

**Issued Date:** DECEMBER 29, 2023

**From:** Director Gino Betts, Office of Police Accountability 

**Case Number:** 2023OPA-0305

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

### **Named Employee #1**

1. **Allegation #1:** 5.001 - Standards and Duties, 5.001-POL 14. Retaliation is Prohibited
    - a. **Finding:** Not Sustained - Unfounded (Expedited)
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**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 unknown Parking Enforcement Officer(s) (Named Employee #1 or NE#1) retaliated against her by intentionally writing more tickets near her building after she filed an Office of Police Accountability (OPA) complaint.

### **Administrative Note:**

This case was designated as an Expedited Investigation. This means that OPA, with the Office of Inspector General's (OIG) review and approval, believed that it could reach and issue recommended findings based solely on its intake investigation.

On August 15, 2023, OIG certified OPA's investigation as thorough, timely, and objective.

### **Summary of the Investigation:**

The Complainant contacted OPA by multiple methods. She alleged that, after submitting a prior OPA complaint, Parking Enforcement Officers (PEO) drastically increased the number of tickets they issued near her building, resulting in her car being towed on one occasion.

After receiving the complaint, OPA opened an intake investigation. During the intake, OPA reviewed the OPA complaint and interviewed the Complainant. OPA also reviewed a spreadsheet of parking enforcement tickets issued by PEOs in the vicinity of her building.

OPA interviewed the Complainant. During her interview, the Complainant stated she filed an OPA complaint against a dispatcher on June 14, 2023. OPA does not investigate 9-1-1 dispatchers because they are not SPD employees. Dispatchers are employed by Community Assisted Response and Engagement (CARE). See <https://www.seattle.gov/care>. The Complainant alleged that, almost immediately thereafter, she and her neighbors noticed a “200% increase” in parking enforcement actions around her building. The Complainant did not deny that the vehicles were illegally parked but objected to more aggressive enforcement. The Complainant provided the cross streets for her building.

OPA obtained a spreadsheet for the tickets issued in the area of the Complainant’s building around June 14, 2023—the day the Complainant stated she filed an OPA complaint. From May 15, 2023, through June 15, 2023, there were seventy-eight (78) citations, five voids, and three courtesy notices issued. From June 16, 2023, through July 15, 2023, there were sixty-three (63) citations, three voids, and one courtesy notice issued.

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### **Analysis and Conclusions:**

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

##### **5.001 - Standards and Duties, 5.001-POL 14. Retaliation is Prohibited**

The Complainant alleged that NE#1—unknown PEOs—retaliated against her for filing an OPA complaint by issuing more tickets around her building.

SPD policy precludes its employees from engaging in retaliation. SPD Policy 5.001-POL-14. SPD employees are specifically prohibited from retaliating against a person who, among other things, “files a complaint” or “engages in lawful behavior.” *Id.* Retaliatory acts are defined broadly under SPD’s policy and include “discouragement, intimidation, coercion, or adverse action against any person. *Id.*”

Based on the evidence provided, this allegation is unfounded. Objective parking enforcement data show the Complainant’s perception of PEO enforcement actions near her building were not accurate. PEOs issued fewer—not more—tickets in the area of the Complainant’s building after she filed a complaint.

Accordingly, OPA recommends this allegation be Not Sustained – Unfounded (Expedited).

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