



OFFICE OF PROFESSIONAL ACCOUNTABILITY (OPA) Closed Case Report October-November-December 2014

The Office of Professional Accountability's (OPA) complaint report provides information about Seattle Police Department (SPD) misconduct complaints that are investigated by OPA. For complaints that are classified as Supervisor Action, the OPA requires that the employee's Supervisor take certain actions to address the issues that were raised in the complaint. This report includes summaries of only the full misconduct investigations and covers the cases that were closed during the months of October, November and December 2014, along with data on the number and classification of complaints filed, with a comparison to 2013. This report includes charts showing the percentage of cases closed with different types of findings.

Statistical Highlights

- In the fourth quarter of 2014, there were 52 complaints filed in which 58 employees were named (3.2% of 1,820 SPD employees).
- 17% of the allegations closed during this period were Sustained. Sustained findings result in discipline. By comparison, 16% of 2013 allegations resulted in a Sustained finding.
- 14% of allegations closed in 2014 resulted in a Not Sustained (Training Referral) finding. A finding of Not Sustained (Training Referral) means that there may have been a violation of policy, but it was not willful and did not rise to the level of misconduct. In such cases, training is provided instead of discipline. In 2013, 13% of allegations were closed with a Not Sustained (Training Referral) finding.
- The remaining cases were closed as Not Sustained (Unfounded), Not Sustained (Lawful and Proper), Not Sustained (Inconclusive), or Not Sustained (Management Action).



Office of Professional Accountability

Closed Case Report
October-November-December 2014

*Investigations involving alleged misconduct by SPD employees are summarized below.
Identifying information has been removed.*

October-November-December Closed Cases

Case Summary	Case Finding
<p>14-0151 The complainant, a supervisor within the Department, alleged the named employee responded to the incident and deactivated his In-Car Video system prior to arriving to the call.</p>	<p>Allegation and Finding: 1. In-Car Video/Policy – Not Sustained (Training Referral)</p> <p>A “Not Sustained (Training Referral) Finding” will allow the named employee the opportunity to review the policy with a supervisor.</p>
<p>14-0012 The complainant, a supervisor within the Department, alleged that an unknown employee released confidential information related to an internal case that was published in the media.</p>	<p>Allegations and Findings: 1. Communication and Confidentiality – Not Sustained (Inconclusive)</p> <p>An independent investigation concluded that there was no evidence that the OPA Director, the OPA Auditor, or a previous Interim Chief of Police were ever in possession of the leaked information prior to it being published in the media. The investigation further did not reveal that anyone from SPD, City Attorney’s Office, Personnel/Human Resources, the Mayor’s Office or the City Council leaked the information to the media. The independent investigator was not able to establish who leaked the information to the media.</p>
<p>14-0154 The complainant alleged that a former employee, now retired, had raped his wife over 25 years ago when the former employee worked for a different agency. It is alleged that the crime was disclosed after the unnamed wife “recently went through therapy.”</p>	<p>Allegations and Findings: 1. Violation of Law-SPD Case – Not Sustained (Inconclusive)</p> <p>There are not enough facts to proceed further with this investigation as neither the complainant nor his wife have cooperated any further with the investigation.</p>
<p>2014-0074 The complainant alleged that an unknown employee choked and pinned him down when he was admitted to the hospital. The complainant further alleged that “the police are the reason for my accident. I think they set the whole thing up.”</p>	<p>Allegations and Findings: 1. Use of Force – Not Sustained (Unfounded)</p> <p>The preponderance of evidence from this investigation shows that no SPD officer used force on the complainant or choked him as alleged. The evidence does not show that any SPD employee was a contributor to the complainant’s collision.</p>



