



## OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Closed Case Summary

Complaint Number OPA#2014-0828

Issued Date: 08/14/2015

<b>Named Employee #1</b>	
Allegation #1	<u>Seattle Police Department Manual</u> 7.150 Detainee Property for Safekeeping (Policy that was issued 02/19/14)
OPA Finding	<b>Not Sustained</b> (Training Referral)
Final Discipline	N/A

#### **INCIDENT SYNOPSIS**

The named employee responded to a report of a burglary in progress at a home that had recently suffered extensive fire damage. A neighbor reported that a man was trespassing on the property and rummaging through the remains. The named employee encountered the complainant and subsequently arrested him for burglary.

#### **COMPLAINT**

The complainant alleged that the named employee took custody of his personal property when he was arrested and his property is now missing.

## **INVESTIGATION**

The OPA investigation included the following actions:

1. Review of complaint email
2. Interview of the complainant
3. Review of In-Car Video
4. Search for and review of all relevant records and other evidence
5. Interviews of SPD employees

## **ANALYSIS AND CONCLUSION**

The evidence showed that the named employee took custody of the complainant's property at the time of the arrest. The complainant did not receive all of his property back when he was released. The named employee could have paid closer attention to what happened to the personal property that had temporarily been placed in his control. While the policy in effect at the time of the incident did not provide sufficient clarity regarding the obligation of SPD employees to safeguard and account for the property of others, subsequent revised policy does.

## **FINDINGS**

### **Named Employee #1**

#### Allegation #1

The evidence showed the named employee could have paid closer attention to what happened to the person property that had temporarily been placed in his control. Therefore a finding of **Not Sustained** (Training Referral) was issued for *Detainee Property for Safekeeping*. It is recommended that the named employee receive training on the various chapters of SPD Policy relating to handling of evidence and property; e.g., 6.181 – Performing Inventory Searches, 7.010 – Submitting Evidence, and 7.020 – Found Property.

*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.*