



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0463

Issued Date: 02/06/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 16.090 (6) In-Car Video System: Employees Will Record Police Activity (Policy that was issued March 1, 2016)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 16.090 (5) In-Car Video System: Employees Will Log in and Perform a System Check (Policy that was issued March 1, 2016)
OPA Finding	Not Sustained (Unfounded)
Allegation #3	<u>Seattle Police Department Manual</u> 15.180 (5) Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report (Policy that was issued April 1, 2015)
OPA Finding	Sustained
Allegation #4	<u>Seattle Police Department Manual</u> 15.180 (1) Primary Investigations: Officers Shall Conduct a Thorough and Complete Search for Evidence (Policy that was issued April 1, 2015)
OPA Finding	Sustained
Final Discipline	One Day Suspension

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (5) Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 15.180 (1) Primary Investigations: Officers Shall Conduct a Thorough and Complete Search for Evidence (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (5) Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 15.180 (1) Primary Investigations: Officers Shall Conduct a Thorough and Complete Search for Evidence (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees responded to a 911 call.

COMPLAINT

The complainant alleged that he and his neighbors have made "several hundred" 911 calls regarding a "very well-known problem house in this community." The complainant reported that one resident of the problem house physically assaulted another resident and used a knife to threaten that subject. Named Employee #1 responded but failed to act and conduct an investigation. He did not stop or get out of his car to address the situation or contact the complainant. Additionally, Named Employee #1 didn't activate In-Car Video (ICV) for this incident.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

While investigating a complaint, OPA discovered that Named Employee #1 did not activate his ICV. During his interview Named Employee #1 stated that he had been a bicycle officer for a number of years. Occasionally he was put in a patrol car when staffing levels were low. Named Employee #1 stated that he had been trained in how to operate the ICV and he knew he should have started it in this case. Because he was normally assigned to a bike squad it was not an ingrained habit. Named Employee #1 said he did perform a system check at the beginning of his shift as required.

The complainant alleged that the Named Employees did not perform even the most basic of investigation, failed to contact him or check on the welfare of the individual in the suspect's house. Despite providing 911 operators the information that the suspect was a known person living next door to him, and that the suspect went back inside her house, the officers did not attempt to contact her. The complainant alleged that the officers drove past without stopping or talking to him.

Named Employee #1 responded to a 911 report that a woman was threatening to stab another woman with a large butcher knife. In the call it stated that the complainant would like contact regarding this incident. When Named Employee #1 responded to the call he did not contact the complainant, conduct any type of investigation or try to identify the suspect. In his OPA interview, Named Employee #1 stated he drove past the location looking for any sign of a disturbance. When he did not find a disturbance and no one tried to flag him down, he drove off without performing any further investigation. Named Employee #1 told OPA he was unfamiliar with the Computer Aided Dispatch system because he normally worked a bike squad and, as a result, failed to notice that the complainant wanted contact.

Named Employee #1 was investigating a report of a serious assault involving a weapon, the Department and the community had an expectation that allegations of criminal conduct would be properly investigated by officers, especially violent crimes against persons. When an officer is investigating a report of a serious assault with a weapon the community has a right to expect that those reports will be thoroughly investigated and documented. In this case, Named Employee #1 did not stop and look for injured persons or a dangerous subject, conduct even the most rudimentary investigation, or attempt to contact the complainant to obtain additional information to identify the suspect or locate the victim.

Named Employee #2 and Named Employee #3 were working as a two-person unit backing the primary officer (Named Employee #1). They conducted an area check for the victim who reportedly rollerbladed away from the scene. They later met with the primary officer who said there was nothing at the scene of the 911 call. Based on the information provided by the primary officer they cleared the call. The officers were assigned as backing officers and relied on the primary officer's investigation. They did an area check for the victim as would be expected of a backing officer in this type of incident.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee did not activate his ICV. Therefore a **Sustained** finding was issued for *In-Car Video System: Employees Will Record Police Activity*.

Allegation #2

A preponderance of the evidence showed that the Named Employee did perform a system check at the beginning of his shift as required. Therefore a finding of **Not Sustained** (Unfounded) was issued for *In-Car Video System: Employees Will Log in and Perform a System Check*.

Allegations #3 and #4

Because Named Employee #1 failed to conduct an investigation of any kind he was unable to document the incident in a report as required by policy. Therefore a **Sustained** finding was issued for *Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report* and *Primary Investigations: Officers Shall Conduct a Thorough and Complete Search for Evidence*.

Discipline Imposed: One Day Suspension

Named Employees #2 and #3

Allegations #1 and #2

A preponderance of the evidence showed that Named Employee #2 was assigned as a backing officer and relied on the primary officer's investigation. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report* and *Primary Investigations: Officers Shall Conduct a Thorough and Complete Search for Evidence*.

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.