



City of Seattle

Mayor Jenny A. Durkan

September 30, 2020

Councilmembers –

With your override of the Mayor's veto of C.B. 119825, passing a revised 2020 budget, the City is obligated to move forward with the Council's actions although we continue to have concerns about the legality and feasibility of some of these actions and approaches to the Seattle Police Department's budget. It is our understanding that Council was briefed by the City Attorney's Office and the Labor Relations unit. Assuming those briefings were consistent with legal advice the Executive received, we know you are aware that "out of order" layoffs almost certainly cannot be achieved by the November date set in Council's legislation and that legal questions remain with regard to salary cuts to employee contracts and agreements.

We will begin the process of out of order layoffs, but this will require Council's immediate action to move forward on an expedited process including convening the Labor Relations Policy Committee as described below.

As of August 10, the Seattle Police Officers Guild (SPOG) notified the City's Labor Relations unit (LR) of their [demand to bargain the decision and effects of layoffs](#). As of July 21, the Seattle Police Management Association (SPMA) [notified LR of their request to bargain the decision](#) and the effects of layoffs. Pursuant to Council action and the current demand to bargain by both public safety unions, the City's Labor Relations (LR) will formally engage the Labor Relations Policy Committee (LRPC) to seek parameters at an upcoming meeting. After receiving LRPC parameters, LR will appropriately bargain in good faith with SPOG and SPMA.

We understand that Council is currently working to address our concerns with the reduction to SPD command staff salaries. In light of the veto override and Council's decision to not take up the compromise bill we developed with Council President González and Council staff, there are two other outstanding issues regarding Council's actions that must be addressed with Council action.

- Consistent with the Executive's assertions from August, given the time needed for labor negotiations and the interest in pursuing of out of order of layoffs, none of the SPD layoffs can be achieved by November 1, 2020. As we have previously noted, if Council intended to actually achieve layoffs for financial savings by November, the City's only option is to lay off recruits and student officers. As we await a special meeting of the LRPC to establish bargaining parameters, we will transmit legislation to the Council to lift these provisos consistent with advice we have both received from LR and legal counsel regarding the timeline required to implement out of order layoffs.

- Council cut \$200,000 in funding from SPD for legally obligated hiring bonuses owed to new recruits. These appropriations are necessary to fulfill contractual obligations. Before implementing this legislation, we need to work with Council to remedy the aspects of this Council legislation which violate [Article V Section 7 of the City Charter](#).

All of these issues would have been addressed in the compromise legislation that our office and the Council President's office spent weeks negotiating, however, these operational and fiscal management issues must now be managed and addressed via a different process.

While the Council has made its intentions clear to reduce the sworn police force, the Executive continues to have significant concerns about compromising 911 response and public safety. A 100 officer net reduction would reduce SPD staffing levels to around 1,300 sworn officers. Recent staffing changes by Interim Chief Diaz have augmented the patrol levels with other officers. But overall reductions should be done with a holistic assessment of the workloads and response times we need of our police, and how that is properly resourced with the number of officers and adequate supervision, oversight and training.

The Mayor remains fully committed to reimagining policing and shifting certain types of work and calls from armed police to community based or public health centered responses. However, until we have fully planned and implementable community safety alternatives in place or identified strategies to mitigate the elimination of certain SPD functions, we risk undermining community safety. We continue our request that Council allow for adequate analysis and review to ensure a holistic model that will not be possible just through sworn police staffing cuts without an alternate service delivery model.

If you have any questions, please contact me directly.

Sincerely,

Mike

Michael Fong
Senior Deputy Mayor
City of Seattle