



# Seattle Office of Inspector General

**To:** Gino Betts - OPA Director  
**CC:** Nelson Leese – OPA Interim Assistant Director  
**From:** Matthias Gydé – OIG Investigations Supervisor  
**Date:** December 2, 2022  
**Re:** Partial Certification Memo for Case Number: 2020OPA-0125

---

## Partial Certification Memo

OIG has reviewed the investigation for case number 2020OPA-0125 and can certify this case as thorough and objective but cannot certify it as timely.

This case was reported to OPA on February 24, 2020 but was not forwarded to OIG for review until May 25, 2022. In the casefile, OPA cites various staff changes at OPA and administrative changes within SPD as reasons for the delay.

OIG noted in reviewing the investigative file a particular piece of evidence was provided to OPA by the Complainant but was not included in the investigative file supplied to OIG. OPA explained the evidence was likely obtained illegally, so they made the decision to not include it in the casefile or consider it in their decision-making regarding the case.

During the period OIG has had this case for certification review, a significant amount of time has gone into consulting with OPA and attorneys in the law department to assess whether, if evidence was illegally obtained, if it could or even should be considered in this case, as well as the potential consequences of both including it and excluding it. The overwhelming consensus of opinions were that the evidence in question was most likely illegally obtained and would not be admissible in a courtroom setting. In addition, there was no way to determine if the recording was complete and presented an accurate portrayal of the circumstances. It was also approximately five years old, which weighed against considering it in this instance. The NE in the complaint refused to be interviewed by OPA.

After consideration of these opinions and advice and internal deliberation especially given the potential complications that could arise from the utilization of illegally obtained evidence that cannot be corroborated or validated, OIG has determined, this piece of evidence need not be included in the casefile.

Respectfully,

A handwritten signature in black ink, appearing to read 'Matthias Gydé'.

Matthias Gydé – OIG Investigations Supervisor