



OPA Annual Report

OPA recently published its [2018 Annual Report](#). The report includes analysis on complaints received, classifications, investigations, findings, discipline, and other 2018 data. It also discusses OPA's additional functions, such as engaging with the community, collaborating with system partners, and reviewing SPD policy. OPA will be presenting highlights from the report before a committee of the Seattle City Council on April 24, 2019. The committee hearing can be watched [online](#).

Terry Template Requirement

OPA has seen a number of cases where officers have not completed Terry Templates after effectuating a Terry Stop. Officers have contended that the Terry Templates were unnecessary because probable cause to arrest the subject had developed. SPD Policy 6.220-POL-4 generally requires that all Terry stops be documented. The policy exempts stops premised on probable cause; however, it explicitly mandates a Terry Template "Where an officer develops probable cause for arrest during the course of the stop." As a reminder, unless you have probable cause **at the moment** of the stop, you are still required to generate a Terry Template. Where, for example, you develop reasonable suspicion **during** the detention, please continue to generate a Terry Template to remain in compliance with the policy.

Professionalism & Retaliation

In case [2018OPA-0144](#), the Named Employee (NE) towed a vehicle that had expired tabs. He told the vehicle owner's boyfriend, referred to here as the Subject, that he would see him later. The NE subsequently went to an Auto Zone where he knew the Subject frequented. He brought a chair from the precinct, rolled it out in front of Auto Zone, and sat there for nearly forty minutes. During this time, which was fully recorded on BWV, the NE interacted with community members, telling some that he was there to engage in "community policing" and others that he had been "disrespected" and was seeking an apology.

OPA found that the NE acted unprofessionally in several respects:

1. He used contemptuous and disrespectful language towards the Subject both in the Subject's presence and in talking about the Subject to other individuals. These statements were escalating and threatening.
2. The NE's repeated assertions, both at the scene and during his OPA interview, that he was engaging in "community policing" were unsupported by the evidence and diminished a fundamental SPD initiative.
3. The NE's decision to wait for an apology from the Subject and then broadcast what he was doing and why to numerous community members and other officers served no

legitimate law enforcement purpose and, instead, undermined community trust and confidence in the NE, the other officers, and SPD as a whole.

OPA also found that the NE violated the retaliation policy because his actions were purposed to retaliate against the Subject for the Subject's earlier exercising of his First Amendment right to criticize the NE. OPA found the NE's harassing behavior towards the Subject constituted "adverse action against any person" prohibited by policy.

If you have questions, feedback, content requests, or to add/remove your name from this distribution list, please contact either Andrew Myerberg, OPA Director, at andrew.myerberg-OPA@seattle.gov, or Anne Bettesworth, OPA Compliance, Policy, and Research Manager, at anne.bettesworth@seattle.gov.



**Seattle Office of
Police Accountability**

Office of Police Accountability
720 Third Avenue Seattle WA
Phone: 206-684-8797
<https://www.seattle.gov/opa>