



CLOSED CASE SUMMARY

ISSUED DATE: JULY 16, 2019

CASE NUMBER: 2019OPA-0071

Allegations of Misconduct & Director’s Findings

Named Employee #1

Allegation(s):		Director’s Findings
# 1	11.050-Detainee Property 1. Officers Secure Detainee Property	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, when she was involuntarily committed to a hospital, the Named Employee took money that belonged to her and did not return it to her.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the Office of Inspector General’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

11.050-Detainee Property 1. Officers Secure Detainee Property

On September 6, 2018, Named Employee #1 (NE#1) and other officers were dispatched to an arson call that involved the Complainant. The officers were informed that the Complainant was setting papers on fire and placing them into the gas tank of her car. When the officers arrived, the Complainant told the officers that a voice in her head told her to burn the car. The Complainant was sent to the hospital for evaluation pursuant to the Involuntary Treatment Act.

The Complainant called SPD on January 14, 2019 and reported that money was missing from what she recalled having in her possession on September 6. The Complainant alleged to a Department Sergeant that she gave NE#1 \$97 in cash prior to her being transported to the hospital but that she found only \$12 in her belongings when she was discharged. The Complainant asserted that NE#1 retained the remaining \$85. The Sergeant reported that he interviewed NE#1 and the other officers who responded to the call and reviewed their Body Worn Video (BWV) from the incident. The Sergeant indicated that he found no evidence that NE#1 or any other officers took the Complainant’s money.



During its investigation, OPA made multiple attempts to reach the Complainant. These attempts were unsuccessful and, thus, the Complainant was not interviewed as part of this investigation.

OPA reviewed the BWV associated with this incident and found no evidence of the Complainant turning over money to NE#1 or any other officers. OPA also found no evidence that money was removed from the Complainant's bra as she alleged. The Complainant had a purse with her during the incident and the purse was removed from her custody by NE#1 and one of the American Medical Response (AMR) employees who transported her to the hospital. The AMR employee placed the purse inside of the ambulance prior to transport. At that time, the purse appeared closed and there is no indication that NE#1 or anyone else opened it and/or removed any of its contents.

SPD Policy 11.050 states that officers will store detainee property in a secured area when practical. If NE#1, as alleged, failed store the Complainant's property in a secured area, which resulted in the loss of money, it may have violated this policy.

As described above, there is no evidence that NE#1 or any other officers ever handled any money belonging to the Complainant. Indeed, based on OPA's review, the BWV appears to conclusively disprove that NE#1 took possession of and retained any money during this incident. For these reasons, I recommend that this allegation be Not Sustained – Unfounded.

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