




CLOSED CASE SUMMARY

ISSUED DATE: NOVEMBER 2, 2023

FROM: DIRECTOR GINO BETTS 
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0024

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional	Sustained
# 2	12.010 - Communications 6. Field Units Will Remain Available Until 30 Minutes Prior to the end of their Shift	Sustained
# 3	5.100 - Operations Bureau Individual Responsibilities I. Patrol Officers A. Responsibilities 2. Monitor and take appropriate action regarding criminal activity in their assigned area	Sustained

Proposed Discipline

27 Hours (3-days) Suspension to 45 hours (5-days) Suspension

Imposed Discipline

36 Hours (4-days) Suspension

Named Employee #2

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional	Sustained
# 2	12.010 - Communications 6. Field Units Will Remain Available Until 30 Minutes Prior to the end of their Shift	Sustained
# 3	5.100 - Operations Bureau Individual Responsibilities I. Patrol Officers A. Responsibilities 2. Monitor and take appropriate action regarding criminal activity in their assigned area	Sustained

Proposed Discipline

Written Reprimand to 9 Hours (1-Day) Suspension

Imposed Discipline

9 Hours (1-Day) Suspension

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.

ADMINISTRATIVE NOTE ON PROPOSED FINDINGS:

When the OPA Director recommends a sustained finding for one or more allegations, a discipline committee, including the named employee’s chain of command and the department’s human resources representative, convenes and may propose a range of disciplinary to the Chief of Police. While OPA is part of the discipline committee, the Chief of Police decides the imposed discipline, if any. See OPA Internal Operations and Training Manual section 7.3 – Sustained Findings.



EXECUTIVE SUMMARY:

An anonymous Complainant alleged that Named Employee #1 (NE#1) and Named Employee #2 (NE#2) failed to respond to an emergency call.

ADMINISTRATIVE NOTE:

On June 15, 2023, the Office of Inspector General (OIG) certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

A. OPA Complaint

On January 13, 2023, at 3:50 AM, OPA received an anonymous complaint that at 2:57 AM, a dispatcher radioed a priority one¹ domestic violence (DV) assault call in the named employees' sector. The complaint identified NE#1 and NE#2 by name. It said they delayed responding to the call because it was near the end of their shift, despite the caller being reportedly "bloody." The Complainant also alleged that NE#1 and NE#2 did not respond to the call until the dispatcher broadcasted that "they were going to cross-dispatch the call."² The named employees then "said something to the effect of 'If it really can't wait,'" they would respond. However, instead of going to the incident location, NE#1 and NE#2 allegedly sat in a police cruiser until officers from the next shift arrived so they could hand the call off. The Complainant estimated that the named employees sat in the North Precinct parking lot roughly 30 minutes from the initial dispatch. The Complainant wrote, "It was truly unprofessional, embarrassing to the concept of law enforcement, and could have easily resulted in a [DV] victim being more seriously injured or killed."

B. Computer-Aided Dispatch (CAD) Records

The initial 9-1-1 call was at 2:15 AM when it was designated a priority three call. However, several updates came in from the initial call until 2:51 AM, including the call taker noting:

[THE] FEMALE HALF IS SCREAMING FOR ASSISTANCE AND SOUNDS LIKE [THE] MALE IS BEING PHYSICAL. NO [WEAPONS] MENTIONED.

A 2:53 AM update noted:

[THE CALLER] IS [A VICTIM] OF DOMESTIC VIOLENCE, [BUT] REFUSED [TO PROVIDE THE SUSPECT'S INFORMATION], [THE CALLER ADVISED THAT] SHE WAS BLOODY FROM THE [ASSAULT], [BUT] DECLINED MEDICS

¹ The Priority Code designates the relative urgency of an event. The Seattle Community Safety and Communications Center (CSCC) Policies and Procedures 4.065. Priority one indicates the highest urgency, including help the officer calls, possible medical emergencies, serious assaults, in-progress DV-related incidents, etc. *Id.* at 4.065-POL-6.

² Cross-dispatch means to request officers from a different precinct to respond.



A 2:54 AM update stated:

[THE CALLER ADVISED] THAT [THE SUSPECT] HAS LEFT, BUT [SHE] DID NOT WANT TO PROVIDE FURTHER [INFORMATION] ON [THE SUSPECT]

Those updates led to the call changing to priority one. At 2:56 AM, an update indicated all units were unavailable in the named employees' sector, so the dispatcher broadcasted their intent to cross-dispatch the call. At 2:57 AM, the named employees accepted the call. At 3:05 AM, one of the named employees messaged the dispatcher, "Since an update says the suspect has left, can this wait for 1st watch? We got a [burglary] report to still write. Just wondering..." The dispatcher replied, "[THE NAMED EMPLOYEES' CALL SIGN], I AM NOT ABLE TO DOWNGRADE IT SINCE ITS DV AND WAS IN PROGRESS :(" At 3:07 AM, the dispatcher messaged, "[THE NAMED EMPLOYEES' CALL SIGN], IF I SEE ANY FIRST WATCH LOGGING IN SOON I WILL SEND THEM THAT WAY THO [sic] TO TAKE PAPER ON IT." The named employees replied, "[NORTH DISPATCHER], THAT WOULD BE APPRECIATED. THANK YOU." At 3:19 AM, the named employees messaged, "[NORTH DISPATCHER], FYI, SEVERAL 1ST WATCHERS ARE WALKING IN THE PARKING LOT." At 3:29 AM, the named employees cleared the DV assault call.

C. Global Positioning System [GPS] Data

The named employees' police cruiser arrived at the North Precinct at 2:27 AM and entered its parking lot at 2:30 AM, where it remained for the rest of their shift.

D. OPA Interviews

NE#1 told OPA he worked at the department for 28 years. He said that on January 13, 2023, he and NE#2 returned to the North Precinct for NE#1 to write a report for an unrelated burglary call.³ NE#1 said they heard the initial dispatch for the priority one DV assault call and knew no one answered. When the dispatcher mentioned cross-dispatching, NE#1 accepted the call. NE#1 said he and NE#2 relocated to their patrol car and read the call updates, learning that the victim declined medical aid, the offender left, and the victim refused to describe the offender. Concluding the call "no longer warranted an emergency response," NE#1 asked the dispatcher to hold it for first-watch officers. NE#1 said, in hindsight, that he should have alerted his sergeant for the sergeant to decide how to handle the call.

NE#2 told OPA he worked at the department for nine years. NE#2's account materially mirrored NE#1's account, including determining that the call was nonemergent since the offender left and the victim was uncooperative and declined medical aid. NE#2 also said he and NE#1 explained the situation to a pair of first-watch officers, who volunteered to take the call.

³ OPA confirmed that the named employees responded to a burglary call before returning to the North Precinct.



ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional

The Complainant alleged that the named employees were unprofessional by failing to respond to a priority one call.

“Regardless of duty status, employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” SPD Policy 5.001-POL-10.

Here, Community Member #1 (CM#1) called 9-1-1 to report an in-progress DV assault. CM#1 indicated she was bloodied from the assault. The 9-1-1 call taker noted hearing a man assaulting CM#1 and her screaming for help. The call taker requested assistance from the named employees’ sector but was told no units were available despite the named employees being at the North Precinct. Although NE#1 was preparing a police report for a burglary, responding to a priority one DV assault was a higher priority. The named employees told OPA that they determined the call was no longer an emergency since CM#1 was noncooperative, and the offender left. They also told OPA that having NE#2 respond alone while NE#1 stayed at the station to finish the report was unsafe. However, they cannot have it both ways. Either the call was nonemergent, presenting no safety risk for NE#2 responding alone, or it was an unsafe situation requiring both to respond.

Nevertheless, the named employees waited until the dispatcher indicated they were about to cross-dispatch the call before accepting it. Moreover, rather than immediately responding to the incident location, the named employees went back and forth with the dispatcher about whether the call could wait for the next shift. SPD aims to respond to a priority one call in no more than seven minutes. Here, a dispatcher requested a unit from the named employees’ sector at 2:56 AM, and no one arrived at the incident location until 3:40 AM. Forty-four minutes elapsed, during which the offender could have returned and further injured the reportedly bloody victim because the named employee prioritized completing paperwork over immediately aiding the distressed caller.

Recommended Finding: **Sustained**

Named Employee #1 - Allegation #2

12.010 - Communications 6. Field Units Will Remain Available Until 30 Minutes Prior to the End of their Shift

The Complainant alleged that the named employees unjustifiably failed to remain available for an emergency call during a required response period.

Field units will remain available until 30 minutes before the end of their shift, except when making an arrest or completing a report. SPD Policy 12.010-POL-2(6).

Here, the dispatcher requested a unit from the named employees’ sector at 2:56 PM, 34 minutes before the named employees’ shift ended. Although NE#1 was completing a burglary report, since it was beyond 30 minutes to their shift’s end, the exception was not triggered, and they were required to respond to the call.



Recommended Finding: **Sustained**

Named Employee #1 - Allegation #3

5.100 - Operations Bureau Individual Responsibilities I. Patrol Officers A. Responsibilities 2. Monitor and Take Appropriate Action regarding Criminal Activity in their Assigned Area

The Complainant alleged that the named employees failed to take appropriate action regarding criminal activity in their assigned area.

Patrol officers must monitor and take appropriate action regarding criminal activity in their assigned area. SPD Policy 5.100-POL-I(A)(2).

For the reasons at Named Employee #1 – Allegation #1, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #2 - Allegation #1

5.001 - Standards and Duties POL-10. Employees Will Strive to be Professional

For the reasons at Named Employee #1 – Allegation #1, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #2 - Allegation #2

12.010 - Communications 6. Field Units Will Remain Available Until 30 Minutes Prior to the End of their Shift

For the reasons at Named Employee #1 – Allegation #2, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #2 - Allegation #3

5.100 - Operations Bureau Individual Responsibilities I. Patrol Officers A. Responsibilities 2. Monitor and Take Appropriate Action regarding Criminal Activity in their Assigned Area

For the reasons at Named Employee #1 – Allegation #1, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**