



Seattle Police Department Policy Manual



5.030 – Preparing for Criminal Case Interviews

Effective Date: 01/01/2015

5.030-POL

This policy applies when Department employees receive requests from the defense for criminal case interviews and/or notice to appear as a defense witness in a criminal case.

1. Department Employees May Participate in Felony Case Interviews After Notifying the King County Prosecuting Attorney's Office (KCPAO)

For felony case interviews, Department employees will contact the KCPAO to speak with the assigned prosecutor or to request that a prosecutor be present for the interview.

(See 5.030-TSK-1 Providing Notice to the King County Prosecutor's Office)

If a Department employee declines an interview request then they may be subpoenaed or ordered by the court to provide a deposition which may result in unnecessary costs to the Department.

2. Department Employees May Participate in Misdemeanor Case Interviews After Notice to the Seattle City Attorney's Office (SCAO)

After receiving a request for a defense interview on a misdemeanor case, employees will notify the SCAO by sending an email to [Law Defense Interview Request](#) with the following information:

- Subject Line: "Defense Interview"
- Officer Name and contact number
- Report Number
- Defense Attorney Name
- Date Defense Contacted Officer

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- Prosecutor Requested to Attend: Yes or No

If a Department employee declines an interview request then they may be subpoenaed or ordered by the court to provide a deposition which may result in unnecessary costs to the Department.

3. Department Employees Shall Notify the KCPAO Juvenile Section Before Participating in an Interview of a Case Involving Juvenile Suspects.

Contact the [KCPAO Juvenile Section](#) to speak to a prosecutor or paralegal supervisor.

4. Department Employees Shall Verify Information Before the Interview

Before scheduling a case interview, employees will verify the following information:

- The person requesting the interview is representing the defendant, the State, or the City.
- The Report and any other relevant reports that contain information relevant to the case.
- The victim is not a Department employee. If the victim is a Department employee, contact the appropriate Prosecutor's office for consultation prior to conducting the interview.
- The case is an active criminal case.
 - * For felony adult cases use the KCPOA case management system for case status.
 - * For cases involving a juvenile subject contact the [KCPAO Juvenile Section](#).
 - * For misdemeanor adult cases call the Law Department at [\(206\) 684-7757](#).

If the employee cannot verify the above information, the employee will refer the requestor to the appropriate Prosecutor's office to facilitate the interview.

5. Department Employees May Refuse to Answer Questions and May Terminate the Interview

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An employee may refuse to answer questions during the interview if the employee has concerns about the line of questioning or if the employee feels that another investigation may be compromised by answering the questions.

The employee may request that the interview be recorded and that a recording be provided by the interviewer. The employee may also terminate the interview.

The employee may contact the SCAO or KCPAO to relay the concerns and seek guidance on resuming the interview at a later date.

6. Department Employees Shall Not Sign Criminal Case Documents That Were Not Prepared by SPD

Exception: A Department employee may sign a document or statement if done so at the direction of the assigned prosecutor.

7. Department Employees Requested to Appear as a Defense Witness Shall Immediately Notify the KCPAO

This request may include a personal appearance, deposition, or affidavit by the employee.

(See 5.030-TSK-1 Providing Notice to the King County Prosecutor's Office)

8. Department Employees Shall Schedule Interviews to Take Place During Work Hours

Exception: If the employee is unable to schedule the interview during regular work hours, the employee shall get authorization from their supervisor for overtime before conducting the interview.

5.030-TSK-1 Providing Notice to the King County Prosecutor's Office

After receiving a defense request for an interview on a felony case, the **Department Employee:**

1. **Logs** into King County Ingress Distributed Security Gateway
2. **Clicks** on "PAO CASE INFO" to access searchable fields.
 - "Report#" is the police case number
 - "L.E. Agency" button gives a list of agencies

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- It is not necessary to complete every field
3. **Locates** the "File #" link for the case to show case details.
 4. **Finds** the "Assigned" prosecutor.
 5. **Sends** an e-mail to the assigned prosecutor using the email link including the following information:
 - Defendant's name
 - KCPAO cause number
 - SPD Report Number
 - Name of defense attorney or investigator requesting the interview
 - Employee's contact information
 - Request for contact before the interview or to have prosecutor present during the interview
 6. **Schedules** the interview if the employee has received no response after 5 business days or after conferring with the prosecutor's office.
- Exception:** If a request was made to have the prosecutor's office schedule the interview, or if the case is a Class A Violent Felony or Sex Crime, then re-contact the assigned prosecutor or paralegal.