



City of Seattle
City Budget Office

MEMORANDUM

DATE: January 30, 2015

TO: Honorable Bruce Harrell, Chair
Public Safety, Civil Rights and Technology Committee

Honorable Nick Licata, Chair
Finance and Culture Committee

FROM: Ben Noble, Director, City Budget Office

SUBJECT: **2014 Year-end Executive Report on Department of Justice Expenditures**

This memorandum is in response to the 2013 Adopted Budget proviso from Green Sheet 67-1-A-1, which requested that Executive submit monthly expense reports documenting any funds expended or encumbered related to the Department of Justice Settlement Agreement (DOJ SA), whether from the amount in Finance General reserves or from other City funds. Due to year-end closing, final expenditures for December were not available prior to the Council deadline for this report. As such, the report submitted to you today reflects financial activity for the prior year as reported through January 20, 2015. An update of the December and total 2014 figures will be included in the next report if there are significant changes that occur after submittal of this document.

As shown in **Table 1** on the following page, the City spent \$609,288 on DOJ implementation activity in December.

As noted in the 2014 March report, the “Project-to-date” total for the Seattle Police Department (SPD) in **Table 1** has been changed to only capture SPD DOJ specific costs from January 2013 forward. This change was made to ensure that Race and Social Justice Initiative (RSJI) and the 20/20 Initiative (20/20) costs from 2012 are no longer captured in the report. Monitor and Community Police Commission costs have never included RSJI or 20/20 costs and represent actual costs incurred since October 2012. As such, the City has spent approximately \$12.8 million on Settlement Agreement related costs since it started tracking costs.

Table 1: Summary of DOJ Expenditures

	2014 Revised Budget¹	December (As of Jan 20)	2014 Total Expenditures	Project-to-date²
Monitor (inc. J. Brann)	\$1,325,000	\$94,589	\$1,310,598	\$2,362,189
Community Police Commission	\$852,070	\$58,282	\$462,532	\$1,040,903
Seattle Police Department	\$293,507,627	\$456,417	\$5,806,414	\$9,406,684
Total Expenditures		\$609,288	\$7,579,544	\$12,809,776

¹ The Revised Budget column reflects changes made to department budgets during 2014 by Council Ordinance through the end of November 2014. For the Monitor, this number reflects funding available in the Finance General Reserve for invoices paid between January 1, 2014 and December 31, 2014, including outstanding invoices from the prior year, with funds carried forward from unspent 2013 budget resources.

² SPD Project-to-date costs represent costs from January 2013. Monitor and CPC Project-to-date costs represent costs from October 2012.

Monitor

In 2014, the City paid approximately \$1.3 million for the services of the Monitor and his team from the DOJ Finance General Reserve. This figure includes two things: 1) Payment for services performed between January 1 and December 31, 2014 and 2) Payment of a small number of outstanding invoices from 2013. The 2013 invoices were for Joseph Brann, a member of the Monitoring Team, whose invoices were unable to be paid before the City's 2013 internal processing deadline. The City Budget Office (CBO) requested funding be carried forward from 2013 to pay these invoices in early 2014 so they would have no impact on the 2014 budget.

All invoices for Monitor services rendered in 2014 have been paid. Please find additional discussion of the DOJ Finance General Reserve later in this document.

Community Police Commission

The Community Police Commission (CPC) has spent just over half of its revised 2014 budget authority to date. The CPC has encumbered nearly all of the remaining funds in its budget against contracts that expire later in 2015. CPC has requested that the funds associated with those encumbrances carry forward in 2015. This request is currently being evaluated by CBO. Any Department balance that is not approved for carry forward will be returned to the General Fund during year-end processing.

Seattle Police Department

The Seattle Police Department spent a total of \$5.8 million on Settlement Agreement related expenses in 2014. Please refer to the attached "December 2014 DOJ SA SPD Expenditure Report" for additional detail of these expenditures for the month of December. This attachment also contains a summary of the Force Investigation Team (FIT) call-outs that the Department FIT Team responded to in 2014 by month as this was a new function for the Department funded in the 2014 Adopted Budget. The number of call-outs reported

by the Department (46) is consistent with estimations made in the fall of 2013 when the FIT Team budget proposal was developed.

It is important to note that SPD received additional appropriation during the Fourth Quarter Supplemental to cover overtime expenses associated with the Settlement Agreement that are not currently reflected in the **Table 1 Revised Budget Column**. This is discussed in further detail in the next section.

Finance General Department of Justice Settlement Agreement Public Safety Reserve

The 2014 Adopted Budget set aside approximately \$5.8 million in the Finance General Reserve. This funding was set aside to pay for the following as needed:

1. Court appointed monitor invoices;
2. SPD overtime costs associated with Settlement Agreement implementation;
3. Purchase of a SPD data solution; and
4. Other specific Settlement Agreement costs or unexpected SPD general overtime.

The reserve was increased in early 2014 by the carryover of 2013 funds for expected outstanding 2013 Monitor invoices creating a total reserve of \$5.9 million.

