



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2015-1582

Issued Date: 05/09/2016

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (1) Officers Shall Conduct a Complete Search for Evidence (Policy that was issued 04/01/15)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 15.220 (IV) Child Welfare: Investigating Child Abuse (Policy that was issued 11/21/07)
OPA Finding	<b>Not Sustained</b> (Lawful and Proper)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (1) Officers Shall Conduct a Complete Search for Evidence (Policy that was issued 04/01/15)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Allegation #2	<u>Seattle Police Department Manual</u> 15.220 (IV) Child Welfare: Investigating Child Abuse (Policy that was issued 11/21/07)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

<b>Named Employee #3</b>	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (1) Officers Shall Conduct a Complete Search for Evidence (Policy that was issued 04/01/15)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 15.220 (IV) Child Welfare: Investigating Child Abuse (Policy that was issued 11/21/07)
OPA Finding	<b>Not Sustained</b> (Unfounded)
Final Discipline	N/A

### **INCIDENT SYNOPSIS**

The Named Employees responded to a domestic disturbance. The parties were interviewed and Named Employee #1 was the primary officer and documented the disturbance. There was no arrest made based on the investigation by Named Employee #1. Named Employee #2 responded to screen the call.

### **COMPLAINT**

The complainant alleged that the Named Employees disregarded the subject's concerns regarding child abuse and that they failed to report the incident to Department of Social and Health Services (DSHS) as mandatory reporters.

### **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of the complaint email
2. Interview of the complainant
3. Review of 911 calls
4. Review of In-Car Videos (ICV)
5. Interviews of SPD employees

### **ANALYSIS AND CONCLUSION**

The evidence showed that Named Employee #1 conducted an adequate primary investigation by speaking to the involved parties and known witnesses. He documented his interviews and wrote the required General Offense (GO) Report. Named Employee #1 also called his supervisor, Named Employee #2, who came to the scene and screened the call. This

investigation would have improved had Named Employee #1 taken photos of the individuals claiming to have been struck. Even the absence of visible injuries is important evidence in an assault case. Named Employee #1 called a supervisor to the scene and fulfilled his obligation for investigation of child abuse. Named Employee #2 was an Acting Sergeant on the date of this incident. SPD policy states the sergeant will screen the incident and notify the Sexual Assault and Child Abuse Unit. Named Employee #2 did not do this. Given her relative inexperience as a supervisor and the lack of any indication she intentionally avoided her responsibility, Named Employee #2 would benefit from additional training regarding the various obligations of sergeants and acting sergeants, especially with respect to consulting with Follow-up and Specialty Units. Named Employee #3 was not the primary officer on this call, nor was he tasked with a specific assignment with respect to conducting this investigation or collecting evidence.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed that Named Employee #1 should receive additional training in investigating and collecting evidence in cases where domestic assault and/or child abuse are alleged. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Officers Shall Conduct a Complete Search for Evidence*.

**Required Training:** Named Employee #1 should receive additional training in investigating and collecting evidence in cases where domestic assault and/or child abuse are alleged.

#### Allegation #2

The evidence showed that Named Employee #1 called a supervisor to the scene and fulfilled his obligations for investigation of child abuse. Therefore a finding of **Not Sustained** (Lawful and Proper) was issued for *Child Welfare: Investigating Child Abuse*.

### **Named Employee #2**

#### Allegation #1

The evidence showed that Named Employee #2 should receive additional training in investigating and collecting evidence in cases where domestic assault and/or child abuse are alleged. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Officers Shall Conduct a Complete Search for Evidence*.

**Required Training:** Named Employee #2 should receive additional training in investigating and collecting evidence in cases where domestic assault and/or child abuse are alleged.

Allegation #2

The evidence showed that Named Employee #2 should receive additional training in the obligations of sergeants and acting sergeants when screening calls, especially with respect to consulting with Follow-up and Specialty Units. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Child Welfare: Investigating Child Abuse*.

**Required Training:** Named Employee #2 should receive additional training in the obligations of sergeants and acting sergeants when screening calls, especially with respect to consulting with Follow-up and Specialty Units.

**Named Employee #3**

Allegation #1

The evidence showed that Named Employee #3 was not the primary officer on this call and the obligations of this policy did not apply to him. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Officers Shall Conduct a Complete Search for Evidence*.

Allegation #2

The evidence showed that Named Employee #3 was not the primary officer on this call and the obligations of this policy did not apply to him. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Child Welfare: Investigating Child Abuse*.

*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.*