



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 23, 2024

FROM: DEPUTY DIRECTOR BONNIE GLENN ON BEHALF OF DIRECTOR GINO BETTS, JR.
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2024OPA-0177

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing	Not Sustained - Unfounded (Expedited)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

Named Employee #1 (NE#1) responded to an assault call during which Community Member #1 (CM#1) extended his hand to NE#1 for a handshake. NE#1 disregarded CM#1's gesture while engaging Community Member #2 (CM#2). CM#1 alleged that NE#1's refusal to shake his hand constituted bias.

ADMINISTRATIVE NOTE:

This case was approved for Expedited Investigation. That means OPA, with the Office of Inspector General's (OIG) agreement, believed it could issue a recommended finding based solely on its intake investigation without interviewing the named employee. As such, OPA did not interview the named employee in this case.

On May 21, 2024, OIG certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

On April 16, 2024, the Complainant—a sergeant—submitted an OPA complaint via Blue Team, writing that CM#1 attempted to shake NE#1's hand while NE#1 investigated an assault and maintained scene security. The Complainant wrote that NE#1 disregarded CM#1's gesture, prompting CM#1 to comment, "That was bias right there." The Complainant wrote that CM#1 felt disrespected when NE#1 declined to shake his hand.

OPA investigated the complaint by reviewing the computer-aided dispatch (CAD) call report, body-worn video (BWV), and field contact report. OPA was unable to interview CM#1 because CM#1 declined to provide contact information.

On March 16, 2024, at 4:02 AM, CAD call remarks noted, "2 MIN[UTE]S AGO, FEM[ALE] SUSP[ECT] HIT [REPORTING PARTY], AND THEIR IS FIGHT HAPPENING."



BWV captured the following:

NE#1 responded to the incident location. Seattle police officers were at an intersection investigating the incident. NE#1 spoke with the involved parties and then radioed that the parties declined to be reported as victims. NE#1 and the officers dispersed the involved parties as they shouted at each other. NE#1 escorted one party to a nearby apartment and then reapproached the intersection where CM#1, CM#2 and other officers were present. NE#1 said, "Let's try to get out of here." CM#1 extended his hand to NE#1 as CM#2, standing nearby, appeared escalated. NE#1 did not shake CM#1's hand and appeared to have said, "Don't touch me." NE#1 approached CM#2, telling her that he would provide a business card. CM#1 told an officer, "That was bias right there." NE#1 asked CM#1, "Do you want to talk to my supervisor about me not shaking your hand?" CM#1 flipped off NE#1. NE#1 said, "Okay, cool. Alright." A few minutes later, NE#1 apologized to CM#1 about missing his handshake. NE#1 said he needed to address CM#2. CM#1 suggested NE#1 "loosen up."

NE#1's field contact report was consistent with BWV observations. NE#1's report stated that the involved parties refused to identify themselves to the officers, declined medical assistance, and refused to participate in the investigation. NE#1 wrote that because the involved parties declined to report a crime, they were free to leave.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 – Allegation #1

5.140 – Bias-Free Policing, 5.140-POL-2. Officers Will Not Engage in Bias-Based Policing

CM#1 alleged that NE#1's refusal to shake his hand constituted bias.

Biased policing means "the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well as other discernible personal characteristics of an individual." SPD Policy 5.140-POL. It includes different treatment based on race. *See id.* Officers are forbidden from making decisions or taking actions influenced by bias and expressing prejudice or derogatory comments concerning personal characteristics. *See* SPD Policy 5.140-POL-2.

OPA found no evidence suggesting NE#1's refusal to shake CM#1's hand constituted bias. NE#1 later apologized to CM#1, telling him that he needed to address CM#2, who was escalated. When a supervisor attempted to screen the bias incident with CM#1, CM#1 appeared unwilling to elaborate on how NE#1's conduct constituted bias. Moreover, OPA was unable to interview CM#1 concerning his bias allegation since CM#1 refused to identify himself or provide contact information at the scene.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

Recommended Finding: **Not Sustained - Unfounded (Expedited)**