



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0575

Issued Date: 11/02/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (5) During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Amount of Time (Policy that was issued 01/30/14)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (V.A.) Employees shall be truthful and complete in all official communications (Policy that was issued 08/15/12)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #3	<u>Seattle Police Department Manual</u> 5.001 (VII.A.2.a.) Professionalism-Courtesy: Employees shall strive to be professional and courteous (Policy that was issued 08/15/12)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (5) During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Amount of Time (Policy that was issued 01/30/14)
OPA Finding	Not Sustained (Lawful and Proper)
Final Discipline	N/A

INCIDENT SYNOPSIS

The named employees were dispatched to assist Seattle Fire Department Medics with a potential Domestic Violence (DV) incident between the complainant and his wife. The named employees detained the complainant to investigate and eventually determined that no DV crime occurred. A supervisor arrived at the incident and spoke with the complainant before he was released.

COMPLAINT

The complainant, an off-duty special agent for a federal law enforcement agency, alleged that the named employees detained him too long after they ran his name and determined that he had no warrants or protection orders against him. He further alleged that named employee #1 wrote inaccurate statements in his report and was unprofessional.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint letter
2. Review on In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that the named employees conducted an investigation sufficient to satisfy department policy concerning primary investigation of DV incidents. The named employees did not detain the complainant longer than was required to complete this investigation. Named employee #1 documented the complainant's behavior in his incident report which caused him to believe that the complainant may have been intoxicated. The evidence showed that the report written by named employee #1 was consistent with what occurred during the incident. Named employee #1 described using his body positioning, words and tone to gain the complainant's compliance and he modulated his conduct as the complainant complied.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that the named employee conducted a sufficient investigation. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Amount of Time*.

Allegation #2

The weight of the evidence showed that the named employee was truthful in what he wrote in his incident report. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Employees shall be truthful and complete in all official communications.*

Allegation #3

The weight of the evidence showed that the named employee was professional in all of his interactions during this incident. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Professionalism-Courtesy: Employees shall strive to be professional and courteous.*

Named Employee #2

Allegation #1

The evidence showed that the named employee conducted a sufficient investigation. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *During a Terry Stop, Officers Will Limit the Seizure to a Reasonable Amount of Time.*

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.