



## ***CLOSED CASE SUMMARY***

ISSUED DATE: MAY 1, 2022

FROM: INTERIM DIRECTOR GRÁINNE PERKINS  
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2021OPA-0414

### **Allegations of Misconduct & Director's Findings**

Named Employee #1

Allegation(s):		Director's Findings
# 1	5.001 – Standards and Duties 5.001-POL 10. Employees Will Strive to be Professional	Not Sustained - Unfounded (Expedited)

***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:**

On May 9, 2020, Seattle Police and Seattle Fire Department (SFD) responded to a fire that occurred at the Complainant's apartment. The Complainant alleged that when Named Employee #1 (NE#1) responded to the scene, NE#1 was rude to the Complainant and ignored her requests for peer support and assistance in the recovery of her property.

### **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 involved employee. As such, OPA did not interview the involved employee in this case.

### **SUMMARY OF INVESTIGATION:**

All relevant portions of NE#1's response were captured on Body-Worn Video (BWV). Accordingly, the relevant facts are not in credible dispute.

On May 9, 2020, Seattle Fire Department firefighters were dispatched to a fire at the Complainant's apartment. Once firefighters were on scene, Seattle Police Department officers were called to assist with traffic control. As Seattle Police officers maintained a perimeter around the area, the Complainant arrived from outside the perimeter and advised officers that it was her apartment that was burning. The Complainant then asked about her spouse's welfare, at which point officers took the Complainant over to a nearby ambulance. Once paramedics had clarified that the Complainant's spouse would be fine, the Complainant turned her attention back to the burning apartment and stated that she needed to recover her possessions.



In response, officers advised the Complainant that it was not possible for her to approach the apartment, then asked whether she wanted to visit her spouse at Harborview Medical Center. The Complainant stated that she did not, then asked the officers to assist her in carrying items to her vehicle. While assisting the Complainant, officers again asked whether the Complainant would be going to the hospital, to which the Complainant stated that she would not, then announced that her wallet was missing. At this point, officers took the Complainant to a SFD official, and the Complainant advised the firefighter that she needed her Seattle Police identification and medication, which were in the apartment. The firefighter proceeded to escort the Complainant into her apartment.

SFD officials later told Seattle Police officers that the Complainant and her spouse were Seattle Police Department employees, and that the Complainant was interested in speaking with Peer Support. Officers advised the Complainant that they would provide her contact information to Peer Support, then confirmed that the Complainant was able to access her medication and find lodging. After this point, the officers made contact with SPD Communications and related the Complainant's contact information for Peer Support services. The Complainant went on to advise officers that she had been contacted regarding support services from the Red Cross, and that she would be comfortable waiting for them to arrive on scene.

NE#1 then arrived on scene and spoke with the officers who had been working with the Complainant. NE#1 was advised that the Complainant was waiting for support services, during which time the Complainant stated that she needed to return to her apartment in order to procure her car keys. In response, NE#1 noted that the Complainant appeared to be intoxicated and acting "odd," causing him to believe that the Complainant should not be driving. NE#1 proceeded to advise the Complainant that police would investigate the incendiary incident and that the Complainant was not free to leave, at which point NE#1 asked the Complainant to tell him what happened prior to the incident.

The Complainant proceeded to describe what she was doing earlier in the evening, whereupon Seattle Fire officials advised NE#1 that the fire was caused by an electrical malfunction. Fire officials also expressed concern regarding the Complainant's behavior and lack of interest in traveling to the hospital to visit her spouse. Eventually the Red Cross support arrived on scene and assisted the Complainant, at which time Seattle Police ended their response to the incident.

#### **ANALYSIS AND CONCLUSIONS:**

##### **Named Employee #1 - Allegation #1**

##### ***5.001 – Standards and Duties 5.001-POL 10. Employees Will Strive to be Professional***

The Complainant alleged that NE#1 would not help the Complainant locate her car keys, then rudely asked the Complainant what was wrong with her. Additionally, the Complainant alleged that NE#1 would not call support services for the Complainant and that the Complainant was not offered a ride to the hospital.

SPD Policy 5.001-POL-10 requires that SPD employees "strive to be professional." The policy further instructs that "employees may not engage in behavior that undermines public trust in the Department, the officer, or other officers" whether on or off duty. (SPD Policy 5.001-POL-10.) The policy further states the following: "Any time employees represent the Department or identify themselves as police officers or Department employees, they will not use profanity directed as an insult or any language that is derogatory, contemptuous, or disrespectful toward any person." (Id.) Lastly, the policy instructs Department employees to "avoid unnecessary escalation of events even if those events do not end in reportable uses of force." (Id.)



In reviewing BWV from the officers on scene, as well as that of NE#1, it is evident that the Complainant was asked multiple times whether she wished to go to the hospital to visit her spouse, but that the Complainant consistently stated that she did not wish to do so. BWV also showed SPD officers working to connect the Complainant with Peer Support, which arrived on scene and assisted the Complainant. Lastly, BWV showed the Complainant as seemingly disengaged with the welfare of her spouse and focused on the status of her possessions, something that Seattle Police and Seattle Fire officials found to be unusual.

OPA notes that NE#1's questions regarding the Complainant's disposition appear to be investigative in nature, as the basis of the incendiary incident was still unknown. At no time did NE#1 make profane or questionable commentary while speaking with the Complainant. Once the Complainant offered a recitation of the evening's events and firefighters provided their analysis of the basis of the incident, NE#1 no longer questioned the Complainant's behavior. NE#1 then waited on scene for support services to arrive and assist the Complainant.

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

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