



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0114

Issued Date: 02/08/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (5) Standards and Duties: Employees May Use Discretion (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

Named Employee #2	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (5) Standards and Duties: Employees May Use Discretion (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Training Referral)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees responded to a call of a subject kicking and punching at security.

COMPLAINT

The complainant alleged that the Named Employees failed to take enforcement action during an assault investigation.

INVESTIGATION

The OPA investigation included the following actions:

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

ANALYSIS AND CONCLUSION

While both Named Employee #1 and Named Employee #2 had the discretion to decide whether or not to make a physical arrest of the subject, they could have been more thorough in obtaining statements from the two security guards and checking to see if the subject was injured. It was clear from the In-Car Video (ICV) that the complainant female guard was upset that the subject was not going to be arrested. This should have been a prompt to the officers that an Assault General Offense Report would have been appropriate.

FINDINGS

Named Employees #1 and #2

Allegation #1

The evidence showed that the Named Employees would benefit from additional training. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Standards and Duties: Employees May Use Discretion*.

Required Training: Named Employee #1 and Named Employee #2 should be reminded of the importance of listening to what reporting parties and potential victims are telling them and taking the time to respond and explain what they are doing and why.

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.