Case Summary	Case Finding
<p>14-0188</p> <p>The complainant, a supervisor within the Department, alleged the named employee undermined the direction he was given by a supervisor concerning the counseling the supervisor gave officers regarding the tactics used to arrest a violent felony suspect.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Responsibility of Supervisors: Standards & Duties – Not Sustained (Management Action) <p>The evidence showed that the named employee did not believe that he was undermining the supervisor but thought others may have issue with the counseling. In light of the facts of the case, a finding of Not Sustained (Management Action) was issued. The Precinct Commander was asked to clarify chain of command requirements with all involved.</p>
<p>14-0149</p> <p>The complainant alleged that when she was released from jail she was missing property that she had on her person. The complainant alleged that the named employees had her property in their possession. The complainant further alleged that the arrest was in retaliation of a prior complaint she had made against named employee #2.</p>	<p>Allegations and Findings:</p> <p>Named Employee #1</p> <ol style="list-style-type: none">1. Performing Inventory Searches/Policy – Not Sustained (Lawful & Proper) <p>Named Employee #2</p> <ol style="list-style-type: none">1. Performing Inventory Searches/Policy – Not Sustained (Lawful & Proper)2. Public and Internal Complaint Process/Individual Employee – Not Sustained (Lawful & Proper) <p>The evidence showed that the named employees acted properly in handling the complainant's property. Also, a Department of Corrections employee had probable cause to arrest the complainant on valid warrants and named employee #2 acted properly in assisting with the arrest. In addition, there is no evidence to show that any employee acted in retaliation against the complainant.</p>
<p>14-0162</p> <p>The complainant alleged that he was raped by an unknown employee and suffered a broken jaw, shattered arm, and unknown back, leg and ankle injuries during his arrest.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Unfounded) <p>The preponderance of evidence indicates a rape did not occur as verified by witnesses, and the Seattle Fire Department found no significant injuries after their examination of the complainant but they noted the complaints of arm, wrist and neck pain.</p>



Case Summary	Case Finding
<p>14-0163 The complainant alleged the named employees used excessive force during his arrest, causing injury.</p>	<p>Allegations and Findings: Named Employee #1 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #2 1. Using Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #3 1. Using Force: When Authorized – Not Sustained (Lawful & Proper) 2. In-Car Video – Not Sustained (Unfounded) Named Employee #4 1. Using Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #5 1. Using Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #6 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #7 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper)</p> <p>The preponderance of evidence showed that the force used by the named employees was objectively reasonable and proportional, given the totality of the circumstances. In particular, the evidence showed that the complainant was uncooperative with the named employees and physically resisted their lawful efforts to arrest the complainant.</p>
<p>2014-0014 The complainant, a supervisor within the Department, alleged the named employee sent an e-mail addressed to his chain of command and copied to a supervisor outside of his chain of command that was critical of Departmental decisions and that no one had replied to his previous e-mail. The complainant alleged that the e-mail had a threatening tone. The named employee continued to e-mail regarding this issue even after he was admonished not to contact anyone by e-mail about it.</p>	<p>Allegations and Findings: 1. Chain of Command – Sustained 2. Professionalism and Courtesy – Not Sustained (Inconclusive) 3. Obedience to Orders and Insubordination - Sustained</p> <p>The preponderance of evidence supports that the named employee did not follow orders by his Chain of Command and was insubordinate.</p> <p>Discipline imposed by the Chief: Written reprimand</p>



Case Summary	Case Finding
<p>14-0128 The complainant, a supervisor within the Department, alleged the named employee missed several mandatory traffic court appearances over the past year.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Court Appearances & Legal Proceedings/Failure to Appear – Not Sustained (Management Action)2. Ensuring Public Trust – Not Sustained (Management Action) <p>The current system for notification and tracking of SPD employees scheduled for court appearances is problematic. There is no adequate system in place to assure that SPD supervision is notified of failure to appear concerns, allowing supervision to address problem concerns. Therefore a finding of Not Sustained (Management Action) was issued.</p>
<p>14-0158 The complainant alleged the named employee failed to take appropriate action during a “hit and run” investigation.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Primary Investigation – Not Sustained (Lawful & Proper) <p>The evidence showed that the investigatory actions of the named employee complied with SPD requirements.</p>
<p>2014-0095 The complainant, a supervisor with the Department, alleged that the named employee did not forward a Use of Force packet in a timely manner.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Command Review of Use of Force – Not Sustained (Management Action) <p>The preponderance of evidence showed that the named employee did not complete and forward the Use of Force packet in a timely manner. However, it has been noted that the absence of consistently applied standards of timeliness and review of the use of force investigations by the chain of command are the reasons for a finding of Not Sustained (Management Action).</p>
<p>14-0181 The complainant alleged the named employee inappropriately searched her following her arrest.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Searches – General/Procedures – Not Sustained (Lawful & Proper) <p>The evidence showed that the named employee acted properly and had probable cause to arrest the complainant on a valid warrant. In addition, there is no evidence to show that the named employee inappropriately touched the complainant during the search.</p>



