

Issued Date: JANUARY 11, 2024

From: Director Gino Betts, Office of Police Accountability 

Case Number: 2023OPA-0312

Allegations of Misconduct & Director's Findings

Named Employee #1

1. **Allegation:** 5.001 – Standards and Duties, 5.001-POL-2. Employees Must Adhere to Laws, City Policy, and Department Policy
 - 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 was arrested for assault. The Complainant alleged that Named Employee #1 (NE#1) searched her purse and stole her money.

Administrative Note:

This case was approved for Expedited Investigation. That means OPA, with the Office of Inspector General's (OIG) agreement, believed it could issue recommended findings based solely on its intake investigation without interviewing the named employee. As such, OPA did not interview the named employee involved in this case.

On August 14, 2023, OIG certified OPA's investigation as thorough, timely, and objective.

Summary of the Investigation:

On July 17, 2023, a sergeant submitted a blue team complaint to OPA on the Complainant's behalf. The sergeant wrote that the Complainant called the precinct on July 15, 2023, to report that she was missing about \$230 and believed NE#1 stole her money. The sergeant wrote that the Complainant said she watched NE#1 search her purse but may have fallen asleep at some point because she did not see the entire search.

OPA investigated the complaint, reviewing the computer-aided dispatch (CAD) call report, police reports, body-worn video (BWV), and precinct video. OPA contacted a King County Jail (KCJ) captain and interviewed the Complainant.

On July 10, 2023, at 10:39 PM, CAD call remarks noted, "1 MIN AGO, [REPORTING PARTY] WAS HIT WITH A STICK BY AN EMPLOYEE, HAS A MARK ON HER FACE AND REQ MEDICS, SCREENING FIRE." NE#1 wrote an incident report describing his response to the assault call. NE#1 wrote that the Complainant was arrested for assaulting a store clerk. Witness Officer #1 (WO#1) wrote a behavioral crisis report. WO#1 wrote that he transported the Complainant to KCJ, but she was medically declined due to injuries to her face. WO#1 then transported the Complainant to Harborview Medical Center (HMC).

NE#1 and WO#1 activated their BWV at the precinct and during the Complainant's transport to KCJ and HMC. A precinct camera recorded the Complainant's holding cell and a table across from it. Collectively, video depicted the following:

At the precinct, NE#1 stood in front of a table across from the Complainant's holding cell. NE#1 removed all items from the Complainant's purse and placed them on the table. NE#1 returned several items to the purse and threw away items that appeared to be garbage, such as cigarette butts and empty beverage containers. NE#1 arranged the money—both bills and coins—on the table, counted the money, documented the amount on paper and on a clear currency envelope. NE#1 deposited the money in a brown paper bag, rolled up the bag, and placed it in the Complainant's purse. WO#1 grabbed the Complainant's purse, escorted the Complainant to a patrol car for transport, and placed her purse in the back of the patrol car. WO#1 transported the Complainant to KCJ, then HMC, but did not remove any items from the purse.

OPA contacted a KCJ Internal Affairs captain, inquiring about whether the Complainant's money was submitted to KCJ before the Complainant was medically declined. The captain reported that KCJ did not accept the Complainant's money when WO#1 attempted to book the Complainant at KCJ.

OPA interviewed the Complainant on August 2, 2023. The Complainant said she saw NE#1 searching her purse and counting her money but did not see NE#1 return the money. The Complainant said she found out her money was missing when she got her purse after she was released from HMC. The Complainant alleged NE#1 stole her money.

Analysis and Conclusions:

Named Employee #1 – Allegation #1

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

The Complainant alleged that NE#1 pocketed her money when NE#1 searched her purse.

Employees must adhere to laws, City policy, and Department policy. SPD Policy 5.001-POL-2.

Here, NE#1 counted the Complainant's money, documented the amount, and deposited the money in a brown paper bag. NE#1 placed the brown paper bag in the Complainant's purse. WO#1 transported the Complainant and her purse to KCJ, then HMC, but did not remove any items from the purse. The KCJ captain told OPA that KCJ did not accept the Complainant's money when WO#1 attempted to book the Complainant at KCJ. Based on the evidence provided, there was no evidence that NE#1 stole any of the Complainant's money as alleged.

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

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