

Memorandum

TO: Adrian Diaz, Chief of Police, Seattle Police Department; Chris Fisher, Executive Director of Strategic Initiatives, Seattle Police Department; Rebecca Boatright, Executive Director of Legal Affairs, Seattle Police Department; Julie Kline, Senior Public Safety Advisor, Seattle Mayor's Office

FR: Antonio Oftelie and the Federal Monitoring Team

DT: March 22, 2021

RE: Questions on Federal Consent Decree and Public Safety Implications of Seattle City Council Budget Cuts to Seattle Police Department

The Consent Decree between the United States and the City of Seattle addressing the Seattle Police Department ("SPD") (the "Consent Decree," "Decree," or "Settlement Agreement") requires a host of initiatives aimed at "ensuring that police services are delivered to the people of Seattle in a manner that fully complies with the Constitution and laws of the United States, effectively ensures public and officer safety, and promotes public confidence" Dkt. 3-1 at 5. The Federal Monitoring Team ("Monitoring Team") has developed a Monitoring Plan in collaboration with the City of Seattle that sets specific milestones, deliverables, and deadlines for ensuring compliance with the requirements of the Consent Decree.

Meeting the requirements in the Consent Decree and Monitoring Plan require an adequately resourced Seattle Police Department. Concerns have been raised about the possibility of various cuts to SPD's budget impacting the City of Seattle's ability to comply with a range of requirements of the Consent Decree in 2021 and into the future.

The Monitoring Team, in collaboration with the Department of Justice, has reviewed the *Impacts of Separations on Response Times, Department Staffing, and Consent Decree Obligations* analysis provided by the City. While the Monitoring Team appreciates the rigor of analysis provided by the City, we require further analysis in order to advise the United States District Court on next actions relevant to impact and progress on the Consent Decree.

To that end, the Monitoring Team respectfully asks for analysis and response from the City of Seattle on the following questions:

1. With approximately 1,283 sworn officers (of a target of 1,400), where will officers be reallocated from (i.e., specialty units, investigations, special operations, administrative support, collaborative policing, etc.) in order to meet threshold requirements in priority call handling and patrol operations? If feasible, please provide three scenarios based on full (\$5.4 million budget reduction), mid, and low reductions to budget.
2. SPD has identified some Consent Decree functions – such as FIT, FRB, and the Training Academy – that it indicates are currently short-staffed or will need to be staffed by fewer individuals than previously needed. How are SPD’s other functions, units, and specialty assignments currently staffed across the Department?
3. Are any Consent Decree provisions (by paragraph number) not currently in compliance due to budget cuts?
4. Are any SPD policies related to Consent Decree topics not currently in compliance due to budget cuts?
5. Which Consent Decree provisions (by paragraph number) are anticipated not to be complied with if the anticipated 2021 budget cuts occur?
6. Which SPD policies related to Consent Decree topics are anticipated not be complied with if the anticipated 2021 budget cuts occur?
7. Since the start of the pandemic, has SPD experienced reductions in crime reporting/9-1-1 calls, on-views, stops, or uses of force? If protest responses are removed from the data, what are these volumes of officer activity?
8. If the City plans to implement new programs, or bolster existing programs, that it believes will reduce the need for SPD to respond and will offset reductions in SPD resources in areas covered by the Consent Decree, what is the City’s plan for these new programs, and what analyses is the City using to support this reallocation of resources (e.g. increased use of mobile crisis teams to respond to certain calls for service may reduce SPD needs in patrol, CIT, and potentially use of force review and investigation)?
9. If SPD anticipates changing its operations in Consent Decree-related topic areas (uses of force, use of force reporting and investigation, stops, supervision or crisis) in order to compensate for loss of budget, how would it propose enacting those changes in a manner that continues to comply with the Consent Decree?

10. If SPD does not believe it can maintain technical compliance with the Consent Decree but believes it can still achieve compliance with the underlying purposes of the Consent Decree, what is its plan to do so, and what modifications of the Consent Decree would be required?

The Monitoring Team asks that these questions be answered as expeditiously as possible, and prior to further actions by the City on the budget of the Seattle Police Department. Upon receipt of the analysis, the Monitoring Team will confer with the Department of Justice and advise the Court.