



City of Seattle

Office of the Mayor
City of Seattle
Tim Burgess, Mayor

Executive Order 2017-09: Reforming Secondary Employment at the Seattle Police Department

An Executive Order directing a coordinated interdepartmental effort to require the Seattle Police Department to provide greater oversight through internal regulation and management of all secondary employment for SPD officers.

WHEREAS, secondary employment is the practice by which police agencies permit their sworn employees to work for other employers when off-duty; and

WHEREAS, when performing secondary employment work, officers wear their SPD uniforms, carry weapons and maintain the powers and authority of on-duty officers, including the power of arrest; and

WHEREAS, the Seattle Police Department (SPD) received certain allegations relating to the management of off-duty SPD Officers by third-parties, the nature of which caused the Department to refer these allegations to the Federal Bureau of Investigation for review; and

WHEREAS, SPD officials and former Office of Police Accountability Auditors, as early as 2005, identified secondary employment as a significant area of risk for the Department; and recommended that SPD reform its approach and adopt an approach to management and oversight that is consistent with accountability and strengthens public trust; and

WHEREAS, SPD policy requires its officers to obtain permits from the Department to obtain secondary employment, and Department policy provides limits on such employment; and

WHEREAS, SPD does not directly regulate any secondary employers and has insufficient access to secondary employment schedules of off-duty officers, creating significant potential for mismanagement, conflicts of interest, inequities between officers competing for secondary employment opportunities, and which processes lack transparency to SPD management and the public; and

WHEREAS, in 2015 Seattle's Police Chief requested a review by the City Auditor of the overtime and secondary employment of Seattle Police Department employees; and

WHEREAS, in 2016, following the City Auditor's report, Seattle's Police Chief directed her management team to engage with other City Departments, including the City Attorney and the Seattle Department of Human Resources, to explore options for bringing the oversight and

management of SPD officer secondary employment in-house; and

WHEREAS, SPD did adopt the independent OPA Auditor's recommendations to eliminate the practice of Extended Authority Commissions and to change policy to expressly prohibit working secondary employment assignments while on-duty; and

WHEREAS, the Office of Police Accountability, in its 2016 Special Report, highlighted systemic changes needed "without delay" to the secondary employment system flowing from two Management Action Recommendations issued on July 17, 2015 and April 11, 2016; and

WHEREAS, in June of 2017, the City of Seattle passed Ordinance 125315, commonly referred to as Seattle's Police Accountability Legislation, which requires that "SPD shall establish an internal office, directed and staffed by civilians, to manage the secondary employment of its employees. The policies, rules, and procedures for secondary employment shall be consistent with SPD and City ethical standards, and all other SPD policies shall apply when employees perform secondary employment work" (SMC 3.29.430 (D)); and

WHEREAS, many police departments across the country have reformed their secondary employment practices by adopting different systems of management, regulation, and oversight to improve transparency;

NOW, THEREFORE, I, Tim Burgess, Mayor of Seattle, accepting the recommendation of the Chief of Police, hereby order:

Section 1. Ordering City Management of All SPD Secondary Employment.

The Seattle Police Department, with support from the Seattle Department of Human Resources, the City Budget Office, the City Attorney's Office, and the Seattle Information Technology Department, shall establish an internal office, directed and staffed by civilians, to regulate and manage the secondary employment of its employees.

The Seattle Department of Human Resources, the City Budget Office, and the Seattle Information Technology Department shall ensure that SPD is provided the necessary resources to manage this work in-house and at neutral cost to the City. This work, including its timeline for implementation, will be informed by the Taskforce's recommendations to the Mayor on or before November 14, 2017 as described in Section 2.

Section 2. Interdepartmental Taskforce to Implement City Management of All SPD Secondary Employment. The Seattle Police Department shall create, convene, and lead a taskforce, which shall include the following membership:

- Seattle Department of Human Resources, Director, or designee
- Seattle Information Technology Department, Chief Technology Officer, or designee
- City Budget Office, Director, or designee
- Office of the Mayor's Office Legal Counsel
- Department of Finance and Administrative Services, Director, or designee

This Taskforce shall work with and consult the Seattle City Attorney, the Office of the City Auditor, the Community Police Commission, the Chair of the Seattle City Council's Gender Equity, Safe Communities, and New Americans Committee, former independent OPA Auditor Judge Anne Levinson (ret.), the Seattle Police Officers' Guild, the Seattle Police Management Association, Seattle Parking Enforcement Officers' Guild, and the Seattle Ethics and Elections Commission.

By November 14, 2017, SPD shall report its recommendations to reform the management of secondary employment and a timeline for implementation of its internal office to the Office of the Mayor. The recommendations shall guide the work of the Seattle Police Department as described in Section 1.

Dated this 27th day of September, 2017.

Tim Burgess
Mayor, City of Seattle