City of Seattle
Office of City Auditor

AUDIT OF THE SEATTLE POLICE DEPARTMENT PUBLIC DISCLOSURE PROCESS

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WHY WE DID THIS AUDIT

We conducted this audit in response to the Seattle City Council's request to examine the Seattle Police Department's (SPD) current policies, protocols, and practices regarding the intake, tracking, and fulfillment of public disclosure requests.

- In 2014, SPD received almost 4,700 public records requests. This was 67% of all public records requests to the City.

CHALLENGES IN HANDLING PUBLIC RECORDS REQUESTS

1. The volume of public records requests is increasing.

2. Requests are often complex.

3. The legal environment is complex and evolving.
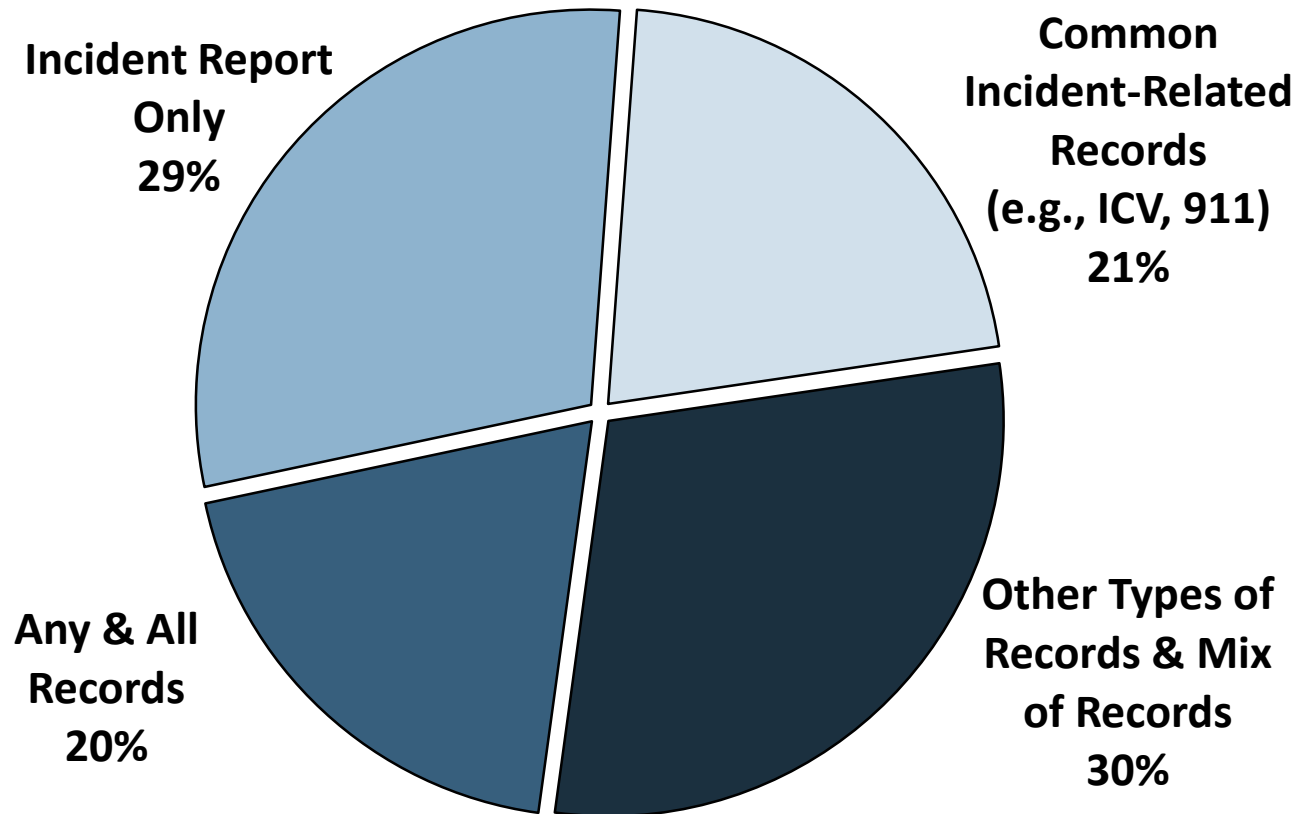
4. Types of records are changing.