Early in 2014, CBO notified SPD that it would receive transfers from the DOJ Finance General Reserve during the Fourth Quarter Supplemental Ordinance to reimburse them for overtime expenditures associated with Settlement Agreement implementation. Waiting until late 2014 would provide CBO with the greatest level of understanding of SPD overtime expenditures as they relate to the overall SPD budget and expected need.

In October, SPD notified CBO that it would require additional appropriation to balance its overall budget due to costs associated with implementation of the DOJ Settlement Agreement (approximately \$2.5 million) as well as expenditures for other SPD duties such as emphasis patrols and special event coverage (approximately \$2.1 million). In order to balance SPD's budget, the Executive requested Council transfer these amounts from the DOJ Finance General Reserve to SPD in the supplemental ordinance which was approved in December.

After paying 2014 Monitor invoices and completion of the transfer to SPD as a result of the Fourth Quarter Supplemental Ordinance, CBO expects to have a very small balance remaining in the 2014 DOJ Finance General Reserve that will be returned to the General Fund during year-end processing.

We look forward to discussing this update in more detail as Council desires. If you have questions about this report, please contact Candice Livingston at 3-7274.

Attachments: Council Green Sheet 67-1-A-1
December 2014 DOJ SA SPD Expenditure Report

cc: Honorable Sally Bagshaw
Honorable Tim Burgess
Honorable Sally J. Clark
Honorable Jean Godden
Honorable Mike O'Brien
Honorable Tom Rasmussen
Honorable Kshama Sawant
Kathleen O'Toole, Chief of Police
Kirstan Arestad, Council Central Staff Director
Dan Eder, Council Central Staff
Mark Baird, Council Central Staff
Newell Aldrich, Councilmember Licata's Office
Jennifer Samuels, Councilmember Harrell's Office
Scott Lindsay, Mayor's Office
Jason Kelly, Mayor's Office
Doug Carey, FAS
Jean Boler, LAW
Rebecca Boatright, LAW
Greg Narver, LAW
Tyler Running Deer, CBO
Jennifer Devore, CBO
Candice Livingston, CBO
Michael Wagers, Chief Operating Officer SPD
Tag Gleason, Assistant Chief SPD
Greg Doss, SPD

2013 - 2014 Seattle City Council Green Sheet

Ready for Notebook

Tab	Action	Option	Version
67	1	A	1

Budget Action Title: Impose a proviso on the Finance General Reserves BCL for Department of Justice Settlement Agreement Public Safety Reserves

Councilmembers: Budget Committee

Staff Analyst: Christa Valles

Council Bill or Resolution:

Date		Total	SB	BH	TR	RC	TB	NL	JG	SC	MO
	Yes										
	No										
	Abstain										
	Absent										

Budget Action description:

This green sheet imposes the following budget proviso:

“No more than \$300,000 appropriated in the 2013 budget for Finance General’s Reserves BCL may be spent for the Department of Justice Settlement Agreement until authorized by future ordinance.”

Background

The Mayor has placed approximately \$4.6 million in Finance General Reserves in both 2013 and 2014 to cover potential expenses associated with the Department of Justice (DOJ) Settlement Agreement. This proviso will require the Executive to request Council authorization before it can spend more than \$300,000 of these funds in 2013, which is approved upfront to account for possible expenditures incurred in early 2013.

To provide the information needed to monitor DOJ-related spending and to support Council’s consideration of future appropriation requests, Council requests the Executive submit monthly expense reports documenting any funds expended or encumbered related to the Department of Justice Settlement Agreement, whether from the amount in Finance General Reserves or from other City funds. The report for a given month shall be sent by no later than the 20th of the following month to the Chairs of the Government Performance and Finance Committee and Public Safety, Civil Rights, and Technology Committee.

