



CLOSED CASE SUMMARY

ISSUED DATE: MAY 5, 2020

CASE NUMBER: 2019OPA-0065

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 - Standards and Duties 2. Employees Must Adhere to Laws, City Policy and Department Policy	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:

OPA initiated this complaint regarding a laptop that an individual reported stolen from her vehicle after it was impounded in 2017.

ADMINISTRATIVE NOTE:

OPA investigated another case involving the Complainant under case number 2017OPA-1309. In that case, the Complainant asserted that her laptop was stolen from her towed vehicle, potentially by an unknown SPD employee. As a result, OPA initiated this second related case. As OPA was unable to identify any employee who committed misconduct, the 180-day timeline imposed by collective bargaining agreement is inapplicable to this case. Accordingly, OPA administratively set the date of this DCM as the 180-day deadline.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

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

This case arises out of the same facts as 2017OPA-1309. In that case, OPA received a complaint from an individual whose vehicle was impounded when she was arrested. The Complainant in that case (referred to here for clarity as the Complainant, although OPA initiated this investigation) alleged that an unknown SPD employee may have stolen a laptop from the backseat of her vehicle while the vehicle was in SPD custody.

When the Complainant was arrested, she informed officers that one of her vehicle's windows did not roll up. After the Complainant's arrest, the vehicle was impounded to the Vehicle Processing Room, a secure facility, to be inventoried. Shortly afterward, SPD completed its investigation of the underlying case and the vehicle was released. Lincoln Towing took custody of the vehicle and towed it to a lot on Aurora Avenue. The vehicle remained there until the Complainant could recover it. After her release from jail, the Complainant arrived to take custody of her vehicle and, at that time, noted that the laptop was missing.

During its prior investigation (see 2017OPA-1309), OPA made a criminal referral with respect to the laptop that the Complainant alleged was stolen from her vehicle. The SPD criminal investigation determined that the laptop, which



was identified by its serial number, had been pawned. SPD contacted the Complainant, who declined to recover the laptop and stated that it should be “donated.” SPD then released the laptop to the pawn shop.

The individual who pawned the laptop was not an SPD employee. OPA attempted to determine how the individual obtained the laptop based on a public records search of the individual’s name. OPA determined that the individual had no known associations with SPD or the City of Seattle, and that the individual likely obtained the laptop through theft. OPA made a criminal referral to SPD.

SPD Policy 5.001-POL-2 requires that employees adhere to laws, City policy, and Department policy. If an SPD employee stole the laptop from the Complainant’s vehicle that would violate the law and this policy.

Based on its investigation, OPA concludes that no SPD employee removed the laptop from the Complainant’s vehicle or participated in pawning it. Instead, OPA’s investigation determined that an individual who was not associated with SPD pawned the laptop. Based on the information OPA was able to identify about the individual from SPD databases and public records, OPA can state conclusively that the individual did not obtain the laptop from the Complainant’s vehicle while it was in SPD custody and, consequently finds that no SPD employee violated the law. For these reasons, OPA recommends that this allegation be Not Sustained – Unfounded.

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