



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0601

Issued Date: 11/02/2015

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (1) Primary Investigations: Employees Shall Conduct a Thorough and Complete Search for Evidence (Policy that was issued 04/01/2015)
OPA Finding	Not Sustained (Inconclusive)
Allegation #2	<u>Seattle Police Department Manual</u> 15.180 (11) Primary Investigations: Employees Shall Document Information Obtained After the General Offense Report has Been Submitted in a Supplemental Report Under the Original Case Number (Policy that was issued 04/01/2015)
OPA Finding	Sustained
Allegation #3	<u>Seattle Police Department Manual</u> 16.090 (6) In Car Video System: Employees Will Record Police Activity (Policy that was issued 02/01/2015)
OPA Finding	Sustained
Final Discipline	Written Reprimand

INCIDENT SYNOPSIS

The named employee responded to a report that a bicycle, which had been reported stolen earlier that month, was found by the owner and it was chained to a garbage can. To prove ownership, the owner, the complainant, showed a photograph of the bicycle taken before it was stolen to the named employee. The complainant's bicycle was chained with a second bicycle. The named employee used bolt cutters to cut the both bicycles free and returned the complainant's bicycle to him. The complainant believed that the second bicycle was also stolen and wanted the named employee to run the serial number to check. After the named employee left the scene the complainant called 911 to say that a male transient had approached him and possibly was the suspect of the stolen bicycles. However, the complainant called 911 again to say that he was unsure of the probability the male transient was the theft suspect and declined further police response.

COMPLAINT

The complainant alleged that the named employee failed to run the serial number of a bicycle the complainant believed was another stolen bicycle during the recovery of the complainant's own stolen bicycle.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Search for and review of all relevant records and other evidence
4. Interview of SPD employee

ANALYSIS AND CONCLUSION

The complainant stated that the named employee made no effort to look at the second bicycle. The statement from the named employee was that he searched the second bicycle for a serial number or other identifying marks but found none. The evidence neither supports nor refutes the allegation made by the complainant. At the time that the named employee completed his report, he believed that it was sufficient to document the recovery of a reported stolen bicycle in the CAD history and cross reference the original theft report. The named employee was required to document the recovery of the stolen property in a supplemental report to the original theft report. This would have notified the follow-up detective that the bicycle had been recovered and met the Department's obligation under State and Federal NIBRS (National Incident Based Reporting System) crime reporting standards is to report a one-for-one accountability with items reported stolen and stolen items that are recovered. The named employee now understands the SPD policy requirement. The named employee did not record the recovery of the bicycle with his In-Car Video (ICV) as he did not believe that it was enforcement activity. The named employee was erroneously operating under the previous ICV policy which he believed did not require the recording of non-enforcement activity.

FINDINGS

Named Employee #1

Allegation #1

The evidence neither supports nor refutes the allegation made by the complainant about the named employee. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Primary Investigations: Employees Shall Conduct a Thorough and Complete Search for Evidence*.

Allegation #2

The evidence showed that the named employee did not document the recovery of the stolen bicycle as required per policy. Therefore a **Sustained** finding was issued for *Primary Investigations: Employees Shall Document Information Obtained After the General Offense Report has Been Submitted in a Supplemental Report Under the Original Case Number*.

Allegation #3

The evidence showed that the named employee did not record law enforcement activity as required per policy. Therefore a **Sustained** finding was issued for *In Car Video System: Employees Will Record Police Activity*.

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.