



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0273

Issued Date: 03/05/2015

<b>Named Employee #1</b>	
Allegation #1	<u>Seattle Police Department Manual</u> 6.180 Searches - General (Policy that was in effect as of 5/16/12)
OPA Finding	<b>Not Sustained</b> (Lawful & Proper)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

Officers responded to a disturbance where it was alleged that the subject, a former roommate, had damaged property and was possibly armed. When officers arrived, the subject had left the scene and they conducted a search for the subject. The subject was located and arrested.

#### **COMPLAINT**

The complainant alleged that his bag was illegally searched by officers and then he was arrested.

#### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Search for and review of all relevant reports and other evidence
4. Review of In-Car Videos

5. Interviews of Witnesses
6. Interviews of SPD employees

### **ANALYSIS AND CONCLUSION**

The evidence gathered from all sources, including In-Car Videos, reveals that the complainant was arrested prior to his backpack being searched by officers. The officers had probable cause to arrest the complainant based on the original call. Search of personal property in possession of an arrested person is permitted.

### **FINDINGS**

#### **Named Employee #1**

The weight of the evidence showed that named employee #1 had probable cause to arrest the complainant based on the original call and the subsequent search of the backpack followed policy; therefore a finding of **Not Sustained** (Lawful & Proper) was issued for *Searches - General*.

*NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.*