1. VOLUME OF REQUESTS IS INCREASING

Number of SPD Public Records Requests, 2009-2014

Bar chart showing: 2009: 3,458; 2010: 3,647; 2011: 3,939; 2012: 4,114; 2013: 4,063; 2014: 4,692
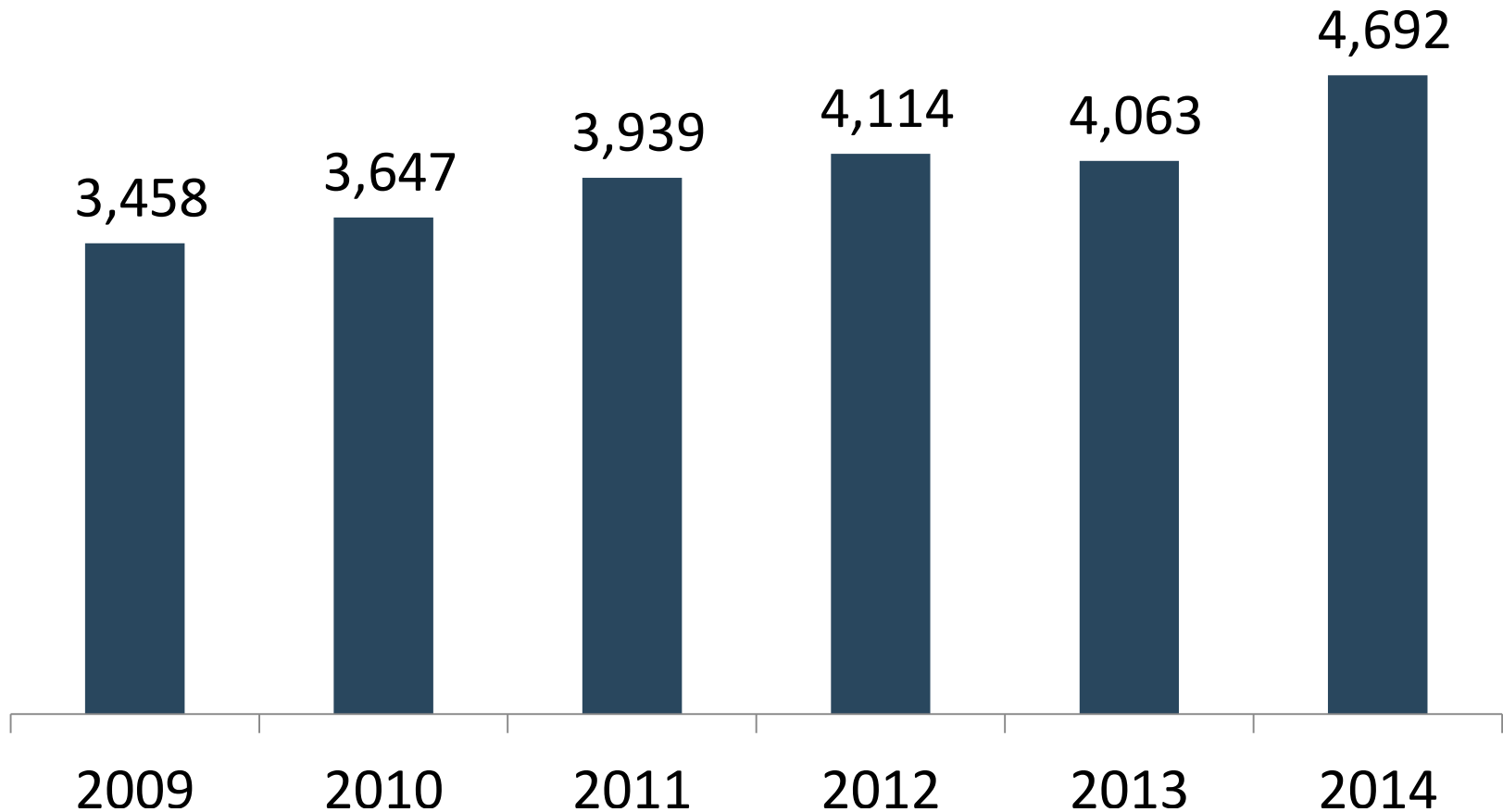
2. REQUESTS ARE OFTEN COMPLEX

**Types of Requests, Based on Random Sample
from January & February 2014**

Incident Report Only 29%

Common Incident-Related Records (e.g., ICV, 911) 21%

Any & All Records 20%

Other Types of Records & Mix of Records 30%

3. LEGAL ENVIRONMENT IS COMPLEX & EVOLVING

- The Washington State Public Records Act (PRA) is one of the broadest public disclosure laws in the country.

- The PRA is continually interpreted by the courts.

- Lack of compliance carries significant penalties.

CLAIMS & SETTLEMENTS

2008-2014: $811,000 for violations of the PRA related to SPD records.

- $524,500 (65%) was due to changing interpretations of State law.

- $286,500 (35%) resulted from factors under SPD's control.

4. TYPES OF RECORDS ARE CHANGING

Advances in technology can pose new challenges and create additional workload.

For example, new types of electronic records require staff to:

- Learn about and search new data systems, and

- Have tools that allow for efficient and effective redaction of protected information.

AUDIT OBJECTIVES

We evaluated SPD's Public Disclosure Unit's (PDU) processes and systems to determine:

1. Do current processes ensure responses are accurate, consistent, and timely?

2. Do current processes and systems provide reasonable assurance of compliance with legal requirements?

3. Are the PDU's processes transparent to the public and do they promote public trust?

AUDIT CONCLUSIONS & RECOMMENDATIONS

We identified significant gaps in the resources and systems SPD uses to process public records requests.

To address these gaps, we make 13 recommendations in five areas:

1. **Immediate Staffing and Technology Needs**

2. **Gaps in Access to Records**

3. Process Improvements

4. Staffing and Workload Analyses Needed

5. **Improved Communication with Requestors**

IMMEDIATE NEEDS: STAFFING

Finding: PDU manager spends the majority of her time handling sensitive, complicated requests. As a result, she has limited capacity to supervise staff, manage the process, and make improvements.

Recommendation: SPD should create a new position to handle the manager's current caseload.

IMMEDIATE NEEDS: TECHNOLOGY

Finding: The PDU does not have software that facilitates the handling of requests. As a result, the process is inefficient and increases risk of error and legal liability.

Recommendation: SPD should implement a new request management system.

GAPS IN ACCESS TO RECORDS

Finding: Staff who locate some of the most frequently requested records are not experts in both the Public Records Act **and** SPD records systems. This impedes the efficient, accurate, and consistent handling of requests.

Recommendations:

- 911 calls: Assign a dedicated communication analyst to the PDU.

- Videos: Assign a dedicated video specialist to the PDU.

- Photographs: Clarify roles and responsibilities and ensure Photo Unit staff understand legal requirements.

IMPROVED COMMUNICATION WITH REQUESTORS

Findings:

- SPD's website does not clearly describe the types of records SPD maintains, and it does not allow requestors to submit requests online.

- PDU staff do not consistently contact requestors to clarify unclear or complex requests.

- Response letters do not consistently describe the search process or how a request was interpreted.

Recommendations: The report includes three recommendations to improve the PDU's website and communication with requestors.

CONCLUSION

SPD reviewed drafts of our report and agreed with all of our recommendations. They provided written comments in response to the report, which can be found in Appendix F.

We would like to thank SPD's Public Disclosure Unit for their cooperation and assistance in conducting this audit. We would also like to thank the City Attorney's Office for their assistance.