



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-1061

Issued Date: 02/04/2016

| Named Employee #1 | |
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| Allegation #1 | <u>Seattle Police Department Manual</u> 5.001 (10) Employees Shall Be Truthful and Complete In All Communication (Policy that was issued 04/01/2015) |
| OPA Finding | Not Sustained (Inconclusive) with a Training Referral |
| Final Discipline | N/A |

INCIDENT SYNOPSIS

The named employee was working patrol with his regularly assigned partner, a Washington State Department of Corrections officer. They were looking for a subject that had an outstanding arrest warrant and went to the subject's work location. When the officers arrived at the location, the subject fled the scene. The named employee chased the subject on foot for six blocks while his partner attempted to follow in their vehicle. The subject ran onto a train station platform being chased by the named employee, who was wearing his SPD uniform. A train employee heard someone yelling when he turned and saw the subject running towards him. The train employee grabbed the subject and took him down to the concrete platform. The named employee handcuffed the subject. The subject was arrested and transported by another SPD officer. While at the precinct, the Sergeant conducted a screening of the arrest. The subject told the Sergeant that he had suffered an injury to his face and alleged that the named employee had caused the injury. The named employee stated that he was not aware that the subject was injured and the Sergeant directed him to complete a Use of Force Statement.

COMPLAINT

The complainant, a supervisor within the Department, alleged that the named employee was not truthful as his written statement of events conflicted with statements recorded on In-Car Video made by the named employee.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Review of In-Car Video (ICV)
3. Search for and review of all relevant records and other evidence
4. Interview of witnesses
5. Interview of SPD employees

ANALYSIS AND CONCLUSION

The evidence from this investigation (ICV) clearly proved that the named employee had knowledge of a claimed and observable injury to the subject prior to being told by his sergeant. In his Use of Force Statement, the named employee wrote that he was unaware of any injury or claim of injury until he was notified by his sergeant regarding the claim of injury. While it is clear that the named employee's written statement is inaccurate regarding when he learned of the possible injury to the subject, there is insufficient evidence to determine at a "clear and convincing" level (the standard of proof required under the City's labor contract with the Seattle Police Officers Guild to sustain an allegation of dishonesty) whether or not the named employee knew, at the time he wrote it, that his statement was false.

If the named employee's inclusion of incorrect information in his statement was inadvertent or unintentional, he would be well advised to pay more careful attention to what he writes in any official report and take greater pains to verify his facts using the evidence available to him at the time.

FINDINGS

Named Employee #1

Allegation #1

The evidence could not prove or disprove that the named employee included false information in his Use of Force statement. Therefore a finding of **Not Sustained** (Inconclusive) with a Training Referral was issued for *Employees Shall Be Truthful and Complete In All Communication*.

Required Training: The named employee should receive training on how to accurately and thoroughly document his actions in official SPD reports and statements.

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.