



OFFICE OF POLICE ACCOUNTABILITY

Closed Case Summary

Complaint Number 2017OPA-0462

Issued Date: 02/23/2018

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 11.050 (3) Detainee Property: Officers Photograph Detainee Property (Policy that was issued October 1, 2014)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 11.050 (3) Detainee Property: Officers Photograph Detainee Property (Policy that was issued October 1, 2014)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

During an OPA interview of the complainant in regards to an unrelated complaint of biased policing, the complainant made a separate allegation.

COMPLAINT

The complainant alleges that SPD did not return some of his clothing that was contained in a suitcase that had been inventoried. OPA was unable to locate photographs of the complainant's property, including the suitcase, in the Digital Evidence Management System (DEMS).

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

The Named Employees assisted in the arrest of the complainant by taking custody of the complainant's personal property. That property consisted of a large suitcase. The property was then placed in safekeeping within the Department's custody. The complainant alleged that when he later took custody of his belongings, he realized that some of his clothing, namely a green goose-down vest and a black jacket, were not there.

During its investigation, OPA did a search for photographs of the complainant's property, but was not able to locate any. During their OPA interviews, the Named Employees indicated that they did not take still photographs of the complainant's property, but that they memorialized the property by recording it on their In-Car Video (ICV.)

SPD Policy 11.050(3) requires that officers photograph detainee property. At his OPA interview, Named Employee #1 opined that his failure to do so did not violate policy, but he stated that he would in the future photograph everything with a camera. Named Employee #2 also opined that he did not violate policy and asserted his belief that because he recorded the complainant's property on his ICV and because the ICV video was stored in the COBAN system, he acted appropriately. The policy was clear that the property must be photographed. Such photographs are, in turn, expected to be uploaded to DEMS. The failure of the Named Employees to do so violated policy.

While the OPA Director found that the Named Employees acted contrary to policy, he did not believe that a sustained finding was warranted.

FINDINGS

Named Employees #1 and #2

Allegation #1

The evidence showed that the Named Employees would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Detainee Property: Officers Photograph Detainee Property*.

Training Referral: Named Employees #1 and #2 should receive additional training concerning the elements of this policy, and particularly the requirement that they photograph detainee property. Named Employee #2 should further be instructed that this policy does not permit ICV to be a substitute for photographs.

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.