

COMPTROLLER FILE No. 298145

REPORT OF COMMITTEE

Report of Police Intelligence Auditor; filed pursuant to Ordinance 108333.

Honorable President:

Your _____
to which was referred the within _____
would respectfully report that we have considered the same and respectfully recommend that

Approved for filing January 25, 1991

Approved _____ NOLAND, D

Filed January 4, 1991
_____ Howard Brooks, City Comptroller

By Margaret Carter
_____ Deputy

ACTION OF THE COUNCIL

Referred	JAN 22 1991	To Public Safety and Entertainment
Referred		To
Referred		To
Reported	FEB 4 1991	Disposition PLACED ON FILE
Re-referred		To
Reported		Disposition

Chairman

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JAN 2 1991

JANE NOLAND
SEATTLE CITY COUNCIL

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December 31, 1990

The Honorable Jane Noland
Chair of the Public Safety Committee
Seattle City Council
1100 Municipal Bldg.
600 Fourth Avenue
Seattle, WA 98104

Dear Councilmember Noland:

Ordinance 10833 (the Intelligence Ordinance) requires the Auditor appointed by the City Council to review authorizations granted pursuant to the ordinance together with investigative files associated with the authorizations; to perform a random check of department files and indexes; and to review files and records containing private sexual or restrictive information designated for purging except information not yet collected or purged.

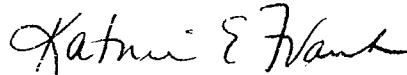
The Ordinance also requires the Auditor to prepare and forward a written report of the audit to the Mayor, the City Council, the City Attorney and the City Controller for filing as a public record. Prior to filing, a preliminary report is to be delivered by the Auditor to the Chief of the Department for review and comment.

On December 24th, the Police Chief, Patrick Fitzsimmons received a preliminary Police Intelligence Auditor's Report. After review, the report was approved by letter received on December 31, 1990.

I hereby forward to you and certify as final the enclosed Audit Report.

Very truly yours,

MACDONALD, HOAGUE & BAYLESS



Katrin E. Frank
Police Intelligence Auditor

KEF:cca
Enclosure

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

REPORT OF
POLICE INTELLIGENCE AUDITOR
PURSUANT TO CITY OF SEATTLE ORDINANCE NO. 108333
BY
KATRIN E. FRANK, POLICE INTELLIGENCE AUDITOR

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I.

AUDITING ACTIVITIES

During the months of November and December 1990, I conducted an audit pursuant to Ordinance No. 108333 ("the Ordinance"). The audit focused upon a review of files and records in the Criminal Information, Vice, Narcotics, and Homicide sections. The following is a summary of the auditing activities.

1. Authorizations Pursuant to Section 14 of the Ordinance.

In 1990, the Department authorized use of an informant to collect restricted information regarding the investigation of an ongoing series of assaults to determine whether those assaults were racially and/or politically motivated. The authorization was extended. After the extension expired, a second authorization was approved to continue to investigate the same issues.

The authorizations and extension were reviewed and found to be in compliance with the Ordinance.

2. Restricted Information Transmittal Log.

A restricted information transmittal log consists of all restricted information that has been transmitted either in whole or in part to other law enforcement agencies. The log contained two referrals in 1990:

- (1) Transmittal of a memorandum dealing with international terrorists in relation to the Goodwill Games; from Orange County Police Department to the Security Section of the Goodwill Games.

(2) Transmittal to the King County Police of information gathered pursuant to the authorization described in § I, supra.

3. Dignitary Protection Files.

There have been no authorizations for dignitary protection purposes in 1990.

4. Materials Open to Public Inspection.

Pursuant to Section 8 of the Ordinance, the Seattle Police Department Criminal Information Section has established a set of materials open to public inspection. In addition, some materials open to the public inspection are located in the Coordinated Criminal Investigations Unit and will be provided together with the public information materials contained in the Criminal Information Section. This information is maintained for the use of police officers as background information, research materials, and as an aid in investigating specific incidents, and is available for public inspection pursuant to Section 8 of the Ordinance. The information collected appears to meet the requirements of Section 8 of the Ordinance.

5. Information Maintained as Law Enforcement Manuals.

Pursuant to Section 6(i) of the Ordinance, the Seattle Police Department is entitled to collect certain prohibited information as an incidental reference, if the information appears as part of the text of a printed law enforcement manual, disclosure of which would be detrimental to effective law enforcement. The Criminal Information Section of the Seattle Police Department contains certain information designated as "law

enforcement manuals." This information was reviewed and appears to meet the standard of "law enforcement manuals" as that phrase is used in the Ordinance.

6. Review of Files of the Criminal Information Section, Vice Section, Narcotics Section, and Homicide Section.

I reviewed information accumulated in the Criminal Information Section since January 1, 1990 relating to authorizations and transmittal of restricted information. I also reviewed selected files in the Vice, Narcotics, and Homicide sections.

7. Discussions with Police Personnel.

I met with police personnel in the Criminal Information Section, the Vice Section, the Narcotics Section, and the Homicide Section to discuss methods of recordkeeping, use of computers, integration of Section files with general Department files, communications between sections of the Department, and exchanges of information with outside agencies.

We discussed their understanding of the Ordinance, the meaning of the term "restricted" materials, and the impact of the Ordinance on the work and recordkeeping of the Section.

I also discussed with various Department personnel whether other sections of the Department were engaged in activities which might come within the purview of the Ordinance.

8. Information Designated for Purging.

I discussed with each Section how long they maintain information and how they designate records for purging.

II.

SUBSTANTIAL VIOLATIONS OF THE ORDINANCE

I found the procedures implemented by the Seattle Police Department to be in accordance with the provisions of the Ordinance. An inspection of the files and records revealed (a) no substantial violations of the Ordinance; and (b) a good-faith effort by the Seattle Police Department to comply with the Ordinance in all respects.

The Preliminary Report prepared and delivered to the Chief of the Seattle Police Department on December 24, 1990.

Final Report submitted on December 31, 1990.



Katrin E. Frank
Police Intelligence Auditor

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