Case Summary	Case Finding
<p>14-0171 The complainant and subject alleged excessive force was used, including multiple Taser applications, during the subject's arrest by the named employees.</p>	<p>Allegations and Findings: Named Employee #1 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #2 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #3 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #4 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) Named Employee #5 1. Detainee Management at Department Facilities – Not Sustained (Unfounded)</p> <p>After thoroughly evaluating the evidence available it was determined that the named employees acted properly and that the force used was objectively reasonable and proportional, given the totality of the circumstances. In particular, the evidence showed that the subject was uncooperative with the named employees and physically resisted their lawful efforts necessitating the need for the use of the Taser.</p>
<p>14-0036 The complainant, a supervisor within the Department, alleged the named employee failed to attend Mandatory Firearms Qualifications for the year 2013, which is required by Department policy.</p>	<p>Allegations and Findings: 1. Firearms – Failure to Qualify – Not Sustained (Lawful & Proper)</p> <p>The named employee went out on extended sick leave prior to retiring and was not required to qualify in 2013.</p>
<p>2014-0053 The complainant alleged that the named officers used excessive force by stomping on his back causing a "busted lip", pain to his neck and a cracked tooth.</p>	<p>Allegations and Findings: Named Employee #1 1. Use of Force: When Authorized – Not Sustained (Inconclusive) Named Employee #2 1. Use of Force: When Authorized – Not Sustained (Unfounded)</p> <p>The preponderance of evidence showed that the complainant was not fully compliant with named employee #1. This resulted in force being used. The evidence did not make it clear when the injuries took place. The evidence also showed that named employee #2 did not have physical contact with the complainant.</p>



Case Summary	Case Finding
<p>2014-0126</p> <p>The complainant, a supervisor within the Department, alleged that named employee #1 violated the pursuit policy and that named employee #2, the monitoring supervisor for the pursuit, failed to terminate the pursuit.</p>	<p>Allegations and Findings:</p> <p>Named Employee #1</p> <ol style="list-style-type: none">1. Vehicle Eluding/Pursuit Policy – Sustained <p>Named Employee #2</p> <ol style="list-style-type: none">1. Vehicle Eluding/Pursuit Policy – Sustained <p>It was determined that named employee #2 was the monitoring supervisor for the pursuit and that he should have terminated the pursuit by named employee #1. Named employee #1 should have terminated the pursuit as it did not meet the minimum justification standards.</p> <p>Discipline imposed by the Chief:</p> <p>Named Employee #1 – Oral reprimand Named Employee #2 – Written reprimand</p>
<p>2014-0289</p> <p>The complainant, a supervisor within the Department, alleged named employee #1 wrote comments on the backs of several “Smoking Marijuana in Public” citations that appear unprofessional. It is also alleged that named employee #2, a supervisor of named employee #1, was aware of the comments and signed to approve all of the citations.</p>	<p>Allegations and Findings:</p> <p>Named Employee #1</p> <ol style="list-style-type: none">1. Professionalism-Criticism of Orders and Others – Sustained2. Professionalism-Exercise of Discretion – Sustained3. Correspondence-Professionalism – Sustained <p>Named Employee #2</p> <ol style="list-style-type: none">1. Responsibilities of Supervisors – Sustained2. Responsibility for Command – Sustained <p>The evidence showed that named employee #1 did write the unprofessional comments and that named employee #2 signed to approve the citations.</p> <p>Discipline imposed by the Chief:</p> <p>Named Employee #1: Allegation #1 – One-day suspension without pay Allegation #2 – Two-day suspension without pay Allegation #3 – Written reprimand Named Employee #2 – One-day suspension without pay</p>



