

Management Action Recommendation Review Form

OPA Case Number:	2017OPA-1085 / 2021COMP-0041
Closing Date:	September 21, 2021
Topic:	High Risk Vehicle Stops
Accountability tracker Categorization:	Searches, Stops, and Pursuits

Case Summary:

SPD officers conducted a High-Risk Vehicle Stop (HRVS) on a vehicle with a license plate that had been reported as stolen three years prior to the incident. The complainant in the case alleged that officers engaged in “threatening and improper behavior” when they conducted the stop. The officers ordered the occupants out of the vehicle with their guns drawn (at the low-ready position) and handcuffed the driver and passenger. Backup officers searched the vehicle after the two occupants had been removed. Officers confirmed that the vehicle was not stolen and released the occupants.

OPA Recommendations:

1. Create a policy under SPD Manual Title 6 governing HRVS to provide guidance on the requirements and limitations of such stops, including when it is appropriate for officers to conduct felony-level stops.
2. Amplify HRVS training to provide examples of stops in which it may be unnecessary to draw firearms or where alternate tactics exist that ensure both officer and public safety.

CPC Analysis:

In this case officers pulled over a vehicle based on a three-years-old report that the vehicle was stolen. This calls into question the utility and viability of SPD data and how databases are maintained. The vehicle in question had been recovered by the owner yet still appeared in SPD databases three years later. This shows that in some cases SPD officers can not rely on the data that is available to them. The bottom line is SPD officers initiated a high-risk vehicle stop based on **outdated** and **inaccurate** information. This should prompt SPD to take a closer look at their data and how they maintain their databases, especially ones that officers rely on to do their jobs appropriately.

In this incident where community members were stopped, at gunpoint, and detained based on outdated and inaccurate information there is also a question of what does SPD do when they have wronged a member of the community to make them whole? Community members were stopped based on bad information, and not their own actions, which means that SPD should take steps to ensure that the community members are compensated in the appropriate manner and, at the very least, offered an apology.

CPC Recommendations:

1. The CPC would like to amplify both recommendations made by the Office of Police Accountability. After reviewing the publicly available SPD manual it was determined that SPD has not created a policy that focuses on HRVS. The CPC would like to emphasize that having a policy that clearly outlines processes and procedures for conducting HRVS, and training SPD officers to the policy, is vital to ensure the safety of both officers and civilians when these situations arise. Officers should be made fully aware of the types of HRVS where drawing a weapon is permissible and acceptable.
2. An issue that was not addressed in the MAR was the lack of up-to-date information on the status of the stolen vehicle. When the officers stopped the vehicle, it was based on information that was three years old. Since the vehicle had been reported as stolen it had been recovered and that information was not made available to officers. Therefore, the CPC recommends that SPD seek to improve communication between the patrol and the Auto division to ensure that when vehicles are recovered by the owners the stolen vehicle database is appropriately updated and the vehicle is removed from the database.
3. In terms of impacts on members of the public and public trust, the Department should ensure that apologies and/or restitution is made to members of the public specifically in cases where they have been wrongly detained, particularly at gunpoint, due to departmental oversight. Situations like this are often traumatic to community members and that should be acknowledged and, as much as possible, mitigated by the Department. This is especially important in situations where the person being detained has done nothing wrong and is a matter of public trust. To improve policing, and the perception of the Department and individual officers, there must be accountability for actions that can cause harm especially in a situation like the one in this case.

Signatures: