



May 29, 2024

Chief Adrian Diaz  
Seattle Police Department  
PO Box 34986  
Seattle, WA 98124-4986

Dear Chief Diaz:

Please see the below Management Action Recommendation.

**Case Number**

- 2023OPA-0155 / 2024COMP-0003

**Topic**

- Releasing Evidence

**Summary**

- Following a shooting, the victim's car was taken as evidence. Later, the vehicle was allegedly auctioned without notifying the victim's family.

**Analysis**

- The victim was incapacitated after being shot in his vehicle. The victim's family consented to the named employee (NE) taking and processing the vehicle as evidence. After processing, the vehicle was later released to a towing company. The department mailed instructions for retrieving the vehicle from the towing company, but the family denied receiving it. The vehicle was sold at an auction.
- It was unclear which policy covered the vehicle's release: (SPD Policy 6.120-TSK-9 Impounding Vehicles<sup>1</sup> or SPD Policy 7.060 Releasing Evidence<sup>2</sup>).
- The NE thought SPD Policy 6.120-TSK-9 applied, requiring him to complete a release authorization form (Form 5.53). On that form, officers are to check indicate how and when the property owner was notified, but a confirmation receipt is unrequired before the property's release.
- SPD Policy 6.120-TSK-9 presumes a follow-up unit detective would release the vehicle. In practice the task typically falls to an available crime scene investigation detective, who may be unfamiliar with the interested parties. Here, the NE would have known the mailed form was unlikely to give the victim actual notice of release due to his being hospitalized.

**Recommendations**

- SPD should: (1) clarify which policy applies to the release of property held as evidence; (2) consider requiring verified notice, like certified mail, for vehicles or high-value items; and (3) consider notifying the property owner's family—particularly when, like here, family were identified and their contact information was documented— when SPD knows the owner is unavailable or incapable of retrieving the item.

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<sup>1</sup> Seattle Police Department Policy Manual (04/01/2022). "Policy 6.120 – Impounding Vehicles."  
<https://public.powerdms.com/Sea4550/tree/documents/2042888>

<sup>2</sup> Seattle Police Department Policy Manual (05/01/2022). "Policy 7.060 – Releasing Evidence."  
<https://public.powerdms.com/Sea4550/tree/documents/2042921>



I appreciate your consideration and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Gino Betts, Jr.".

Gino Betts, Jr.  
Director, Office of Police Accountability