Case Summary	Case Finding
<p>2014-0085 The complainant alleged that named employee #1 rammed him with a bicycle while telling him to move during a protest. The complainant alleged that named employee #2 ran him over with a bicycle while he was on the sidewalk.</p>	<p>Allegations and Findings: Named Employee #1 1. Use of Force: When Prohibited – Not Sustained (Lawful & Proper) Named Employee #2 1. Use of Force: When Prohibited – Not Sustained (Lawful & Proper) 2. Duty to Identify – Not Sustained (Lawful & Proper)</p> <p>The preponderance of evidence supports that named employee #1 did not deliberately run into the complainant and it was reasonable that named employee #2 used his bicycle to create a barrier between the officers and the crowd. When the complainant requested that named employee #2 provide identification, the employee was providing security for named employee #1 and other officers. Responding to the request for identification at that precise moment would have compromised the security and safety of the officers engaging in demonstration management.</p>
<p>2014-0134 The complainant, a supervisor within the Department, alleged the named employee was insubordinate and made threats.</p>	<p>Allegations and Findings: 1. Professionalism/Courtesy & Demeanor – Not Sustained (Inconclusive)</p> <p>The evidence neither proved nor disproved that the named employee was insubordinate. A witness described the interaction between the subject and named employee as heated but not threatening or indicative of violence.</p>
<p>2014-0152 The complainant, a supervisor within the Department, alleged the named employee failed to follow a direct order.</p>	<p>Allegations and Findings: 1. Insubordination – Sustained</p> <p>The evidence showed that the named employee was insubordinate.</p> <p>Discipline imposed by the Chief: As the named employee no longer works for the Department, no discipline will be proposed or taken against the named employee.</p>
<p>2014-0209 The complainant alleged the named employee failed to handle their property when they were arrested and transported to jail.</p>	<p>Allegations and Findings: 1. Safekeeping of Detainees' Property – Not Sustained (Lawful & Proper)</p> <p>The preponderance of evidence supports the conclusion that the named employee took reasonable steps to ensure the safekeeping and transport of the complainant's property to the jail.</p>



Office of Professional Accountability

Case Summary	Case Finding
<p>2014-0035 The complainant alleged that an unknown officer hit them with their bicycle during the May Day protest.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Inconclusive)2. Use of Force: Reporting – Not Sustained (Inconclusive) <p>The preponderance of evidence shows that it cannot be substantiated that the complainant was struck by an officer's bicycle. Despite looking at video from multiple sources and angles, there is no evidence presented of the encounter and it was not clear in determining who possibly had the encounter with the complainant.</p>
<p>2014-0127 The complainant alleged the named employee threw them to the ground aggressively and jumped on their back, causing injury.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Lawful & Proper) <p>The evidence showed that the named employee acted properly and legally stopped and detained the complainant for committing a traffic violation. Although the complainant was not free to leave the scene, they tried to go. As a result, the named employee grabbed the complainant's arm to keep them from leaving and then took the complainant to the ground. The named employee's actions to take control and restrain the complainant were proportional and objectively reasonable.</p>
<p>2014-0307 The complainant, a supervisor within the Department, alleged the named employee used unnecessary force on a handcuffed prisoner and was unprofessional in his dealings with the subject.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Prohibited –Not Sustained (Inconclusive)2. Standards & Duties-Courtesy – Sustained3. Standards & Duties-Profanity – Not Sustained (Lawful & Proper)4. Use of Force: Reporting – Not Sustained (Inconclusive) <p>The evidence showed that the named employee used unnecessary force on a handcuffed prisoner, was discourteous and did not report the force used.</p> <p>Discipline imposed by the Chief: Written reprimand</p>



Case Summary	Case Finding
<p>2014-0135 The complainant alleged the named employees kicked her six times while in custody.</p>	<p>Allegations and Findings: Named Employee #1 1. Use of Force: When Authorized – Not Sustained (Unfounded) Named Employee #2 1. Use of Force: When Authorized – Not Sustained (Unfounded)</p> <p>The evidence does not support the allegation that the complainant was kicked or subjected to other reportable force while in custody.</p>
<p>2014-0165 The complainant alleged that the named employee conducted “racial profiling” when citing her for speeding.</p>	<p>Allegations and Findings: 1. Bias-free Policing/Employees will call a supervisor in response to complaints 5.140 (5) – Not Sustained (Inconclusive) 2. Bias-free Policing/Officers will not engage in bias-based policing 5.140 (2) – Not Sustained (Unfounded)</p> <p>There is no evidence to support that the named employee stopped the complainant for any reason other than for the speed the vehicle was traveling. At the time that the named employee paced the traveling vehicle, he could not distinguish the gender or race of the driver.</p>
<p>14-0251 The complainant alleged that the named employee unjustifiably detained him during a Mariners game. The complainant further alleged that the named employee used unnecessary force when the named employee grabbed him by the arm.</p>	<p>Allegations and Findings: 1. Stops, Detentions and Arrests: Terry Stops Must be Based on Reasonable Suspicion – Not Sustained (Lawful & Proper) 2. Use of Force: When Authorized – Not Sustained (Lawful & Proper)</p> <p>The preponderance of evidence showed that the named officer had reasonable suspicion to stop the complainant and that the level of force used was de minimis.</p>
<p>14-0160 The complainant, a supervisor within the Department, alleged the named employee “choked” the subject during an arrest. The subject further alleged that the handcuffs were “too tight.”</p>	<p>Allegations and Findings: 1. Use of Force: When Authorized – Not Sustained (Lawful & Proper)</p> <p>The preponderance of the evidence showed the named employee did not “choke” the subject and that the subject had only made the statements out of anger.</p>



