

Seattle Police Department

“We Seek to Engage”

Original Request May 2 2014

From: Drew Hendricks [mailto:drewhend98513@yahoo.com]

Sent: **Friday, May 02, 2014 12:53 PM**

To: SPD-PDR, SPD

Subject: Public Records Request

This is a request for all photographs taken by Seattle Police Department Detectives and Officers at May Day Demonstrations on May 1, 2014 between 12:01AM and 11:59PM inclusive.

This is also a request for all expenses and receipts related to Taxi Services used by Seattle Police Officers and Detectives during demonstrations downtown in Seattle on May 1, 2014.

This is also a request for all expenses and receipts related to rental car services used by Seattle Police Officers and Detectives during demonstrations downtown in Seattle on May 1, 2014.

This is also a request for all emails sent by Seattle Police Officer (or Detective) Rik Hall between January 1, 2014 and May 2, 2014.

This is also a request for all emails sent by Seattle Police Officer (or Detective) Wes Friesen between January 1, 2014 and May 2, 2014.

Seattle's First Search for Emails

June 16, 2014

Search Summary

Total Count: 6577

Search Time: 6/16/2014 7:17:36 AM To 6/16/2014 7:17:38 AM

Search Name: time frame search_P2014-1498_1

Search User Name: friendgs

Grid Name	Target Name	Target Type	Group Name	Sub Type	No. of Results	Result (KB)	Doc Type
Site (COSWINA162)	Friesen, Wesley	Mailbox	Appointments and Meetings	Calendar Items	48		Email
Site (COSWINA162)	Hall, Rik	Mailbox	Messages	Email Items	10		Email
Site (COSWINA162)	Hall, Rik	Mailbox	Contacts	Contact Items	14		Email
Site (COSWINA162)	Friesen, Wesley	Mailbox	Messages	Email Items	6443		Email
Site (COSWINA162)	Hall, Rik	Mailbox	Appointments and Meetings	Calendar Items	62		Email

Seattle's First Production of emails

January 21, 2015

From: "SPD-PDR, SPD" >
To: 'Drew Hendricks' >
Sent: Wednesday, January 21, 2015 11:44 AM
Subject: RE: Public Records Request

PDR # P2014-1498

Mr. Hendricks,

This email is in further response to your public disclosure request. The Department has a CD ready to be picked up at the Public Request Unit front counter, 1st floor of Seattle Police Department Headquarters, 610 5th Ave. Their business hours are Monday-Friday, 8:00 AM-5:00PM.

Documents on the CD: responsive emails for "all emails sent by Detective Rik Hall between 1/1/14-5/2/14" and a first installment of emails for "all emails sent by Detective Friesen between 1/1/14-5/2/14."

The fee for this installment is \$1.00 for one CD @ \$1.00/CD.

If you are unable to pick up your request, please send a check payable to the City of Seattle for \$1.60 (to cover postage) with a copy of this email to:

Seattle Police Department

Seattle Police Email Policy

Seattle Police Department

DIRECTIVE

November 27, 2013

Directive Number 13-00051

Until Further Notice:

Do Not Discard or Destroy Department Records

We are currently reviewing and updating our records management and retention practices which are governed by state law, and at the same time coordinating with the Monitor to identify and retain records necessary to comply with the Settlement Agreement.

Is this directive still policy in 2015?

• RE: Question about current email policy

People

Kolding, Brendan

Today at 8:02 AM

To me

Yes.

From: Drew Hendricks [mailto:drewhend98513@yahoo.com]

Sent: Sunday, March 22, 2015 11:12 AM

To: SPD_aprs

Subject: Question about current email policy

I was wondering, is this still current policy?

http://www.seattle.gov/Documents/Departments/Police/manual/DIR_13_00051_Interim_Policy_Records_Retention.pdf

Drew Hendricks
360-870-3127 cell

Email or phone, either way I see it on my Droid.
If I don't call back just assume that the bail will be more than \$500.00

