



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1140

Issued Date: 03/31/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.002 (2) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Assist Any Person Who Wishes to File a Complaint (Policy that was issued January 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 5.002 (6) Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Must Otherwise Report Misconduct (Policy that was issued January 1, 2015)
OPA Finding	Allegation Removed
Final Discipline	N/A

INCIDENT SYNOPSIS

While being transported to jail, the subject asked the Named Employee how to file criminal charges against an officer who used force on him (the subject).

COMPLAINT

The complainant, the Force Review Unit, alleged that the Named Employee may have violated policy by failing to assist a person who wished to file a complaint.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The Named Employee should have asked follow-up or clarifying questions to find out exactly what the subject was asking. Anytime a subject expresses a concern or dissatisfaction with how he or she was treated by an officer, it is the Department's expectation that officers will assist the person with taking whatever action they choose. This assistance begins with seeking information and then providing assistance.

Allegation #2 was redundant with Allegation #1 and has been removed.

FINDINGS

Named Employee #1

Allegation #1

The evidence showed that the Named Employee would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Responsibilities of Employees Concerning Complaints of Possible Misconduct: Employees Will Assist Any Person Who Wishes to File a Complaint*.

Required Training: The supervisor should provide the Named Employee with a clear reminder regarding his responsibilities to assist persons with filing complaints. It should be emphasized that it is the Department's expectation that officers will assist the person with taking whatever action they choose. This assistance begins with seeking information and then providing assistance.

Allegation #2

This Allegation was removed.

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.