Office of Professional Accountability

Case Summary	Case Finding
<p>14-0175 The complainant alleged the named employees caused bruising on her arms and face.</p>	<p>Allegations and Findings: Named Employee #1</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Lawful & Proper)2. Use of Force Reporting – Not Sustained (Unfounded) <p>Named Employee #2</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Lawful & Proper)2. Use of Force Reporting – Not Sustained (Unfounded) <p>Named Employee #3</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Lawful & Proper)2. Use of Force Reporting – Not Sustained (Unfounded) <p>The preponderance of evidence showed that the actions of the named employees were reasonable, necessary and proportionate to control the subject and appeared de minimis.</p>
<p>2014-0144 The complainant, an employee of a hospital, alleged that the subject had been hit in the head multiple times by the named officer with a wooden baton.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Unfounded) <p>The evidence showed that the subject had tried to cross a police line during a demonstration. Independent video showed that the named employee never struck the subject with a baton or any other object.</p>



Case Summary	Case Finding
<p>2014-0132</p> <p>The complainant, through his attorney, stated that when he was released from jail, he was wrongly arrested and incarcerated, alleged that the named employee failed to confirm the full name of the person he was seeking, and assumed the complainant was the correct suspect.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Standards & Duties – Exercise of Discretion – Not Sustained (Unfounded)2. Standards & Duties – Miscarriage of Justice – Not Sustained (Management Action)3. Standards & Duties – Primary Investigations – Not Sustained (Inconclusive) <p>The preponderance of the evidence showed that the named employee incorrectly used a single photo identification method as the basis for the warrant request but the named employee honestly thought that he was using the correct procedure as told by a prosecutor. The OPA Director recommended to the Department that it more thoroughly document and regularly train its detectives on best practices regarding the identification of a suspect through photographic arrays and montages. The named employee believed that his identification of the subject as the offender of witness #1 was accurate and complete based on evidence gathered as a result of his interview with witness #1 and his data searches related to the subject.</p>
<p>14-0236</p> <p>The complainant alleged that she was assaulted by an unknown employee near the Pike Place Market. The complainant alleged that she was grabbed by the neck, her arm twisted, and thrown to the ground. The complainant stated that she was never told why she was taken to a police station and then released after she was identified.</p>	<p>Allegations and Findings:</p> <ol style="list-style-type: none">1. Use of Force: When Authorized – Not Sustained (Inconclusive)2. Professionalism/Courtesy & Demeanor – Not Sustained (Inconclusive)3. Voluntary Contacts & Terry Stops/Terry Stops Must Be Based on Reasonable Suspicion – Not Sustained (Inconclusive) <p>Due to the investigator not being able to contact the subject for follow up of her web complaint and no other known investigative sources for follow-up, OPA was unable to substantiate or refute the subject's allegations.</p>



Case Summary	Case Finding
<p>2014-0161</p> <p>The complainant alleged that named employee #1 has accosted her on the sidewalk and detained her for no cause. It is further alleged that named employee #1 had accused the complainant of being involved with drugs after she said she was sober and that he twisted her arm on one occasion. Named employee #2 was added after additional information was obtained.</p>	<p>Allegations and Findings:</p> <p>Named Employee #1</p> <ol style="list-style-type: none">1. Use of Force Reporting – Not Sustained (Unfounded)2. Courtesy and Demeanor – Not Sustained (Unfounded)3. Voluntary Contacts & Terry Stops/Terry Stops Must Be Based on Reasonable Suspicion – Not Sustained (Lawful & Proper) <p>Named Employee #2</p> <ol style="list-style-type: none">1. Use of Force Reporting – Not Sustained (Unfounded)2. Courtesy and Demeanor – Not Sustained (Unfounded)3. Voluntary Contacts & Terry Stops/Terry Stops Must Be Based on Reasonable Suspicion – Not Sustained (Lawful & Proper)4. Voluntary Contacts & Terry Stops/Officers Must Document All Terry Stops – Sustained <p>The preponderance of evidence from this investigation shows that named employee #1 did not have contact with the complainant and that the contact by named employee #2 was not force. The named employees had lawful purposes for stopping the complainant on different occasions. Named employee #2 did not document the Terry Stop as required.</p> <p>Discipline imposed by the Chief: Oral reprimand</p>



