



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2014-0663

Issued Date: 06/15/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (5) Use of Officer Discretion (Policy that was issued 07/16/14)
OPA Finding	Sustained
Allegation #2	<u>Seattle Police Department Manual</u> 5.001 (17) Conflicts of Interest (Policy that was issued 07/16/14)
OPA Finding	Sustained
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The named employee pulled over two drivers for the same traffic violation. One driver was given a ticket and the other driver was not given a ticket.

COMPLAINT

The complainant alleged that the named employee gave her a ticket but did not give the other driver a ticket because they were friends. The other driver told this fact to the complainant when they were waiting for the named employee to return to their vehicles.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint letter
2. Interview of complainant
3. Search for and review of all relevant records and other evidence
4. Review of In-Car Videos
5. Interview of SPD employees

ANALYSIS AND CONCLUSION

The investigation showed that the named employee conducted multiple traffic stops at the same location. All but one driver during that time frame was ticketed. The named employee believed that he was using his discretion by giving only a warning to his acquaintance. Facts and circumstances must dictate discretion, not the status of an involved individual or whether the individual is an acquaintance of the officer involved.

FINDINGS

Named Employee #1

Allegation #1

The weight of the evidence showed that the named employee did not provide a ticket because he was acquainted with the driver who had committed the same violation as the complainant. Therefore a **Sustained** finding was issued for *Use of Officer Discretion*.

Allegation #2

The weight of the evidence showed that the named employee engaged in disparate treatment and was motivated by personal interest and not professional judgement. Therefore a **Sustained** finding was issued for *Conflicts of Interest*.

Discipline imposed: **Written Reprimand**

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.