



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1220

Issued Date: 04/14/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (2) Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Inconclusive)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant's vehicle was struck in a parking garage.

COMPLAINT

The complainant alleged that the Named Employee's vehicle may have been involved in a Hit and Run Collision.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interview of SPD employee

ANALYSIS AND CONCLUSION

The evidence from both the SPD Collision investigation and that of OPA clearly proved that the Named Employee struck another car while attempting to park. Also clear from the evidence was the fact that the Named Employee did not comply with the requirements of SMC 11.56.430 – Hit and Run (unattended vehicle) – Duty in case of accident with unattended vehicle. Under this ordinance, any driver who strikes an unattended vehicle resulting in damage must either locate the owner of the vehicle that was struck or place a written note containing the names and addresses of the striking vehicle's driver and owner. However, there was not a preponderance of the evidence to either prove or disprove that the Named Employee was aware he had struck the unattended parked car and caused damage. If the Named Employee was not aware he had done so, it would not have been possible for him to provide the notice required by SMC. The Named Employee told OPA he was not aware of either striking or damaging the parked car. The facts and circumstances of this incident, in particular the size of the Named Employee's truck and his medical condition at the time, lent some credence to the Named Employee's claim. On the other hand, the damage was such that it seemed equally likely the Named Employee should have been aware of the collision either by the sound of the two vehicles scraping against each other or the sensation of the collision transmitted through the steering and frame of the Named Employee's truck, or both.

FINDINGS

Named Employee #1

Allegation #1

There was not a preponderance of the evidence either supporting or refuting the allegation. Therefore a finding of **Not Sustained** (Inconclusive) was issued for *Standards and Duties: Employees Must Adhere to Laws, City Policy and Department Policy*.

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.