

February 12, 2025

Chief Shon F. Barnes Seattle Police Department PO Box 34986 Seattle, WA 98124-4986

Dear Chief Barnes:

Please see the below Management Action Recommendation.

### **Case Number**

2023OPA-0552 / 2025COMP-0004

# Topic

• Executing Search Warrants and Money Handling

## Summary

- The named employees found \$6,000 cash while executing a search warrant at the Complainant's residence. The money was counted, photographed, and packaged in a paper bag during the search. The money was then intentionally left at the Complainant's residence following the search.
- The Complainant alleged the named employees either stole or lost the \$6,000.

#### **Analysis**

- While executing a search warrant, two named employees found \$6,000 cash in the Complainant's bedroom. Neither officer wore body-worn video as they were in plain clothes.<sup>1</sup>
- The money was counted, photographed, and packed in a paper bag. A third named employee—the primary officer for the search—determined the money was not evidence and outside the scope of her search warrant. She directed the money to be left at the scene.
- SPD policy provides incomplete guidance for officers who recover valuable property or cash that is determined not to be evidence.
  - SPD Policy 7.010 Submitting Evidence, permits officers to submit property collected for community caretaking as evidence, but the policy is permissive and does not provide guidance for the circumstances in which property should be collected for community caretaking.<sup>2</sup>
  - SPD Policy 7.080 Money Evidence, only applies to money that is collected "as evidence," and not money that is found but never collected.<sup>3</sup>
  - SPD Policy 6.181 Performing Inventory Searches, requires officers to "place valuable items into Evidence." When inventorying a vehicle, officers are directed to secure in Evidence "cash, jewelry, or other items of significant value that cannot be secured inside the vehicle."

<sup>&</sup>lt;sup>1</sup> The two officers located a security camera in the Complainant's bedroom, which they intentionally covered with a hat. Audio in the video recorded someone saying, "Can you – can you just notate that there's 6,000 bucks in..." The audio appeared to cut off, and the video ended.

<sup>&</sup>lt;sup>2</sup> Seattle Police Department Policy Manual. Policy 7.010-POL-7. Effective 02/09/2014.

<sup>&</sup>lt;sup>3</sup> Seattle Police Department Policy Manual. Policy 7.080 – Money Evidence. Revised Effective Date 12/01/2023.

<sup>&</sup>lt;sup>4</sup> Seattle Police Department Policy Manual. Policy 6.181 – Performing Inventory Searches. Effective 06/18/2012.



- SPD Policy 6.120 Impounding Vehicles, regulates and provides guidance concerning impounding vehicles, even for non-evidentiary reasons.<sup>5</sup>
- OPA surveyed other large city jurisdictions and observed that New York City requires officers to submit all "non-evidence currency" that "comes into the possession of a uniformed member of the service" to the Property Clerk.<sup>6</sup>

#### Recommendations

- SPD should revise SPD Policy 7.010 to provide clearer guidance for circumstances in which officers should collect high value property or cash for community caretaking.
- SPD should evaluate requiring plain clothes officers to wear body cameras in certain circumstances, such as while executing a search warrant.

I appreciate your consideration and look forward to your response.

Sincerely,

Bonnie Glenn

Interim Director, Office of Police Accountability

<sup>&</sup>lt;sup>5</sup> Seattle Police Department Policy Manual. Policy 6.120 – Impounding Vehicles. Effective 04/01/2022.

<sup>&</sup>lt;sup>6</sup> New York City Police Department. Procedure No. 218-36 Processing Non-Evidence Currency. Effective: 05/20/2024. *Available at* <a href="https://www.nyc.gov/assets/nypd/downloads/pdf/public\_information/public-pguide4.pdf">https://www.nyc.gov/assets/nypd/downloads/pdf/public\_information/public-pguide4.pdf</a>