December 2014 DOJ SA SPD Expenditure Report

Activity	Regular Time	Overtime	Purchases	Total
In-Car Video Costs	\$0	\$0	\$0	\$0
Monitor Reports	\$0	\$0	\$0	\$0
Project Management Costs	\$0	\$0	\$0	\$0
Technical work	\$0	\$0	\$0	\$0
Purchases	\$0	\$0	\$0	\$0
Compliance Audit Costs	\$13,740	\$9,799	\$0	\$23,539
In-Car Video Audits	\$3,580	\$0	\$0	\$3,580
Use of Force Audits	\$2,972	\$0	\$0	\$2,972
Stops and Detentions	\$1,182	\$0	\$0	\$1,182
"Other" Audits	\$6,005	\$9,799	\$0	\$15,804
Purchases	\$0	\$0	\$0	\$0
General Compliance Costs	\$13,511	\$1,661	\$40	\$15,212
General Activities	\$9,562	\$1,424	\$0	\$10,986
Compliance Data Collection, Validation, etc.	\$3,951	\$236	\$0	\$4,187
Compliance Outreach	\$0	\$0	\$0	\$0
Purchases	\$0	\$0	\$40	\$40
Crisis Intervention Costs	\$0	\$1,687	\$0	\$1,687
Attending Meetings	\$0	\$309	\$0	\$309
Meeting Prep (Reports etc)	\$0	\$0	\$0	\$0
General Crisis Intervention Work	\$0	\$1,649	\$0	\$1,649
Curriculum Development Costs	\$16,311	\$6,271	\$0	\$22,583
Bias Policing	\$0	\$2,398	\$0	\$2,398
In Car Video	\$1,543	\$389	\$0	\$1,932
Crisis Intervention	\$1,016	\$452	\$0	\$1,468
Sergeant's Academy	\$2,099	\$0	\$0	\$2,099
Early Intervention	\$3,240	\$71	\$0	\$3,310
Stops & Detention	\$189	\$0	\$0	\$189
Use of Force	\$8,225	\$2,962	\$0	\$11,187
Purchases	\$0	\$0	\$0	\$0
Development of Data Systems	\$19,621	\$4,180	\$46,537	\$70,338
Data Input	\$0	\$0	\$0	\$0
BI Work	\$1,351	\$0	\$45,293	\$46,644
IA Pro Work	\$14,872	\$4,180	\$1,245	\$20,298
System Prep	\$3,398	\$0	\$0	\$3,398
Purchases	\$0	\$0	\$0	\$0
Early Intervention Systems	\$8,302	\$0	\$0	\$8,302
Early Intervention System General	\$8,302	\$0	\$0	\$8,302
Force Investigation Team Costs	\$97,082	\$22,648	\$5,113	\$124,842
FIT General	\$0	\$0	\$0	\$0
FIT Instruction	\$0	\$0	\$0	\$0
FIT Policy Development	\$0	\$0	\$0	\$0

Activity	Regular Time	Overtime	Purchases	Total
FIT Investigation	\$ 59,283.00	\$ 6,677.87	\$ 1,025.22	\$ 66,986.09
FIT Standby	\$0	\$7,764	\$0	\$7,764
FIT Team Office Supplies & Equipment	\$0	\$0	\$0	\$0
FIT Training	\$816	\$0	\$700	\$1,516
FIT Reporting (Not Use of Force Training)	\$36,721	\$3,750	\$0	\$40,471
FIT Rollout	\$262	\$4,455	\$0	\$4,717
Purchases	\$0	\$0	\$3,387	\$3,387
Instruction Costs	\$11,283	\$65,709	\$0	\$76,991
Use of Force	\$6,355	\$39,631	\$0	\$45,985
IAPRO	\$679	\$389	\$0	\$1,068
Crisis Intervention	\$1,820	\$7,479	\$0	\$9,299
Other	\$2,429	\$5,711	\$0	\$8,140
Stops and Detention	\$0	\$12,501	\$0	\$12,501
Sergeant's Academy	\$0	\$0	\$0	\$0
Monitor Request Costs	\$0	\$0	\$0	\$0
Attending Meeting	\$0	\$0	\$0	\$0
Policy & Procedures Development Costs	\$9,673	\$3,394	\$0	\$13,067
General Work	\$0	\$0	\$0	\$0
In Car Video	\$386	\$0	\$0	\$386
Crisis Intervention	\$0	\$0	\$0	\$0
Early Intervention	\$0	\$0	\$0	\$0
Stops & Detention	\$98	\$0	\$0	\$98
Bias Policing	\$0	\$0	\$0	\$0
Use of Force	\$9,188	\$3,394	\$0	\$12,582
Training Costs	\$4,841	\$3,400	\$0	\$8,242
Attending Use of Force	\$0	\$0	\$0	\$0
FIT Related Training Purchases	\$0	\$0	\$0	\$0
Bias Policing	\$4,841	\$2,127	\$0	\$6,968
Attending IAPRO	\$0	\$0	\$0	\$0
Attending Crisis Intervention	\$0	\$1,273	\$0	\$1,273
Use of Force Review Board Costs	\$42,976	\$32,207	\$1,955	\$77,138
Board Member Participation	\$346	\$3,773	\$0	\$4,119
Attending Meeting	\$0	\$6,705	\$0	\$6,705
Meeting Prep (Reports etc)	\$0	\$18,797	\$0	\$18,797
General Work	\$42,630	\$1,987	\$0	\$44,617
Policy Development	\$0	\$946	\$0	\$946
Purchases	\$0	\$0	\$1,955	\$1,955
OPA Costs	\$0	\$6,505	\$7,972	\$14,477
DOJ Related Investigative Work	\$0	\$0	\$0	\$0
OPA - FIT Standby	\$0	\$5,181	\$0	\$5,181
OPA - FIT Rollouts	\$0	\$1,324	\$0	\$1,324
Purchases	\$0	\$0	\$7,972	\$7,972
Grand Total	\$237,339	\$157,461	\$61,617	\$456,417
YTD	\$3,122,546	\$2,050,749	\$633,120	\$5,806,414

Force Investigation Team Call-outs	2014
January	6
February	2
March	2
April	2
May	4
June	5
July	7
August	2
September	3
October	4
November	6
December	3
Total	46