



CLOSED CASE SUMMARY

ISSUED DATE: FEBRUARY 27, 2020

CASE NUMBER: 2020OPA-0093

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing	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 alleged that the Named Employee used racial slurs towards him.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the review and approval of the Office of Inspector General for Public Safety, believed that it could reach and issue recommended findings based solely on its intake investigation and without interviewing the Named Employees. As such, the Named Employees were not interviewed as part of this case.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegations #1

5.140 - Bias-Free Policing 2. Officers Will Not Engage in Bias-Based Policing

The Complainant was detained by SPD officers in connection with a bank robbery. The Complainant was believed to be the perpetrator. He fled from police but was ultimately arrested. Prior to his arrest, he was the subject of a use of force. That use of force is currently being investigated by SPD's Force Investigation Team (FIT). OPA also received a complaint regarding the force (2019OPA-0082), which will be investigated after the conclusion of FIT's review.

During its initial evaluation of this matter, FIT interviewed the Complainant at the hospital. At that time, the Complainant asserted that the officer who arrested him – Named Employee #1 (NE#1) – used racial slurs towards him. If true, such statements would constitute biased policing. Accordingly, FIT referred the Complainant's allegation to OPA, and this investigation ensued.

As part of its investigation, OPA reviewed the Body Worn Video (BWV) for the arresting officer and for the other officers involved in this incident. Based on that review, OPA found no evidence that any racial slurs were uttered by NE#1 or any other SPD employee. Indeed, OPA found that this allegation was completely unsubstantiated.

For these reasons, OPA recommends that this allegation be Not Sustained – Unfounded.

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