



Seattle Office of Police Accountability

September 20, 2024

Interim Chief Sue Rahr
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

Dear Interim Chief Rahr:

Please see the below Management Action Recommendation.

Case Number

- 2023OPA-0300 / 2024COMP-0006

Topic

- Off-Duty Employment

Summary

A complainant alleged that SPD employees worked off-duty law enforcement jobs without approval.

Analysis

- The complainant alleged that unknown employees worked for a security contractor in an “observe and report” and “good witness” capacity. Those officers reportedly did not wear uniforms or were instructed to take police action.
- SPD Policy 5.120-POL-4 requires an employee’s chain of command up to the captain level to approve “law enforcement-related” off-duty employment.¹
- SPD Policy 5.120-POL-2 outlines eligibility criteria for off-duty employment.² However, neither policy articulates what constitutes off-duty law enforcement employment, requiring a supervisor’s approval.
- SPD’s deputy general counsel’s August 4, 2023, email to OPA stated that SPD interprets “law enforcement related [employment]” “to mean an off-duty job in which [SPD employees] are serving in a commissioned capacity (i.e., in uniform and with authority to exercise law enforcement authority).”
- OPA reviewed other jurisdictions’ secondary employment regulations. Portland regulates all off-duty employment regardless of its relation to law enforcement, except for employees selling creative

¹ SPD Policy 5.120-POL-4 Employees Must Request Approval for all Law Enforcement Related Off-Duty Employment and Business Activities (effective date 02/01/2019).

² SPD Policy 5.120-POL-2 Employees Must Be Eligible for Off-Duty Employment (effective date 02/01/2019).



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products.³ Similarly, Los Angeles,⁴ Denver,⁵ Spokane,⁶ Chicago,⁷ Sacramento,⁸ San Francisco,⁹ and Bellevue¹⁰ regulate secondary employment, with most jurisdictions requiring the chief's approval, regardless of the nature of the off-duty employment.

- Denver's policy differentiates police work from non-police work based on whether the job involves "the use of police authority."

Recommendations

- SPD should guide employees' determination whether their off-duty employment is "law enforcement related," requiring compliance with SPD Policy 5.120-POL-4. SPD should provide a specific definition or a list of considerations for deciding whether the policy applies.
- Alternatively, SPD could modify Policy 5.120 to regulate all secondary employment regardless of its relation to law enforcement.

I appreciate your consideration and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino Betts, Jr.".

Gino Betts, Jr.
Director, Office of Police Accountability

³ Portland Police Bureau. PPB-0210.80 Extra Employment and PPB-0210.70 Extra Employment.

⁴ Los Angeles Police Department Policy 270.30 Secondary Employment Policy – General.

⁵ Denver Police Department Operation Manual. Policy 114.00 Employment Outside the Police Department. Revised 05/31/2018.

⁶ Spokane Police Department Policy Manual. Policy 1040 - Extra Duty and Outside Employment.

⁷ Chicago Police Directives. Policy E01-11 Secondary Employment. Effective 04/07/2023.

⁸ Sacramento Police Department. General Orders 253.03 – Outside Employment. Effective 06/03/09.

⁹ San Francisco Police Department. General Order 11.02. Secondary Employment. 08/10/1994.

¹⁰ Bellevue Police Department Policy Manual. Policy 17.00.180 – Off-Duty and Extra-Duty Employment.