



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 1, 2020

CASE NUMBER: 2018OPA-1101

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 (Inconclusive)

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 (Inconclusive)

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, a senior SPD employee in the vice unit, became aware of allegations that unknown SPD officers were harassing and assaulting sex workers on the Aurora corridor.

ADMINISTRATIVE NOTE:

Given that no SPD employees were identified as the Named Employees in this case, the 180-day timelines imposed by the collective bargaining agreements between the City and its police unions were inapplicable to this case. As such, OPA has administratively set the date of this DCM as the 180-day deadline.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

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

On November 20, 2018, the Lieutenant overseeing SPD’s Vice Unit received allegations that two unknown individuals purporting to be SPD officers were harassing and assaulting sex workers on Aurora Avenue. In addition, the Lieutenant received another, unrelated report of rape by SPD officers that purportedly occurred on Aurora. The allegations originated with two individuals.

The first individual, who made the allegations concerning the unknown officers, was an employee of a nonprofit that provided services to sex workers. The first individual initially relayed his allegations to a Seattle Times reporter who then alerted SPD of the claims. The first individual stated to the reporter that a sex worker informed her of two males who were known to harass and assault women. The first male was identified only by a nickname “Otter,” and was said to be in his mid-30s and wearing an SPD uniform. According to the women, “Otter” would aggressively



“shake down” sex workers for cash and was “handsy” when doing so. The second male, whose name was not known, was described as driving a vehicle with California plates and was said to identify himself as an SPD employee.

The second individual made his allegation in the process of negotiating his surrender to SPD after he committed an unrelated assault. The allegation was made to a member of the Hostage Rescue Team who then alerted Vice. The second individual, who was known to be experiencing crisis, alleged a conspiracy among City of Seattle officials, SPD, and the FBI to cover up rapes committed by SPD officers. The second individual, who stated that he became aware of the conduct during a time when he frequented Aurora Avenue, did not allege he was a victim of assault and did not identify specific victims.

SPD conducted a criminal investigation into these allegations. During that investigation, SPD vice officers interviewed over 20 sex workers about “Otter” and the other male. None of these interviews yielded any additional information about either suspect. SPD also contacted the first individual who spoke to the Seattle Times reporter. The first individual stated that she had never seen “Otter” but had heard about him from different women over approximately two years. The first individual was not able to identify any specific victims of “Otter.” She stated that “Otter” was described as wearing a police uniform, but that he could be a member of a different law enforcement agency. The first individual declined to provide contact information and did not want to be further interviewed regarding this matter. This second individual’s allegation was also investigated criminally and was unable to be substantiated.

SPD Policy 5.001-POL-2 requires that employees adhere to laws, City policy, and Department policy. If proven, the conduct alleged would violate numerous laws and policies. However, based on the evidence obtained in this investigation, OPA is unable to identify either of the unknown individuals or, for that matter, determine that they are or were SPD employees. Moreover, after both the OPA and the criminal investigation, whether the acts alleged occurred cannot be conclusively proved or disproved. While the allegations, if true and accurately relayed, are deeply troubling, OPA cannot meet its evidentiary burden despite best efforts. For this reason, OPA recommends that this allegation be Not Sustained – Inconclusive.

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

Named Employee #2 - Allegations #1

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

For the same reasons as set forth above (see Named Employee #1 – Allegation #1), OPA recommends that this allegation be Not Sustained – Inconclusive.

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