



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-1316

Issued Date: 04/19/2017

Named Employees #1, #2, and #3	
Allegation #1	<u>Seattle Police Department Manual</u> 15.180 (5) Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Allegation #2	<u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing: Officers Will Not Engage in Bias-Based Policing (Policy that was issued August 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The Named Employees responded to a call as cover officers.

COMPLAINT

The complainant alleged the Named Employees failed to write a report for an incident where he was the victim because he was Latino, and that he had to get another officer to file a report three days after the incident.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint
2. Review of In-Car Videos (ICV)
3. Search for and review of all relevant records and other evidence
4. Interviews of SPD employees

ANALYSIS AND CONCLUSION

Named Employees #1 and #2 responded to this call as cover officers and were not assigned as Primary Officer to handle the call. As such, Named Employees #1 and #2 had no responsibility to write a General Offense Report (GOR) or take any other Primary Investigation steps unless asked to by the Primary Officer. Named Employees #1 and #2 were not assigned any tasks by the Primary Officer.

Named Employee #3 responded to this call as the Primary Officer. As such, he was responsible for documenting any necessary Primary Investigation in a GOR. The preponderance of the evidence from this investigation showed that Named Employee #3 had no reason to believe the complainant was the victim of an assault, or that a Primary Investigation and GOR were required. In fact, the complainant and the two people with him all told Named Employee #3 that the complainant had been injured in a fall.

The OPA investigation found no evidence of bias on the part of Named Employee #1, #2, or #3. Furthermore, the complainant and his companions made it clear to Named Employee #3 that the complainant had been injured in a fall and no police action was necessary.

FINDINGS

Named Employees #1 and #2

Allegation #1

A preponderance of the evidence showed that Named Employees #1 and #2 had no responsibility to write a General Offense Report. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report*.

Allegation #2

The OPA investigation found no evidence of bias on the part of Named Employee #1 or #2. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing: Officers Will Not Engage in Bias-Based Policing*

Named Employee #3

Allegation #1

A preponderance of the evidence showed that Named Employee #3 had no reason to believe that a Primary Investigation and GOR were required. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Primary Investigations: Officers Shall Document all Primary Investigations on a General Offense Report*.

Allegation #2

The OPA investigation found no evidence of bias on the part of Named Employee #3. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing: Officers Will Not Engage in Bias-Based Policing*

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.