

**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
COUNCIL BILL 117993

AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

WHEREAS, Section 4.08.060 of the Seattle Municipal Code restricts appointments to sworn positions above the rank of police captain to captains and lieutenants in the Seattle Police Department; and

WHEREAS, acting under the police chief, the police department command staff (assistant chiefs and deputy chiefs) plays a critical leadership role for providing proper guidance to the department and improving public safety in the city; and

WHEREAS, it is in the interest of the city to have less restrictive applicant pool to attract the largest number of qualified candidates when openings in these positions arise;

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Seattle Municipal Code 4.08.060, last amended by Ordinance 112821, is amended as follows:

**SMC 4.08.060 Jurisdiction**

A. The Public Safety Civil Service system includes and is limited to, and the provisions of this chapter apply only to police special recruits, police recruits, police officers, police sergeants, police lieutenants, and police captains; and fire fighter prerecruits, fire fighters, fire lieutenants, fire captains, fire battalion chiefs, and fireboat pilots, fireboat engineers, and assistant fireboat engineers.

B. Appointments and promotions to the positions:

1. Above the rank and position of Battalion Chief in the Fire Department; and

1           ~~2. Above the rank and position of Police Captain in the Police Department shall~~  
2           be made by assignment from the ranks and positions of Battalion Chief or Captain in the  
3           Seattle Fire Department ~~for Fire Department ranks and positions, and Captain or~~  
4           Lieutenant in the Seattle Police Department ~~for Police Department ranks and positions, at~~  
5           the sole discretion of the appointing authority. In the event of removal from the assigned  
6           position, the officer shall resume the rank and position from which he or she was so  
7           assigned.

8           2. Above the rank and position of Police Captain in the Police Department shall  
9           be made by:

10           a. Assignment from the ranks and positions of Captain or Lieutenant in the  
11           Police Department, provided that any officer so assigned shall, in the event of  
12           removal, have the right to resume the rank and position from which he or she was  
13           so assigned; or

14           b. Appointment from outside of the Police Department of a law-  
15           enforcement officer who shall serve at the sole discretion of the Chief of Police  
16           with no rights to other employment in the City.

17  
18           Section 2. This ordinance shall take effect and be in force 30 days after its approval by  
19           the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
20           shall take effect as provided by Seattle Municipal Code Section 1.04.020.

21           Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and  
22           signed by me in open session in authentication of its passage this  
23           \_\_\_\_ day of \_\_\_\_\_, 2013.

24  
25           \_\_\_\_\_

1 President \_\_\_\_\_ of the City Council

2  
3 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

4  
5 \_\_\_\_\_  
6 Michael McGinn, Mayor

7  
8 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

9  
10 \_\_\_\_\_  
11 Monica Martinez Simmons, City Clerk

12 (Seal)

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
LEG	Nate Van Duzer/684-8806	NA

**Legislation Title:** AN ORDINANCE relating to police department command staff hiring, amending Section 4.08.060 of the Seattle Municipal Code to allow for the appointment of individuals from outside the department for sworn positions above the rank of captain.

**Summary of the Legislation:** This legislation would allow appointments to positions in the police department above the rank of police captain to be made by appointment of a law-enforcement officer from outside of the department in addition to appointing from the ranks of captain and lieutenant within the department.

Individuals who are appointed from within the department shall, in the event of removal, revert to their former position as is the current practice. Individuals who are brought in from the outside serve at the sole discretion of the Chief of Police.

The legislation does not change current appointment practices in the Seattle Fire Department.

**Background:** Current Seattle Municipal Code language restricts the pool of candidates to positions above the rank of police captain (e.g. assistant and deputy chiefs) to only internal candidates. This hinders robust, healthy competition for these important positions and does not allow a chief hired from outside the department to bring trusted deputies with her or him.

Please check one of the following:

**This legislation does not have any financial implications.**

**This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
Implementing this legislation would lead to more robust competition for vital positions in the police department command staff. It will also help attract top candidates in future police chief searches as it gives the Chief of Police more flexibility in choosing his or her top staff.

**b) What is the financial cost of not implementing the legislation?**

Not implementing the legislation keeps the number of candidates for positions in the police department command staff limited to a small pool of internal candidates. These vital positions directly manage and oversee the department's 1,300+ employees and \$286 million budget.

**c) Does this legislation affect any departments besides the originating department?**

No.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

Change to the Seattle Municipal Code is required to open up the pool of candidates for these positions.

**e) Is a public hearing required for this legislation?**

No.

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**

No.

**g) Does this legislation affect a piece of property?**

No.

**h) Other Issues:**

**List attachments to the fiscal note below:**