



CLOSED CASE SUMMARY

ISSUED DATE: APRIL 16, 2020

CASE NUMBER: 2018OPA-0274

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties 10. Employees Shall Strive to be Professional	Not Sustained (Unfounded)
# 2	5.001 - Standards and Duties 13. Employees Shall Not Use Their Position or Authority for Personal Gain	Not Sustained (Unfounded)
# 3	5.001 - Standards and Duties 18. Employees Must Avoid Conflicts of Interest	Not Sustained (Unfounded)
# 4	5.001 - Standards and Duties 19. Employees Must Disclose Conflicts	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, who is a mother of a domestic violence victim, alleged that an SPD employee provided information to the Suspect in order to assist him in avoiding arrest.

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.

As OPA was unable to identify a Named Employee in this case, the 180-day timeline imposed by collective bargaining agreement between the City and SPOG is inapplicable to this investigation. For administrative purposes, the 180 date has been set as the date this DCM was issued.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.001 - Standards and Duties 10. Employees Shall Strive to be Professional

On March 21, 2018, officers were dispatched to an apartment in which a domestic violence assault occurred. According to the 911 caller, who is the mother of the victim and the Complainant in this case, she had received a phone voicemail from the victim on which screaming was audible. She drove to the victim's apartment and found the victim injured. Officers spoke to the victim and developed probable cause to arrest the victim's boyfriend –



referred to here as the Subject – for domestic violence assault. The Subject left the scene before the Complainant or officers arrived. The Complainant told officers that the Subject drove a dark colored Land Rover SUV.

On March 25, 2018, four days after the incident, the Complainant contacted one of the officers who responded to the scene of the assault to report “serious misconduct.” The Complainant alleged that an unknown officer was providing “inside information” to the Subject that allowed the Subject to avoid arrest. The Complainant alleged that the Subject had a friend and business partner whose brother was a Seattle Police officer. The Complainant alleged that the unknown SPD officer had a street name of “Smiley” and that she believed his surname was “Bowen.” The Complainant said that the Subject’s business partner (the alleged brother of the unknown SPD officer) used to or may still own a party bus company jointly with the Subject. She described the party bus as silver, with California license plates, and said that the name of the business was or sounded like “Town Business.” The officer reported the Complainant’s information to his chain of command. The chain of command subsequently made an OPA referral.

On March 26, 2018, the South Precinct Anti-Crime Team was in the area of Rainier Avenue and S. Barton Place when they observed an individual enter an apartment building. They identified the individual as the Subject and verified that the Subject was wanted for the DV assault, as well as an for outstanding felony warrant. The officers arrested the Subject without incident.

OPA attempted to contact the Complainant, who did not return requests for contact. OPA ran a search in SPD’s database for an employee with a last name matching or similar to “Bowen” and found no results. OPA identified a business registered as “Town Business Party Bus Rental,” and identified a vehicle depicted in photographs with the license plate visible. A license plate check revealed the registered owner of the vehicle. OPA contacted the registered owner. The registered owner stated that he had no business partners who worked for SPD. He further stated that he did not have any personal connections to any SPD employees or, for that matter, any employee of the City of Seattle. The registered owner, whose last name was not “Bowen” or anything similar to that, declined to provide any further information.

SPD Policy 5.001-POL-10 requires that SPD employees “strive to be professional at all times.” The policy further instructs that “employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers.” (SPD Policy 5.001-POL-10.)

OPA was unable to identify sufficient evidence to identify an unknown SPD officer linked to the Subject, or to identify an officer plausibly matching the description the Complainant provided. A search of SPD’s employee database did not return any individuals with a name similar to the one provided by the Complainant. Moreover, while the business identified by the Complainant exists, there is no indication that any individual associated with that business has or had ties to SPD. The current owner of the business denied having a business partner employed by SPD and stated that he has no associations with SPD or the City. Moreover, there is no indication that the Subject ever received “inside information” of the type the Complainant suggested, and SPD was able to arrest him for the assault shortly after this complaint was made. Ultimately, OPA cannot locate any evidence to suggest that an unknown SPD employee was providing the Subject with information which would allow him to avoid capture. For this reason, OPA recommends that this allegation be Not Sustained – Unfounded.

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



Named Employee #1 - Allegation #2

5.001 - Standards and Duties 13. Employees Shall Not Use Their Position or Authority for Personal Gain

For the same reasons as above (see Named Employee #1 – Allegation #1), OPA recommends that this allegation be Not Sustained – Unfounded.

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

Named Employee #1 - Allegation #3

5.001 - Standards and Duties 18. Employees Must Avoid Conflicts of Interest

For the same reasons as above (see Named Employee #1 – Allegation #1), OPA recommends that this allegation be Not Sustained – Unfounded.

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

Named Employee #1 - Allegations #4

5.001 - Standards and Duties 19. Employees Must Disclose Conflicts

For the same reasons as above (see Named Employee #1 – Allegation #1), OPA recommends that this allegation be Not Sustained – Unfounded.

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

Named Employee #1 - Allegation #5

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

For the same reasons as above (see Named Employee #1 – Allegation #1), OPA recommends that this allegation be Not Sustained – Unfounded.

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