a lieutenant who supervise the budget, curriculum and assignments, as well as sergeants and officers who manage or conduct trainings. They are assigned to ETS as part of a regular SPD rotation of assignments. In addition, SPD personnel with particular expertise throughout the Department are routinely asked to serve as "adjunct" trainers, who are paid overtime to assist with certain trainings in addition to their regular SPD assignment. ETS exceeded its 2013 overtime budget.

COMPLAINT

An anonymous complainant alleged that overtime earned by Sergeants and officers assigned to the Training Unit were paid for hours that they did not work. It further alleged that individuals in the Training Unit changed their work schedule and hours in order to generate additional overtime.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint letter
2. Consultation with the Seattle Ethics and Elections Commission
3. Consultation with the Seattle Auditor's Office
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The weight of evidence did not prove that any individual or group of ETS employees misused their position and authority to claim overtime for hours they did not work, or that work schedules were altered so employees could earn unnecessary overtime that could have been avoided. ETS supervisors failed to keep overtime spending within budget, did not have tight supervisory controls and did not keep accurate records. This contributed to the perception within SPD that individuals working in ETS earned overtime they would not have been paid had there been more rigorous management and oversight both by ETS supervisors and SPD command staff. However, because these issues appear to have been pervasive, with responsibility resting more with the Department than specific individuals, and because ETS had been directed to produce a high volume of draft curricula and deliver four days of training to over 1,200 sworn personnel without adequate staffing or budget, it is recommended that SPD as an organization be held accountable for this failure to control overtime spending.

FINDINGS

Named Employee #1

Allegation #1

Based on the analysis and conclusion above, a finding of **Not Sustained** (Management Action) was issued for *Responsibility of Supervisors*.

Allegation #2

Based on the analysis and conclusion above, a finding of **Not Sustained** (Unfounded) was issued for *Integrity – Misuse of Authority*.

Named Employee #2

Allegation #1

Based on the analysis and conclusion above, a finding of **Not Sustained** (Management Action) was issued for *Responsibility of Supervisors*.

Named Employee #3

Allegation #1

Based on the analysis and conclusion above, a finding of **Not Sustained** (Management Action) was issued for *Responsibility of Supervisors*.

Named Employee #4

Allegation #1

Based on the analysis and conclusion above, a finding of **Not Sustained** (Management Action) was issued for *Department Mission Statement & Priorities*.

Named Employee #5

Allegation #1

Based on the analysis and conclusion above, a finding of **Not Sustained** (Management Action) was issued for *Responsibility of Supervisors*.

The OPA Director's letter of Management Action recommendation to the Chief of Police is attached to this report.

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.



City of Seattle

Office of Professional Accountability

September 26, 2014

Chief Kathleen M. O'Toole
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: Special Report: Recommendations for Management Action

Dear Chief O'Toole:

Attached please find a *Special Report: Recommendations for Management Action* by the Office of Professional Accountability (OPA). This report covers issues raised as a result of our investigation into an anonymous complaint regarding excessive overtime spending in the Seattle Police Department's (SPD) training unit. This investigation was completed on September 10, 2014.

I am making three recommendations for management action by SPD.

- 1) That steps are taken to ensure that adequate leadership, management oversight, supervisory control, and robust procedures are in place to enforce budget compliance, control overtime spending and align employee efforts with the goals and mission of the Department. This should begin immediately within the Education and Training Section, but extend to all of SPD as soon as possible.
- 2) That the Chief of Police formally invites the City Auditor to conduct an audit of the ETS, along with recommendations for systemic improvements, if appropriate.
- 3) That the Chief of Police implement without delay those recommendations made by the City Auditor that will reasonably be expected to improve the effectiveness and accountability of the ETS.

I look forward to discussing this Special Report and my recommendations with you. Please do not hesitate to contact me should you have any questions. Thank you for your time and consideration of this report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pierce Murphy".

Pierce Murphy, Director
Office of Professional Accountability

PM: ap

cc: File