



CLOSED CASE SUMMARY

ISSUED DATE: OCTOBER 3, 2018

CASE NUMBER: 2018OPA-0320

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing	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:

The Complainant alleged that the Named Employee engaged in biased policing.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the OPA Auditor’s review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employee. As such, the Named Employee was not interviewed as part of this case.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing

Named Employee #1 (NE#1) responded to a call concerning a potential drunk driver. Another officer observed the subject vehicle parked in a nearby lot. It was occupied at that time by the Complainant. When the officer approached the Complainant, he drove from the lot. The Complainant then committed a number of traffic infractions before being pulled over by the officer. Additional officers, including NE#1, came to the scene of the stop. The Complainant was investigated and arrested for DUI. NE#1 assisted in handcuffing him. The Complainant was transported to the precinct. While there, he alleged that NE#1 had arrested him because of his race – the Complainant identifies as Pacific Islander and NE#1 is White.

SPD policy prohibits biased policing, which it defines as “the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws as well other discernible personal characteristics of an individual.” (SPD Policy 5.140.) This includes different treatment based on the race of the subject. (*See id.*)

Based on my review of the Department video and the other information in the record, I see no evidence indicating that NE#1 engaged in biased policing. Indeed, I find the opposite and conclude that NE#1 acted appropriately and



consistent with policy at all times during his interaction with the Complainant. For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

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