Seattle Police Email Policy

- Verbally, Seattle police personnel tell me that individual officers are given discretion in which emails to keep.
- I cannot find where this power is explicitly granted under the Email policy of SPD.
- This is directly contradicted by 13-00051
- <http://www.seattle.gov/police-manual/title-12---department-information-systems/12110---use-of-department-e-mail-and-internet-systems>
- [http://www.seattle.gov/Documents/Departments/Police/manual/DIR_13_00051 Interim Policy Records Retention.pdf](http://www.seattle.gov/Documents/Departments/Police/manual/DIR_13_00051_Interim_Policy_Records_Retention.pdf)

Seattle Legal explains the game

• RE: Rik Hall emails and their destruction

People

Perry, Mary

Today at 4:55 PM

To me

Mr. Hendricks:

I apologize for not getting back to you earlier. This is in response to your email and telephone inquiries:

1. I have referred that portion of your email asking that SPD conduct a search for emails that may still exist responsive to your initial request. I have asked that SPD conduct a search of all SPD employee email accounts for "all emails sent by Detective Rik Hall between 1/1/14-5/2/14." SPD will handle this as a new public disclosure request and will respond directly to you on it from this point forward.
2. In response to your inquiry whether Det. Hall violated Directive Number 13-00051, the policy was implemented at the request of the DOJ Monitoring Team. The intent of the policy was to ensure retention of records related to complying with the consent decree. SPD has previously raised the question whether it was necessary to place a hold on all Department email and the Monitoring Team has confirmed that SPD was not required to alter its existing email retention policy. As previously explained to you, email is retained in the active directory for 45 days. SPD's email system automatically deletes email after that period unless an employee actively retains the email. Employees retain messages beyond 45 days by printing, saving electronically in the appropriate drive, or dragging and dropping messages into the City email archiving system.
3. I am in the process of gathering additional information regarding your inquiries and will get back to you by April 1.

Thank you,



Mary F. Perry
Assistant City Attorney

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Wait – WHAT?

- The timing of the first search for records becomes ***extremely suspicious***, if 45 days is an actual automatic deletion date for emails.
- The total number of days between Friday, May 2nd, 2014 and Monday, June 16th, 2014 is ***exactly*** 45 days.
- Contrast this claim with Wes F's ***6,443 responsive emails*** over the same period.

Second attempt to explain...

To me

Mr. Hendricks:

This is to follow up on your inquiries about the timing of the search SPD conducted of Det. Hall's emails, the disparity between the number of responsive emails found in Det. Hall's account and that of Det. Friesen, and why the search of Det. Hall's emails resulted in so few responsive records.

Emails that have not been placed in the City's email archiving system are automatically deleted from an employee's Outlook mailbox, but they are retained in the archiving system for a period of 14 days beyond that so they can be retrieved if necessary. As a result, the search conducted of Det. Hall's emails would have covered 59 days rather than 45 days.

The disparity between the number of emails retained by Det. Friesen and Det. Hall reflects the nature of their operational assignments. Det. Hall currently is assigned full-time with the FBI and was assigned there full-time during the period covered by your request. He does not have a desk at SPD, nor did he during the request period. He would have used an FBI email account for any operational matters. His email account use at SPD is largely for communications concerning administrative, personnel, and training matters with little or no retention value. In contrast, Det. Friesen works at SPD and uses an SPD email account for operational as well as administrative, personnel, and training matters. A search of Det. Friesen's emails would logically result in a substantially greater number of results because of the difference in their operational assignments.

As I understand your question about email retained by Det. Friesen, you seem to be asking why he appears to have retained what you describe as not "archive-worthy or permanent record emails." The retention standards apply to what should be kept. An employee has the option of retaining more emails than those with specific retention value or may choose to retain all email, including routine spam, if he or she wishes.

You also question why Det. Friesen's email contained duplicates and repeated threads. By its nature, an email search generally produces duplicates and repeated threads that would not be eliminated without de-duplication by using an e-discovery or similar tool.

Please let me know if this does not answer your questions or if I did not understand your questions.

Cordially,



Mary F. Perry
Assistant City Attorney

Seattle City Attorney's Office