



City of Seattle

Office of Police Accountability

March 9, 2018

Chief Carmen Best
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: MANAGEMENT ACTION RECOMMENDATION (2016OPA-0719)

Dear Chief Best:

OPA investigated an allegation that two officers worked secondary employment without a valid and approved work permit, potentially in violation of SPD Policy 5.120(IV). During their OPA interviews, both employees stated that, while they were paid for their work, they donated that money to charity. As such, they considered their secondary employment to constitute volunteer work and did not believe that they were required to obtain work permits in advance of engaging in that employment.

Under a strict reading of the policy, it encompasses all secondary employment, whether or not for pay. That being said, the policy does not explicitly discuss volunteer work or work for which an officer is being paid but where that payment is being donated to charity. I believe that it would benefit the Department and provide clear guidance to its employees if this aspect of the policy was clarified.

Ultimately, I have no preference as to what that guidance should be. There are compelling reasons for requiring officers to obtain a secondary employment work permit any time they are working off duty, regardless of the circumstances or the pay. At the same time, as a matter of public policy, I believe that the Department should encourage officers to volunteer their time and to work in the community. I simply recommend that the Department clarify this section of the policy.

Thank you very much for your prompt attention to this matter. Please inform me of your response to this recommendation and, should you decide to take action as a result, the progress of this action.

Please also feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'AM'.

Andrew Myerberg
Director, Office of Police Accountability

cc: Assistant Chief Lesley Cordner, Standards and Compliance, Seattle Police Department
Rebecca Boatright, Senior Police Counsel, Seattle Police Department
Fe Lopez, Executive Director, Community Police Commission
Tito Rodriquez, OPA Auditor
Josh Johnson, Assistant City Attorney, Seattle City Attorney's Office
Tonia Winchester, Deputy Director, Office of Police Accountability