



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0285

Issued Date: 09/18/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (1) Voluntary Contacts, Terry Stops & Detentions; Must be Based on Reasonable Suspicion (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 6.220 (10) Officers Must Document All Terry Stops (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (1) Voluntary Contacts, Terry Stops & Detentions; Must be Based on Reasonable Suspicion (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 6.220 (10) Officers Must Document All Terry Stops (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

Named Employee #3	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (1) Voluntary Contacts, Terry Stops & Detentions; Must be Based on Reasonable Suspicion (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 6.220 (10) Officers Must Document All Terry Stops (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

Named Employee #4	
Allegation #1	<u>Seattle Police Department Manual</u> 6.220 (1) Voluntary Contacts, Terry Stops & Detentions; Must be Based on Reasonable Suspicion (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Lawful and Proper)
Allegation #2	<u>Seattle Police Department Manual</u> 6.220 (10) Officers Must Document All Terry Stops (Policy that was issued 12/01/14)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

Two of the named employees had recently reviewed a wanted bulletin with several photographs of a robbery suspect. They noticed someone who could be the felon from the wanted bulletin and radioed for other officers to assist in stopping this person to investigate further. Two additional named employees responded. All four named employees quickly determined that the person they stopped, the complainant, was not the suspect from the wanted bulletin. One of the named employees explained the circumstances of the complainant's detention.

COMPLAINT

The complainant alleged that he was stopped by the named employees and they informed him the reason of the stop was because he looked like a suspect involved in an armed robbery. The complainant called to ask if there was such an armed robbery incident that led to his stop. OPA identified two bike officers who made a stop in the area at that time. However, no obvious information about a robbery at that same time was located. Additionally, no record could be found of either officer filing required information following a Terry Stop.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the voicemail complaint
2. Interview of the complainant
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 did have reasonable suspicion to stop the complainant based on the information from a wanted bulletin about a robbery suspect. By all accounts, the stop was less than five minutes in duration. However, there was a miscommunication between the two paired named employees. Each thought that the other pair of officers was going to complete the documentation of the Terry stop of the complainant. As a result, the required documentation was not completed.

FINDINGS

Named Employee #1, #2, #3 and #4

Allegation #1

The weight of the evidence showed that the named employees had cause to stop the complainant. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Voluntary Contacts, Terry Stops & Detentions; Must be Based on Reasonable Suspicion*.

Allegation #2

The evidence showed that the named employees did not complete the proper documentation due to a miscommunication. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Officers Must Document All Terry Stops*. The supervisor for all four employees should review the SPD policy that was published in December of 2014 and recently updated on August 1, 2015 with them.

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.