



## **CLOSED CASE SUMMARY**

ISSUED DATE:      SEPTEMBER 20, 2019

CASE NUMBER:    2019OPA-0215

**Allegations of Misconduct & Director’s Findings**

Named Employee #1

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

***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:**

The Complainant alleged that the Named Employee issued him a parking citation based on bias.

**ADMINISTRATIVE NOTE:**

This case was designated as an Expedited Investigation. This means that OPA, with the Office of Inspector General’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

**ANALYSIS AND CONCLUSIONS:**

**Named Employee #1 - Allegations #1**

***5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing***

On April 2, 2019 at 6:08 p.m., Named Employee #1 (NE#1) observed an unoccupied car with passenger vehicle plates parked in the Truck Load Only Zone at 1902 E. Yesler Way. As NE#1 was in the process of issuing a parking citation for the vehicle, the driver, who is the Complainant in this case, approached NE#1 and said he had just gone in to get something from the store and was leaving. NE#1 explained to the driver that there have been complaints about passenger vehicles parking in the truck loading zone and, therefore, NE#1 was issuing him a citation. The Complainant told NE#1 that the citation would not have been issued to the Complainant had he been White. In response, NE#1 called his supervisor to the scene to investigate the Complainant’s bias allegation; however, the Complainant left before the supervisor arrived. Nevertheless, the supervisor completed a complaint form associated with the bias allegation. Even though the supervisor noted that NE#1 issued a citation to an unoccupied vehicle that was illegally parked and that there was no evidence of bias-based policing, the supervisor forwarded this matter to OPA consistent with Department policy.

As part of its investigation, OPA reviewed the parking citation that was issued to the Complainant. The citation included detailed information about the vehicle and that it was parked in a 30-Minute Truck Load Only Zone.



OPA also reviewed a statement that NE#1 submitted to his supervisor concerning this incident. NE#1's statement was consistent with the information described above. Additionally, NE#1 noted that Parking Enforcement Officers (PEO) were specifically directed by their supervisors to cite any and all vehicles illegally parked in load zones. With regard to this latter assertion, OPA confirmed this with the PEO supervisors.

Since the Complainant left before the supervisor arrived, SPD had no identifying information and listed him as anonymous. As the result of his anonymity, the Complainant's contact information could not be determined and he was, thus, not interviewed as part of this investigation.

SPD Policy 5.140 prohibits biased policing, which it defines as "the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual."

Based on OPA's review of the evidence, there is no indication that NE#1 engaged in bias-based policing when he issued a parking citation to the Complainant. As noted above, the Complainant's vehicle was empty when NE#1 began to cite it. As such, NE#1 did not become aware of the race of the Complainant until after the Complainant exited the store and approached his vehicle. Furthermore, NE#1 was ordered by his supervisors to issue parking citations with a zero-tolerance approach when it came to passenger vehicle parked in Truck Load Only Zones. For these reasons, I find that the Complainant's allegation of bias is unsupported, and I recommend that this allegation be Not Sustained – Unfounded.

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