



TO: Dr. Antonio Oftelie and Federal Monitoring Team

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RE: Answers to Monitoring Team's Follow-up Questions

Thank you for your patience awaiting our response to your follow-up questions related to our March 10, 2021 Memorandum regarding SPD Budget cuts and ensuing staffing issues. As you know, the Seattle Police Department and the City of Seattle remain committed to reimagining policing and making significant investments in the alternatives to traditional policing functions. However, it is critical that these investments do not come at the expense of SPD's ability to provide public safety services to Seattle's residents and visitors, or at the expense of the reforms that have been implemented and which SPD and the City remain obligated to sustain. Please see below for the answers to the Monitoring Team's follow-up questions. If any additional questions arise we will be happy to answer those to the best of our ability as well.

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?

SPD will need to continue to assess needs for each SPD function based on events and duties of the Department and the ability to hire/continuing departures. However, at this time, beyond the re-assignment of officers that took place on September 30th, 2020, at the order of Chief Diaz, it is not anticipated that any large-scale reassignment of officers is possible moving forward. In that action virtually all non-911 resources in the Patrol Bureau became 911 resources. Additionally, officers in other specialty units – including detectives and traffic officers – also were reassigned. Further reassignment from these units would hit two roadblocks -- (i) the virtual or complete elimination of units with no alternative responses in place, and (ii) raise real concerns about the need for extensive re-training on patrol procedures that have changed since more experienced specialty officers were back in patrol.

2. If feasible, please provide three scenarios based on full (\$5.4 million budget reduction), mid, and low reductions to budget.

The Department faces multiple challenges resulting from sustained threats of cuts without a thoughtful review of programmatic impacts across the Department. Cuts of the specific \$5.4

million, or even the potentially revised \$2m cut, threatens varied impacts. First, it makes it impossible to count on existing budgets to mitigate the foreseeable impacts of the significant loss of officers. There are a variety of strategies the Department could employ – from more CSOs, to lateral incentives, to retention incentives, to more vibrant community-based responses, but without certainty in the budget, the Department is constrained in pursuing these strategies. Second, well-trained officers are in high demand nationally and regionally. For SPD to compete to recruit and retain officers, those officers must fundamentally believe that Seattle is a place they want to stay or a City they want to join.

As clearly reflected in officer exit interviews, the continued cuts and uncertainty for the budget are a direct cause of heightened staffing losses and feed the perception of Seattle as a city unsupportive of its personnel. Officers have stated that concerns about being laid off, losing access to training or equipment, and the clear messaging about Council’s overall lack of support for the Department all are significantly factoring into officers’ decisions to leave. It is perhaps a foregone conclusion that additional cuts will only increase officers’ loss of confidence in their futures at the Department, and thus continue to drive the loss of personnel. Again, staffing levels are at crisis levels. Any continued loss will have the effects of drastically undercutting patrol response staffing, with limited to no backfill options; eliminating SPD’s ability to respond to changing demands by having available funds to augment patrol when necessary and possible; and investing in mitigation strategies, including technology and civilian support. Additionally, the priority of staffing patrol response (the Department’s fundamental Charter obligation) increasingly comes at the expense of capacity to staff units critical to compliance – including Professional Standards Bureau units and the Crisis Response Unit.

Finally, an equal threat to the Department’s ability to sustain compliance is the month-to-month direct management of the Department vis-à-vis budget actions, tying up funding even to the level of specific unit functions and numbers. The Chief of Police is charged by Charter to manage the Department and has identified creative strategies to maintain compliance in the face of anticipated continued staffing losses, but it is increasingly difficult for these strategies to succeed without adequate and certain funding and without the authority granted to all Department heads to manage Department administration and operations.

3. 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 fully utilized. This may require some staffing, schedule and process adjustments. How are SPD’s other functions, units, and specialty assignments currently staffed across the Department?

See table 1, below.

4. Are any Consent Decree provisions (by paragraph number) not currently in compliance due to budget cuts?

Given the analytic framework within which compliance is to be assessed under paragraphs 183-190, 223, and 230 of the Consent Decree and the methodology and reporting schedule by which sustained compliance is to be examined under the recently court-approved Monitoring Plan, this analysis is complex. That said, at this point, SPD believes it remains fully in compliance with each of its 99 paragraphs of commitments under the Consent Decree. In full transparency, however, SPD has identified specific paragraphs relating to its commitments (Section III of the Consent Decree) that are or foreseeably will be challenged absent full budget and policy commitment to its obligations under paragraph 221. These paragraphs include paragraphs 69 (as relates to capacity for training and community engagement), 70(h), 71 (as relates to capacity to timely investigate, review, and incorporate into revised policy and training), 99 (as relates to budget and technical support to maintain and grow the data systems necessary to support the data capture and analysis required), 104-109 (as relates to capacity of supervisors amidst staffing challenges, overtime restrictions, and public safety scene-response responsibilities)¹, 118(j) (to the extent that budget and staffing limitations stretch “or as soon as possible” deadline considerations), 128(c) (as relates to capacity to absorb the costs and staffing commitments required of scenario-based training),² 137 (as relates to capacity in light of staffing loss and significantly expanded workloads relating to new(er) state mandates, particularly around investigation, petition, and service of Extreme Risk Protection Orders (RCW Chapter 7.94)), 138 (exclusively as relates to capacity for proactive community-based policing), and 153-155.

5. Are any SPD policies related to Consent Decree topics not currently in compliance due to budget cuts?

No. That said, staffing and budget challenges have created a situation in areas relating to force reporting, investigation and review where extensions are rapidly encroaching the point of becoming the norm as opposed to the exception.

6. Which Consent Decree provisions (by paragraph number) are anticipated not to be complied with if the anticipated 2021 budget cuts occur?

With the caveat as stated in response to Question 1 concerning the significant impact on retention and recruitment by the political climate and uncertainty of budget cuts leading directly to increased attrition, see response to Question 3, above.

¹ Recall that one purpose of establishing the administrative lieutenant position as part of earlier revisions to Manual Section 8.400 and 8.500 was to provide first line supervisors greater opportunity to respond to scenes and interact with/mentor officers in the field.

² SPD is exploring the feasibility of leveraging advancements in virtual reality-based training as a more agile, cost-effective, and sophisticated alternative to current role-play training.

7. Which SPD policies related to Consent Decree topics are anticipated not be complied with if the anticipated 2021 budget cuts occur?

SPD anticipates that for the foreseeable while it will be seeking policy exemptions relating to the investigation and review of force, as overtime restrictions, staffing reductions, and operational demands limit the ability of supervisors, commanders, the FRU, and the FRB to meet current policy deadlines.

8. 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?

Detailed data will be included in the SPD Annual Compliance Report. What can be answered here is that, yes, with the exogenous shocks to virtually all social and government systems, there were clear effects of the pandemic lockdown on call loads. At the same time, it must be remembered that significant numbers of officers were on isolation or quarantine to help ensure the safety of themselves, their families, their colleagues, and the public they serve. Additionally, there is likely some collinearity between protests, officer activity and the likelihood of some parts of the community calling the police or the police being available for proactive deployments. Also, amidst these external events, the internal event of proposed and enacted budget reductions required the Department to drastically reduce support for patrol augmentation and completely eliminate emphasis patrols (direct patrols at crime hot spots) that are usually supported with overtime shifts.

9. 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)?

The City has convened an interdepartmental team (IDT) to review ways and means to improve and reimagine policing, while enhancing community-based responses. In addition, the City has invested new resources in both youth opportunity and violence prevention programs, has an RFP process in place for additional programming, and is expanding its Health One program. We also anticipate extending other harm reduction strategies that can reduce the need for police response, such as funding outreach workers in community, employing nurses in our major shelters, and hiring more CSOs. Most of these programs are clear, however, that they do not envision themselves to be a replacement for police; rather, their focus is to build health and resilience in communities, leading over the long term to a reduction in the need for community safety interventions that by default have been left to the police. As promising as these opportunities are, it is critical for all to understand that these programs will take years to build and evaluate, with some approaches likely to prove more effective than others.

Separately, in March, the SPD kicked off the BluePrint project with Accenture as a management consultant (discussed in our earlier response). This project is modeled on the successful partnership between the West Midlands Police Service and Accenture (the WMP2020 Project). In addition to identifying opportunities for cost savings through a more efficient allocation of resources, this project is focused on improving customer service and access in a technology-supported Differential Police Response (DPR) posture. Combined with the call analysis project currently in progress with the National Institute for Criminal Justice Reform (NICJR) (also discussed in our earlier response), the Department anticipates identifying areas for DPR, supported by a [SMART](#) application of technology and with the contracted assistance of Accenture as a change partner.

Finally, while some quality assurance/control and accountability functions (e.g. force review, supervisor review, control-of-forces quality assurance monitoring) cannot be fully replaced by technology, advanced processing in the form of Intelligent Decision Support (IDS) can be a backstop to limited human resources.

10. 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?

The Department would work with and consult the Monitoring team and DOJ as any such changes in operations. With current limited human resources and/or further reductions in specific functions, some increased reliance on technology is essential to backstop quality and accountability. The PA&R group is currently implementing technologies that search for and call out abnormal and/or exemplary events, and augment systems of review and accountability with IDS. This development work will need to be accelerated (requiring certain commitment and funding) and integrated to bolster existing Consent Decree-related business processes.

11. 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 parties' purpose in entering the Consent Decree is articulated in the first sentence of the agreement: "The United States and the City of Seattle ... enter into [these agreements] with the goal of ensuring that police services are delivered to the people of Seattle in a manner that fully complies with the Constitution and the laws of the United States, effectively ensures public and officers safety, and promotes public confidence in the Seattle Police Department and its officers." As the Consent Decree and all interpretive documents to date have recognized, these goals are best achieved through adherence to comprehensive policies, robust training, and

rigorous systems for critical review and analysis that drive a continuing culture of reform and proactive partnerships and engagement with Seattle’s communities.

