



CLOSED CASE SUMMARY

ISSUED DATE: Click or tap to enter a date.

CASE NUMBER: 2019OPA-0919

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	15.180 - Primary Investigations 5. All reports must be complete, thorough and accurate	Not Sustained (Lawful and Proper)

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 alleged that the Named Employee conducted an inadequate investigation and wrote a report that was altered in order to "benefit the assailant."

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

15.180 - Primary Investigations 5. All reports must be complete, thorough and accurate

Named Employee #1 (NE#1) was flagged down by a woman who stated that she had been assaulted. The woman – who was later identified as the Complainant – asserted that she was punched in the head by an unknown assailant and that the assailant then ran away. At the time the Complainant reported the assault to NE#1, he and other officers were actively investigating another case and were in the process of making an arrest.

NE#1's Body Worn Video (BWV) recorded the Complainant's reporting of the assault. At that time, NE#1 obtained her account. He asked her about weapons, and she said that she was struck by the assailant's hand. The Complainant identified that a KOMO cameraman may have witnessed the assault. The Complainant asked NE#1 whether her verbal report was sufficient. NE#1 stated that the officers would have to verify the assault through witness accounts, video, and the eventual statements made by the assailant. NE#1 further indicated that the officers would attempt to locate the assailant and, if they were successful, try to speak with her. The Complainant asked why the officers were letting the Complainant get away with assaulting her. NE#1 said that this was not what the officers were doing and explained that they needed to continue investigating the case that they had been originally dispatched to. NE#1 advised the Complainant on what she should do if she later saw the assailant. NE#1 also informed the Complainant that the officers would document this matter in a report and that they would look for the assailant in the surrounding area.

The officers offered the Complainant medical assistance and she declined. The officers also conducted an area check for the assailant; however, the assailant was not ultimately located. NE#1 documented the investigation in a report.

The Complainant later sent a letter to OPA in which she alleged, in summary, that NE#1 inadequately investigated this case and changed the report in order to "benefit the assailant." This investigation ensued.



SPD Policy 15.180-POL-5 requires officers to complete a primary investigation into reports of criminal conduct. Officers are further instructed to complete reports regarding those investigations. Lastly, the documentation generated by officers must be complete, thorough, and accurate.

As part of its investigation, OPA attempted to interview the Complainant. However, she did not respond to OPA's request for contact. OPA further reviewed the BWV for this incident, as well as the report that NE#1 wrote summarizing the law enforcement action that he took.

After reviewing the totality of the evidence, OPA concludes that NE#1's report fairly and accurately summarized this incident. OPA could find no indication that the report was altered or skewed to "benefit the assailant." To the contrary, the report identified the Complainant as the victim and characterized the assailant as the suspect. In addition, the officers properly investigated this case, particularly given that there were in the middle of dealing with another arrest at the time that they were initially contacted by the Complainant.

For all of these reasons, OPA recommends that this allegation be Not Sustained – Lawful and Proper.

Recommended Finding: **Not Sustained (Lawful and Proper)**