



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2015-0784

Issued Date: 12/31/2015

| Named Employee #1 | |
|--------------------------|--|
| Allegation #1 | <u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing Officers Will Not Engage in Bias-Based Policing (Policy that was issued 01/01/15) |
| OPA Finding | Not Sustained (Unfounded) |
| Final Discipline | N/A |

| Named Employee #2 | |
|--------------------------|--|
| Allegation #1 | <u>Seattle Police Department Manual</u> 5.140 (2) Bias-Free Policing Officers Will Not Engage in Bias-Based Policing (Policy that was issued 01/01/15) |
| OPA Finding | Sustained |
| Final Discipline | No Discipline, no longer an SPD employee |

INCIDENT SYNOPSIS

Named employee #1 was working traffic enforcement in a school zone and was monitoring a three-way intersection. He observed a vehicle fail to come to a complete stop before making a right turn. Named employee #1 initiated a traffic stop and discovered that the driver did not have proof of insurance or a valid driver's license. He told the driver, the complainant, that he would file the violations through the City Attorney's Office and concluded the stop. The complainant stated that he thought the only reason he was pulled over was due to his race. Named employee #1 called his supervisor, named employee #2, and requested that he respond for a bias complaint. The complainant did not want to remain at the scene and wait for named employee #2 to arrive. Named employee #2 did not respond to the scene as the complainant did not wait and instructed named employee #1 to write a report on the incident.

COMPLAINT

The complainant alleged he did not commit the moving violation he was stopped for, and that named employee #1 made the stop based on his race.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint email
2. Review of the written statement by the complainant
3. Search for and review of all relevant records and other evidence
4. Review of In-Car Video (ICV)
5. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The evidence showed that named employee #1 utilized his In-Car Video (ICV) to document the intersection where he was conducting assigned traffic enforcement. The complainant's traffic infraction is documented on ICV as is the subsequent interaction with named employee #1. The preponderance of evidence does not support the complainant's claim of bias policing. The investigation demonstrated that named employee #2 did not conduct a preliminary inquiry into the Bias-Based Policing allegation at the time it was reported to him.

FINDINGS

Named Employee #1

Allegation #1

The evidence does not support the allegation of bias policing by named employee #1. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Bias-Free Policing Officers Will Not Engage in Bias-Based Policing*.

Named Employee #2

Allegation #1

The evidence showed that named employee #2 did not conduct a preliminary inquiry of the allegation as required by policy. Therefore a **Sustained** finding was issued for *Bias-Free Policing Officers Will Not Engage in Bias-Based Policing*.

Discipline imposed: No Discipline, no longer an SPD employee

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.