



City of Seattle

Office of Professional Accountability

August 25, 2016

Chief Kathleen M. O'Toole
Seattle Police Department
PO Box 34986
Seattle, WA 98124-4986

RE: MANAGEMENT ACTION RECOMMENDATION (2016OPA-0128)

Dear Chief O'Toole:

The Office of Professional Accountability (OPA) recently concluded an investigation into a complaint that Seattle Police Department (SPD) officers encouraged a burglary victim to arrange a meeting with someone the victim believed was selling property taken in the burglary. The stated purpose of such a meeting would be to purchase (recover) the stolen property. However, the meeting would be a rouse; the victim was allegedly instructed by SPD officers to call 911 before meeting with the seller so officers could be on hand to apprehend the seller should the victim confirm the items for sale as stolen property. The victim set up the meeting with the seller and called 911 for assistance. Unfortunately, no officers were available at that time; the victim and several associates went forward with the meeting. During the meeting, a confrontation ensued during which the seller brandished a handgun. Fortunately, no shots were fired and no one was injured. The stolen property was not recovered.

During the OPA investigation, we learned from a SPD detective that it is common practice in at least one precinct for detectives to suggest to victims that they arrange to meet the seller in a public place and bring the police along to determine if the items for sale are, in fact, the victim's property. I have significant concerns about the wisdom of having a *de facto* Precinct/Department practice of encouraging crime victims to become directly involved in the recovery of their stolen property. Fortunately, in this case, no one was hurt, but it could have turned out very differently. I encourage the Department to give careful consideration to the wisdom of this practice and the attendant risks to public safety. If SPD chooses to continue on this course, they should develop and publish clear guidelines and limitations.

Recommendation: I recommend SPD direct all officers to cease recommending to crime victims that they arrange or in any way become involved in recovering property stolen from them. Should SPD decide not to follow this recommendation, I strongly urge the Department to develop and publish clear guidelines and limitations governing this practice so as to decrease the potential risks to involved parties.

Thank you very much for your prompt attention to this matter of public trust and confidence in the professional conduct of the SPD and its employees. Please inform me of your response to this recommendation and, should you decide to take action as a result, the progress of this action.

Sincerely,

A handwritten signature in blue ink that reads "Pierce Murphy".

Pierce Murphy
Director, Office of Professional Accountability