



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2017-0016

Issued Date: 07/20/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing: Officers Will Not Engage in Bias Based Policing (Policy that was issued August 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 5.140 (5) Bias-Free Policing: Employees Will Call a Supervisor in Response to Allegations of Bias-Based Policing (Policy that was issued August 1, 2015)
OPA Finding	Sustained
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The Named Employee pulled the subject over for a traffic infraction and issued him a ticket.

COMPLAINT

The Complainant, the OPA, alleged the Named Employee may have violated SPD policy when he did not report an allegation of bias. The subject involved in this incident alleged that the Named Employee did not give him a warning and cited him because of his race.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Search for and review of all relevant records and other evidence
3. Review of In-Car Videos (ICV)
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

The Named Employee pulled the subject over for a traffic infraction and issued him a ticket, instead of a warning. The traffic infraction was caught on ICV, and was a lawful and proper stop. While it was in the discretion of the Named Employee to issue a warning or a ticket, there was nothing within the case record which would indicate the actions taken and decision made by the Named Employee was in violation of SPD bias-policing policy.

The preponderance of the evidence showed the subject in this complaint made numerous statements captured on ICV indicating his belief that a ticket was issued, rather than a warning, because the subject was Black. Under SPD Policy, allegations of biased policing require that a supervisor be called to the scene to investigate, and if the subject is not willing to wait, contact information should be provided to the subject for them to contact the Office of Professional Accountability directly, should they wish to file a complaint. The Named Employee admitted to not contacting a supervisor, nor offering information to the subject to contact OPA.

FINDINGS

Named Employee #1

Allegation #1

There was no preponderance of evidence to indicate the actions taken and decision made by the Named Employee was in violation of SPD bias-policing policy. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing: Officers Will Not Engage in Bias Based Policing*.

Allegation #2

While there wasn't any indication that the actions taken by the Named Employee were the result of bias policing, the importance of the reporting of allegations of bias in building community trust and ensuring constitutional policing must be stressed. Therefore a **Sustained** finding was issued for *Bias-Free Policing: Employees Will Call a Supervisor in Response to Allegations of Bias-Based Policing*.

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.