



City of Seattle

Office of Professional Accountability

April 20, 2015

Chief Kathleen M. O'Toole
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: MANAGEMENT ACTION RECOMMENDATION (OPA2014-0525)

Dear Chief O'Toole:

Recently, the Office of Professional Accountability (OPA) investigated a Seattle Police Department (SPD) employee for allegations he improperly accepted rent-free use of a Seattle Housing Authority (SHA) unit for family residential purposes. The OPA investigation determined that the SPD employee (a police officer) had been living rent-free in the SHA unit since 2009. The SPD officer in question had been assigned to provide policing services to the same SHA complex where he was living rent-free. The investigation determined that the arrangement to have a SPD officer live without cost in a SHA unit was initiated by SHA as part of a program that allows federally funded housing complexes to set aside one unit for living space for a "security station". The OPA investigation found that SHA specifically requested that the SPD officer in question be offered the opportunity to live in the unit so as to provide an on-site SPD presence and provide better policing services. This arrangement was approved by the officer's precinct commander at the time and continued for over four years until the OPA investigation commenced.

Our investigation of this arrangement between SHA, SPD, and the involved officer failed to find any evidence to show that the arrangement had been reviewed by senior management at SHA or SPD, the City Attorney's Office, or the Seattle Ethics and Elections Commission. In fact, it appears there was no agreement in writing between any of the involved parties to this arrangement. In my opinion, this situation placed the officer and the Department in a situation fraught with ethical ambiguities with no written agreement upon which to depend.

Recommendation: It is my recommendation that SPD scan the Department to determine if there are any other Department employees similarly situated such that they are receiving a benefit such as free housing from a non-SPD third party in connection with their position as a SPD employee. Any such arrangements found should be immediately reviewed to determine the appropriateness of the arrangement and whether or not it should continue. In addition, I recommend that the Department establish a clear policy and/or practice by which all such arrangements in the future will be adequately scrutinized for any actual or apparent legal prohibitions or ethical barriers. Any such arrangements should require approval by the Chief or Deputy Chief of Police.

Thank you for your prompt attention to this important matter of public trust in the integrity of SPD and its employees. Please inform me of your response to this recommendation and, should you decide to take action as a result, the progress of this action.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pierce Murphy".

Pierce Murphy
Director, Office of Professional Accountability