Case Summary	Case Finding
<p>14-0143 The complainant, a supervisor within the Department, alleged that the named employees did not have approval for kicking in a door of a residence to remove a suspect. It is further alleged that the In-Car Video was not activated prior to the named employees contacting and arresting the subject.</p>	<p>Allegations and Findings: Named Employee #1</p> <ol style="list-style-type: none">1. Professionalism-Exercise of Discretion – Not Sustained (Lawful & Proper)2. In-Car Video – Not Sustained (Lawful & Proper)3. Warrant Arrests-Approval Required for Non-consensual/Forced Entry – Sustained <p>Named Employee #2</p> <ol style="list-style-type: none">1. Professionalism-Exercise of Discretion – Not Sustained (Lawful & Proper)2. In-Car Video – Not Sustained (Lawful & Proper)3. Warrant Arrests-Approval Required for Non-consensual/Forced Entry – Sustained <p>The named employees believed that the suspect was being arrested under the authority of a Department of Corrections escape warrant. Their actions were for all-around safety concerns for taking the suspect into custody. The named employees did not activate their microphones prior to the arrest due to circumstances. The named employees did not notify or attempt to get a supervisory screening prior to attempting the forced entry into the residence even though it appeared they had time to do so.</p> <p>Discipline imposed by the Chief: No discipline issued; additional training to be provided</p>



Definition of Findings:

“**Not Sustained** (Inconclusive)” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“**Not Sustained** (Lawful and Proper)” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

“**Not Sustained** (Management Action)” means the OPA Director makes recommendations for management action to the Chief of Police.

“**Not Sustained** (Training Referral)” means while there may have been a violation of policy, it was not a willful violation, and/or the violation did not amount to misconduct. The employee’s chain of command is to provide appropriate training, counseling and/or to review for deficient policies or inadequate training.

“**Not Sustained** (Unfounded)” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“**Sustained**” means the allegation of misconduct is supported by a preponderance of the evidence.

Mediation Program

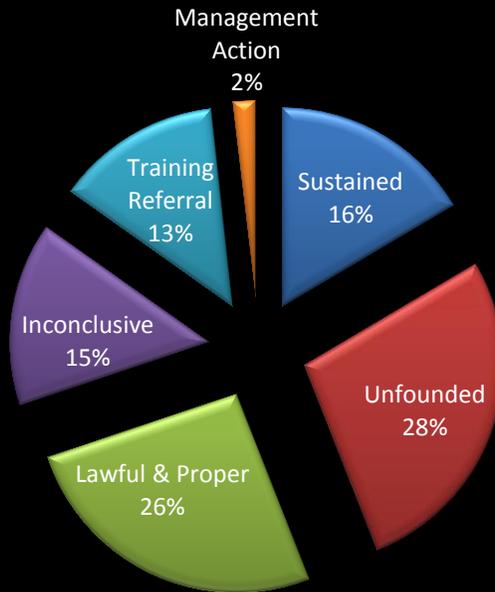
The OPA Director and Auditor did not select any cases during October through December to be resolved through the Mediation Program.

Cases Opened 2013/2014 by Month Comparison

Date	Supervisor Action		Investigation		Total	
	2013	2014	2013	2014	2013	2014
January	24	15	14	55	38	70
February	19	23	13	21	32	44
March	24	28	10	12	34	40
April	16	21	6	8	22	29
May	33	44	18	28	51	72
June	17	27	16	15	33	42
July	35	36	18	21	53	57
August	48	26	16	16	64	42
September	39	30	8	20	47	50
October	32	26	23	14	55	40
November	16	33	20	28	36	61
December	19	54	25	10	44	64
Totals	322	363	187	248	509	611



Disposition of Completed Investigations
Cases open as of January 1, 2014 and closed as of December 31, 2014
N= 195 Closed Cases / 461 Allegations



Disposition of Completed Investigations
Cases open as of January 1, 2013 and closed as of December 31, 2013
N= 169 Closed Cases / 486 Allegations

