



CLOSED CASE SUMMARY

ISSUED DATE: MARCH 8, 2018

CASE NUMBER: 2017OPA-1097

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Not Sustained (Unfounded)

Named Employee #2

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Not Sustained (Unfounded)

Named Employee #3

Allegation(s):		Director’s Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

This complaint came to OPA via a first line supervisor. The Complainant alleged that the Named Employees planted the drugs that were found on her person during her arrest. Based on the facts of this case and given that the entirety of the Named Employees’ interactions with the Complainant were caught on video, OPA conducted an expedited case investigation.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

The Complainant alleged that the Named Employees planted the narcotics that were found on her person during her arrest.

SPD Policy 5.001-POL-2 requires that employees must adhere to laws, City policy and Department policy. The allegation made by the Complainant, if true, would constitute a clear violation of both law and policy. However, as discussed below, I find the Complainant’s allegations to be without any merit whatsoever.

The Named Employees interacted with the Complainant based on a call reporting a burglary. The Complainant was initially contacted by Named Employee #2 (NE#2). The Complainant fled the scene and was taken into custody by



NE#2 and Named Employee #3 (NE#3). From a review of the Department video associated with this case, it did not appear that either NE#2 or NE#3 touched the Complainant's property or placed anything into her pants.

After placing the Complainant under arrest, NE#2 turned custody over her to Named Employee #1 (NE#1), who was tasked with transporting her. NE#1 then took custody and control of the Complainant. As with NE#2 and NE#3, NE#1's interactions with the Complainant were captured by video, as was his later search of her person that recovered the drugs. From a review of that video, there is no evidence that NE#1 placed anything into the Complainant's pants or property. Notably, when reviewing the recording of the search, it appeared that, prior to recovering the drugs from the Complainant's person, NE#1 had nothing in his hands. This undercuts any claim that NE#1, or any of the officers, planted drugs on the Complainant.

Ultimately, given that the Named Employees' interactions with the Complainant were captured on video and that video yields absolutely no evidence that any of them planted drugs on the Complainant, I recommend that the allegation be Not Sustained – Unfounded as against all of the Named Employees.

Recommended Finding: **Not Sustained (Unfounded)**

Named Employee #2 - Allegation #1

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**

Named Employee #3 - Allegation #1

5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy

For the same reasons as stated above (see Named Employee #1, Allegation #1), I recommend that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**