



## CLOSED CASE SUMMARY

ISSUED DATE: JUNE 12, 2018

CASE NUMBER: 2018OPA-0060

### Allegations of Misconduct & Director's Findings

#### Named Employee #1

Allegation(s):		Serial Number: 8389
		Director's Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	Not Sustained (Unfounded)

#### EXECUTIVE SUMMARY:

The Complainant alleged that the Named Employee stole his money after his arrest.

#### ANALYSIS AND CONCLUSIONS:

##### Named Employee #1 - Allegations #1

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

The Complainant was arrested for DUI after a traffic accident. He was searched incident to his arrest and Named Employee #1 (NE#1) located money. The money - \$2.00 – was inventoried. At the time of the search, the Complainant accused NE#1 of stealing \$20 from him. NE#1 reported this allegation to a supervisor who, in turn, referred the Complainant's allegations to OPA. OPA conducted a preliminary review of this case and, given the Complainant's allegation of theft, referred this matter back to SPD for criminal investigation. After conducting its investigation, SPD determined that there was no evidence of a criminal act and referred this matter back to OPA.

OPA then commenced its administrative investigation into this matter. As part of that investigation, OPA reviewed the Body Worn Video (BWV), which captured the search of the Complainant post-arrest and the inventorying of the Complainant's money. The BWV yielded no evidence of any theft of money on the part of NE#1. Indeed, it showed the exact opposite. OPA further tried to interview the Complainant; however, the Complainant did not respond to those requests.

SPD Policy 5.001-POL-2 requires that Department employees adhere to laws, City policy, and Department policy. If it were true that NE#1 stole money from the Complainant, that behavior would constitute a violation of this policy. However, based on OPA's review of the record, the Complainant's allegations against NE#1 are meritless. As such, I recommend that this allegation be Not Sustained – Unfounded.

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