Without any intent to understate SPD’s acknowledgement of the depth of the tension and distrust between police and community that surfaced during events over the past summer, and without minimizing in any way missteps by SPD that may have fueled the intensity of these events, SPD believes that, through its own reflection and adjustment of tactics and as supported by the community-based reviews facilitated through the Office of the Inspector General, it has demonstrated and will continue to demonstrate its ability to build upon the lessons learned from this past summer through iterative reforms to policy and training. Appreciating the fragility of any trust and the hard work that needs to be done, SPD nonetheless continues to believe that ongoing organizational reform remains best driven through the policy, training, and review processes established in Section III of the Consent Decree. SPD submits that paragraphs relating to policy, training, investigation and review of core topical areas of the Consent Decree (use of force, stops and detentions, crisis intervention, and supervision) support one pillar of the Consent Decree’s “underlying purpose” – to ensure that police services are delivered in a manner that fully complies with the Constitution and laws of the United States – and does not believe that changes to the Consent Decree are warranted in this respect. At the same time, SPD has sought to be transparent about its concerns that budget action and narrative has had and may continue to have significant negative impacts on SPD’s ability to both (1) sustain adequate and appropriate staffing and technology for the systems that underlie the efficient integration of review processes into policy and training, and (2) sustain a level of staffing sufficient to ensure public and officer safety and maintain public trust – separate pillars of reform. Proactive patrols, responding to calls for service, employing team tactics strategies that lead, empirically, to an increased likelihood of being able to de-escalate events, investigating crimes, and engaging in sustained community outreach that all serve over time to strengthen the relationships between police and the communities they serve, all depend on adequate and consistent staffing – as do those units critical to maintaining the high level of transparency that likewise serve vital accountability and community engagement functions (public disclosure and public affairs units).

In its [2011 Findings Letter](#), the DOJ highlighted (see page 34) the problems that can emerge when workforce demands are “shouldered by too few officers.” Fundamentally, as SPD has articulated in prior reports to Council and to the Monitor, SPD is challenged to provide the staffing necessary to consistently meet current workload demands for service, let alone the increased demand that will foreseeably come with broader reopening post-pandemic. While certainly some staffing issues can be mitigated through new and emerging technology solutions, there is no best practice model that would support the notion that public safety, officer safety, risk management, and community trust is best achieved through skeletonizing a police department – even as the City as a whole works to reimagine scaling back reliance on police to resolve particularly those issues that fall at the intersection of public health and public

safety that all agree are better addressed through greater investments in social and health services.

In the coming months, SPD will be presenting a strategic plan laying out how it intends to leverage its resources and personnel in as efficient and effective a manner as it can, supporting, complementing, and building upon both technical and foundational requirements of the Consent Decree consistent with paragraph 170, in a manner that supports the physical and mental health of its employees. SPD, accordingly, does not see a need for revisions to the Consent Decree in order to move forward with its initiatives. However, to the extent that other City partners' vision of public safety does not align with the staffing and resource allocation necessary to for SPD to continue to meet its commitments (as required under paragraph 221), technical or in principle, SPD will leave it to the Executive, DOJ, and policy-makers to determine if/which paragraphs must be modified to meet that vision.

Table 1. Unit Staffing as of 2/23/21 compared to Identified Needs

Categories / Subcategories	Target	Actual as of 2/23/21	Difference OVER/(UNDER) as of 2/23
Executive Leadership	8	7	-1
Specialty Units w/ Minimums	87	75	-12
Patrol Operations	782	624	-158
Duty Captain	3	2	-1
East Precinct	123	87	-36
North Precinct	223	151	-72
South Precinct	148	100	-48
Southwest Precinct	90	70	-20
West Precinct	195	127	-68
Community Response Group	0	87	87
Recruits and Student Officers	68	63	-5
Consent Decree Standards	90	54	-36
Audit Policy and Research	10	9	-1
Force Investigation Team	12	8	-4
Force Review	6	5	-1
Education and Training (incl. Field Training)	53	32	-21

Office for Police Accountability	9	8	-1
INVESTIGATIONS	174	142	-32
General Investigations (incl. Auto Theft, MCTF, and Burg/Theft)	45	26	-19
Investigative Support (incl Intel)	24	22	-2
Narcotics	27	22	-5
Gun Violence	18	17	-1
Robbery	14	14	0
Fugitive/Felony Warrant	3	3	0
Vice	9	10	1
Domestic Violence	20	15	-5
Forensic Support (incl. CSI, Evidence)	14	13	-1
SPECIAL OPERATIONS	110	70	-40
Traffic (incl. Traffic Enforcement, Photo Enforcement and Traffic Collision Invest.)	59	35	-24
Harbor	21	16	-5
Canine	10	9	-1
Metropolitan Response (incl. Seattle Police Operations Center)	10	9	-1
ADMIN OPERATIONS	32	31	-1
COLLABORATIVE POLICING	49	41	-8
Extended Leave	0	144	144